MARSHALLTOWN
IOWA

PLAN AND ZONING COMMISSION

Notice of Special Meeting
Thursday, May 9, 2024, at 5:00 pm
City Council Chambers, City Hall
10 West State Street, Marshalltown, IA 50158

1. CALL TO ORDER
2. ROLL CALL
    - Boston
    - Brodin
    - Casady
    - Eilers
    - Gruendler
    - Isom
    - Valbracht
3. Approve Meeting Minutes From April 11, 2024

    Documents:

    04112024_PZ_Min_FINAL.pdf
4. Meeting Minutes From April 18, 2024

    Documents:

    04182024_PZ_Min_FINAL.pdf
5. Review And Set Public Hearing For Text Amendment For 156.C.003-1, Section 156.C.007, Accessory Uses And Structures G Additional Standards For Specific Accessory Uses Or Structures 3 Solar Panel Array (Small Scale), And Section 156.M.002, Definitions Of The Zoning Ordinance Chapter 156

    Documents:

    05092024_PZ_Memo_Solar.pdf
    Solar Array_05022024.pdf
    Solar Array_2_05022024.pdf
    Define Yard Exhibit-r1.pdf

6. REVIEW And RECOMMENDATION To The City Council For Chapter 72 (Parking Rules) Proposed Changes.

Documents:

05092024_PZ_Memo_Chapter 72.pdf
Chapter 72 Parking Rules Mark-up 05092024.pdf
Define Yard Exhibit-r1.pdf

Plan and Zoning Commission

Meeting Minutes – April 11, 2024

Meeting was called to order at 5:00 PM in the City Council Chambers at 10 W. State Street

1. **Roll Call:**

   Present: Boston, Brodin, Casady, Eilers, Gruendler, and Valbracht
   Absent: Isom

2. **Meeting Minutes from 4/11/2024**

   Minutes are approved as distributed.

3. **Discussion on Chapter 72**

   Boston would like to move this topic to a work session to have more time to review this topic. Plan and Zoning work session would be moved to next week. Boston asked if any questions would like to be addressed for the discussion of chapter 72 and asked for residential to address their concerns with the section. Shari Coughenour, 520 N Center St, came to speak about the concerns about parking two vehicles in the rear yard. No front yard parking. Tim Bradbury, 12 N 10th Ave, has lived in the that neighborhood for thirty years and does not have a front drive way. Snow removal would be challenge with the proposal. Would like to be more flexible with the number of vehicles and hardship. Boston will talk about the snow ordinance in the meeting. Paul Illum, 1403 Brentwood Ter, talked about how it is very challenging to meet the zoning ordinance with a one size fits all. Junk vehicles can not be parked in the yards can cause storage like himself out of business if vehicles are allowed to be parked in yard. Sean Cruzan, 304 W Southridge Rd, concerned about project vehicles. It is challenging for homeowners to meet these rules when they are working in their vehicles.

4. **Discussion on Solar array (small-scale)**

   Staff presentation, Hector Hernandez-Morales presented information on the concerns about on ground solar array in residential as well as commercial. Nancy Klar, 108 N 6th St, said that these solar arrays do not meet the criteria of the zoning ordinance and should not be allowed. Gary Thompson, council member at large, said this permit should have never been approved due to not meeting the setbacks requirements and should be taken to city council. Cindy Kendall, acting city administrator, has some concerns about the proposed solar array on 903 E Main St. The zoning ordinance does not have much requirements for buffering if it does not have an adjacent residential property or public right-of-way. Solar arrays would be included in the work session.

There could be a possible rezoning within the next Plan and Zoning Commission meeting for 102 & 104 Pleasantview Rd.

Meeting Adjourned at 5:40 pm.

Plan and Zoning Commission

Meeting Minutes – April 18, 2024

Work Session was called to order at 5:00 PM in the City Council Chambers at 10 W. State Street

1. **Roll Call:**
   Present: Boston, Isom, and Casady
   Absent: Brodin, Valbracht, Gruendler, and Eilers

2. **Discussion on Solar Array (small-scale)**

   Boston moved this topic first on the agenda. Boston would like to get examples from different communities in the state as well as sun belt states like Arizona. Boston would prefer to review a few recommendations for next Plan and Zoning Commission Meeting. No action was taken.

3. **Discussion on Chapter 72 (parking rules)**

   Boston, Isom, and Casady reviewed the proposed changes on chapter 72 that was provided from Heather Thomas, public works director. The commission members made a few suggestion on chapter 72 and would present the changes at the next Plan and Zoning Commission meeting. No action was taken.

Meeting Adjourned at 6:45 pm.

MARSHALLTOWN
IOWA

TO: Plan and Zoning Commission

FROM: Hector Hernandez, City Planner

DATE: May 9, 2024 – Meeting Date

SUBJECT: Review and Set Public Hearing for Text Amendment for 156.C.003-1, Section 156.C.007, Accessory Uses and Structures G Additional Standards for Specific Accessory Uses or Structures 3 Solar Panel Array (small scale), and Section 156.M.002, Definitions of the Zoning Ordinance Chapter 156

Request: Zoning ordinance was adopted in April 2022. There have been some concerns regarding ground-mounted solar panel arrays in residential. Plan and Zoning Commission agreed to review and discuss proposed changes to the solar array section.

Staff Review:
Two options are listed below.

Two new sections for solar panel have been created on use category under utilities solar panels (accessory use) for roof mounted and ground-mounted. Ground-mounted would be allowed in all zoning districts with a special use permit. Roof-mounted would be allowed in all zoning district. The solar panel array (small scale) would be eliminated and will be replaced with solar panel (accessory use). Ground-mounted would be limited in size by table 156. C.007 accessory structures in residential. Ground-mounted solar arrays would be limited to 8ft in height. Plan and Zoning Commission and Board of Adjustment could make additional requirements on ground-mounted solar panels. New definition would be added in the zoning definition for solar panel (accessory use). Major utilities and minor utilities will have solar panel array deleted from the definition.

Two new sections for solar panel have been created on use category under utilities solar panels (accessory use) for roof mounted and ground-mounted. Ground-mounted would only be allowed in AG, GC, PI, and GI with a special use permit. Roof-mounted would be allowed in all zoning district. The solar panel array (small scale) would be eliminated and will be replaced with solar panel (accessory use). Ground-mounted solar arrays would be limited to 8ft in height. Plan and Zoning Commission and Board of Adjustment could make additional requirements on ground-mounted solar panels. New definition would be added in the zoning definition for solar panel (accessory use). Major utilities and minor utilities will have solar panel array deleted from the definition.

Next Steps:
Make recommendations to the proposed changes for chapter 156. Set a public hearing for the text amendment for the next meeting on May 16,

Table 156.C.003-1, Use Table

Use Category	Specific Use[1] (Cv = Conventional, Cl = Cluster, In = Infill)	Residential								Mixed-Use		Nonresidential				Standards
		AG	RR	RL		RM		RH		MU	UC	GC	PI	REC	GI	
				Cv	Cl	Cv	In	Cv	In							
Government Facilities	All Government Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Medical Facilities	Hospital	--	--	--	--	--	--	S	S	--	--	--	P	--	P	156.C.005
	All Other Medical Facilities	--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005
Parks and Open Areas	Cemetery, Columbarium, Mausoleum, or Memorial Park	P	S	S	S	S	S	S	S	--	--	--	--	P	--	156.C.005
	Golf Course	P	P	P	P	P	P	P	P	--	--	--	--	P	--	N/A
	All Other Parks and Open Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Passenger Terminal	Airport or Heliport	--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
	All Other Passenger Terminal Uses	--	--	--	--	--	--	--	--	--	--	P	S	--	P	156.C.005
Public Assembly	All Public Assembly Uses	L	L	L	L	P	P	P	P	P	P	P	P	P	P	156.C.004
Social Service	Correctional Facility	--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
	All Other Social Service Uses	--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005
Utilities	Solar Panel Arrays (Principal Use)	L	--	--	--	--	--	--	--	--	--	S	--	--	L	156.C.004 156.C.005
	Roof-Mounted Solar Panels (accessory use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Ground-Mounted Solar Panels (accessory use)	S	--	--	--	--	--	--	--	--	--	S	S	--	S	
	Utilities, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
	Wireless Telecommunications Facilities	Refer to Table 156.C.009-1, Permitted Wireless Telecommunications Facilities by District														N/A
	All Other Utilities, Major	S	S	S	S	S	S	S	S	S	S	S	S	S	S	156.C.005
Commercial and Office																
Adult Business	Adult Entertainment Businesses	--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
Entertainment, Indoor	Archery / Firearms Range (Indoor)	--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
	Convention Center	--	--	--	--	--	--	--	--	P	P	P	P	--	--	156.C.005
	All Indoor Entertainment Uses	--	--	--	--	--	--	--	--	P	P	P	P	P	P	N/A
Entertainment, Outdoor	Farmers Market	--	--	--	--	L	--	L	--	L	P	L	L	L	--	156.C.004
	Recreational Vehicle Park	--	--	--	--	--	--	--	--	--	--	L	--	P	--	156.C.004
	All Other Outdoor Entertainment Uses	--	--	--	--	--	--	--	--	P	P	L	P	P	--	156.C.004

xi. *No Exterior Display*. No use shall indicate from the exterior any display that the building is being used in part for any purpose other than that of a dwelling, with the exception of permitted signage.

e. *Existing Home-Based Businesses.* Existing home-based businesses that are in conformance at the time of adoption of this chapter shall remain in conformance. If an existing business is vacated, any new business must meet current regulations.

3. Solar Panel Array (~~Small-Scale~~ accessory use).

a. *Ground-Mounted Solar Panels*. Ground-mounted solar panels shall be:

i. Located in the interior side or rear yard and screened from adjacent residential property and all public rights-of-way with Type B bufferyard (see Section 156.F.004, *Buffering*); and

ii. Set back from lot lines as if they were detached accessory buildings if the highest point on the panels is more than six feet above grade and only allowed in rear yard.

iii. Ground-mounted solar panel cannot exceed 8FT in height

~~ii.~~iv. Additional requirements might be requested by Plan and Zoning Commission or Board of Adjustment.

b. *Roof-Mounted Arrays*. Roof-mounted solar panels may be located on principal and accessory buildings.

i. A roof-mounted array on a pitched roof may not extend more than 12 inches above the roof surface if the roof is visible from the public right-of-way or from a residential property, nor may it extend more than 12 inches beyond any edge of the roof;

ii. Where an array is placed atop a flat roof, it may not extend more than five feet above the roof and shall be screened from the public right-of-way with the building's façade parapet or similar mechanism;

iii. Installed roof-mounted arrays shall meet the International Building Code standards for wind loads; and

iv. A roof-mounted solar panel array that cannot meet these placement standards requires a Special Use Permit.

4. Small Wind Energy Conversion System (SWECS).

a. General Regulations.

i. *Other Permits Required*. The owner/operator of the SWECS shall also obtain any other permits required by other federal, state, and local agencies/departments prior to constructing the system.

ii. Number of Systems Per Lot.

(A) No more than one freestanding SWECS may be placed on any parcel or lot for residential use. Building-mounted SWECS are prohibited on any parcel or lot containing a single-family detached or attached use.

(B) No more than one freestanding SWECS may be placed on any parcel or lot with a non-residential use that is taller than the tallest existing principal building located on the parcel or lot. Additional freestanding SWECS which conform to setback requirements contained in this Subsection and which are no taller than the tallest existing principal building located on the parcel or lot may be allowed. Additional building-mounted SWECS may be allowed within the parameters of this Section.

(C) Any mixed-use building shall be considered a non-residential use for the purposes of this Subsection.

iii. *Tower*. Only monopole towers may be permitted for freestanding SWECS. Lattice, guyed or towers of any other type may not be considered to be in compliance with this Subsection. SWECS towers shall be utilized for the sole purpose of supporting wind energy conversion systems. No other uses may be permitted on SWECS towers.

iv. *Color*. Freestanding SWECS shall be a neutral color such as white, sky blue, or light gray. Building-mounted SWECS shall match the color of the building on which it is mounted. Other colors may be allowed at the discretion of the Board of Adjustment. The surface shall be non-reflective.

v. *Lighting*. No lights may be installed on the tower, unless required to meet FAA regulations.

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Sign, Menu Board means a sign erected in conjunction with a use that incorporates a drive-through or drive-in generally used to provide service or product options and pricing for customers in a vehicle or on foot.

Sign, Monument means any freestanding sign having a low profile and made of masonry, metal, rounded wood planks or beams, durable plastic or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves. Monument signs must be built on a monument base as opposed to a pole base.

Sign, Projecting means any sign, other than a wall sign, affixed perpendicular to a building and supported only by the wall on which it is mounted.

Sign, Pylon means a freestanding sign that is affixed to one or more pylons or poles, designed so that the combined width of the poles or pylons is at least 50 percent of the width of the sign face.

Sign, Snipe means a prohibited temporary sign or poster affixed to a fence, pole, post, hydrant, bridge, another sign, public bench, street light or any tree, rock, or other natural object.

Sign, Wall means any sign attached to, painted upon, and erected parallel to the face of the outside wall of a building and supported by such wall or building.

Sign, Window means a sign attached or painted on the surface of, located on the interior of, or flashing through a window.

Site Plan means refer to article D for site plan review.

Small Cell Facility means a wireless telecommunications facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the Federal Communications Commission. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

Social Service means a use category containing uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems; transient housing related to social service programs; and housing for individuals legally confined.

Uses in this use category include: Correctional facility, not owned or operated by the government; Domestic abuse, homeless, or youth shelter; Drug, alcohol, or psychiatric treatment center, in-patient; Halfway house; Soup kitchen; and other uses meeting the definition of Social Service according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Class rooms; Day care for children of employees or clients; Dormitory; Food preparation and dining facility; Library; Meeting space; Minor utilities; and Recreation facility.

Solar Panel Array means a method of generating electrical power by converting solar radiation into direct current electricity using semiconductors that exhibit the photovoltaic effect. Photovoltaic power generation employs a solar panel array that is composed of a number of solar cells containing a photovoltaic material.

Solar Panels (accessory use) means solar panels that are an accessory to the primary use which can be as ground-mounted or roof-mounted.

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Special Flood Hazard Area means the land in the floodplain subject to a one percent or greater chance of being flooded in any given year as determined in section 10-3-168 of this article.

Specified Anatomical Areas means (1) Less than completely and opaquely covered: (i) human genitals, pubic region, buttock; and (ii) female breast below a point immediately above the top of the areola. (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities means (1) Human genitals in a state of sexual stimulation or arousal. (2) Acts of human masturbation, sadomasochistic abuse, sexual penetration with an inanimate object, sexual intercourse or sodomy. (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

B. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

C. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the state inventory of historic places must be obtained from the Secretary of the Interior or the state historic preservation officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

Support Structure means with regard to wireless telecommunications, any structure that may support a wireless telecommunications facility including but not limited to telecommunications towers, alternative support structures, and structures that may be attached to or on top of buildings and other structures.

T

Telecommunications means any transmission, emission or reception of signs, signals, sounds, voice, text, images, video, data, information or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

Telecommunications Tower means any structure, except concealed wireless telecommunications facilities, designed, constructed, erected, repurposed or re-used for the sole or primary purpose of providing and supporting wireless telecommunications services.

Temporary Construction or Field Sales Office means a building or structure that is temporarily placed to aid in the process of managing a construction project.

Temporary Vendor means a use in which a person or persons sell retail goods for the purpose of purchase by consumers, whether immediately or by placing of orders for a limited duration of time.

Temporary Wireless Telecommunications Facility means a readily movable self-contained wireless telecommunications facility used to provide provisional wireless telecommunications services. An example is a cell on wheels (COW).

Traffic Control Device means a sign, signal, marking, or other device used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

Training Facility or Vocational School means an establishment, for profit or not, offering regularly scheduled instruction in technical, commercial or trade skills, such as but not limited to business, real estate, building and construction trades, electronics, computer programming and technology, automotive and aircraft mechanics and technology and similar types of instruction.

U

Unoccupied means a property on which all buildings are unused or not being used for a permitted activity.

Upper-Story Residential means a dwelling unit located above the first floor of a mixed use building type.

Utilities means a use category containing major or minor infrastructure that serves a site, a development, or the City at-large. Major Utilities include public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity and possibly having on-site personnel. Minor Utilities include public or private infrastructure serving a limited area with no on-site personnel.

Major Utilities include: Electrical substation; Electric or gas generation plant; ~~Solar panel array (wall- or ground-mounted and greater than 850 square feet)~~; Telephone exchange and transformer or substation; Water storage tank; Wireless telecommunications facility; and Water treatment plant and other uses meeting the definition of Major Utilities according to the Zoning Administrator.

Minor Utilities include: Pumping or regulator stations; Small cell facility; ~~Solar panel array (roof mounted or ground-mounted 850 square feet or less)~~; Stormwater retention or detention facility; Telecommunication antenna collocated on an existing structure; and other uses meeting the definition of Minor Utilities according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Fleet maintenance; Minor utilities; and Storage structures.

V

Vacant means a property on which there is situated no structures.

Variance means a reasonable deviation from the provisions regulating the size, configuration or area of a street or other feature, when the strict application of the ordinance would result in unnecessary or unreasonable hardship to the property owner, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the intended spirit and purpose of the ordinance, and would result in substantial justice being done.

Vehicle Fuel Station means any building, structure, or land used for the dispensing, sale or offering for sale at retail of any vehicle fuels, oils, or accessories.

Vehicle Repair, Major means premises where mechanical, bodywork, major painting, or other similar work is performed on vehicles.

Vehicle Service, Minor means the replacement or repair of any vehicle part that does not require removal of the engine, transmission, or differential. Examples include dent repair, minor painting, upholstering, brake work, and oil changes.

Vehicle Sales and Service a use category containing establishments related to direct sales of and service to passenger vehicles, light, medium, and heavy trucks and equipment, and other motor vehicles such as motorcycles, boats, and recreational vehicles.

Uses in this use category include: Car wash; Heavy vehicular equipment sales, service, and repair; Rental or sales of manufactured homes, mobile homes, portable buildings, or trailers; Truck stop; Personal vehicle repair; Vehicle service; Vehicle fuel station; Vehicle sales, rental, and leasing; and other uses meeting the definition of Vehicle Sales and Service according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Car wash; Concession; Food preparation and dining area; Fueling facility; Minor utilities; Sale of auto parts; and Towing.

Vehicle Sales means premises where the primary occupation is the sale or rental of any vehicle and can include ancillary service or repair of any vehicle. Such use may include the storage of inoperable vehicles for a period not to exceed 90 days.

Vehicle Use Area means an unenclosed area used by three or more vehicles of any type, moving or at rest, including, but not limited to, parking lots, loading and unloading areas, stacking lanes, access and circulation drives, driveways, and parking aisles.

Vehicle, Inoperable means any vehicle not capable of being used on public streets or roads and/or on which a state inspection and/or license is not displayed or has expired for more than 30 days.

Veterinary Clinic means an animal clinic that provides medical care for small animals, including, but not limited to: dogs, cats, and birds. This definition does not include the veterinary hospital use.

Veterinary Hospital means an animal hospital that provides medical care for large or livestock animals, including, but not limited to: horses, cows, sheep, goats, chickens, turkeys, ducks, and pigs.

This definition does not include the veterinary clinic use.

Table 156.C.003-1, Use Table

Use Category	Specific Use[1] (Cv = Conventional, Cl = Cluster, In = Infill)	Residential								Mixed-Use		Nonresidential				Standards
		AG	RR	RL		RM		RH		MU	UC	GC	PI	REC	GI	
				Cv	Cl	Cv	In	Cv	In							
Government Facilities	All Government Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Medical Facilities	Hospital	--	--	--	--	--	--	S	S	--	--	--	P	--	P	156.C.005
	All Other Medical Facilities	--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005
Parks and Open Areas	Cemetery, Columbarium, Mausoleum, or Memorial Park	P	S	S	S	S	S	S	S	--	--	--	--	P	--	156.C.005
	Golf Course	P	P	P	P	P	P	P	P	--	--	--	--	P	--	N/A
	All Other Parks and Open Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Passenger Terminal	Airport or Heliport	--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
	All Other Passenger Terminal Uses	--	--	--	--	--	--	--	--	--	--	P	S	--	P	156.C.005
Public Assembly	All Public Assembly Uses	L	L	L	L	P	P	P	P	P	P	P	P	P	P	156.C.004
Social Service	Correctional Facility	--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
	All Other Social Service Uses	--	--	--	--	--	--	S	S	P	P	P	P	--	P	156.C.005
Utilities	Solar Panel Arrays (Principal Use)	L	--	--	--	--	--	--	--	--	--	S	--	--	L	156.C.004 156.C.005
	Roof-Mounted Solar Panels (accessory use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Ground-Mounted Solar Panels (accessory use)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Utilities, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
	Wireless Telecommunications Facilities	Refer to Table 156.C.009-1, Permitted Wireless Telecommunications Facilities by District														N/A
	All Other Utilities, Major	S	S	S	S	S	S	S	S	S	S	S	S	S	S	156.C.005
Commercial and Office																
Adult Business	Adult Entertainment Businesses	--	--	--	--	--	--	--	--	--	--	--	--	--	S	156.C.005
Entertainment, Indoor	Archery / Firearms Range (Indoor)	--	--	--	--	--	--	--	--	--	--	P	--	--	P	N/A
	Convention Center	--	--	--	--	--	--	--	--	P	P	P	P	--	--	156.C.005
	All Indoor Entertainment Uses	--	--	--	--	--	--	--	--	P	P	P	P	P	P	N/A
Entertainment, Outdoor	Farmers Market	--	--	--	--	L	--	L	--	L	P	L	L	L	--	156.C.004
	Recreational Vehicle Park	--	--	--	--	--	--	--	--	--	--	L	--	P	--	156.C.004
	All Other Outdoor Entertainment Uses	--	--	--	--	--	--	--	--	P	P	L	P	P	--	156.C.004

xi. *No Exterior Display*. No use shall indicate from the exterior any display that the building is being used in part for any purpose other than that of a dwelling, with the exception of permitted signage.

e. *Existing Home-Based Businesses.* Existing home-based businesses that are in conformance at the time of adoption of this chapter shall remain in conformance. If an existing business is vacated, any new business must meet current regulations.

3. Solar Panel Array (~~Small-Scale~~ accessory use).

a. *Ground-Mounted Solar Panels*. Ground-mounted solar panels shall be:

i. Located in the interior side or rear yard and screened from adjacent residential property and all public rights-of-way with Type B bufferyard (see Section 156.F.004, *Buffering*); and

ii. Set back from lot lines as if they were detached accessory buildings if the highest point on the panels is more than six feet above grade.

iii. Ground-mounted solar panel would be in compliance with table 156.C.007-1 Accessory Structure Dimensional Requirements for residential use.

iv. Ground-mounted solar panel may only be allowed in rear yard.

v. Ground-mounted solar panel cannot exceed 8FT in height

~~ii.~~vi. Additional requirements might be requested by Plan and Zoning Commission or Board of Adjustment.

b. *Roof-Mounted Arrays*. Roof-mounted solar panels may be located on principal and accessory buildings.

i. A roof-mounted array on a pitched roof may not extend more than 12 inches above the roof surface if the roof is visible from the public right-of-way or from a residential property, nor may it extend more than 12 inches beyond any edge of the roof;

ii. Where an array is placed atop a flat roof, it may not extend more than five feet above the roof and shall be screened from the public right-of-way with the building's façade parapet or similar mechanism;

iii. Installed roof-mounted arrays shall meet the International Building Code standards for wind loads; and

iv. A roof-mounted solar panel array that cannot meet these placement standards requires a Special Use Permit.

4. Small Wind Energy Conversion System (SWECS).

a. General Regulations.

i. *Other Permits Required*. The owner/operator of the SWECS shall also obtain any other permits required by other federal, state, and local agencies/departments prior to constructing the system.

ii. Number of Systems Per Lot.

(A) No more than one freestanding SWECS may be placed on any parcel or lot for residential use. Building-mounted SWECS are prohibited on any parcel or lot containing a single-family detached or attached use.

(B) No more than one freestanding SWECS may be placed on any parcel or lot with a non-residential use that is taller than the tallest existing principal building located on the parcel or lot. Additional freestanding SWECS which conform to setback requirements contained in this Subsection and which are no taller than the tallest existing principal building located on the parcel or lot may be allowed. Additional building-mounted SWECS may be allowed within the parameters of this Section.

(C) Any mixed-use building shall be considered a non-residential use for the purposes of this Subsection.

iii. *Tower*. Only monopole towers may be permitted for freestanding SWECS. Lattice, guyed or towers of any other type may not be considered to be in compliance with this Subsection. SWECS towers shall be utilized for the sole purpose of supporting wind energy conversion systems. No other uses may be permitted on SWECS towers.

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Sign, Menu Board means a sign erected in conjunction with a use that incorporates a drive-through or drive-in generally used to provide service or product options and pricing for customers in a vehicle or on foot.

Sign, Monument means any freestanding sign having a low profile and made of masonry, metal, rounded wood planks or beams, durable plastic or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves. Monument signs must be built on a monument base as opposed to a pole base.

Sign, Projecting means any sign, other than a wall sign, affixed perpendicular to a building and supported only by the wall on which it is mounted.

Sign, Pylon means a freestanding sign that is affixed to one or more pylons or poles, designed so that the combined width of the poles or pylons is at least 50 percent of the width of the sign face.

Sign, Snipe means a prohibited temporary sign or poster affixed to a fence, pole, post, hydrant, bridge, another sign, public bench, street light or any tree, rock, or other natural object.

Sign, Wall means any sign attached to, painted upon, and erected parallel to the face of the outside wall of a building and supported by such wall or building.

Sign, Window means a sign attached or painted on the surface of, located on the interior of, or flashing through a window.

Site Plan means refer to article D for site plan review.

Small Cell Facility means a wireless telecommunications facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet and (ii) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet, or such higher limit as is established by the Federal Communications Commission. The following types of associated equipment are not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation boxes, back-up power systems, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

Social Service means a use category containing uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems; transient housing related to social service programs; and housing for individuals legally confined.

Uses in this use category include: Correctional facility, not owned or operated by the government; Domestic abuse, homeless, or youth shelter; Drug, alcohol, or psychiatric treatment center, in-patient; Halfway house; Soup kitchen; and other uses meeting the definition of Social Service according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Class rooms; Day care for children of employees or clients; Dormitory; Food preparation and dining facility; Library; Meeting space; Minor utilities; and Recreation facility.

Solar Panel Array means a method of generating electrical power by converting solar radiation into direct current electricity using semiconductors that exhibit the photovoltaic effect. Photovoltaic power generation employs a solar panel array that is composed of a number of solar cells containing a photovoltaic material.

Solar Panels (accessory use) means solar panels that are an accessory to the primary use which can be as ground-mounted or roof-mounted.

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Special Flood Hazard Area means the land in the floodplain subject to a one percent or greater chance of being flooded in any given year as determined in section 10-3-168 of this article.

Specified Anatomical Areas means (1) Less than completely and opaquely covered: (i) human genitals, pubic region, buttock; and (ii) female breast below a point immediately above the top of the areola. (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities means (1) Human genitals in a state of sexual stimulation or arousal. (2) Acts of human masturbation, sadomasochistic abuse, sexual penetration with an inanimate object, sexual intercourse or sodomy. (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

B. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

C. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the state inventory of historic places must be obtained from the Secretary of the Interior or the state historic preservation officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

Support Structure means with regard to wireless telecommunications, any structure that may support a wireless telecommunications facility including but not limited to telecommunications towers, alternative support structures, and structures that may be attached to or on top of buildings and other structures.

T

Telecommunications means any transmission, emission or reception of signs, signals, sounds, voice, text, images, video, data, information or intelligence of any nature by wire, radio, optical or other electromagnetic systems.

Telecommunications Tower means any structure, except concealed wireless telecommunications facilities, designed, constructed, erected, repurposed or re-used for the sole or primary purpose of providing and supporting wireless telecommunications services.

Temporary Construction or Field Sales Office means a building or structure that is temporarily placed to aid in the process of managing a construction project.

Temporary Vendor means a use in which a person or persons sell retail goods for the purpose of purchase by consumers, whether immediately or by placing of orders for a limited duration of time.

Temporary Wireless Telecommunications Facility means a readily movable self-contained wireless telecommunications facility used to provide provisional wireless telecommunications services. An example is a cell on wheels (COW).

Traffic Control Device means a sign, signal, marking, or other device used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

Training Facility or Vocational School means an establishment, for profit or not, offering regularly scheduled instruction in technical, commercial or trade skills, such as but not limited to business, real estate, building and construction trades, electronics, computer programming and technology, automotive and aircraft mechanics and technology and similar types of instruction.

U

Unoccupied means a property on which all buildings are unused or not being used for a permitted activity.

Upper-Story Residential means a dwelling unit located above the first floor of a mixed use building type.

Utilities means a use category containing major or minor infrastructure that serves a site, a development, or the City at-large. Major Utilities include public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity and possibly having on-site personnel. Minor Utilities include public or private infrastructure serving a limited area with no on-site personnel.

Major Utilities include: Electrical substation; Electric or gas generation plant; ~~Solar panel array (wall- or ground-mounted and greater than 850 square feet)~~; Telephone exchange and transformer or substation; Water storage tank; Wireless telecommunications facility; and Water treatment plant and other uses meeting the definition of Major Utilities according to the Zoning Administrator.

Minor Utilities include: Pumping or regulator stations; Small cell facility; ~~Solar panel array (roof mounted or ground-mounted 850 square feet or less)~~; Stormwater retention or detention facility; Telecommunication antenna collocated on an existing structure; and other uses meeting the definition of Minor Utilities according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Fleet maintenance; Minor utilities; and Storage structures.

V

Vacant means a property on which there is situated no structures.

Variance means a reasonable deviation from the provisions regulating the size, configuration or area of a street or other feature, when the strict application of the ordinance would result in unnecessary or unreasonable hardship to the property owner, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the intended spirit and purpose of the ordinance, and would result in substantial justice being done.

Vehicle Fuel Station means any building, structure, or land used for the dispensing, sale or offering for sale at retail of any vehicle fuels, oils, or accessories.

Vehicle Repair, Major means premises where mechanical, bodywork, major painting, or other similar work is performed on vehicles.

Vehicle Service, Minor means the replacement or repair of any vehicle part that does not require removal of the engine, transmission, or differential. Examples include dent repair, minor painting, upholstering, brake work, and oil changes.

Vehicle Sales and Service a use category containing establishments related to direct sales of and service to passenger vehicles, light, medium, and heavy trucks and equipment, and other motor vehicles such as motorcycles, boats, and recreational vehicles.

Uses in this use category include: Car wash; Heavy vehicular equipment sales, service, and repair; Rental or sales of manufactured homes, mobile homes, portable buildings, or trailers; Truck stop; Personal vehicle repair; Vehicle service; Vehicle fuel station; Vehicle sales, rental, and leasing; and other uses meeting the definition of Vehicle Sales and Service according to the Zoning Administrator.

Typical accessory uses include: Associated office and storage; Car wash; Concession; Food preparation and dining area; Fueling facility; Minor utilities; Sale of auto parts; and Towing.

Vehicle Sales means premises where the primary occupation is the sale or rental of any vehicle and can include ancillary service or repair of any vehicle. Such use may include the storage of inoperable vehicles for a period not to exceed 90 days.

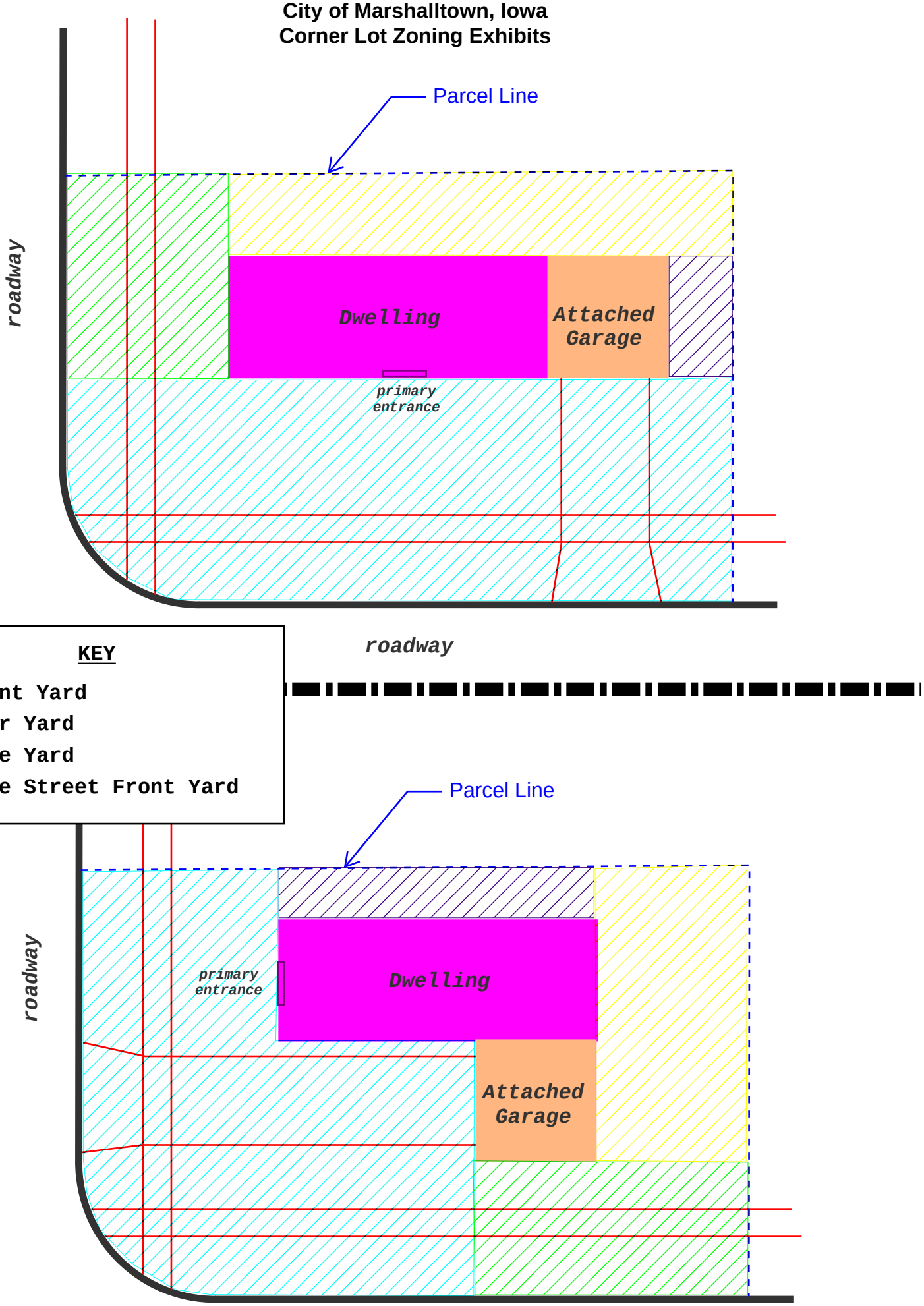
Vehicle Use Area means an unenclosed area used by three or more vehicles of any type, moving or at rest, including, but not limited to, parking lots, loading and unloading areas, stacking lanes, access and circulation drives, driveways, and parking aisles.

Vehicle, Inoperable means any vehicle not capable of being used on public streets or roads and/or on which a state inspection and/or license is not displayed or has expired for more than 30 days.

Veterinary Clinic means an animal clinic that provides medical care for small animals, including, but not limited to: dogs, cats, and birds. This definition does not include the veterinary hospital use.

Veterinary Hospital means an animal hospital that provides medical care for large or livestock animals, including, but not limited to: horses, cows, sheep, goats, chickens, turkeys, ducks, and pigs.

This definition does not include the veterinary clinic use.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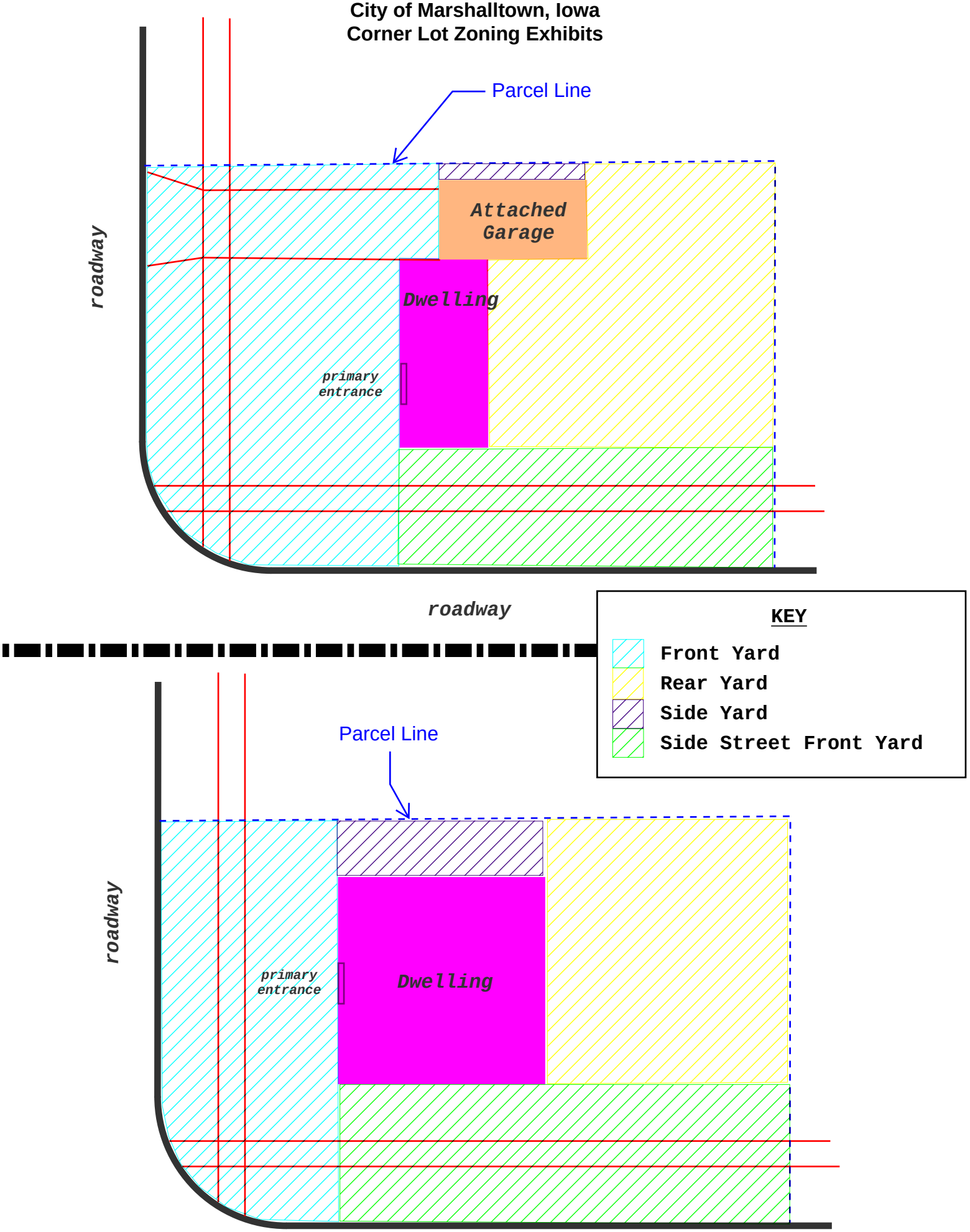
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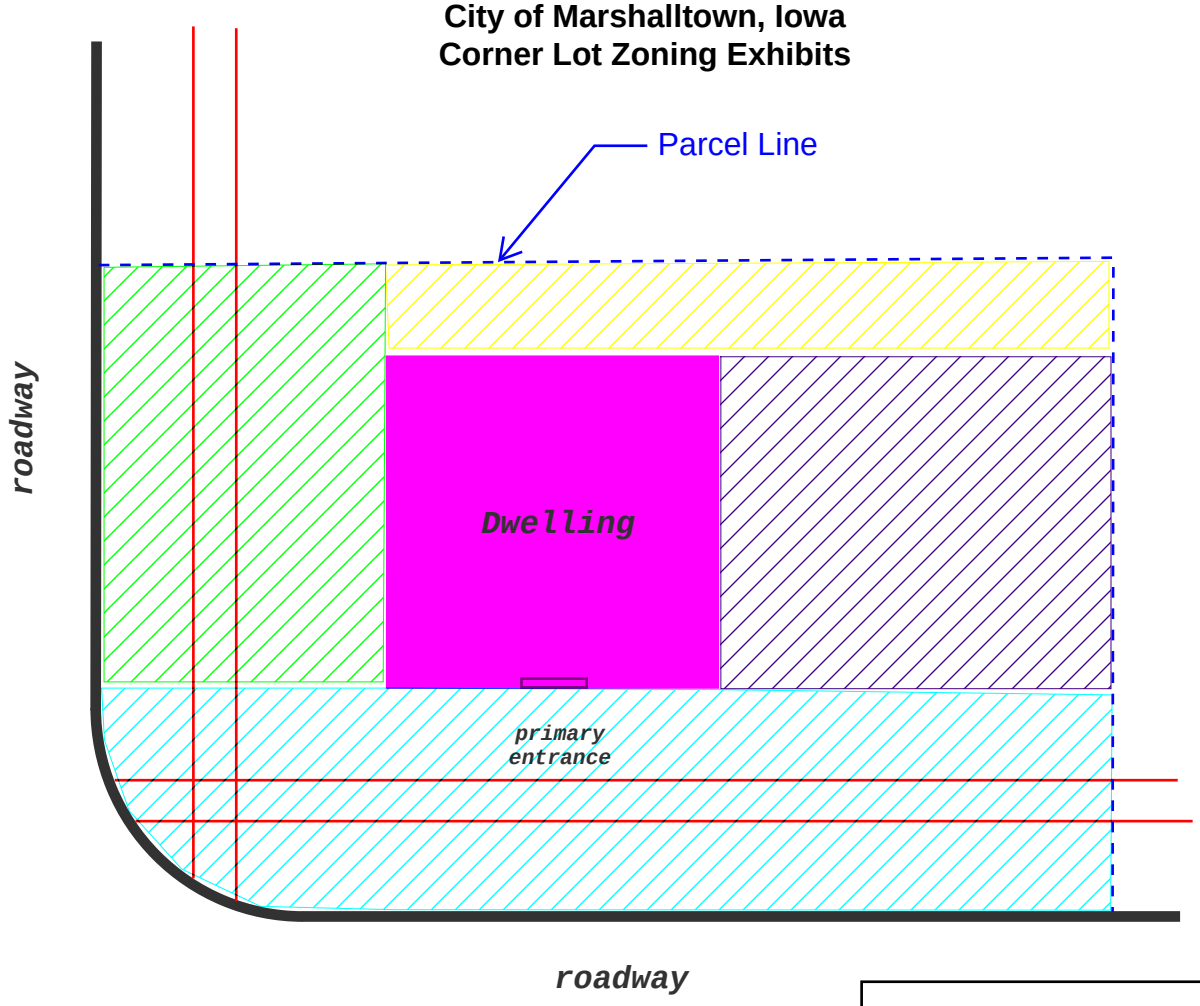

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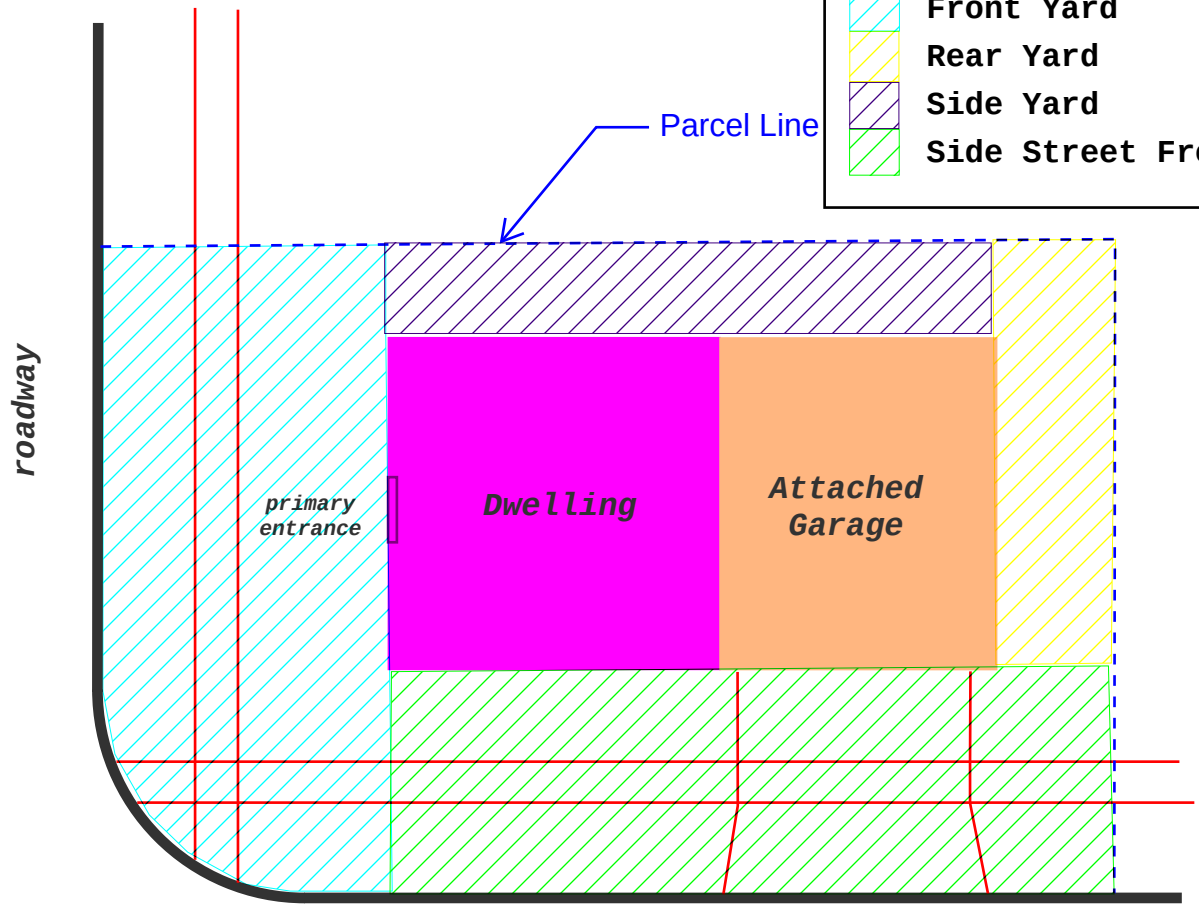

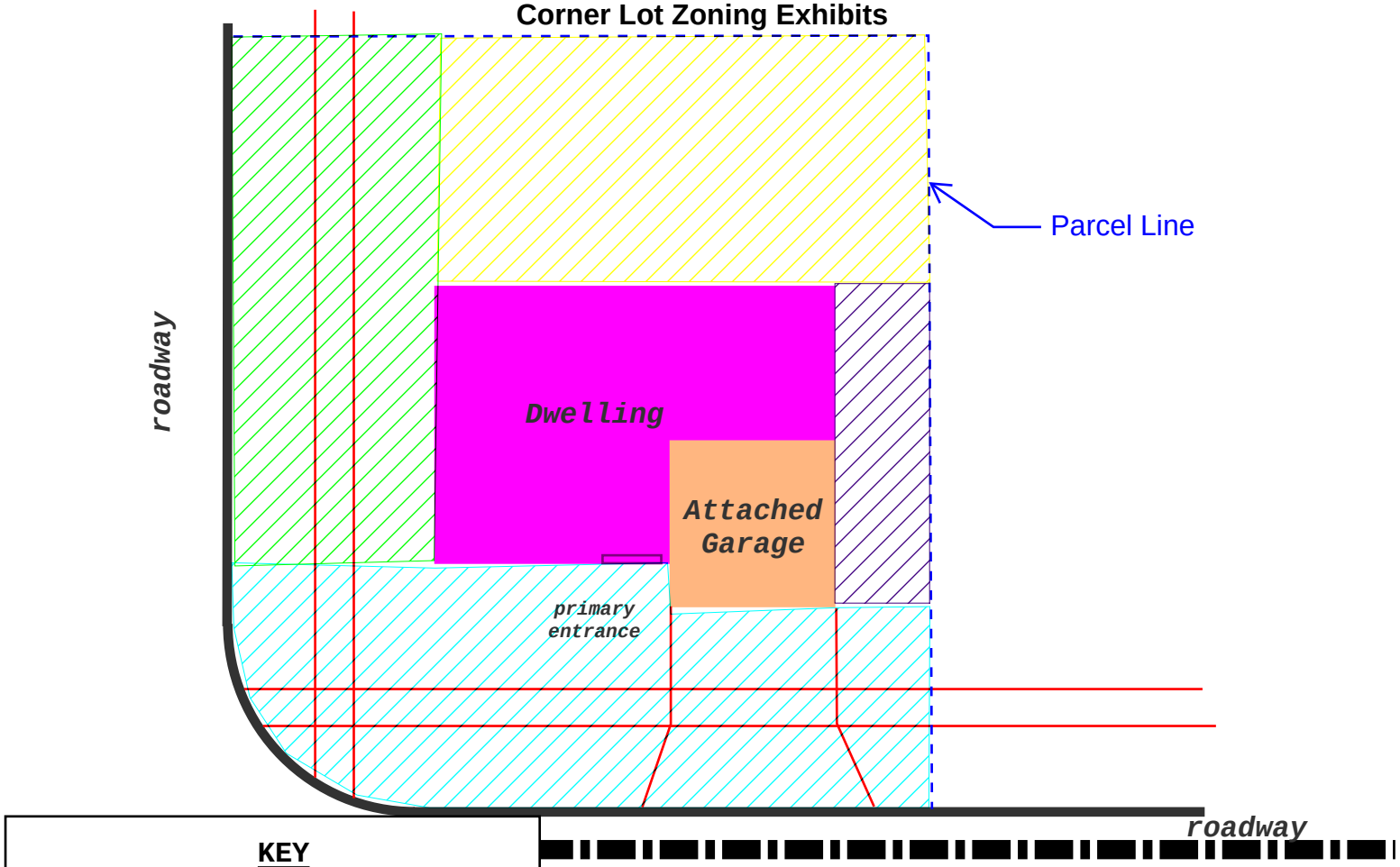

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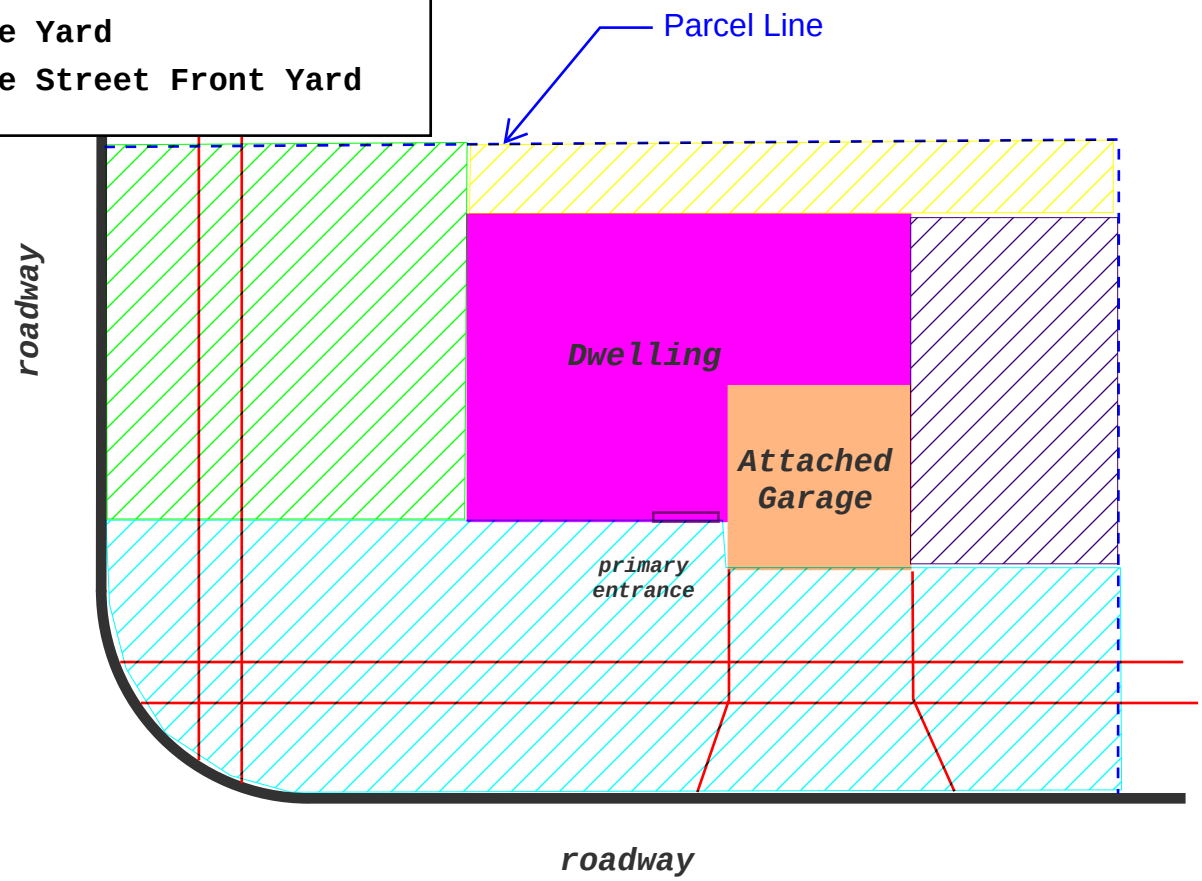

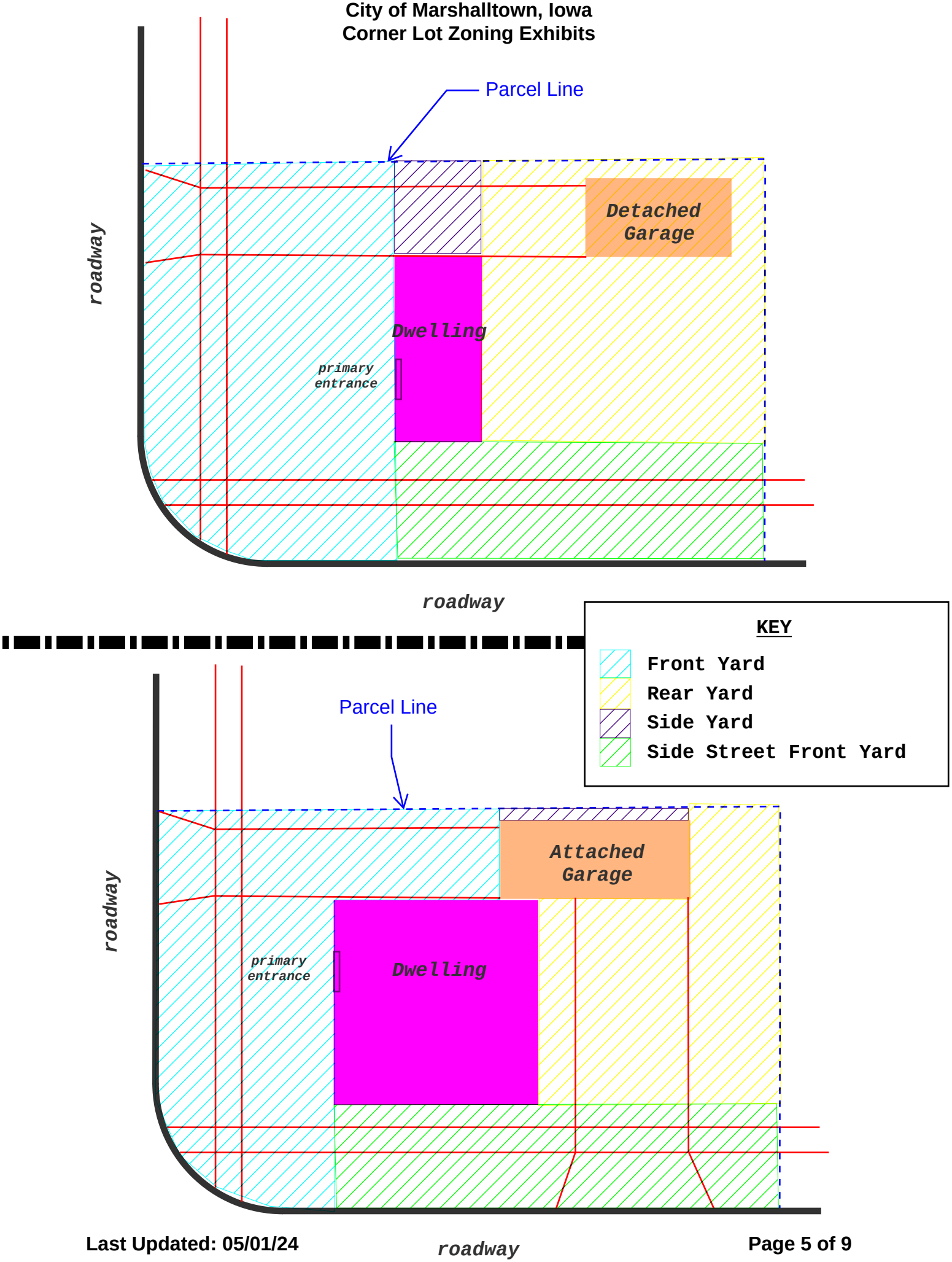
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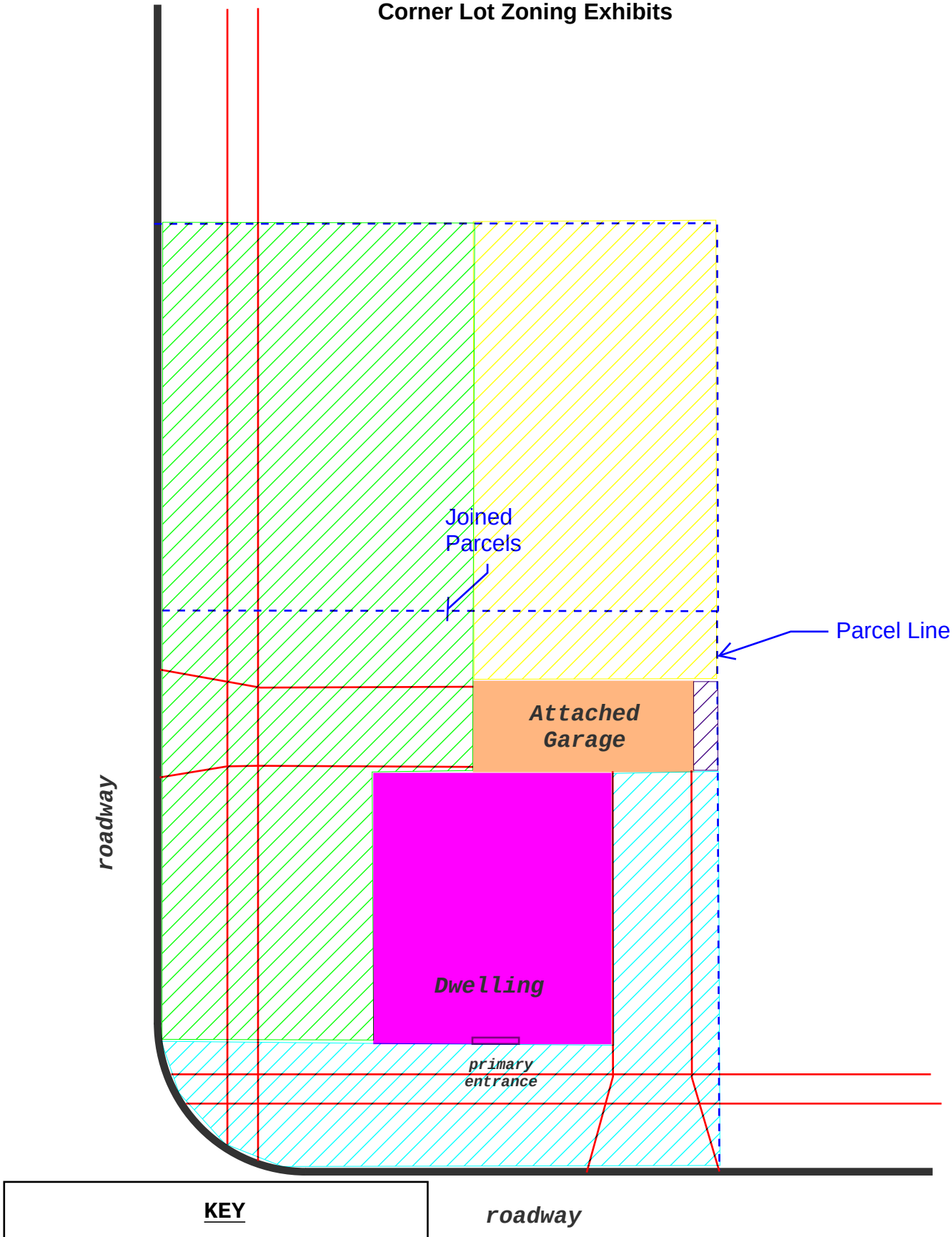

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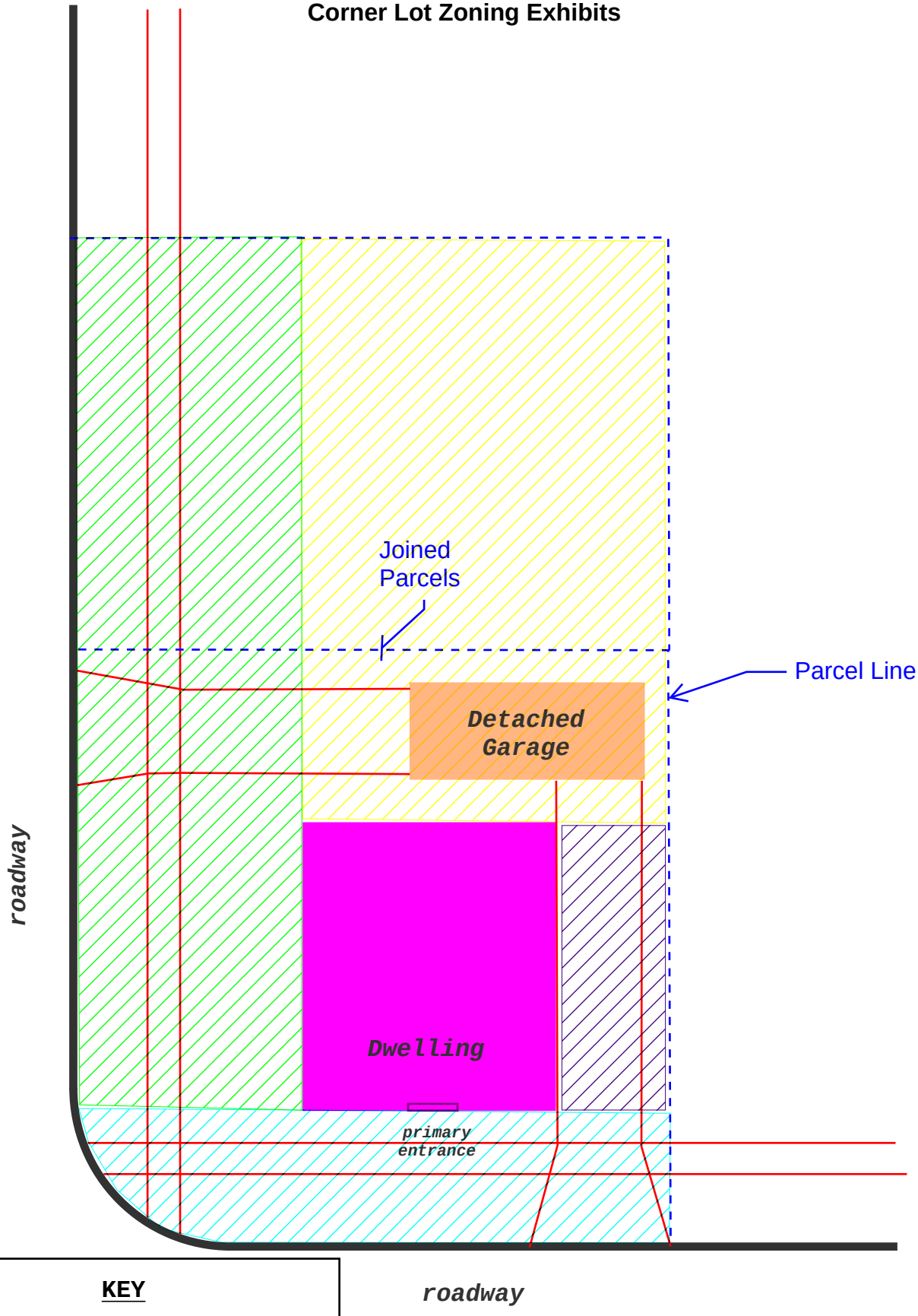

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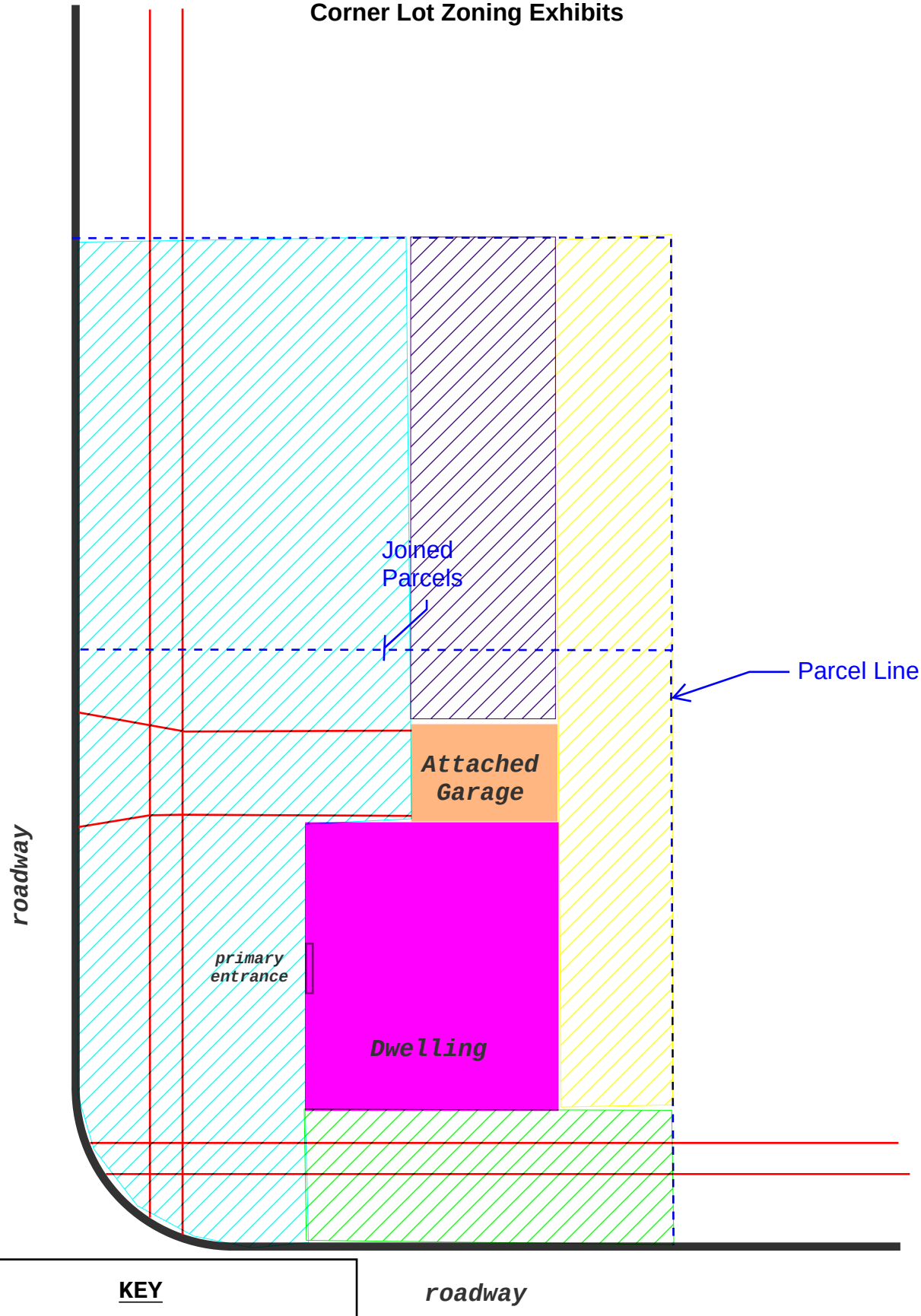

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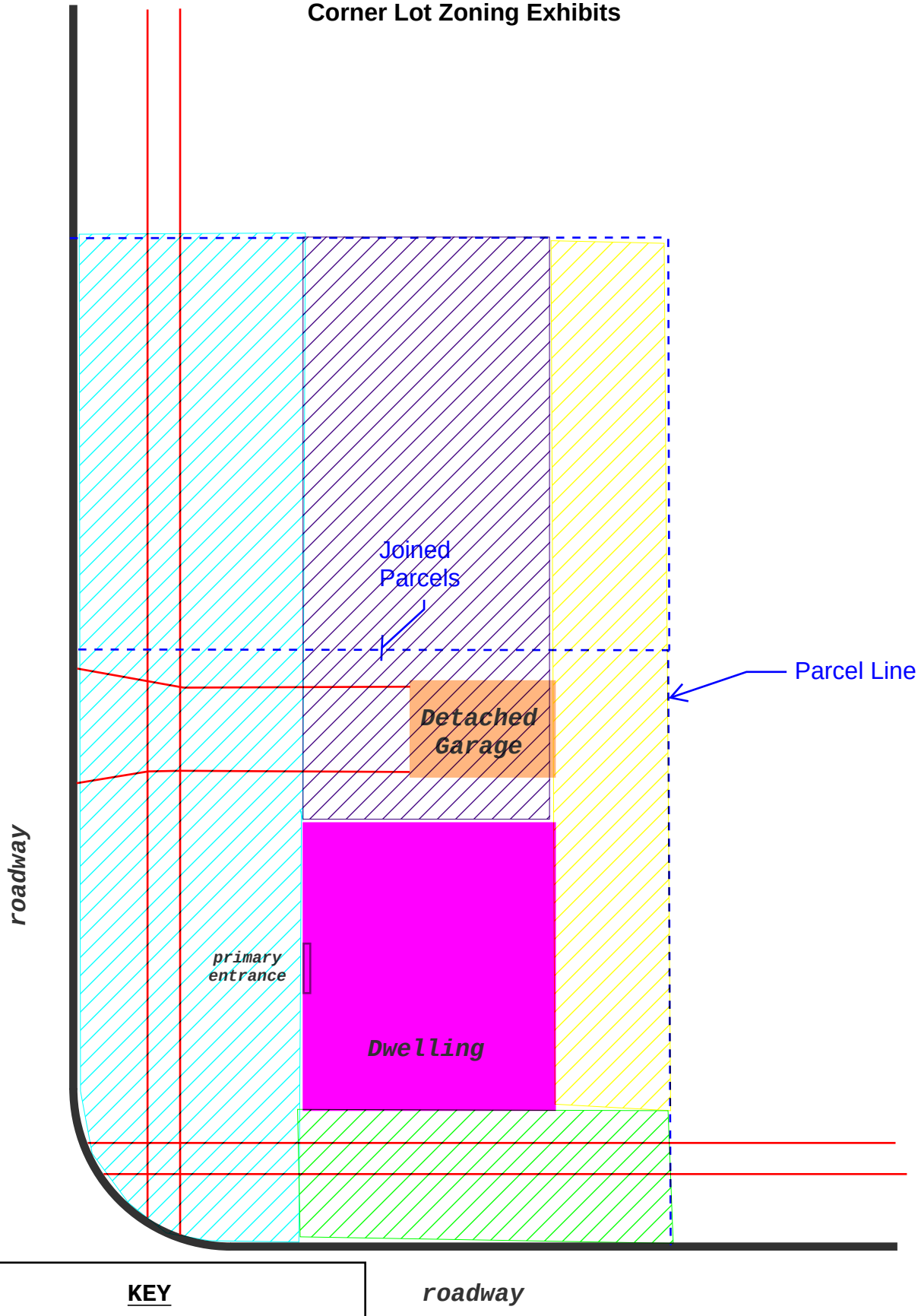

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MARSHALLTOWN
IOWA

TO: Plan and Zoning Commission

FROM: Hector Hernandez, City Planner

DATE: May 9, 2024 – Meeting Date

SUBJECT: REVIEW and RECOMMENDATION to the City Council for Chapter 72 (Parking Rules) proposed changes.

Request: City Council made the motion on March 25 to allow Plan and Zoning Commission to review and make recommendation on the proposed changes on Chapter 72. During Plan and Zoning Commission on April 11 it was motioned to proceed with a work session for further discussion on chapter 72. Plan and Zoning commission met on April 18 for a work session.

Marshalltown's City Council is reviewing and updating Chapter 72: Parking Rules in order to remove conflicting information between Chapter 72, Chapter 156, Permit Applications, and Fire Code. It is likely that a clarification in Chapter 156 will be needed to address the verbiage on allowable materials with the next text amendment for zoning code. The Council's proposed material related to driveway materials for front yard is how the zoning department has been enforcing the ordinance; however, Chapter 156 has some misleading information:

The changes of chapter 72 will be on the document attached to the agenda.

Next Steps: Make recommendation to city council on the proposed changes on chapter 72 (parking rules).

CHAPTER 72: PARKING RULES

Section

General

72.001 Definitions

Stopping, Standing or Parking

72.~~001~~ 101 General prohibition

72.~~002~~ 102 Overtime parking

72.~~003~~ 103 Semi-tractors, trucks or trailers

72.~~004~~ 104 Responsibility for vehicles and bicycles

72.~~005~~ 105 Removal of unattended vehicle from bridge, tunnel or causeway

72.~~006~~ 106 Stopping on traveled way

72.~~007~~ 107 Moving another's vehicle

72.~~008~~ 108 Theaters, hotels and auditoriums

72.~~009~~ 109 Parking at right-hand curb

72.~~010~~ 110 Parking within lines

72.~~011~~ 111 Parking over 24 hours

72.~~012~~ 112 Bus stops and taxicab stands

72.~~013~~ 113 Terrace parking

72.~~014~~ 114 Median strips

72.~~015~~ 115 Parking in alleys

72.~~016~~ 116 Parking vehicles for display or sale

72.~~017~~ 117 Municipally-owned parking lots

72.~~018~~ 118 Street parking near intersections

Parking in ~~Business and~~ Residential Yards

72.~~035~~ 201 Purpose

72.~~036~~ 202 Scope

~~72.037 Definitions~~

72.~~038~~ 203 Driveways; number, composition, location and size

72.~~039~~ 204 Driveway extensions in front yards; exceptions

72.~~040~~ 205 Front yard parking

72.~~041~~ 206 Unlicensed, inoperable ~~motor~~ vehicles

72.~~042~~ 207 Responsibility for violations

72.~~043~~ 208 No prior notice, warning required

Parking ~~in Business Yards~~ on Business Properties

72.301 ~~Driveway and Parking Composition~~ Purpose

72.302 ~~Unlicensed, Inoperable Vehicles.~~ Scope

72.303 ~~Responsibility for Violations~~ DRIVEWAYS; NUMBER, COMPOSITION, LOCATION AND SIZE.

~~72.304 No Prior Notice, Warning Required~~ DRIVEWAY AND PARKING COMPOSITION

72.305 UNLICENSED, INOPERABLE VEHICLES

72.306 RESPONSIBILITY FOR VIOLATIONS

72.307 NO PRIOR NOTICE, WARNING REQUIRED

Special Stops

72.~~055~~ 401 Railroads; obedience to signals; crossings

72.~~056~~ 402 Primary roads designated as through highways

72.~~057~~ 403 Emerging and yielding when emerging from private roadway, alley, building or driveway

Habitual Violator Penalty and Procedures

72.~~070~~ 501 Habitual violator

72.~~071~~ 502 Removal and impoundment of illegally parked vehicles

72.~~072~~ 503 Right of owner to redeem impounded vehicle

72.~~073~~ 504 Right to hearing

72.~~074~~ 505 Conduct of hearing

Penalty

72.999 Penalty

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GENERAL

§ 72.001 DEFINITIONS.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. The same as defined in § 156.M.003 of this code of ordinances.

Business: an organization or enterprising entity engaged in commercial, industrial, or professional activities. Businesses can be for-profit entities or non-profit organizations. Excludes home occupations (home-based businesses defined in 156.C.007 G 1).

BUSINESS DISTRICT. The same as defined in § 70.001 of this code of ordinances.

CORNER LOT. a lot located at the junction of at least two streets or private ways, or at least two segments of a curved street or private ways, at which the angle of intersection is no greater than 135 degrees.

CURB/CUT DROP. A cut made through the street curb that has previously been authorized and approved by the city.

DRIVEWAY. A surface consisting of materials allowed in section § 72.203 ~~038~~ constructed and maintained in quality, quantity and size to prevent the creation of ruts in, or deterioration or damage to, the driveway surface or soil beneath from the operation or parking of motor vehicles or vehicles thereon, located within a yard and connected to an approved curb drop or entrance.

DRIVEWAY APRON. The portion of a driveway which is located in street right-of-way.

DRIVEWAY EXTENSION. The portion of a driveway which is in excess of the allotted driveway width, which is contiguous to a driveway, which shall lead to a curb drop, and which consists of materials allowed in section § 72.203 ~~038~~ constructed and maintained in quality, quantity and size to prevent the creation of ruts in, or deterioration or damage to, the driveway extension or soil beneath from the operation or parking of motor vehicles or vehicles, or both, thereon.

DWELLING; DWELLING, APARTMENT; DWELLING, DUPLEX; DWELLING, MULTIPLEX; DWELLING, SINGLE-FAMILY ATTACHED; DWELLING, SINGLE-FAMILY DETACHED; DWELLING, TOWNHOUSE; and DWELLING, UNIT. The same as defined in § 156.M.003 of this code of ordinances.

ENTRANCE. A portion of the driveway that is the approved exit from a street or alley onto private property, which has previously been authorized and approved by the city.

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FRONTAGE. The length of a property line of any one premises abutting and parallel to a public street right-of-way.

FRONT YARD. The portion of the parcel that is between the street right-of-way line and the front and closest face of the dwelling. For a corner lot, this includes both yards of a corner lot having a frontage on a street.

LOT. A tract of land represented and identified by number or letter designation on an official plat.

MOTOR VEHICLE. The same as defined in § 70.001 of this code of ordinances.

REAR YARD. The portion of the parcel that remains that is not classified as either front or side yard.

RESIDENCE DISTRICT. The same as defined in § 70.001 of this code of ordinances.

RESIDENTIAL ZONE. Any area of the city designated by the official zoning map of the city as Rural Residential (RR), Low-Density Residential (RL), Medium-Density Residential (RM), High-Density Residential (RH), or Planned Unit Development District with majority Residential Uses.

SIDE YARD. The portion of the parcel that is between the front and closest face of the dwelling and the rear and furthest face of the dwelling. For a corner lot, this includes the yard space that is next to the side of the dwelling that has lesser depth of the dwelling.

STREET. The same as defined in § 156.M.003 of this code of ordinances.

TRAILER. The same as defined in § 70.001 of this code of ordinances.

VEHICLE. The same as defined in § 70.001 of this code of ordinances.

(B) All other words and terms, not enumerated in division (A) above shall be defined as provided in other chapters of this code of ordinances.

(2013 Code, § 20-243) (Ord. 14561, passed 10-13-1997; Ord. 14672, passed 2-26-2001; Ord. 14912, passed 11-26-2012)

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STOPPING, STANDING OR PARKING

§ 72.~~001~~ 101 GENERAL PROHIBITION.

No person shall stop, stand, or park a vehicle/trailer, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

(A) On a sidewalk or partially;

(B) In front of a public or private driveway;

(C) Within an intersection;

(D) Within five feet of a fire hydrant;

(E) On a crosswalk;

(F) Within ten feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;

(G) Between a safety zone and the adjacent curb or within ten feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;

(H) Within 50 feet of the nearest rail of a railroad crossing, except when parked parallel with such rail and not exhibiting a red light;

(I) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted;

(J) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;

(K) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(L) At any place where official signs prohibit stopping or parking;

(M) Upon any street within the corporate limits of the city when the stopping, standing or parking is prohibited by a general ordinance of uniform application relating to removal of snow or ice from the streets;

(N) In front of a curb cut or ramp that is located on public or private property in a manner that blocks access to the curb cut or ramp; and/or

(O) On the terrace or easement area if visual hazard is created referenced Table 156.008.a-1 Visibility Triangle~~.~~

(2013 Code, § 20-159) (Ord. 68, passed 8-14-1950; Ord. 14702, passed 6-10-2003) Penalty, see § 71.999

Statutory reference:

Similar provisions, see I.C.A. § 321.358

§ 72.~~002~~ 102 OVERTIME PARKING.

(A) No person shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time at any location designated.

(2013 Code, § 20-160)

(B) In reference to overtime parking, the method of parking shall be as follows: every vehicle stopped or parked upon a roadway shall be stopped or parked with the wheels of such vehicle parallel with and within 18 inches of the curb, and not closer than four feet end to end from another vehicle.

(2013 Code, § 20-160.1)

~~(C) The word VEHICLE means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.~~

~~(2013 Code, § 20-160.2)~~

(~~D~~C) (1) Overtime alternate parking shall apply to all streets within the incorporate limits of the city, except as to streets or portions of streets hereinafter expressly excluded or not signed as such.

(2) Overtime alternate parking shall apply to the entire length or course of said street within the incorporate limits of the city, except as to such portion hereinafter expressly excluded or not signed as such.

(2013 Code, § 20-160.3)

(~~E~~D) Streets and avenues running in an easterly and westerly direction, parking on the south side of said street or avenue prior to 9:00 a.m. is prohibited on Monday, Wednesday, Friday and Sunday, and on the north side of said street or avenue prior to 9:00 a.m. on Tuesday, Thursday and Saturday.

(2013 Code, § 20-160.4)

(~~F~~E) Streets and avenues running in a northerly and southerly direction, parking shall be prohibited on the west side of said streets and avenues prior to 9:00 a.m. Tuesday, Thursday and Saturday, and on the east side of street or avenue prior to 9:00 a.m. Monday, Wednesday, Friday and Sunday.

(2013 Code, § 20-160.5)

(~~G~~F) This section shall have no application and is expressly declared to be inapplicable to the existing parking ordinances or regulations in regard to the portions of streets and avenues bordering on and immediately adjacent to all public-school grounds and also the portions of streets and avenues bordering on and immediately adjacent to all parochial school grounds.

(2013 Code, § 20-160.7)

(~~H~~G) (1) General.

(a) A street or avenue beginning in a straight course from Main Street in a southerly and northerly direction, and then taking a diagonal course, shall for the purpose of this section be classified throughout its length as a north and south street or avenue. A street or avenue beginning in a straight course from Center Street in an easterly and westerly direction and then taking a diagonal course, shall, for the purpose of this section, be classified throughout its length as an east and west street or avenue.

(b) All other diagonal streets or avenues shall be deemed north and south streets if they angle less than 45 degrees from true north.

(c) All other diagonal streets or avenues shall be deemed east and west streets or avenues if they angle more than 45 degrees from true north.

(2) Curved streets. Streets curved in part shall be classified as north and south streets if the major portion thereof runs in a northerly and southerly direction. Streets curved in part shall be classified as east and west streets if the major portion thereof runs in an easterly and westerly direction.

(3) Specific designations. Brentwood Road and Brentwood Place shall be deemed and is so declared north and south streets or avenues for the purpose of this section. Brentwood Terrace shall be deemed and so declared an east and west street or avenue for the purpose of this section.

(2013 Code, § 20-160.8)

(~~I~~H) (1) The principal of the use of alternate sides for the control of the parking or leave standing of vehicles is hereby established.

(2) The hour of change shall be at 9:00 a.m. on each day of the week on the streets and avenues herein covered.

(2013 Code, § 20-160.9)

(~~J~~I) Appropriate signs stating thereon "NO PARKING" followed by the days of the week on which a vehicle shall not be parked or left standing shall be placed and maintained by the Street Department adjacent to the curb along the portions of the street included in the provisions of this section.

(2013 Code, § 20-160.10)

Penalty, see § 71.999

§ 72.~~003~~ 103 SEMI-TRACTORS, TRUCKS OR TRAILERS.

~~(A) RESIDENTIAL ZONE shall mean for the purpose of this section any area of the city designated by the official zoning map of the city as a R-1, R-2, R-2A, R-3, R-4, R-5, R-6 or Residential Planned Unit Development District.~~

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(~~B~~A) The stopping, parking or leave standing of a semi-tractor, truck or trailer, either alone or in conjunction with each other with a five and one-half-ton license or more for more than three hours is hereby prohibited in any residential zone in the city; provided, however, that, the Police Department shall allow parking in excess of three hours when the tractor, truck or trailer is parked to render a service in the immediate vicinity.

(~~C~~B) ~~(~~B) Semi-trailers located within residential or commercial zones must be licensed, fully road operational, and may not be used for storage purposes unless part of a active city permitted construction project. ~~The method and procedure of payment and collection for each violation in division (A) above shall be the same as that provided for the payment collection of fines for violation of city ordinances under state law.~~

(C) The method and procedure of payment and collection for each violation in division (A) above shall be the same as that provided for the payment collection of fines for violation of city ordinances under state law.

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(2013 Code, § 20-170) (Ord. 14317, passed 5-29-1990; Ord. 14875, passed 7-12-2010) Penalty, see § 71.999

§ 72.~~004~~ 104 RESPONSIBILITY FOR VEHICLES AND BICYCLES.

(A) Scope of section. This section shall apply to all ~~motor~~ vehicles ~~and bicycles~~ parked within the city in violation of ordinances regulating parking of such motor vehicles, trailers, or recreational vehicles. ~~or bicycles~~.

(B) Owner's responsibility. If any ~~motor~~ vehicle or bicycle is found stopped, standing or parked in any manner violative of ordinances concerning parking, when the identity of the operator cannot be determined, the owner or person or corporation in whose name the vehicle or bicycle is registered shall be held prima facie responsible for the violation.

(2013 Code, § 20-171) (Ord. 13500, passed 2-12-1979) Penalty, see § 71.999

§ 72.~~005~~ 105 REMOVAL OF UNATTENDED VEHICLE FROM BRIDGE, TUNNEL OR CAUSEWAY.

Whenever any peace officer finds a vehicle unattended upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

(2013 Code, § 20-172)

Statutory reference:

Similar provisions, see I.C.A. § 321.357

§ 72.~~006~~ 106 STOPPING ON TRAVELED WAY.

(A) (1) Upon any street ~~highway outside of~~ a business or residence district, no person shall stop, park or leave standing any vehicle/trailer, whether attended or unattended, upon the paved or improved or main- traveled part of the street ~~highway~~ when it is practical to stop, park or so leave such vehicle off such part of the street ~~highway,~~ but in every event a clear and unobstructed width of at least 20 feet of such part of the street ~~highway~~ opposite such standing vehicle shall be left for the free passage of other vehicles, and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon ~~such~~ such street ~~highway~~; provided, however, school buses may stop on a street ~~highway~~ for receiving and discharging pupils, and all other vehicles shall stop for school buses which are stopped to receive or discharge pupils, as provided in § 71.089 of this code of ordinances.

(2) This section shall not apply to a vehicle making a turn as provided in § 71.040 of this code of ordinances.

(3) This section also does not apply to the stopping or parking of a maintenance vehicle operated by a street ~~highway~~ authority on the main-traveled way of any roadway when necessary to the function being performed and when early warning devices are properly displayed.

(B) The provisions of division (A) above shall not apply to the driver of any vehicle that is disabled while on the paved or improved or main-traveled portion of a street ~~highway~~ in such manner and to such extent that it is impossible to avoid so stopping and temporarily leaving such disabled vehicle in such position.

(C) Whenever any peace officer finds a vehicle standing upon a street ~~highway~~ in violation of any of the provisions of this section, such officer is authorized to move such vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the paved or improved or main-traveled part of such street ~~highway~~.

(2013 Code, § 20-173) Penalty, see § 71.999

Statutory reference:

Similar provisions, see I.C.A. §§ 321.354 through 321.356

§ 72.~~007~~ 107 MOVING ANOTHER'S VEHICLE.

No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful.

(2013 Code, § 20-174) (Ord. 68, passed 8-14-1950) Penalty, see § 71.999

Statutory reference:

Similar provisions, see I.C.A. § 321.359

§ 72.~~008~~ 108 THEATERS, HOTELS AND AUDITORIUMS.

A space of not to exceed 50 feet is reserved at the side of the street in front of any theater, auditorium or hotel having more than 25 sleeping rooms, or other building where large assemblages of people are being held, within which space, when clearly marked as such, no motor vehicle shall be left standing, parked or stopped, except in taking on or discharging passengers or freight, and then only for such length of time as is necessary for such purpose.

(2013 Code, § 20-175) (Ord. 68, passed 8-14-1950) Penalty, see § 71.999

Statutory reference:

Similar provisions, see I.C.A. § 321.360

§ 72.~~009~~ 109 PARKING AT RIGHT-HAND CURB.

Except where angle or center parking or parking of a vehicle with the left-hand wheels adjacent to and within 18 inches of the left-hand curb of a one-way roadway is permitted by ordinance, every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right-hand wheels of such vehicle parallel with and within 18 inches of the right-hand curb.

(2013 Code, § 20-176) (Ord. 68, passed 8-14-1950; Ord. 8874, passed 7-12-1955; Ord. passed 4-9-1968) Penalty, see § 71.999

Statutory reference:

Similar provisions, see I.C.A. § 321.361

§ 72.~~010~~ 110 PARKING WITHIN LINES.

Whenever stalls or sections for motor vehicles are marked or painted upon the surface of any street or municipally owned or leased parking lot, the driver or operator of any motor vehicle shall park the vehicle within the limits of one of the stalls or sections and not over or across the lines.

(2013 Code, § 20-177) (Ord. passed 4-9-1968) Penalty, see § 71.999

§ 72.~~011~~ 111 PARKING OVER 24 HOURS.

(A) It shall be unlawful for any person to stop, park or leave standing any motor vehicle, machinery, mobile or movable equipment of any kind upon any street, avenue, alley or highway for more than 24 consecutive hours.

(B) It shall be unlawful for any person to park or leave standing any motor vehicle, machinery, mobile, or movable equipment of any kind within any public street right-of-way or terrace for more than 24 consecutive hours.

(2013 Code, § 20-178) (Ord. 11652, passed 4-15-1970) Penalty, see § 71.999

§ 72.~~012~~ 112 BUS STOPS AND TAXICAB STANDS.

It shall be unlawful to stop, park or leave standing any vehicle or in any bus stop or taxicab stand, except that a temporary stop may be made to load or unload passengers.

(2013 Code, § 20-179) (Ord. 68, passed 8-14-1950; Ord. 8141, passed 7-11-1951) Penalty, see § 71.999

§ 72.~~013~~ 113 STREET RIGHT-OF-WAY & TERRACE PARKING.

It shall be unlawful for any person to park or leave standing any motor vehicle on any street right-of-way or terrace area between the outside curb line of any public street, road or avenue and the outside walk line of any street at any time or to use such terrace for the storage or parking of any such vehicle or other object, unless there is a designated parking area that does not create a visual hazard (156.B.008.a-1).

(2013 Code, § 20-180) (Ord. 68, passed 8-14-1950; Ord. 8141, passed 7-11-1951; Ord. 14206, passed 11-13-1984) Penalty, see § 71.999

§ 72.~~014~~ 114 MEDIAN STRIPS.

It shall be unlawful for any person to stop, park or leave standing any motor vehicle on any part or portion of any median strip.

(2013 Code, § 20-181) (Ord. 13170, passed 7-11-1977) Penalty, see § 71.999

§ 72.~~015~~ 115 PARKING IN ALLEYS.

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(A) It shall be unlawful to stop, park or leave standing any vehicle in any alley at any time, except for loading or unloading.

(B) In cases where the City has installed permanent or temporary signage in an alley to prohibit blocking, stopping a vehicle for loading and unloading of goods or product shall be unlawful with the following exception:

a. Garbage, refuse, or recycling collection where the loading/unloading occurs with the vehicle running and persons performing the collection services stays at or within 30-feet of the vehicle and the collection services are to be anticipated to take 1-minute or less.

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(2013 Code, § 20-182) (Ord. 68, passed 8-14-1950; Ord. 8141, passed 7-11-1951) Penalty, see § 71.999

§ 72.~~016~~ 116 PARKING VEHICLES FOR DISPLAY OR SALE.

It shall be unlawful to use or occupy any part of the street ~~between lot lines~~right-of-way for the parking or standing of any vehicle, including a motor vehicle, which is owned or possession had thereof, for the purposes of sale or display.

(2013 Code, § 20-183) (Ord. 68, passed 8-14-1950; Ord. 8141, passed 7-11-1951) Penalty, see § 71.999

§ 72.~~017~~ 117 MUNICIPALLY-OWNED PARKING LOTS.

(A) Blocking access or traffic flow in parking lots. No vehicle shall be parked in any lot in any manner or of such size so as to block the free access or flow of traffic in and through any parking lot.

(2013 Code, § 20-230)

(B) Impoundment of vehicles left on municipally-owned parking lots. Any motor vehicle parked or left standing on any municipally owned or municipally leased parking lot for longer than 7~~1~~2 continuous hours may be removed therefrom and stored under the direction of the Police Department, and all costs of such removal and storage shall be payable by the operator or owner thereof. Any expense incurred therefor shall be in addition to the assessment of any fine or costs arising out of any violation of this subchapter.

(2013 Code, § 20-231) Penalty, see § 71.999

(C) Consumption of alcoholic beverages on municipal parking lots prohibited. The consumption of alcoholic beverages, beer or wine in any municipally-owned or municipally-leased parking lot in the city is prohibited at all times.

(2013 Code, § 20-233)

(Ord. 14216, passed 6-10-1985; Ord. 14388, passed 8-10-1992) Penalty, see § 71.999

§ 72.~~018~~ 118 STREET PARKING NEAR INTERSECTIONS.

(A) It shall be unlawful to stop, park or leave standing any motor vehicle on any street or avenue within 20 feet of the sidewalk extended to the curb at any street or avenue intersection.

(B) Upon application of the Director of Public Works/City Engineer~~, and approval of the Transportation Committee of the City Council,~~ at designated intersections and school crossings, it shall be unlawful to stop, park or leave standing any motor vehicle on any street or avenue within 40 feet of the sidewalk extended to the curb at any street or avenue intersection or within 40 feet of a school crossing.

(C) Upon approval by City Council as an ordinance, additional ~~The~~ prohibited parking areas may be designated.

~~(C)~~(D) In divisions (B) and (C), above, it shall be indicated by appropriate signage. Yellow striping of the curb may be used in addition, all consistent with uniform practices.

(2013 Code, § 20-234) (Ord. 14521, passed 12-11-1995) Penalty, see § 71.999

PARKING ON ~~IN BUSINESS AND~~ RESIDENTIAL PROPERITIES ~~YARDS~~

§ 72.~~035~~ 201 PURPOSE.

(A) ~~–~~The purpose of the ~~front yard~~residential parking regulations in this subchapter is to prevent the unreasonable diminishing or impairment of established property values and aesthetics within the city and to preserve the public health, safety and welfare.

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(2013 Code, § 20-241) (Ord. 14561, passed 10-13-1997)

§ 72.~~036~~ 202 SCOPE.

(A) ~~–~~The regulations proscribed in this subchapter apply to all residential zone~~d~~ districts and residential ~~real~~ use properties, regardless of zone, within the city.

(B) Nothing in this subchapter is intended to conflict or supersede regulations in Chapter 156: Zoning, Article E – Parking, Loading, and Stacking. All applicable developments or use changes must meet §156.E. Properties that have applied for and been

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approved for Limited Use, Special Use, Variance, or other zoning related requirements and waivers shall govern if a conflict in parking requirements are specifically listed and included in the permit or variance approved.

(2013 Code, § 20-242) (Ord. 14561, passed 10-13-1997)

~~§ 72.037 DEFINITIONS.~~

~~(A) For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~CURB DROP. A cut made through the street curb that has previously been authorized and approved by the city.~~

~~DRIVEWAY. A surface consisting of concrete, asphalt, seal coat, solid bricks, gravel or crushed stone, constructed and maintained in quality, quantity and size to prevent the creation of ruts in, or deterioration or damage to, the driveway or soil beneath from the operation or parking of motor vehicles or vehicles thereon, located within a yard and connected to an approved curb drop or entrance.~~

~~DRIVEWAY EXTENSION. The portion of a driveway which is in excess of the allotted driveway width, which is contiguous to a driveway, which shall lead to a curb drop, and which consists of concrete, asphalt, seal coat, solid bricks, gravel or crushed stone, constructed and maintained in quality, quantity and size to prevent the creation of ruts in, or deterioration or damage to, the driveway extension or soil beneath from the operation or parking of motor vehicles or vehicles, or both, thereon.~~

~~DWELLING. Any portion of a building that is designed or used for residential living purposes, not including any attached garage portion.~~

~~ENTRANCE. A portion of the driveway that is the approved exit from a street or alley onto private property, which has previously been authorized and approved by the city.~~

~~FRONT YARD. For a corner lot, means any yard of a corner lot having a frontage on a street.~~

~~MOTOR VEHICLE. The same as defined in § 70.001 of this code of ordinances.~~

~~TRAILER. The same as defined in § 70.001 of this code of ordinances.~~

~~VEHICLE. The same as defined in § 70.001 of this code of ordinances.~~

~~(B) All other words and terms, not enumerated in division (A) above, including, but not limited to, the terms "frontage", "lot", "corner lot", "street", "yard", "front yard", "side yard" and "rear yard", shall be defined as provided in the zoning ordinance, any amendments thereto or any future zoning ordinances enacted by the city.~~

~~(2013 Code, § 20-243) (Ord. 14561, passed 10-13-1997; Ord. 14672, passed 2-26-2001; Ord. 14912, passed 11-26-2012)~~

§ 72.~~038~~ 203 DRIVEWAYS; NUMBER, COMPOSITION, LOCATION AND SIZE RESIDENTIAL.~~:~~

(A) ~~–~~Composition of driveway and entrance surface. Under this subchapter, a driveway and entrance shall be a surface constructed of materials as follows:

	Allowable Driveway Approach Materials	Allowable Front Yard Driveway & Extension Materials	Allowable Rear and Side Yard Driveway & Extension Materials
Driveways Installed prior to 2010 & Continuously Maintained	Concrete, Asphalt, Seal Coat, Solid Bricks, Gravel, or Crushed Stone	Concrete, Asphalt, Seal Coat, Solid Bricks, Gravel, or Crushed Stone	Concrete, Asphalt, Seal Coat, Solid Bricks, Gravel, or Crushed Stone
Driveways Installed after 01/01/2010 and prior to 05/01/2024	Concrete, Asphalt, or Solid Bricks	Concrete, Asphalt, or Solid Bricks	Concrete, Asphalt, Seal Coat, Solid Bricks, Gravel, or Crushed Stone
Driveways Installed on or after 05/01/2024	Concrete or Asphalt	Concrete, Asphalt, or Solid Bricks	Concrete, Asphalt, Seal Coat, or Solid Bricks. Exception: Gravel or Crushed Stone shall be allowed if directly connected through the driveway to a gravel street, gravel alley, or grassed alley.

~~concrete, asphalt, seal coat, solid bricks, gravel or crushed stone, constructed and.~~ Driveways shall be maintained in quality, quantity and size to prevent the creation of ruts in or deterioration or damage to the driveway or soil beneath from the operation or parking of motor vehicles or vehicles, recreational vehicles or trailers. ~~both, thereon.~~

~~(A)~~(B) Location of driveway or parking areas.

(1) Front yard.

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a. Only one driveway shall be allowed in a front yard per street frontage, except that a duplex with garages located at each end of the building shall be permitted a driveway for each garage.

b. No driveway shall be located in front of a dwelling, except for any dwelling area portions attached to and located above or behind a garage.

c. A driveway shall not lead to the side of a garage where there is no garage door.

~~(2)~~d. A driveway shall be connected and lead to only one curb drop or entrance, except for residences on a corner lot located on a major or minor arterial or major collector roadway, as defined in the city's Comprehensive Plan and any future amendments to the plan, which can apply to the City Engineer for permission to connect a driveway to two curb drops for the sole purpose of allowing safe entry onto the roadway. ~~Front yard driveways constructed after 1-1-2010 shall be constructed only with solid concrete, asphalt or solid bricks.~~

(2) ~~Rear and side yards~~Additional Requirements~~.~~

a. Parking of all vehicles, including licensed and operable vehicles, recreational vehicles and trailers, must be parked in a permanent roofed structure or on a driveway, or driveway extension meeting the materials allowed in section § 72.203 ~~038.hard surface consisting of solid concrete, asphalt, solid bricks, crushed stone or gravel. Such hard-surfaced~~

b. Driveway and parking areas in a side-yard or rear-yard must be connected to a driveway leading from an approved curb drop or entrance ~~which also consists of a hard surface consisting of solid concrete, asphalt, solid bricks, gravel or crushed stone~~, with the following exception:~~.~~

i. A maximum of two parking pad spaces may be created per parcel without connection to a driveway, curb drop, or entrance for seasonal or temporary parking of licensed and operable vehicle that is not moved or driven off the parking pad more than 6 times annually and does not create ruts in the yard exceeding ½-inch as a result. The parking pad shall meet materials allowed in section § 72.203 ~~038~~ and not be larger than 12-ft x 24-ft for each pad. Stand-alone parking pads shall not be closer than five feet to any established property line.

c. The maximum number of vehicles, including licensed and operable vehicles, recreational vehicles and trailers, allowed to be parked at one time in the side and/or rear yard of a dwelling shall be as follows:

i. DWELLING, SINGLE-FAMILY ATTACHED; DWELLING, SINGLE-FAMILY DETACHED; DWELLING, DUPLEX; and DWELLING,

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TOWNHOUSE: Maximum quantity per of 156.E.004 ~~Not more than two (2) per dwelling unit~~. (*Effective 9-30-2013*)

ii. DWELLING, MULTIPLEX and DWELLING, APARTMENT: Maximum quantity per of 156.E.004 ~~Not more than one and a half (1.5) per dwelling unit~~, unless parking area was/is:

1. Submitted and approved with a City of Marshalltown Building or Parking Lot permit
2. Constructed of concrete, asphalt, or solid brick.
3. Meet all requirements of § 156, Article E, including maximum stall counts. (*Effective 5-1-2024*)

iii. There shall be a maximum of two trailers, any trailer larger than 30' counts as two, any recreational vehicle counts as two.

~~On properties where there is no front yard driveway, the above numbers of allowed vehicles shall be allowed to be increased by one half (0.5).~~

~~Where calculations yield a fractional result, only fractions of 0.5 or grater shall be rounded to the higher whole number.~~

~~Vehicles in excess of this number, or not parked on surfaces meeting the requirements of this chapter, are subject to penalties outlined in § 72.999 of this chapter.~~

(3) The vehicle wheels and any component touching the ground must be located entirely on and directly above the appropriate surface.

(4) Maintenance.

a. Existing gravel or crushed stone must be maintained and have a minimum of 4 inches of depth, so as to be free from weeds and grass and to a depth to prevent erosion and rutting.

~~a.~~b. All other surfaces~~, including gravel or crushed stone,~~ must meet the requirements of division (A) above.

c. Failure to maintain driveways and parking areas in accordance with requirements of this section are subject to penalties outlined in § 72.999.

~~(4) Effective 9-30-2013, not more than two vehicles, including licensed and operable vehicles, recreational vehicles and trailers shall be parked on the side or rear yard of any single-family residential property. Vehicles in excess of this number, or not parked on surfaces meeting the requirements of this section, are subject to penalties outlined in § 72.999 of this chapter.~~

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~~(B)~~(C) Width of driveway.

(1) A driveway, whether in front, side, or rear yard shall tapper to be no wider than the approved existing curb cut or entrance therefor, which intersects the street or alley, or shall be no wider than as follows:

No connected garage	10 feet*
1 vehicle stall wide garage	12 feet*
2 vehicle stall wide garage	24 feet*
3 vehicle stall wide garage	28 ~~24~~ feet*
4 stall garages and larger	All 4-vehicle stall wide garages and larger shall be placed on the lot so all the garage doors do not face the primary street. Some or all of the doors shall be perpendicular to the street. The driveway width in the front yard shall not be greater than 24 feet, plus 1 driveway extension
NOTES TO TABLE: * One driveway extension with a maximum width of ~~ten~~ ~~14~~ ten feet can be added to the maximum driveway width designated, but must meet the requirements of § 72.~~039~~ 204 of this chapter. -In cases where the garage is more than four feet wider than the edge of a garage overhead door, the Engineering Office shall have the discretion to reclassify the # of vehicle stalls the garage is based on the width the garage is and not the # of vehicles the door allows.	

(2) Where the driveway maximum allowable widths do not provide for the desired and allowable parking for properties of DWELLING, MULTIPLEX and DWELLING, APARTMENT, parking lots shall be required. Parking Lots shall be:

a. Submitted and approved with a City of Marshalltown Building or Parking Lot permit

b. Constructed of concrete, asphalt, or solid brick.

~~a.~~c. Meet all requirements of § 156, Article E, including maximum stall counts. (*Effective 5-1-2024*)

~~(C)~~(D) Exemption for large lots. Residential lots greater than one-half acre and with a front yard depth greater than 75 feet are exempt from the provisions of division (B) above and § 72.~~039~~ 204 of this chapter, with the exception of paving requirements. A driveway permit application is required to be submitted and approved by the city to verify that the lot qualifies as a large lot. The driveway width at the property line shall not be greater than 24 feet with no opportunity for a driveway extension.

~~(D)~~(E) Exemption for approved planned unit developments (PUD).

(1) Residential PUDs which have been approved by the Plan and Zoning Commission and the City Council are exempt from the provisions of divisions (B) and (C) above and § 72.~~039~~ 204 of this chapter only if driveway regulations are included in the approved PUD plans.

(2) All front yard driveways and driveway extensions must be paved in accordance with division (~~B~~A) and (~~1~~B) above.

~~(E)~~ Responsibilities of owners. Any person, corporation or legal entity who is the owner, whether the legal or equitable titleholder, of a residential lot shall be responsible for any violation of the driveway regulations provided in divisions (A), (B) and (C) above.

(F) Reasonable variations from these requirements may be approved by the City Engineer and the Planning Department jointly for unforeseen situations or unusual property configurations.

(G) For a group gathering (party, club, reception, meeting, family gathering, etc) a unlimited number of vehicles may be parked anywhere on a lot for a maximum of eight hours but not overnight

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(2013 Code, § 20-244) (Ord. 14561, passed 10-13-1997; Ord. 14672 , passed 2-26-2001; Ord. 14912, passed 11-26-2012) Penalty, see § 72.999

§ 72.~~039~~ 204 DRIVEWAY EXTENSIONS IN FRONT YARDS; EXCEPTIONS.

(A) (1) Prior written authorization of the Engineering Department or other authorized designee is required for all driveways and driveway extensions in front yards and regulations for authorization. No driveway extension shall be installed or construction thereon begun in any residential front yard without the prior written authorization of the Engineering Department or other authorized designee, issued to the owner, whether the legal or equitable title holder, of the lot.

(2) Prior to the Engineering Department or other authorized designee's consideration of any request for or issuance of a written authorization for any driveway or driveway extension in any residential front yard, any owner, whether the legal or equitable title holder, of the lot shall submit a written application and pay to the City Clerk a fee set by resolution. ~~If any driveway extension has been installed or construction thereon begun~~

~~prior to Engineering Department or other authorized designee's written authorization, the fee shall double. The City Clerk is not required to accept any coin in payment of any such application fee.~~

(3) The Engineering Department or other authorized designee shall issue a written authorization for a driveway extension in a residential front yard to an owner, whether the legal or equitable title holder, of a residential lot, upon submission of an application by the owner and payment of the fee therefor and only if a proposed driveway extension will be in compliance with all of the following, which shall be specified in writing in each written authorization issued:

(a) One driveway extension no wider than ~~ten~~ 14 ten ~~-~~feet in width shall be permitted in a front yard;

(b) A driveway extension must be contiguous and parallel to the driveway;

(c) A driveway extension must be located between the driveway and the side property line in the direction away from the dwelling, if there is sufficient space for placement between the driveway and that side property line; and

(d) The surface of a driveway extension must be a surface material allowed in section § 72.203 ~~038consisting of concrete, blacktop, asphalt or solid bricks,~~ and constructed and maintained in quality, quantity and size to prevent the creation of ruts in or deterioration or damage to the driveway extension or soil beneath from the operation or parking of motor vehicles or vehicles, recreational vehicles or trailers ~~both thereon~~.

(4) Any person, corporation or legal entity who is the owner, whether the legal or equitable title holder, of a residential lot shall be responsible for any violation of this section pertaining to driveways or driveway extensions.

(2013 Code, § 20-245)

(B) (1) The following driveways and driveway extensions, in existence on or before 2-26-2001, are excepted or grandfathered from any of the regulations in § 72.~~038~~ 203 of this chapter and division (A) above that would otherwise prohibit them:

(a) Driveway extensions that otherwise conforms to the driveway extension regulations prescribed by divisions (A)(3)(a), (A)(3)(b), (A)(3)(c) and (A)(3)(d) above without the necessity for Engineering Department or other authorized designee for a driveway extension that is located on the side of the driveway towards the dwelling, regardless if there exists sufficient space to have located the extension on the side of the driveway in the direction away from the dwelling;

(b) Driveways connected and leading to one or two approved existing curb cuts or entrances, which is in the nature of a circle-type or horseshoe-type driveway, whether located in front of a dwelling that otherwise conforms to the driveway regulations prescribed by § 72.~~038~~ 203 of this chapter; or

(c) Driveways connected and leading to only one entrance from a street or alley, although the entrance has not been authorized and approved by the city, that otherwise conforms to the driveway regulations prescribed by § 72.~~038~~ 203 of this chapter.

(2) The grandfather exceptions provided in this section shall automatically terminate for any driveway or driveway extension that is replaced, altered or expanded on or after 2-26-2001. However, maintenance, without changing the configuration, of a grandfathered driveway or driveway extension will not terminate its grandfathered status.

(2013 Code, § 20-246)

(Ord. 14561, passed 10-13-1997; Ord. 14672 , passed 2-26-2001; Ord. 14912, passed 11-26-2012) Penalty, see § 72.999

§ 72.~~040~~ 205 ~~FRONT YARD~~ RESIDENTIAL PARKING.

(A) Front yard parking off driveway or driveway extension prohibited. It shall be unlawful for any person, corporation or legal entity to park a motor vehicle, trailer or vehicle in the front yard of any residential lot, unless the motor vehicle, trailer or vehicle is parked completely upon a driveway, driveway extension or combination thereof or in a permanent roofed enclosure. However, this section shall not apply to motor vehicles, trailers or vehicles being used to move, deliver and/or take articles to and from a yard or building or structure located thereon or used in connection with providing a temporary service thereon for a reasonable period of time while in the active process of such use.

(B) ~~Parking of trucks, other than panel or pickup trucks of less than or equal to one-ton capacity, is~~are ~~prohibited in residential areas, except to load or unload. Heavy commercial vehicles, including tractor cab units rated at more than one-ton capacity, shall not be parked at any time in residential zoning districts.~~ Parking of trucks, other than panel or pickup trucks of less than or equal to one-ton chassis capacity, are prohibited in residential areas, except to load/unload. Heavy commercial vehicles (including tractor cab units rated over one ton), agricultural equipment, and construction equipment shall not be parked at any time in residential zoning districts except when work is being performed on that property.

(2013 Code, § 20-248) (Ord. 14561, passed 10-13-1997; Ord. 14672, passed 2-26-2001; Ord. 14702, passed 6-10-2003; Ord. 14912, passed 11-26-2012) Penalty, see § 72.999

§ 72.~~041~~ 206 UNLICENSED, INOPERABLE ~~MOTOR~~ VEHICLES.

It shall be unlawful for any person, corporation or legal entity to park or store an unlicensed or inoperable ~~motor vehicle or~~ vehicle anywhere in the side or rear yard, including upon any driveway or driveway extension, unless the ~~motor vehicle or~~ vehicle is parked or stored in a permanent roofed enclosure. Mere licensing of an inoperable ~~motor vehicle or~~ vehicle shall not constitute a defense to the finding that such ~~motor vehicle or~~ vehicle is in violation of this section.

(2013 Code, § 20-249) (Ord. 14561, passed 10-13-1997; Ord. 14672, passed 2-26-2001; Ord. 14912, passed 11-26-2012) Penalty, see § 72.999

§ 72.~~042~~ 207 RESPONSIBILITY FOR VIOLATIONS.

When the identity of the operator of a ~~motor vehicle or~~ vehicle cannot be determined, any person, corporation or legal entity who was the registered owner of such ~~motor vehicle or~~ vehicle and any person, corporation or legal entity who was in lawful possession of the residential lot where the violation occurred at the time of a violation shall be held prima facie responsible for any violation of the provisions of §§ 72.~~040~~ 205 and 72.~~041~~ 206 of this chapter.

(2013 Code, § 20-250) (Ord. 14561, passed 10-13-1997; Ord. 14672, passed 2-26-2001; Ord. 14912, passed 11-26-2012)

§ 72.~~043~~ 208 NO PRIOR NOTICE, WARNING REQUIRED.

The offenses enumerated in this subchapter do not contain elements that require any prior notice or warning be given an offender regarding any offense.

(2013 Code, § 20-251) (Ord. 14561, passed 10-13-1997; Ord. 14672, passed 2-26-2001; Ord. 14912, passed 11-26-2012)

~~**PARKING IN BUSINESS YARDS**~~

~~§ 72.301 DRIVEWAY AND PARKING COMPOSITION: Parking of all vehicles, including licensed and operable vehicles, recreational vehicles and trailers, must be parked in a permanent roofed structure or on a driveway meeting the materials allowed in section § 72.038 or applicable sections of § 156: Zoning.~~

~~§ 72.302 UNLICENSED, INOPERABLE VEHICLES: It shall be unlawful for any person, corporation or legal entity to park or store an unlicensed or inoperable vehicle anywhere unless it is parked or stored in a permanent roofed enclosure or allowed by § 156: Zoning. Mere licensing of an inoperable vehicle shall not constitute a defense to the finding that such vehicle is in violation of this section.~~

~~§ 72.303 RESPONSIBILITY FOR VIOLATIONS: When the identity of the operator of a vehicle cannot be determined, any person, corporation or legal entity who was the registered owner of such vehicle and any person, corporation or legal entity who was in lawful possession of the lot where the violation occurred at the time of a violation may be held prima facie responsible for any violation of this subchapter.~~

~~§ 72.304 NO PRIOR NOTICE, WARNING REQUIRED: The offenses enumerated in this subchapter do not contain elements that require any prior notice or warning be given an offender regarding any offense.~~

Parking on Business Properties

§ 72.301 PURPOSE.

(A) The purpose of the business parking regulations in this subchapter is to prevent the unreasonable diminishing or impairment of established property values and aesthetics within the city and to preserve the public health, safety and welfare.

§ 72.302 SCOPE.

(A) The regulations proscribed in this sub-chapter apply to all commercial zoned districts and business use properties, regardless of zone, within the city.

(B)Nothing in this sub-chapter is intended to conflict or supersede regulations in Chapter 156: Zoning, Article E – Parking, Loading, and Stacking. All applicable developments or use changes must meet §156.E. Properties that have applied for and been approved for Limited Use, Special Use, Variance, or other zoning related requirements and waivers shall govern if a conflict in parking requirements are specifically listed and included in the permit or variance approved .

72.303 DRIVEWAYS; NUMBER, COMPOSITION, LOCATION AND SIZE.

(A) Composition of driveway and entrance surface. Under this sub-chapter, a driveway and entrance shall be a surface constructed of materials as follows:

use same table as 72.203 A

Driveways shall be maintained in quality, quantity and size to prevent the creation of ruts in or deterioration or damage to the driveway or soil beneath from the operation or parking of motor vehicles or vehicles or trailers, or any thereon.

(B) Location of driveway, parking areas, and parking.

(1) Front yard.

a. Parking of all vehicles, including licensed and operable vehicles, recreational vehicles and

trailers, must be parked in a permanent roofed structure or on a driveway meeting the materials allowed in section § 72.303 (A)

b. Only one driveway shall be allowed in a front yard per street frontage except where approved as part of a parking lot.

c. No driveway shall be located in front of a dwelling unless it is the entrance to a approved parking lot.

d. A driveway shall not lead to the side of a garage where there is no garage door.

e. A driveway shall be connected and lead to only one curb drop or entrance, except for businesses on a corner lot located on a major or minor arterial or major collector roadway, as defined in the city's Comprehensive Plan and any future amendments to the plan, which can apply to the City Engineer for permission to connect a driveway to two curb drops for the sole purpose of allowing safe entry onto the roadway.

(2) Rear and side yards.

a. Parking of all vehicles, including licensed and operable vehicles, recreational vehicles and

trailers, must be parked in a permanent roofed structure or on a driveway meeting the materials allowed in section § 72.303 (A)

b. Driveway and parking areas in a side-yard or rear-yard must be connected to a driveway leading from an approved curb drop or entrance.

(3) Exceptions

A. For businesses with majority sales of agricultural products/equipment and the lot(s) owned by the business site total over four acres, product/equipment for sale may be displayed on grass or gravel.

B. For a group gathering (party, club, reception, meeting, community event, etc) a unlimited number of vehicles may be parked anywhere on a lot for a maximum of eight hours but not overnight

xxxxxxx

§ 72.304 DRIVEWAY AND PARKING COMPOSITION: Parking of all vehicles, including licensed and operable vehicles, recreational vehicles and trailers, must be parked in a permanent roofed structure or on a driveway meeting the materials allowed in section § 72.038 or applicable sections of § 156: Zoning.

§ 72.305 UNLICENSED, INOPERABLE VEHICLES: It shall be unlawful for any person, corporation or legal entity to park or store an unlicensed or inoperable vehicle anywhere unless it is parked or stored in a permanent roofed enclosure or allowed by § 156: Zoning. Mere licensing of an inoperable vehicle shall not constitute a defense to the finding that such vehicle is in violation of this section.

§ 72.306 RESPONSIBILITY FOR VIOLATIONS: When the identity of the operator of a vehicle cannot be determined, any person, corporation or legal entity who was the registered owner of such vehicle and any person, corporation or legal entity who was in lawful possession of the lot where the violation occurred at the time of a violation may be held prima facie responsible for any violation of this subchapter.

§ 72.307 NO PRIOR NOTICE, WARNING REQUIRED: The offenses enumerated in this subchapter

SPECIAL STOPS

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§ 72.~~055~~ 401 RAILROADS; OBEDIENCE TO SIGNALS; CROSSINGS/.

(A) Obedience to signal of train.

(1) Whenever any person driving a vehicle approaches a railroad grade crossing and warning is given by automatic signal or crossing gates or a flag person or otherwise of the immediate approach of a train, the driver of such vehicle shall stop within 50 feet, but not less than 15 feet from the nearest track of such railroad and shall not proceed until he or she can do so safely.

(2) The driver of a vehicle shall stop and remain standing and shall not traverse such a grade crossing when a crossing gate is lowered or when a human flag person gives or continues to give a signal of the approach or passage of a train.

(2013 Code, § 20-201)

(B) Stopping at railroad crossing. The driver of any vehicle approaching a railroad grade crossing across which traffic is regulated by a stop sign, a railroad sign directing traffic to stop or an official traffic control signal displaying a flashing red or steady circular red colored light shall stop prior to crossing the railroad at the first opportunity at either the clearly marked stop line or at a point near the crossing where the driver has a clear view of the approaching railroad traffic.

(2013 Code, § 20-202)

(C) Certain vehicles required to stop at railroad crossings.

(1) (a) The driver of a motor vehicle carrying passengers for hire, a school bus or a vehicle carrying hazardous material and required to stop before crossing a railroad track by motor carrier safety rules adopted under I.C.A. § 321.449, before crossing at grade any track of a railroad, shall stop the vehicle within 50 feet, but not less than 15 feet from the nearest rail.

(b) While stopped, the driver shall listen and look in both directions for an approaching train and for signals indicating the approach of a train and shall not proceed until the driver can do so safely.

(2) No stop need be made at a crossing where a peace officer or a traffic control device directs traffic to proceed. No stop need be made at a crossing designated by an "exempt" sign. An exempt sign shall be posted only where the tracks have been partially removed on either side of the roadway.

(2013 Code, § 20-203)

(D) Heavy equipment at railroad crossing.

(1) No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller or any equipment or structure having a normal operating speed of six or less mph or a vertical body or load clearance of less than nine inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this section.

(2) Notice of any such intended crossing shall be given to a superintendent of such railroad, and a reasonable time shall be given to such railroad to provide proper protection at such crossing.

(3) Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the vehicle or equipment not less than ten feet or more than 50 feet from the nearest rail of such railway and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train and shall not proceed until the crossing can be made safely.

(4) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flag person or otherwise of the immediate approach of a railroad train or car.

(2013 Code, § 20-204)

(Ord. 68, passed 8-14-1950) Penalty, see § 72.999

Statutory reference:

Similar provisions, see I.C.A. §§ 321.341 through 321.344

§ 72.~~056~~ 402 PRIMARY ROADS DESIGNATED AS THROUGH HIGHWAYS.

Primary roads and extensions of primary roads within the city are designated as through highways.

(2013 Code, § 20-205) (Ord. 68, passed 8-14-1950)

Statutory reference:

Similar provisions, see I.C.A. § 321.350

§ 72.~~057~~ 403 EMERGING AND YIELDING WHEN EMERGING FROM PRIVATE ROADWAY, ALLEY, BUILDING OR DRIVEWAY.

The driver of a vehicle emerging from a private roadway, alley, driveway or building shall stop such vehicle immediately prior to driving onto the sidewalk area and, thereafter, the driver shall proceed into the sidewalk area only when the driver can do so without danger to pedestrian traffic, and the driver shall yield the right-of-way to any vehicular traffic on the street into which the driver's vehicle is entering.

(2013 Code, § 20-206) Penalty, see § 72.999

HABITUAL VIOLATOR PENALTY AND PROCEDURES

§ 72.~~070~~ 501 HABITUAL VIOLATOR.

(A) For the purposes of this subchapter, a delinquent parking citation-complaint is one that has not been paid within 30 days of the date upon which the violation occurred.

(B) Any person who has allowed five or more overtime and/or illegal parking citation-complaints issued on a motor vehicle or registration plate to become delinquent shall be deemed to be a habitual violator.

(C) No person shall park a vehicle and permit it to remain standing upon any public street or municipal lot in the city when there are five or more delinquent parking citation-complaints outstanding against that vehicle or registration plate.

(D) A violation of this section shall place such vehicle in the status of an illegally parked vehicle, and the vehicle may be dealt with pursuant to § 72.~~071~~ 502 of this chapter.

(2013 Code, § 20-187) (Ord. 14601, passed 9-14-1998) Penalty, see § 72.999

§ 72.~~071~~ 502 REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES.

The Police Department may remove and impound vehicles or cause vehicles to be removed and impounded when the vehicles are stopped or parked in violation of this chapter or other city ordinances and, in so doing, may employ such means as are reasonably necessary. Impounded vehicles shall be stored in a location designated by the city.

(2013 Code, § 20-188) (Ord. 14601, passed 9-14-1998)

§ 72.~~072~~ 503 RIGHT OF OWNER TO REDEEM IMPOUNDED VEHICLE.

(A) The registered owner or person having a legal entitlement to possession of a motor vehicle impounded pursuant to § 72.~~071~~ 502 of this chapter may claim the vehicle by paying the city or the city's impoundment contractor, if one is contracted, in an amount sufficient to cover all charges attributable to the impoundment and storage of the vehicle.

(B) If a hearing pursuant to § 72.~~074~~ 505 of this chapter is held and a Hearing Officer determines there was no probable cause to impound the vehicle, the costs attributable to the impoundment shall be refunded upon the presentation to the city's Finance Director of:

(1) A certificate of no probable cause issued by the city; and

(2) The bond receipt.

(C) If a motor vehicle was impounded pursuant to § 72.~~070~~ 501 of this chapter, all delinquent parking citation-complaints must be satisfied. An administrative fee of $50 will be required, payable to the City Clerk.

Commented [HT20]: Consider referring it to fee set by resolution.

(D) If the vehicle is not claimed until after a hearing requested pursuant to § 72.073 of this chapter, the vehicle may be claimed upon:

(1) Payment of all charges referred to in § 72.~~074~~ 505 of this chapter; or

(2) Presentation of a certificate of no probable cause within two working days of its issuance to the party in possession of the vehicle.

(E) Failure to timely present such certificate will result in assumed liability on the part of the owner or person having legal entitlement to possession to the vehicle for all related storage charges.

(2013 Code, § 20-189) (Ord. 14601, passed 9-14-1998)

§ 72.~~073~~ 504 RIGHT TO HEARING.

(A) The registered owner or person having legal entitlement to possession of a vehicle impounded pursuant to this subchapter has a right to a post-seizure administrative hearing before a Hearing Officer designated by the City Administrator, to determine whether there was probable cause to impound the vehicle and any personal property contained within the vehicle; provided, the registered owner or person having legal entitlement to possession files a written demand with the City Clerk's office within ten days of mailing of the notice of the impoundment. A copy of this subchapter shall be given to the person requesting a hearing.

(B) Failure to request a hearing within such time period or to attend a scheduled post-seizure hearing shall be deemed a waiver of the right to such a hearing.

(2013 Code, § 20-190) (Ord. 14601, passed 9-14-1998)

§ 72.~~074~~ 505 CONDUCT OF HEARING.

(A) The post-seizure administrative hearing held under this subchapter shall be conducted before the Hearing Officer designated by the City Administrator within a reasonable period of time, but not to exceed 15 business days, excluding Saturdays, Sundays and city holidays, from the date of receipt of a written demand. Such hearing may be continued from time to time for good cause. The sole issue before the Hearing Officer shall be whether there was probable cause to impound the vehicle and personal property contained within the vehicle in question. The department causing the vehicle to be impounded shall carry the burden of establishing that there was ~~probably~~probable cause to impound the vehicle in question. The Hearing Officer shall decide only that either there was

~~probably~~probable cause to impound the vehicle and contents, or there was no probable cause to impound the vehicle and contents. If the Hearing Officer determines there was probable cause to impound the vehicle and contents, the registered owner or person having legal entitlement to possession of the vehicle is responsible for payment of all charges attributable to the impoundment and storage of the vehicle and the costs of the administrative hearing. If the Hearing Officer determines there was no probable cause, the Hearing Officer shall prepare a certificate of no probable cause and the bond filed or charges paid shall be refunded pursuant to § 72.~~072~~ 503 of this chapter.

(B) The proceedings at the administrative hearing shall be tape recorded by the Hearing Officer. Such tape recording shall serve as the official record of the administrative hearing for appeal purposes. The Hearing Officer shall retain all such tape recordings until the time for filing a notice of appeal has expired. If a notice of appeal is timely filed, the Hearing Officer shall retain the tape-recorded record of the administrative hearing until the appeal has been acted upon by the City Council.

(C) The decision of the Hearing Officer shall in no way affect any criminal proceeding in connection with the impoundment in question.

(D) Criminal charges, if any, may only be challenged in the appropriate court.

(2013 Code, § 20-191) (Ord. 14601, passed 9-14-1998)

§ 72.999 PENALTY.

(A) (1) The penalty for violating any permit parking, overtime parking, no parking any time and restricted parking provisions shall be a fine of $20 if paid within 30 days of the violation and, if not so paid within 30 days of the violation, the fine shall be $25. The penalty for violating fire lane parking shall be a fine of $30 if paid within 30 days; and, if not so paid within 30 days, the fine shall be $35. Fines shall not be paid in pennies.

Commented [HT21]: Consider fee to be set by resolution.

(2) Payment of the fines referred to in division (A)(1) above may be made by depositing the money in the envelope provided in the courtesy box, by paying same at the City Clerk's office, City Hall, or by mailing the fee in the envelope provided by depositing it in any proper U.S. mail box with sufficient U.S. postage affixed thereon.

(3) Each subsequent hour that the vehicle shall remain improperly parked after each summons is issued shall constitute a new and separate violation and shall incur the same penalty.

(4) If such penalty provided for in divisions (A)(1) and (A)(2) above is not paid as provided or if sufficient U.S. postage is not affixed when the citation is mailed such penalty shall be $5.

Commented [HT22]: Fee set by resolution

(5) If any penalty set forth in this section is not so paid as provided in this section within ten days after such violation, the person, firm or corporation liable shall be chargeable upon an information filed in the appropriate court and shall be subject to such penalty under costs as the court shall determine.

(2013 Code, § 20-168)

(B) The fine for each violation in § 72.~~003~~ 103 of this chapter shall be $50, plus surcharges.

(2013 Code, § 20-170)

(C) Anyone violating the provisions of § 72.018 of this chapter shall be fined $20, if paid within 30 days of the date of the violation. If not paid within 30 days the fine shall be $25. Violations shall be charged and collected in the same manner as other parking violations, by notice of a fine payable to the City Clerk.

Commented [HT23]: Fee set by resolution

(2013 Code, § 20-234)

(D) (1) Number of parked vehicles, composition, location and size of driveways and driveway extensions. Any person, corporation or legal entity who is the owner, whether the legal or equitable title holder, of a residential lot who violates any of the regulations for the number of parked vehicles, composition, location and size of driveways and driveway extensions contained in §§ 72.~~038~~203(A), (B) and (C) and 72.~~039~~204(A)(1), (A)(2), (A)(3) and (A)(4) of this chapter is guilty of and may be charged either with a simple misdemeanor, which, upon conviction, is punishable pursuant to § 10.999(A) of this code of ordinances or a municipal infraction, which, upon judgment entered against a defendant, is punishable by the civil penalties and subject to the remedies defined in I.C.A. § 364.22 or any amendments thereto. Each day that a violation occurs or is permitted to exist constitutes a separate offense, whether charged as a simple misdemeanor or municipal infraction.

(2) Front, side and rear yard parking regulations. Any person, corporation or legal entity who violates any of the regulations for parking or storing a motor vehicle or vehicle in the front, side or rear yard of a residential lot contained in §§ 72.~~040~~205(A) and (B) and 72.~~041~~ 206 of this chapter is subject to the following procedures.

(a) Any such violator may be issued a notice of violation and fine due and payable to the City Clerk. The fine for any such violation shall be $30 if paid within 30 days of the date upon which the violation occurred, and $35 if not paid within 30 days of the date upon which the violation occurred, due and payable to the City Clerk. Each day that a violation occurs or is permitted to exist constitutes a separate violation. Payment of any such fine may be made by depositing the money in the envelope provided in any courtesy box, by payment at the City Clerk's office in City Hall, or by mailing the money in the envelope provided by depositing it in the U.S. mail with sufficient U.S. postage affixed thereon. The City Clerk is not required to accept any coin in payment of any such fine.

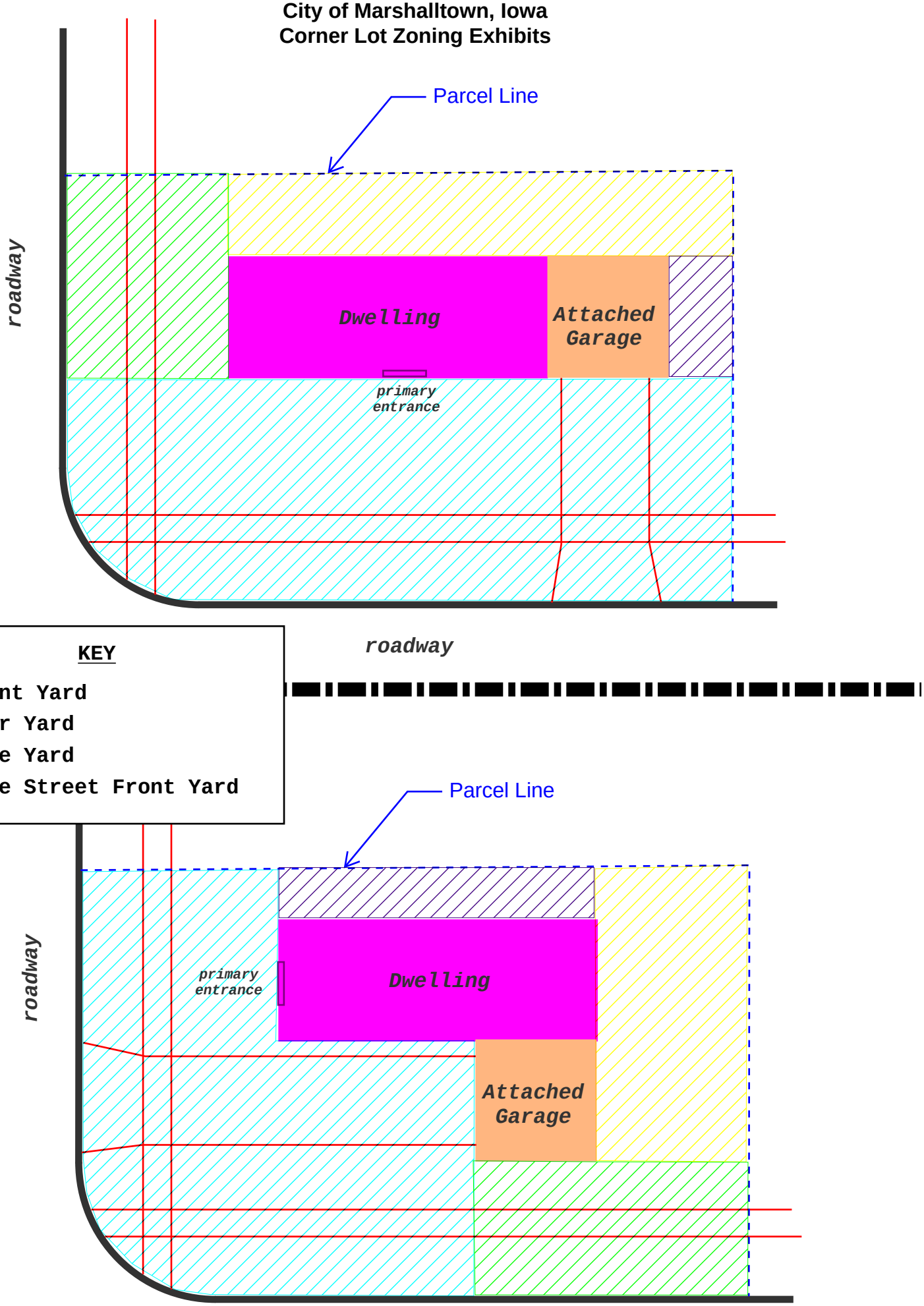
Commented [HT24]: Fee set by resolution

(b) Any such violator may be charged either with a simple misdemeanor, which, upon conviction, is punishable pursuant to § 10.999(A) of this chapter, or a municipal infraction, which, upon judgment entered against a defendant, is punishable by the civil penalties and subject to the remedies defined in I.C.A. § 364.22 or any amendments thereto, if any such violator either denies any violation contained in any notice of violation issued pursuant to division (E)(2)(a) above or fails to pay the fine provided in division (E)(2)(a) above and

indicated in any notice of violation issued pursuant thereto within 30 days of the date upon which the violation occurred. Each day that a violation occurs or is permitted to exist constitutes a separate offense, whether charged under this division (E)(2)(b) as a simple misdemeanor or municipal infraction.

(2013 Code, § 20-252)

(Ord. 13560, passed 6-25-1979; Ord. 14521, passed 12-11-1995; Ord. 14540, passed 4-22-1996; Ord. 14561, passed 10-13-1997; Ord. 14665, passed 11-13-2000; Ord. 14672, passed 2-26-2001; Ord. 14714, passed 7-14-2003; Ord. 14782, passed 4-24-2006; Ord. 14912, passed 11-26-2012; Ord. 14998, passed 6-22-2020)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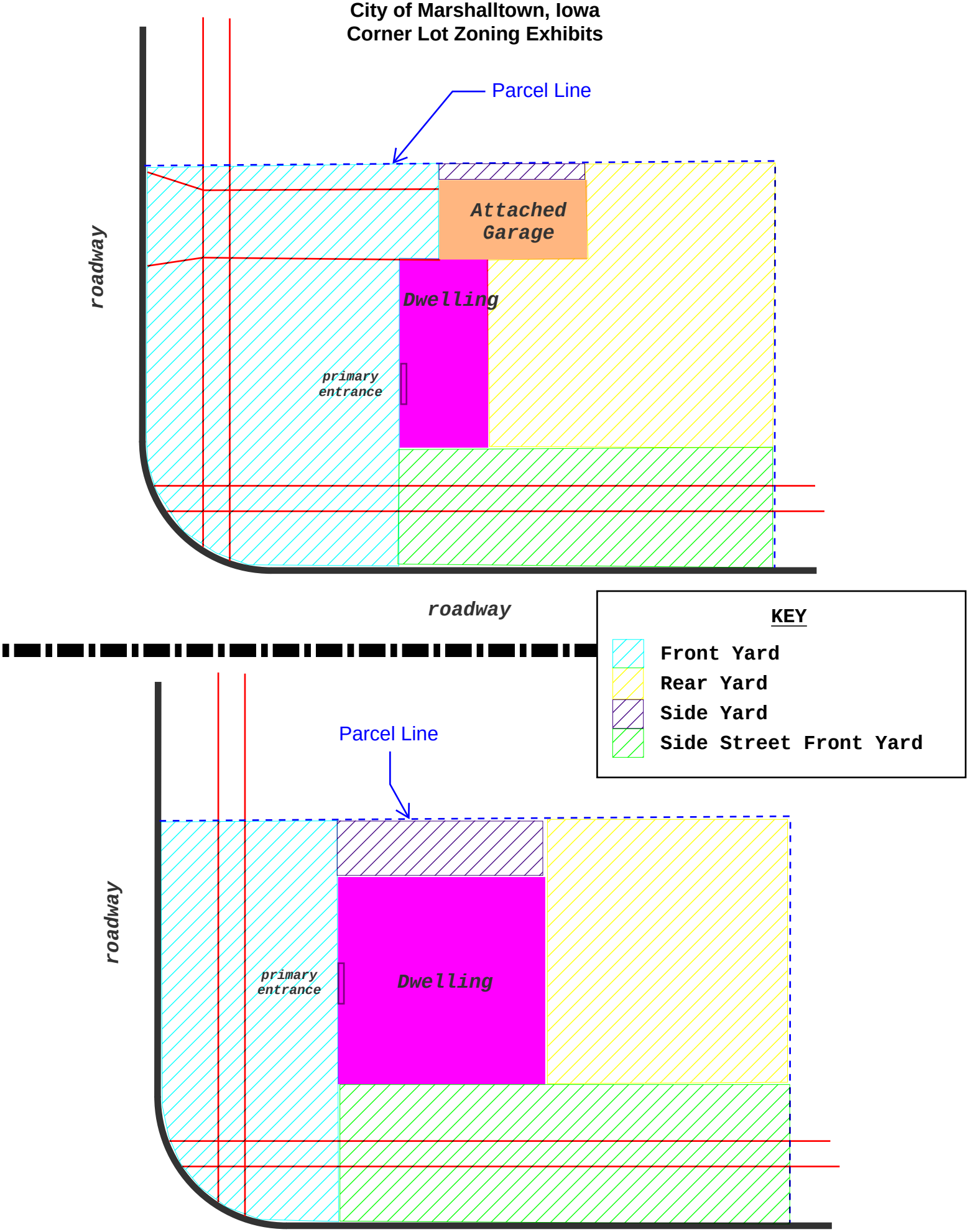
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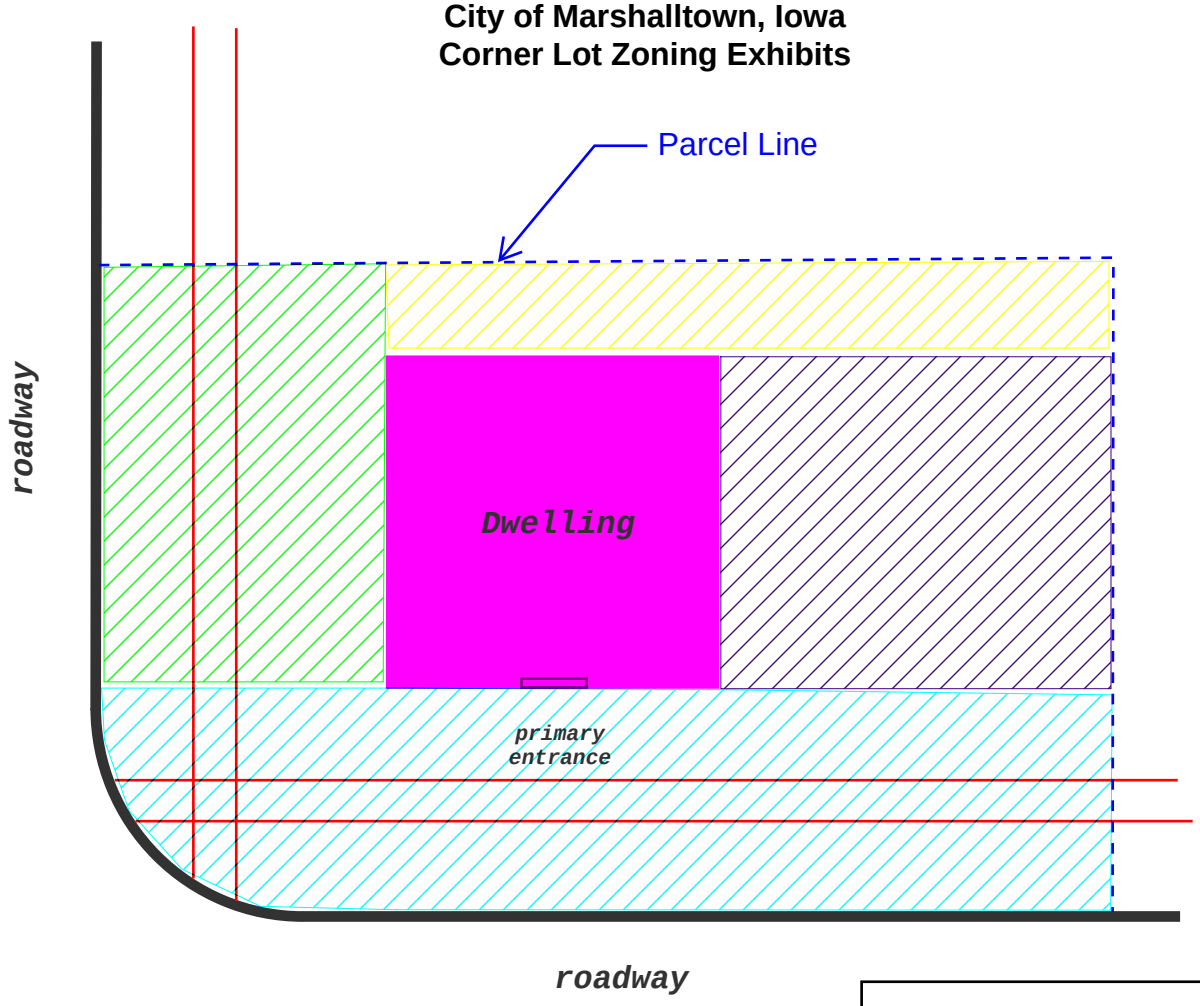

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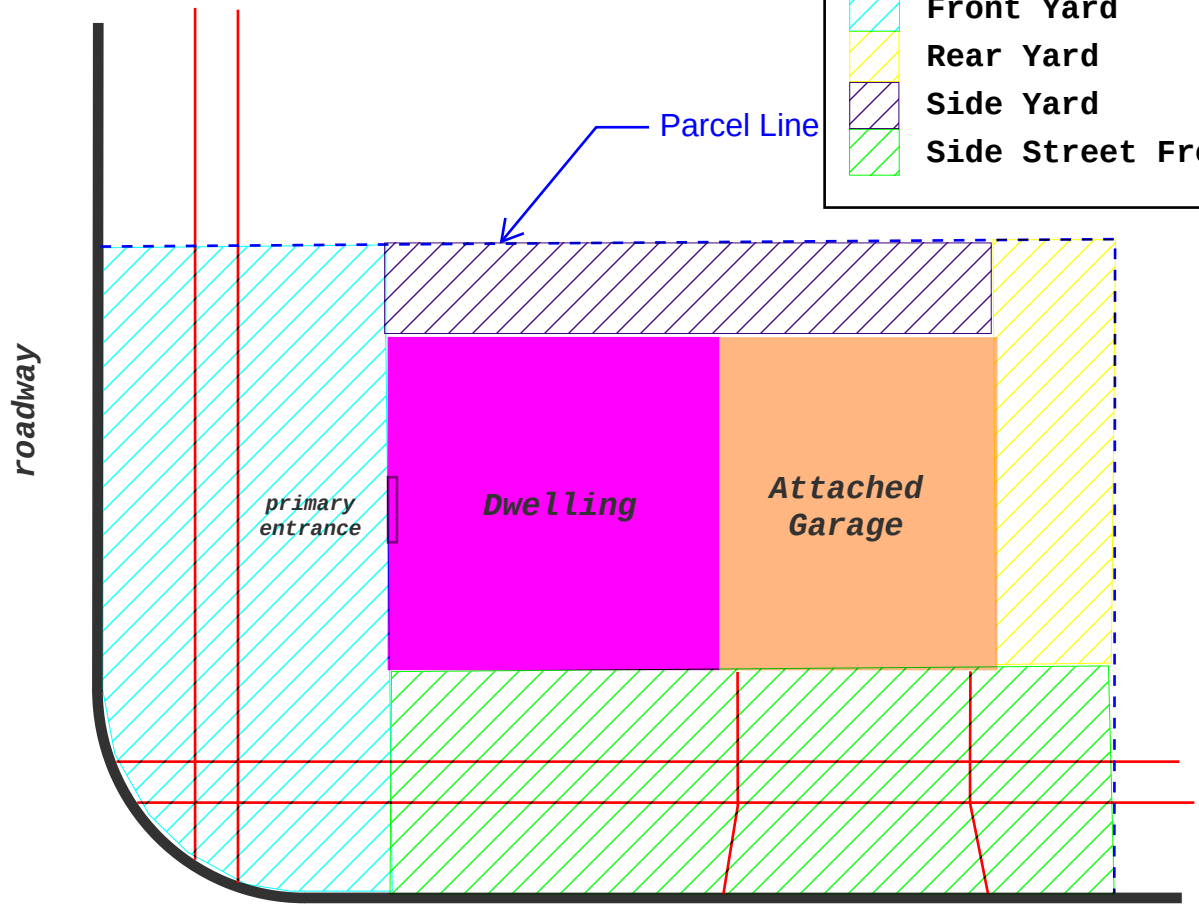

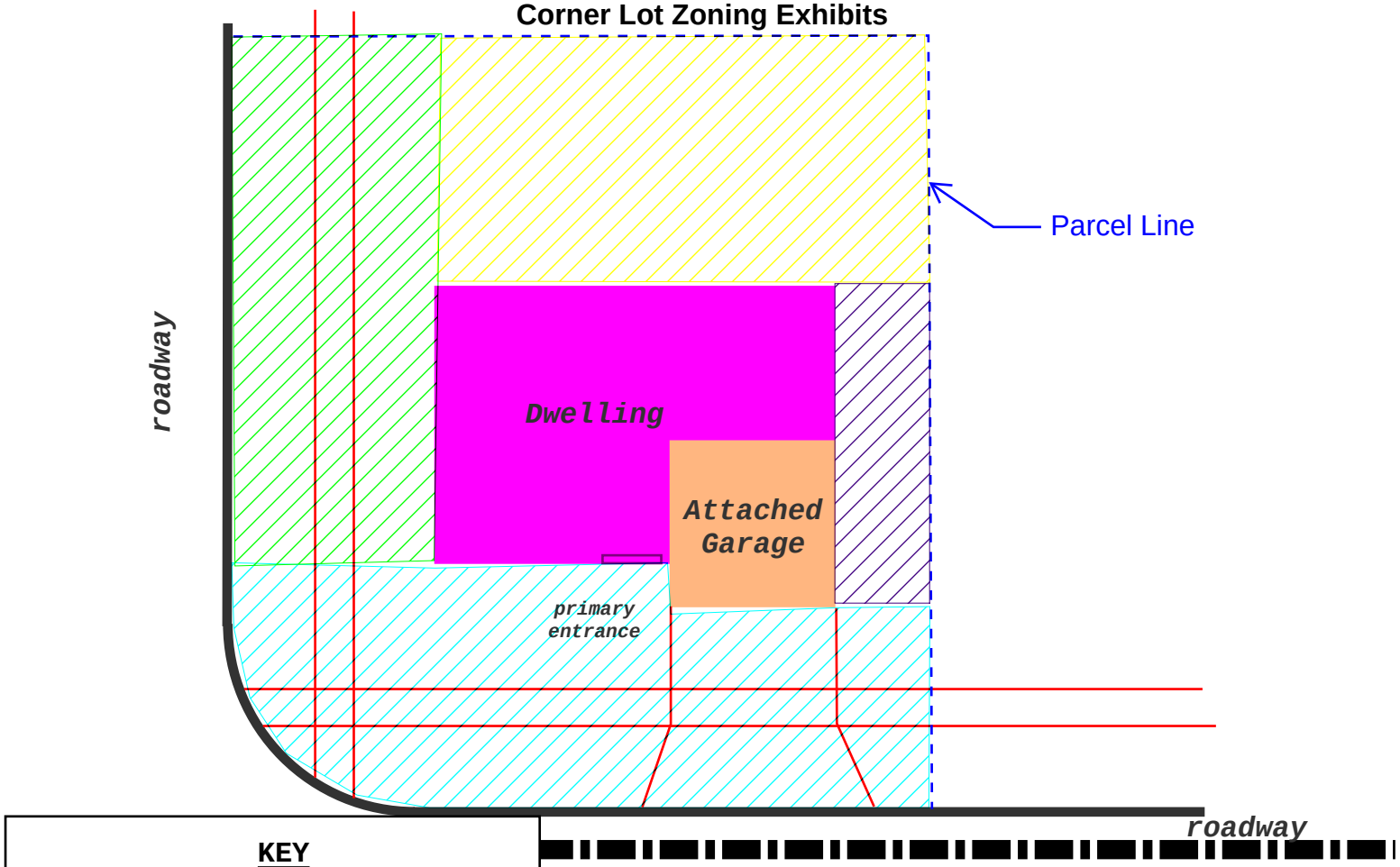

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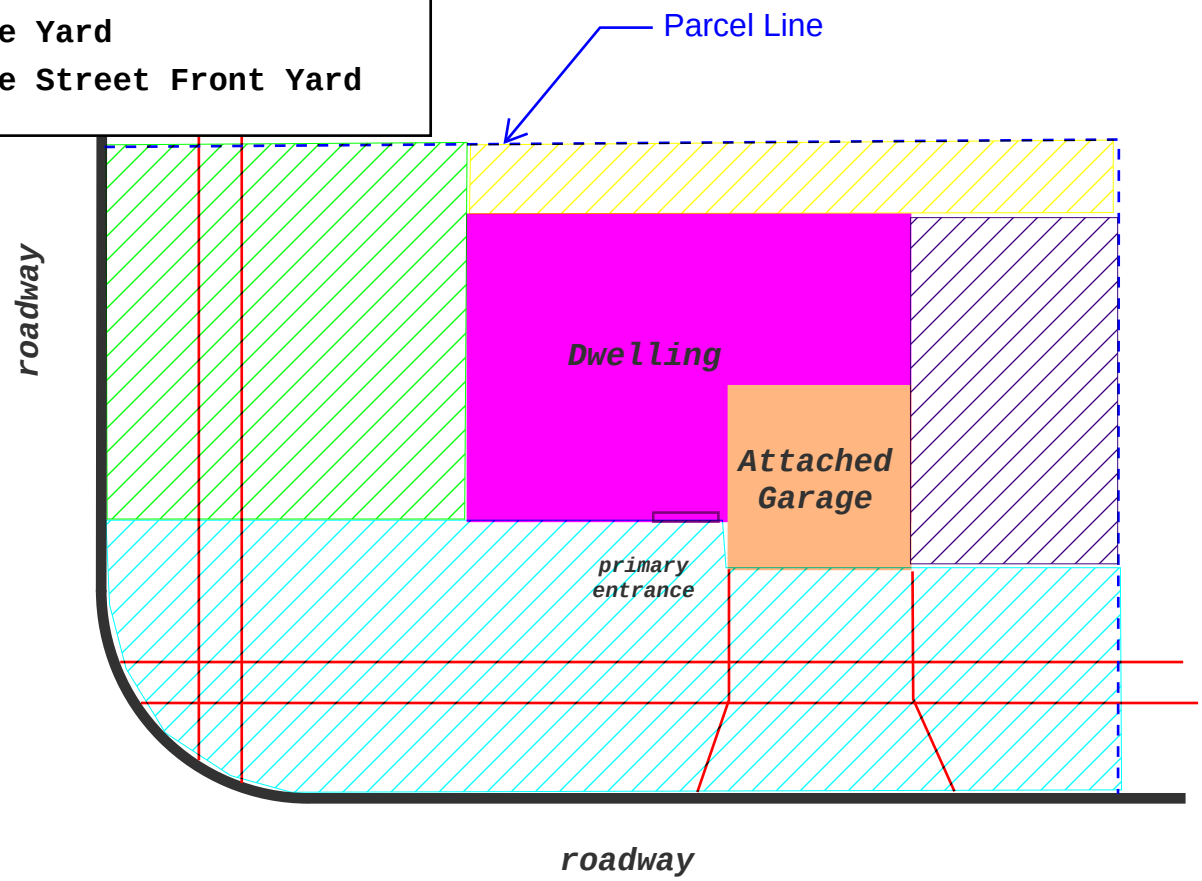

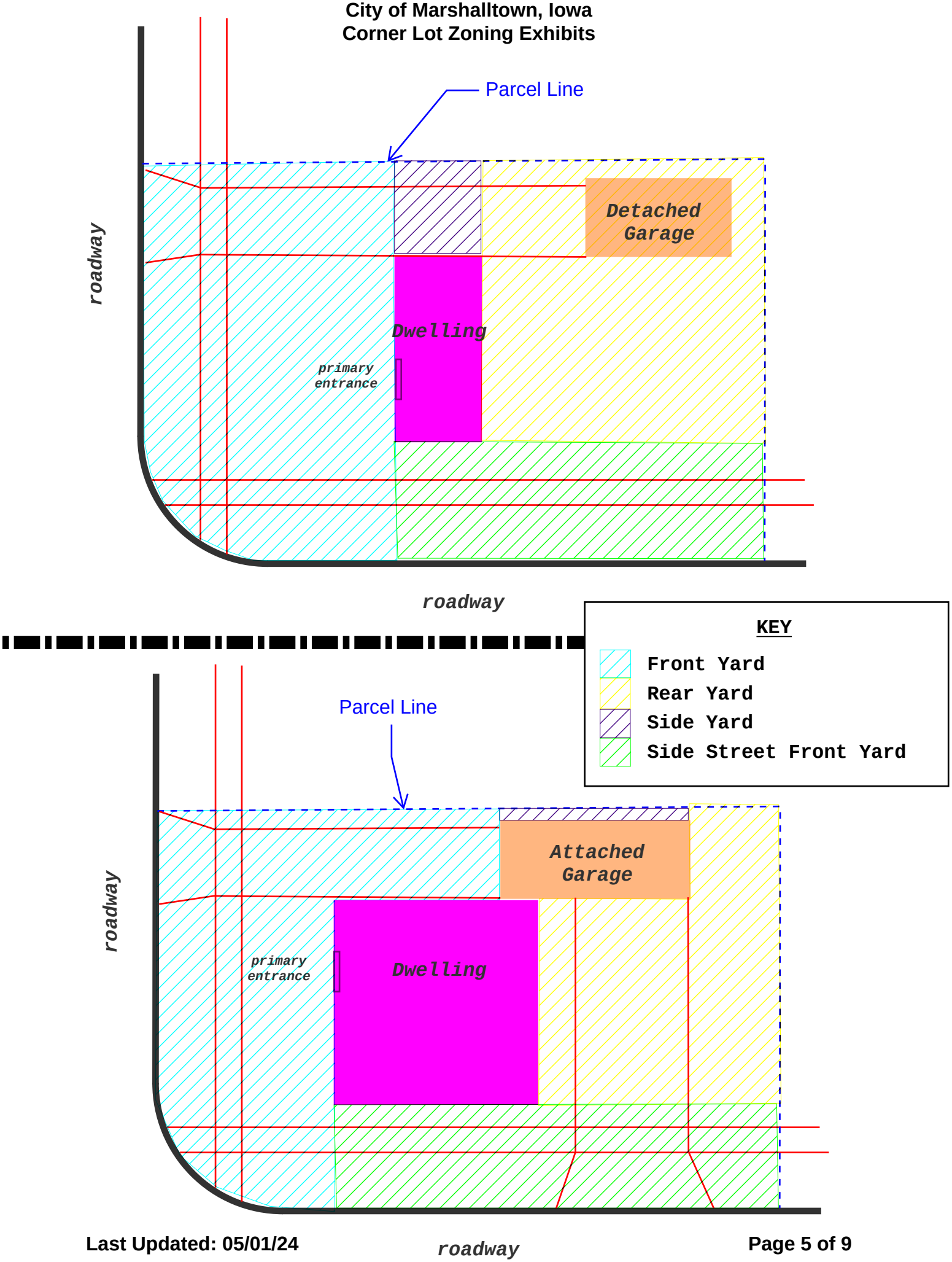
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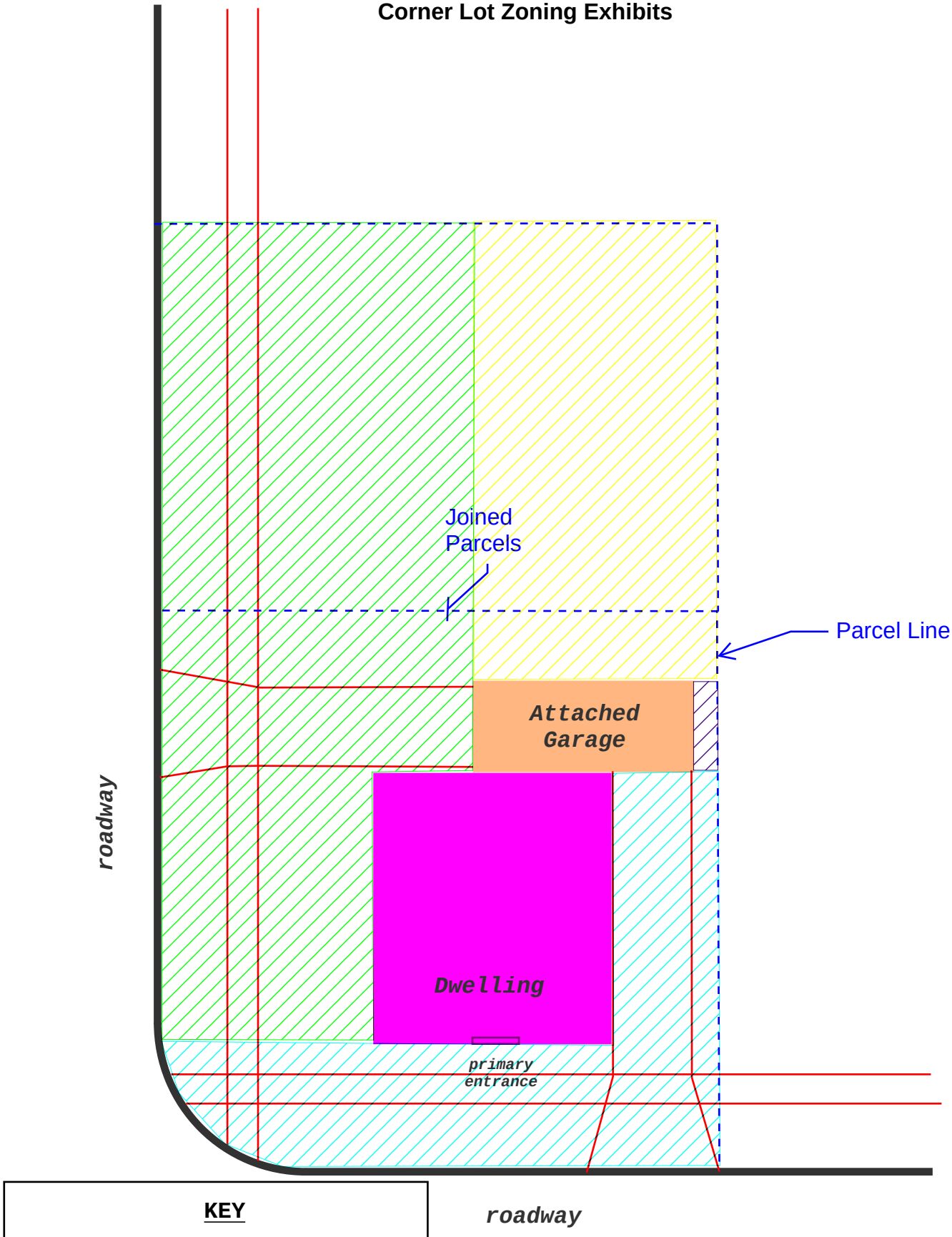

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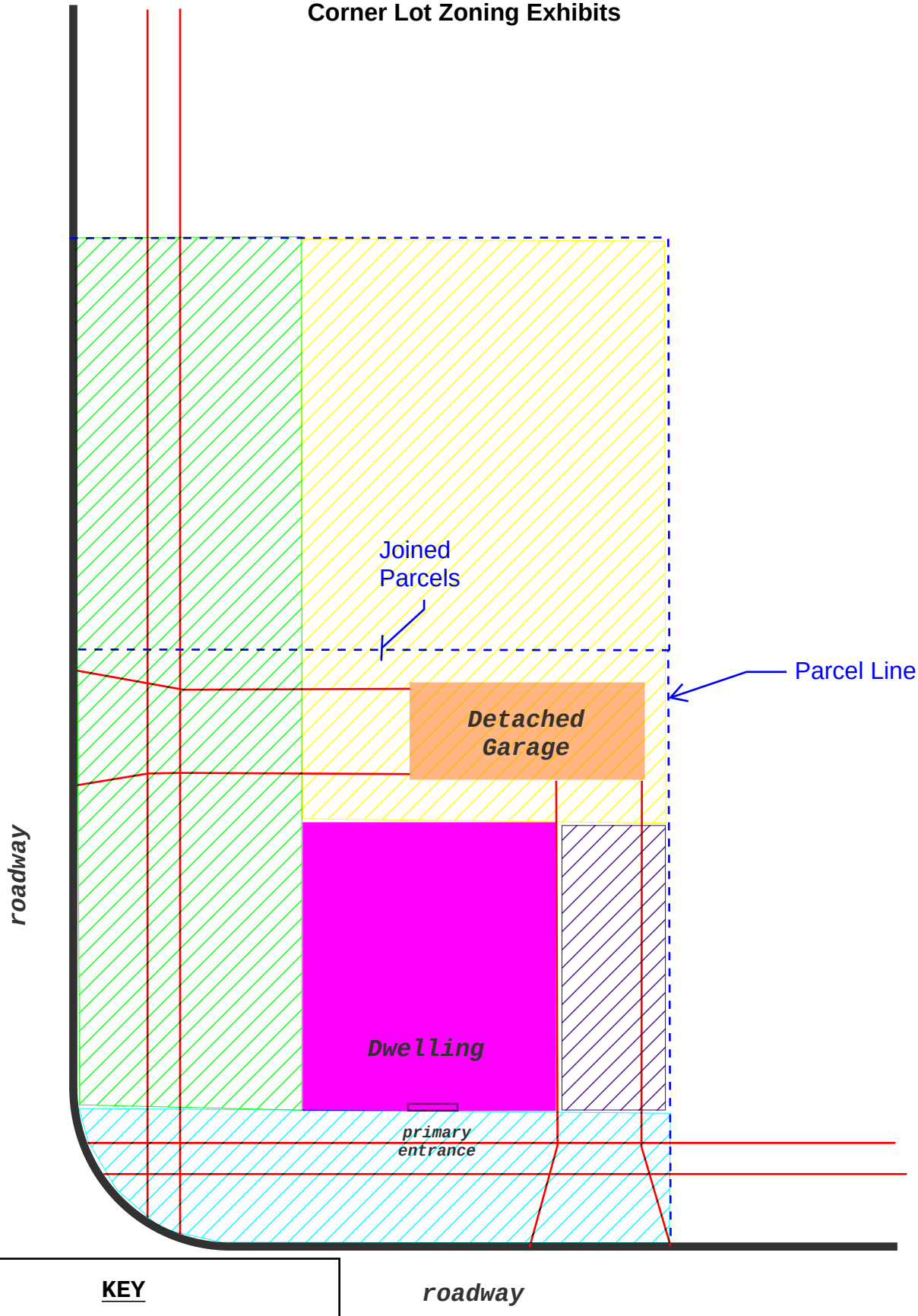

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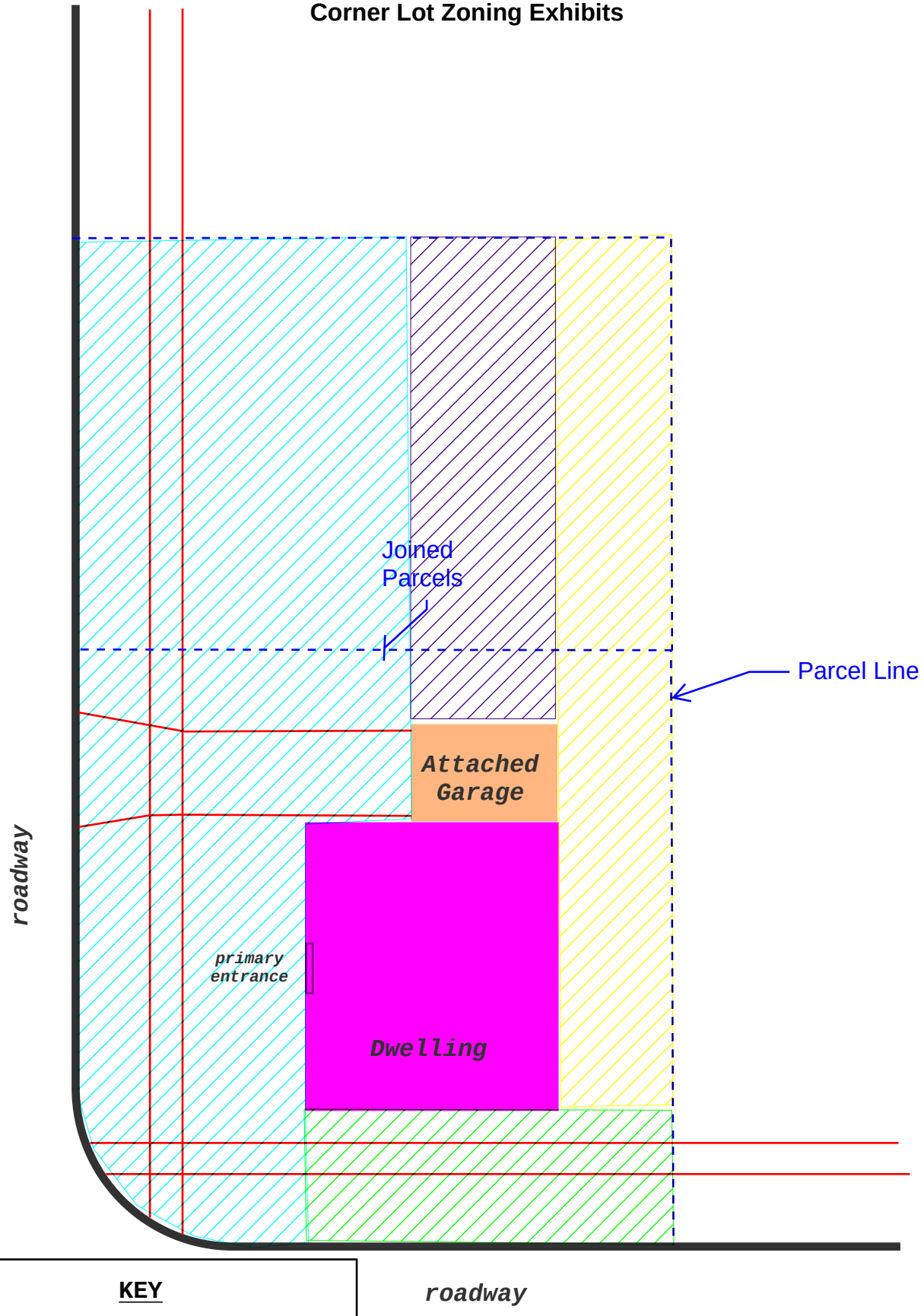
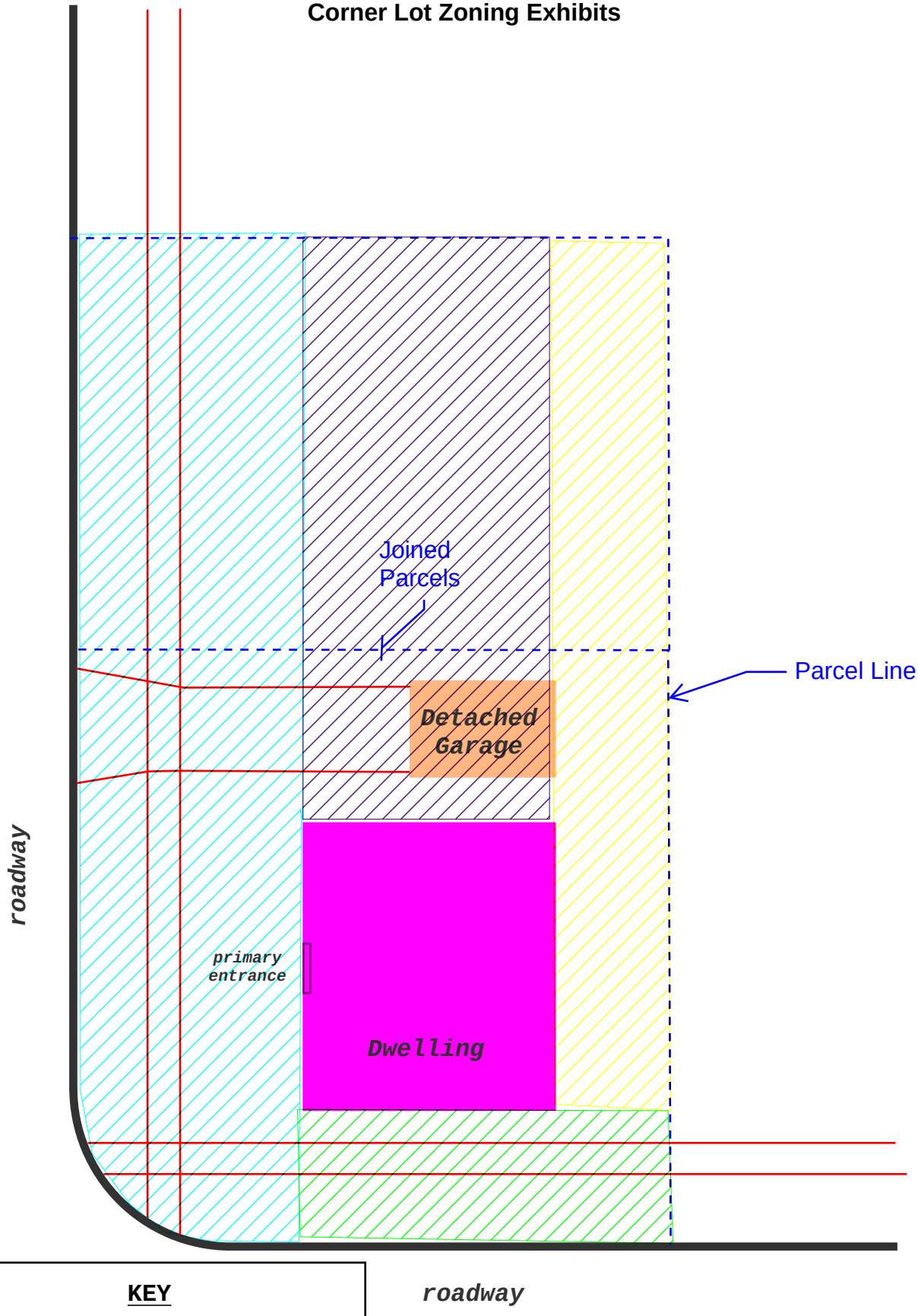
- Side Yard
- Side Street Front Yard



KEY

- Front Yard
- Rear Yard
- Side Yard
- Side Street Front Yard



KEY

- Front Yard
- Rear Yard
- Side Yard
- Side Street Front Yard