

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

Agenda Date: 7/19/10
Reviewed by: BP

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

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

STAFF RECOMMENDATION

1. Adopt Ordinance No. 2010-05 amending Albany Municipal Code Section 9-1.1 to change the definition of annual holidays relative to traffic and parking enforcement, and adds definitions for oversized and recreational vehicles; and
2. Adopt Ordinance No. 2010-02 amending Albany Municipal Code Sections 9-10.21 to prohibit 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 July 6, 2010 the City Council reviewed the proposed ordinance language prohibiting the parking of oversized and recreational vehicles on any public street or highway, changing the definition of annual holidays relative to traffic and parking enforcement, and adding definitions for oversized and recreational vehicles. The Council voted to waive the reading and introduce Ordinance No. 2010-02 and No. 2010-05 for First Reading. Council directed staff for incorporate changes, based on their discussion, and return to the next meeting (July 19) with amended ordinance language.

DISCUSSION

Examples of Recreational Vehicles: A question raised by the Council was whether vehicles such as pop-up tent vehicles and Volkswagen vans constituted an oversized, or recreational vehicle. Such vehicles are not the intended focus of the ordinance and staff has modified the proposed ordinance language to reflect this philosophy. The definition of “oversized vehicle” has been modified to change the maximum permissible vehicle height from eighty-two inches (6’8”) to ninety-six inches (8’0”) to exclude from enforcement vehicles such as, VW Westfalias, van conversions, and large vans (e.g., old senior center van).

The police department does not believe these vehicles meet the definition of a “recreational vehicle” unless the equipment on these “camping cars” is deployed, thereby converting the vehicle from its normal travel mode configuration to a “recreational” configuration.

Cost of Tickets for Violations: In response to a question about the cost of a ticket, the police department recommends keeping the current fine for a violation of this section (AMC 9-10.21); currently set in the Master Fee Schedule at \$39.00. This fine would apply to any violation of the section.

Loading and Unloading Time Period: The Council asked that the ordinance give owners forty-eight (48) hours to load and unload an RV before or after a trip. Council members expressed a concern that the proposed 24 hour period would be too restrictive and that 48 hours was more reasonable; that change has been incorporated.

Albany Resident Exception: There was extensive discussion about Exemption No. 8, which relates to a grace period for recreational vehicles currently owned by Albany residents. In summary, the Council concluded that Albany residents, currently owning recreational vehicles, should be exempt from the RV on-street parking prohibition for a five year period beginning July 1, 2010. Thus, the revised language would be as follows:

Any person who has been a resident living in Albany before July 1, 2010 who has owned a recreational vehicle registered to an Albany address prior to July 1, 2010 and continues to own the same recreational vehicle is authorized to park, after having obtained a permit issued by the Police Department, that recreational vehicle on the public street or highway on his/her block of residence in accordance with this Section 90-21.10. Only one recreational vehicle per household is excepted under the provisions of this section. This ‘Albany Resident’ exception will expire on July 15, 2015. Said permits may be revoked if compliance with all conditions are not met.

Fee Schedule for Parking Exemptions: The Council asked that staff return in October with an amendment to the Master Fee Schedule for that relates to the recreational vehicle parking permit exemptions. Examples include permits for guests of Albany residents who wish to park a recreational vehicle on the street for not more than three days, and for residents who currently own a recreational vehicle.

It is intended that the new fee schedule would become effective January 1, 2011.

Summary of 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 (48 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 July 1, 2015;
- 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.

Regardless of any change to the City's ordinance, it 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.

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. Staff will return by October, 2010 with a recommended RV parking permit program.

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

- Ordinance No. 2010-02 – Amending Sect. 9-10.21 for Oversized and Recreational Vehicle Parking (changes made 7/6/10 at City Council meeting are shown with underlines)
- Ordinance No. 2010-05 – Amending Section 9-1.1 regarding Definitions (new language shown with underlines)