

ORDINANCE NO. 2022-004

AN ORDINANCE OF THE CITY OF MONTROSE, SD, AMENDING THE MONTROSE ZONING REGULATIONS, BY AMENDING CHAPTER 8.04(C), ADDITIONAL USE REGULATIONS, OFF-STREET PARKING.

BE IT ORDAINED BY THE CITY OF MONTROSE, SD:

Section 1. That Chapter 8.04(C) of the Montrose Zoning Regulations is hereby amended to read as follows:

C. Vehicle Storage in Residential Zones

1. **Definitions.** For the purposes of this section, the following terms shall have the meaning given herein.
 - a. "Park," "parking," "stored," and "storage" mean on-site parking on residential property for a continuous period more than twenty-four hours.
 - b. "Motorized Recreational Vehicle" means a motorhome built on a truck or bus chassis or a van chassis.
 - c. "Non-Motorized Recreational Vehicle" means an open or enclosed towable recreational vehicle, combining transportation and temporary living quarters that can be unhitched. Including but not limited to: travel trailers, folding camping trailers, and utility trailers. Also includes, but not limited to: boats, horse trailers, utility trailers for storing recreational vehicles and equipment, and trailers used to store motorcycles, personal watercrafts, or all-terrain vehicles.
 - d. "Recreational Vehicle" means motorized and non-motorized vehicles that combine transportation and living quarters for travel, recreation, and camping.
2. **Vehicle Storage.** No person shall keep, store, or otherwise permit any of the following on a lot or parcel of land zoned for residential use:
 - a. Any Semi-truck or component thereof shall not be allowed for storage or parked for more than a period of 24 hours.
 - b. Any vehicle or component thereof which is located on the front yard, not located on either a paved driveway surface or driveway surface approved by the Authorized Agent. For corner lots, the Authorized Agent will determine which side of dwelling unit is the front yard for the purposes of this section.
 - c. Any vehicle or component thereof which creates a pedestrian or vehicular safety hazard.
 - d. Penalty.
 1. The City's Authorized Agent will provide a notice of violation to any vehicle or component thereof parked or stored in violation of this ordinance. The vehicle or component thereof must be moved within twenty-four (24) hours from the date of the notice of violation.

2. Any vehicle not moved within twenty-four (24) hours from the date of the notice of violation will be fined \$25 per day until the vehicle or component thereof is moved and in compliance with these regulations.
- e. Exceptions. The driver of an authorized emergency vehicle, when responding to an emergency call or in pursuit of an actual or suspected violator of the law or when responding to a fire alarm, may park or locate their vehicles irrespective of these provisions.

3. **Motorized Recreational, Non-Motorized Recreational, and Recreational Vehicle, Boat, and Trailer Parking.**

- a. Purpose. The purpose of these regulations is to establish standards for the parking and storage of recreational vehicles, boats, truck campers, and trailers in residential zones to protect the value, character, public health, and safety of residential neighborhoods.
- b. Standards.
 1. Storing and parking of recreational vehicles shall be allowed year round so long as the vehicle is not connected to city water or sewer services and no person lives in it.
 2. No parking or storage may occur in the front yard. For corner lots, the Authorized Agent will determine which side of dwelling unit is the front yard for the purposes of this section. Temporary parking of a recreational vehicle on a paved driveway in the front yard shall be allowed for up to two consecutive days for the purpose of loading, unloading, or otherwise prepping and cleaning the recreational vehicle. Temporary parking of a recreational vehicle must not encroach onto the public sidewalk nor encroach into the public right-of-way.
 3. Parking or storage is permitted in the side or back yard. Parking or storage must not encroach onto the public sidewalk nor encroach into the public right-of-way and must not be closer than fifteen feet (15) to lot line.
 4. One (1) recreational vehicle not owned by the owner(s) or occupant(s) of the lot shall be allowed for a maximum of seven (7) days in any three (3) month period. A situation requiring an exception to this requirement must be approved by the City Council through a license pursuant to Chapter 4.01 of the Revised Municipal Ordinances of the City of Montrose.
 5. The recreational vehicle is to be connected to an external electrical source and the vehicle generator may not be used.

6. All recreational vehicles stored or parked on a lot must have a current valid license plate affixed thereto and visible at all times. Any vehicle without a current valid license plate shall be declared an inoperable vehicle and subject to Chapter 3.01 of the Revised Municipal Ordinances of the City of Montrose.

c. Penalty.

1. The City's Authorized Agent will provide a notice of violation to any vehicle or component thereof parked or stored in violation of this ordinance. The vehicle or component thereof must be moved within twenty-four (24) hours from the date of the notice of violation.
2. Any vehicle not moved within twenty-four (24) hours from the date of the notice of violation will be fined \$25 per day until the vehicle or component thereof is moved and in compliance with these regulations.

Adopted this _____ day of _____, 2023.

Mayor or Council President

ATTEST:

Finance Officer

Seal

First Reading: _____

Second Reading & Adoption: _____

Published: _____

Effective Date: _____

Published once at the approximate cost of _____.