

ORDINANCE 18-01

**AN ORDINANCE OF THE TOWN OF OAKLAND, TENNESSEE, REGULATING THE PARKING OF VEHICLES ON RESIDENTIAL STREETS AND RESIDENTIAL LOTS AND AMENDING TITLE 15, CHAPTER 6 OF THE OAKLAND MUNICIPAL CODE RELATING TO PARKING.**

**WHEREAS**, the Oakland Board of Mayor and Aldermen has determined that the parking of motor vehicles, trailers, boats, recreational vehicles, heavy vehicles, farm vehicles, and other vehicles as more specifically defined hereinbelow, on residential streets and in unfenced yards and driveways of privately-owned residential lots may create a nuisance and may be injurious to the health, safety, and welfare of persons residing in and near such residential areas; and

**WHEREAS**, the Oakland Board of Mayor and Aldermen has also determined that the parking of said motor vehicles, trailers, boats, recreational vehicles, heavy vehicles, farm vehicles, and other vehicles as more specifically defined hereinbelow, on residential streets and in unfenced yards and driveways of privately-owned residential lots serves to diminish property values and degrade the aesthetic appearance of residential properties in neighborhoods where such parking is prevalent; and

**WHEREAS**, the Oakland Board of Mayor and Aldermen has determined it is desirable to control the parking of vehicles on unimproved surfaces in the unfenced yards of residentially-zoned property in order to beautify neighborhoods where such parking is prevalent; and

**WHEREAS**, the Oakland Board of Mayor and Aldermen has determined that the parking of heavy vehicles may create damage to the streets in residential areas;

**NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF OAKLAND, AS FOLLOWS:**

That Title 15, **Motor Vehicles, Traffic, and Parking, Chapter 6** of the Oakland Municipal Code be amended by adding a new Section 15-607 with the heading "Certain Vehicles Parking on Residential Streets and Residential Lots", and which shall state as follows:

**(A) DEFINITIONS**

- (1) For the purpose of enforcing this Section, the term:
- a. "canopy" shall mean an extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.
  - b. "carport" shall mean a canopy attached to the main building, open and to remain open on two sides providing a sheltered place for parking an automobile and for entering and alighting from said automobile.
  - c. "driveway" shall mean a paved way, on private property, providing access from a public way, street or alley, to the main buildings, carport, garage, parking space or other portion of the premises.

- d. "front yard" shall mean the area of a residential lot which lies between the property line adjacent to a public street or right-of-way and the building wall of the residential structure, extending from the outward corners of the building parallel to the street;
- e. "garage" shall mean a building or portion thereof for the storage of motor vehicles owned or used by the residents.
- f. "improved surface" shall mean a continuous area constructed of concrete, asphalt, brick, or other equivalent material approved by the Town prior to installation, but not including gravel or crushed stone.
- g. "pads" shall mean a surface constructed of concrete or asphalt on which a trailer, recreational vehicle, boat, camper, or similar type vehicle is located.
- h. "rear yard" shall mean the area extending across the full width of a residential lot between the rear lot line and the rear building wall of the residence. For a corner lot, the rear yard includes that portion of the residential lot which is the deepest area of the lot lying between the rear or side wall of the residential structure and the property line and is not generally considered to be a part of the side yard.
- i. "recreational vehicle" shall mean a vehicle which is built on a single chassis, has 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is not designed primarily for use as a permanent dwelling but as a temporary living quarters for recreational, canoeing, travel, or seasonal use.
- j. "truck type and weight class" shall mean the Gross Vehicle Weight Rating (GVWR) which is defined as follows:
1. Class One, 6,000 lbs. or less and includes, but is not limited to, full size pickup, minim pickup, minivan, SUV, and utility van.
  2. Class Two, 6,001 to 10,000 lbs. and includes, but is not limited to, crew size pickup, full size pickup, mini bus, minivan, step van, and utility van.
  3. Class Three, 10,001 to 14,000 lbs. and includes, but is not limited to, city delivery trucks, minibus, and walk-in trucks.
  4. Class Four, 14,001 to 16,000 lbs. and includes, but is not limited to, city delivery trucks, commercial van, landscape, utility, and large walk-in trucks.
  5. Class Five, 16,001 to 19,500 lbs. and includes, but is not limited to, bucket, city delivery, and large walk-in trucks.
  6. Class Six, 19,501 to 26,000 lbs. and includes, but is not limited to, beverage, rack, school bus, single axle van, and stake body trucks.
  7. Class Seven, 26,001 to 33,000 lbs. and includes, but is not limited to, city transit bus, furniture, high profile semi, home fuel, medium semi tractor, refuse, and tow trucks.
  8. Class Eight, 33,001 lbs. or more, and includes, but is not limited to, cement mixer, dump, fire truck, fuel, heavy semi tractor, refrigerated van, semi sleeper, and tour bus.

- k. "commercial trailer" includes, but is not limited to, auto transport, double van, drop frame, dry bulk, dump trailer, flatbed, flatbed low boy, reefer, tanker, van trailer.

**(B) Vehicle Parking on Residential Lots.**

- (1) It shall be unlawful for any person to park or store any automobile, recreational vehicle or any other vehicle designed for passenger use on any unimproved, residentially-zoned building lot in the Town of Oakland.
- (2) Any fully operable and legally titled automobile or other vehicle designated for passenger use which does not exceed eight (8) feet in height at any point, twenty (20) feet in length and 8,000 pounds in gross vehicle weight shall be parked only in that portion of the front yard of any residentially zoned lot in Oakland having an improved surface and considered the driveway area of the lot.
- (3) With the exception of those vehicles designed for passenger use which conform to the requirements of subparagraph B (2) hereinabove, it shall be unlawful for any person to park or store any vehicle which exceeds eight (8) feet in height at any point, exceeds twenty (20) feet in length, or which exceeds eight thousand (8,000) pound gross vehicle weight, and, without regard to size, any recreational vehicles, boats, personal watercrafts, motor homes, truck campers, travel trailers, tent trailers, camping trailers, motorized dwellings, fifth wheels, mobile homes, house trailers, trailers, semi-trailers, horse trailers, airplanes, gliders, off-highway motor vehicles, snowmobiles, sand buggies, dune buggies, all-terrain vehicles, tractors, implements of husbandry, special mobile equipment, or any other major recreational equipment except as follows:
  - (a) In a garage;
  - (b) In a carport;
  - (c) In an area of the rear yard; provided however, recreational vehicles may be parked on a driveway at a residence for up to seventy-two (72) hours in a thirty (30) day period.
- (4) Nothing in this Section shall be construed to prohibit the short-term, temporary parking of vehicles engaged in the provision of services to the building owners or occupants, including but not limited to, the loading or unloading of furniture, household appliances or other bulky items; construction activities for which a building permit has been secured; building maintenance or repair, emergency activities; any activity involving the use of a bucket truck or similar equipment; and other temporary activities for which no reasonable parking alternatives exists.

**(C) Heavy Vehicle Parking on Residential Streets.**

- (1) **Heavy vehicle parking prohibited.**
  - (a) Prohibition. It shall be unlawful for any person, firm or corporation owning, operating or having control of any commercial vehicle that is rated as Class Five, Six, Seven, or Eight to park the same upon any street, avenue, alley, public way or yard in any residential area of the Town.
  - (b) Nothing in this Section shall be construed to prohibit the short-term, temporary parking of vehicles engaged in the provision of services to the

building owners or occupants, including but not limited to, the loading or unloading of furniture, household appliances or other bulky items; construction activities for which a building permit has been secured; building maintenance or repair, emergency activities; any activity involving the use of a bucket truck or similar equipment; and other temporary activities for which no reasonable parking alternatives exists.

- (D) **Penalties.** It shall be unlawful for any person to violate this section. Any owner or operator or other person having control of such vehicle or equipment parked upon any street, avenue, alley, public way or unimproved surface in any residential area of the Town in violation of this section may be cited by the police department to appear in the Oakland Municipal Court, may be punishable by a fine of fifty dollars (\$50.00) for each offense, and a separate offense shall be deemed committed for each day in which each separate violation continues, and the court costs shall be charged to the owner or operator or other person having control of such vehicle or equipment.
- (E) **Repeater clause.** Title 15 Section 607 as well as all other ordinances and parts of ordinances in conflict herewith are hereby repealed.
- (F) **Effective date provisions.** This ordinance will take effect upon final passage, the public welfare requiring it.

**PASSED** on the first reading of the Mayor and Board of Aldermen as a regular meeting thereof on the 19<sup>th</sup> day of April 2018.

**PASSED** on the second reading by the Mayor and Board of Aldermen at a regular/special meeting thereof on the 17<sup>th</sup> day of May, 2018.

ATTEST:

  
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Yvonne Bullard, City Recorder

  
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Chris Goodman, Mayor