

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: 7/6/10
Reviewed by: BP

SUBJECT: Amendment of Albany Municipal Code Section 9-10.21 Prohibiting Parking of Oversized and Recreational Vehicles – FIRST READING

REPORT BY: Aleida Andrino-Chavez, Transportation Planner
Mike McQuiston, Chief of Police

STAFF RECOMMENDATION

Waive reading and introduce Ordinance No. 2010-02 for First Reading which amends Albany Municipal Code Section 9-10.21 prohibiting oversized and recreational vehicle parking on any public street or highway with certain exemptions, including a grace period for recreational vehicles currently owned by Albany residents.

BACKGROUND

On May 3, 2010 the City Council provided direction to staff on ordinance language prohibiting the parking of oversized and recreational vehicles on any public street or highway. The language recommended to the Council was the result of numerous meetings held by the Traffic & Safety Commission. The intent of the ordinance is to address concerns raised by Albany residents regarding the visual nuisance and safety problems created by parking of oversized and recreational vehicles on Albany streets. Areas receiving the most impact are: Cleveland Avenue, Dartmouth Street, Masonic Avenue and Key Route Boulevard. Thus, last year the City Council referred the issue to the Traffic & Safety Commission.

To assist the Commission, the Albany Police Department researched oversized vehicle parking policies and ordinances in neighboring cities. It should be noted that any change to the City's ordinance would not affect continued enforcement of the State Vehicle Code that prohibits parking of any vehicle for more than 72 hours in the same location.

DISCUSSION

Subjects pertaining to "Motor Vehicles and Traffic" are contained in Chapter IX of the Albany Municipal Code. Definitions are included in Section 9-1.1. New definitions are proposed for "Oversized Vehicles" and "Recreational Vehicles", which the Council is being asked to act on separately. In summary, an oversized vehicle is defined as any vehicle or combination of vehicle and trailer or dolly with dimensions exceeding twenty one feet (21') in length, or eighty inches (80") in width, or eighty-two inches (82") in height, or eight thousand (8,000) pounds or greater in weight.

Definition of Recreational Vehicle

At the May 3rd City Council meeting, the Council identified the need for a clear distinction between an oversized vehicle and a recreational vehicle. Therefore, staff researched definitions of other cities, and recommends the definition shown in the Amendments proposed for Section 9-1.1. This Recreational Vehicle definition includes criteria related to interior size, equipment, and structural aspects, and is

generally defined as a motor home, travel trailer, truck camper, or camping trailer with or without motive power, or a park trailer as defined in the Health and Safety Code.

Albany Resident Exemption

Council asked that there be a grace period for Albany residents currently owning recreational vehicles in order for them to locate alternative storage space for their vehicle(s). As such, staff recommends that #8 under “Exemptions” include the following statement: “This ‘Albany Resident’ exception will expire on December 31, 2011.” Based on Council’s discussion, staff believes that an approximately 18 month period should provide sufficient time for compliance, and tying it to the start of a calendar year - when new laws often take effect - makes for a cleaner transition.

Summary of Proposed Oversized and Recreation Vehicle Parking Regulations

- Applies to entire City, not only residential districts
- Defines oversized vehicles (i.e., length, height, width, weight)
- Defines recreational vehicles
- Establishes Exemptions for:
 - loading and unloading before or after a trip for residents with a permit (24 hr. max);
 - repairs to public buildings;
 - guest of residents who secure a permit which cannot exceed 3 days;
 - persons actually making emergency repairs thereon;
 - picking up or delivering goods, etc. or delivering materials for construction;
 - moving vans;
 - hauling of special purpose equipment and parking while equipment is in use;
 - Albany residents owning a recreational vehicle prior to ordinance adoption; exemption expires December 31, 2011;
- Exemptions would not apply to oversized or recreational vehicle or trailer parked within 100 feet of a street corner; and
- Police Chief may issue a permit for other exemptions on case by case basis.

ANALYSIS

By incorporating language as directed by the City Council and recommended by staff, it is believed the proposed language is fair to both current residents, and to new residents who would be prohibited from using the street for RV parking. If passed, a permit system would need to be established.

SUSTAINABILITY IMPACT

Oversized and recreational vehicles parked on Albany streets can impede the path of bicyclists.

FINANCIAL IMPACT

This ordinance will result in an increase in workload to the Albany Police Department operations due to increased demands on enforcement, permit issuance, and evaluating case by case exemption requests. It is possible these costs may be offset in part or in whole through a recreational vehicle parking permit system.

Attachments

- Proposed Ordinance No. 2010-02 – Amending Sect. 9-10.21 for Oversized and Recreational Vehicle Parking
- Current Ordinance Section 9-10.21 related to Oversized Vehicle Parking