

ORDINANCE 744

AN ORDINANCE OF THE CITY OF THE VILLAGE, OKLAHOMA AMENDING CHAPTER 13, SECTIONS 13-1, 13-222, 13-223, 13-228, AND 13-233 OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO PARKING OF CERTAIN VEHICLES, INCLUDING TRAILERS, BOATS, MOTOR HOMES, AND RECREATIONAL VEHICLES; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE:

Section 1. That Chapter 13, Section 13-1 of the Code of Ordinances is hereby amended to read as follows:

Sec. 13-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized emergency vehicles. Vehicles of fire departments, ambulances and police vehicles, including vehicles owned or operated by the United States Marshals Service, the Federal Bureau of Investigation or by any local organization for civil defense such vehicles shall be equipped with siren capable of giving an audible signal, as required by law, and a flashing red light.

State law reference--Similar provisions, 47 O.S. § 1-103.

Cross references--Injury to motor vehicles, § 12-102; arrests for violation of traffic ordinances, § 14-18(d); abandoned, junked, etc., vehicles, § 15-60 et seq.; parades, § 21-25 et seq.

Automobile. Every motor vehicle of the type constructed and used for the transportation of persons for purposes other than for hire or compensation. This shall include all vehicles of the station wagon type whether the same are called station wagons, or ranch wagons, van wagons, except those used for commercial purposes, suburbans, town and county, or by any other name, except when owned and used as a school bus or motor bus by a school district or a religious corporation or society as elsewhere provided by law.

State law reference--Similar provisions, 47 O.S. § 1-103.1.

Bicycle. A bicycle is a device upon which any person or persons may ride, propelled solely by human ower through a belt, chain, or gears, and having two or more wheels, excluding mopeds. As used in this chapter the term "bicycle" shall include tricycles, quadcycles, or similar human-powered devices, electric-assisted bicycles, and motorized bicycles, unless otherwise specifically indicated.

(Ord, No. 601, 4-19-2005; Ord, No. 619, §1, 08-01-2006)

State law reference--Similar provisions, 47 O.S. § 1-104.

Boulevard. Any highway or portion thereof where vehicles are required to come to a full stop before entering from an intersecting highway.

Bus. Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

State law reference--Similar provisions, 47 O.S. § 1-105.

Business district. The territory contiguous to and including a highway when within any six hundred (600) feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations and public buildings, which occupy at least three hundred (300) feet in frontage on one side or three hundred (300) feet collectively on both sides of the highway.

State law reference--Similar provisions, 47 O.S. § 1-106.

Commercial equipment shall mean any vehicle, devise, or constructed machine, excluding trailers, used primarily for business or commercial purposes that is incapable of self-propelled motion in excess of thirty-five (35) miles per hour.

Controlled-access highway. Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

State law reference--Similar provisions, 47 O.S. § 1-110.

Crosswalk. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway. The term shall also mean any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

State law reference--Similar provisions, 47 O.S. § 1-111.

Curb loading zone. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Driver. Every person who drives or is in actual physical control of a vehicle.

State law reference--Similar provisions, 47 O.S. § 1-114.

Electric-assisted bicycle is any bicycle with:

- (1) Two or three wheels; and
- (2) Fully operative pedals for human propulsion and equipped with an electric motor:
 - (a) With a power output not to exceed one thousand (1,000) watts;

- (b) Incapable of propelling the device at a speed of more than twenty (20) miles per hour on level ground; and
- (c) Incapable of further increasing the speed of the device when human power alone is used to propel the device at a speed of twenty (20) miles per hour or more.

An electric-assisted bicycle shall meet the requirements of the Federal Motor Vehicle Safety Standards as set forth in federal regulations and shall operate in such a manner that the electric motor disengages or ceases to function when the brakes are applied.

(Ord. No. 601, 4-19-2005; Ord. No. 619 §1, 08-01-2006)

Farm equipment shall mean any tractor designed and used primarily as a farm implement or any trailer or wagon designed or used for carrying passengers or property and being drawn by animal or motive power.

Freight curb loading zone. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.

Front building line means a line extending from side property line to side property line and being the minimum horizontal distance between the front property line and the front of the main building or any projections thereof other than steps, unenclosed balconies, or unenclosed porches.

Highway or street. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The words "highway" and "street" are synonymous.

State law reference--Similar provisions, 47 O.S. §§ 1-122, 1-171.

Implement of husbandry. Every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways. Farm wagon type tank trailers of not over one thousand two hundred (1,200) gallon capacity, used during the liquid fertilizer season as field storage "nurse tanks" supplying the fertilizer to a field applicator and moved on highways only for bringing the fertilizer from a local source of supply to farms or fields or from one farm or field to another, shall be considered implements of husbandry for purposes of this chapter. Trailers or semi trailers owned by a person engaged in the business of farming and used exclusively for the purpose of transporting farm products to market or for the purpose of transporting to the farm materials or things to be used thereon shall also be considered implements of husbandry for purposes of this chapter.

State law reference--Similar provisions, 47 O.S. § 1-125.

Intersection. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways, which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different highways joining at any other angle, may come in

conflict. Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event, such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

State law reference--Similar provisions, 47 O.S. § 1-126.

Laned roadway. A roadway, which is divided into two (2) or more clearly marked lanes for vehicular traffic.

Motor home. A small bus or trucklike vehicle with a roomlike area behind the driver's seat outfitted as living quarters.

Motor vehicle. Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails the term shall exclude implements of husbandry.

State law reference--Similar provisions, 47 O.S. § 1-134.

Motorcycle: A motorcycle is any motor vehicle having:

- (1) A seat or saddle for the use of each rider;
- (2) Not more than three (3) wheels in contact with the ground, but excluding a tractor; and,
- (3) A combustion engine with a piston or rotor displacement of greater than one hundred fifty cubic centimeters (150 cu cm).

State law reference--Similar provisions, 47 O.S. § 1-135.

Motor-driven Cycle. A motor-driven cycle is any motor vehicle having:

- (1) A power source that:
 - (a) If the power source is a combustion engine has a piston or rotor displacement of greater than thirty-five cubic centimeters (35 cu cm) but less than one hundred fifty cubic centimeters (150 cu cm) regardless of the number of chambers in the power source; or
 - (b) If the power source is electric, has a power output of greater than one thousand (1,000) watts; and
- (2) A seat or saddle for the use or each rider;
- (3) Not more than three (3) wheels in contact with the ground;

A motor-driven cycle requires a driver's license of proper class with endorsement.

State law reference--Similar provisions, 47 O.S. § 1-136.

Motorized bicycle is any bicycle having:

- (1) Fully operative pedals for propulsion by human power;
- (2) An automatic transmission; and,
- (3) A combustion engine with a piston or rotor displacement of fifty cubic centimeters (50 cu cm) or less, regardless of the number of chambers in the engine, which is capable of propelling the bicycle at a maximum design speed of not more than thirty (30) miles per hour on level ground.

Motorized Scooter: A motorized scooter is any vehicle having:

- (1) Not more than three (3) wheels in contact with the ground;
- (2) Handlebars and a foot support or seat for the use of the operator;
- (3) A power source that is capable of propelling the vehicle at a maximum design speed of not more than twenty-five (25) miles per hour on level ground, and:
 - (a) If the power source is a combustion engine, has a piston or rotor displacement of thirty-five cubic centimeters (35 cu cm) or less regardless of the number of chambers in the power source;
 - (b) If the power source is electric, has a power output of not more than one thousand (1,000) watts.

For purposes of this section, an electric personal assistive mobility device, bicycle, electric-assisted bicycle, or motorized bicycle, shall not be considered a motorized scooter. A motorized scooter shall not be required to be registered under the laws of this State. The operator of a motorized scooter shall not be required to possess a driver's license or to comply with the vehicle insurance or financial responsibility laws of this State.

Official traffic-control devices. All signs, barricades, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

State law reference--Similar provisions, 47 O.S. § 1-139.

Park or parking. The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

State law reference--Similar provisions, 47 O.S. § 1-142(a).

Passenger curb loading zone. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Paved surface shall mean a solid, sealed surface constructed of asphalt, concrete, stone, brick, or other similar material which is designed to adequately support the weight of vehicles using such surface and which is designed to prevent the occurrence of mud and dust with continued vehicular use. Honeycombed concrete, brick, or stone pavers

that are designed by the manufacturer for use as a decorative parking surface shall be deemed a paved surface, provided that adequate surface area is provided so that all wheels of the vehicle are parked on such surface. Gravel, loose aggregate or other similar materials that are not bonded together so as to provide a solid, sealed surface shall not be deemed a paved surface.

Pedestrian. Any person afoot.

State law reference--Similar provisions, 47 O.S. § 1-143.

Police officer. Every officer of the police department and any other officer who is authorized to direct or regulate traffic or to make arrests for violation of traffic ordinances.

State law reference--Similar provisions, 47 O.S. § 1-147.

Private road or driveway. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

State law reference--Similar provisions, 47 O.S. § 1-148.

Railroad. A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

State law reference--Similar provisions, 47 O.S. § 1-149.

Railroad sign or signal. Any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

State law reference--Similar provisions, 47 O.S. § 1-150.

Railroad train. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

State law reference--Similar provisions, 47 O.S. § 1-151.

Resident district. The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

State law reference--Similar provisions, 47 O.S. § 1-154.

Right-of-way. The privilege of the immediate use of the roadway. For purposes of Article IX of this Chapter, right-of-way shall also mean the portion of property owned by the public, or by which the public has obtained a legal right, established by usage or grant, for public roadways and use by a public utility.

State law reference--Similar provisions, 47 O.S. § 1-156.

Roadway. That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a highway includes two (2) or more separate roadways, the term “roadway” as used herein refers to any such roadway separately but not to all such roadways collectively.

State law reference--Similar provisions, 47 O.S. § 1-158.

Safety zone or island. An area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone or island.

State law reference--Similar provisions, 47 O.S. §1-159.

Shoulder. The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use and for lateral support of base and surface courses.

State law reference--Similar provisions, 47 O.S. § 1-158.

Sidewalk. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

State law reference--Similar provisions, 47 O.S. § 1-163.

Stand or standing. The halting of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

State law reference--Similar provisions, 47 O.S. § 1-167.

Stop. When required, the complete cessation from movement.

State law reference--Similar provisions, 47 O.S. § 1-169.

Stop or stopping. When prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

State law reference--Similar provisions, 47 O.S. § 1-170.

Taxicab. Any motor vehicle for hire, designed to carry seven (7) persons or less, operated upon any street or highway, or on call or demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along streets or highways as may be directed by the passenger or passengers so being transported but this classification shall not include motor vehicles of seven (7) passenger capacity or less operated by the owner where the cost of operation is shared by fellow workmen between their homes and the place of regular daily employment, when not operated for more than two (2) trips per day, nor shall the classification include automobiles operated by the owner where the cost of operation is shared by the passengers on a “share the expense plan,” nor shall this classification include motor vehicles transporting students from the

public school system when said motor vehicle is so transporting under contract with public, private or parochial school board or governing body.

State law reference--Similar provisions, 47 O.S. § 1-174.

Through highway. Every highway or portion thereof on which vehicle traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this chapter.

State law reference--Similar provisions, 47 O.S. § 1-175.

Traffic. Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for purposes of travel.

State law reference--Similar provisions, 47 O.S. § 1-177.

Traffic-control signal. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

State law reference--Similar provisions, 47 O.S. § 1-178.

Traffic lane. The portion of the traveled way for the movement of a single line of vehicles.

State law reference--Similar provisions, 47 O.S. § 1-179.

Trailer. A nonautomotive vehicle designed to be hauled by road. For purposes of Article IX of this Chapter, regulations applicable to trailers, generally, are not applicable to travel trailers or watercraft trailers when there are separate regulations for those vehicles.

Travel trailer. A trailer (as defined in this Section) designed and equipped to serve wherever parked as a temporary dwelling or place of business.

Truck. Every motor vehicle designed, used or maintained primarily for the transportation of property.

State law reference--Similar provisions, 47 O.S. § 1-182.

Unpaved surface shall mean a surface consisting of crushed gravel, loose aggregate, or similar material provided as a surface over a compacted base material sufficient to withstand the weight of the vehicle to be parked on it; and sufficiently designed, constructed, or maintained to prevent erosion, rutting, and vegetation.

Urban district. The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred (100) feet for a distance of a quarter of a mile or more.

State law reference--Similar provisions, 47 O.S. § 1-185.

Vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks provided, however, the definition of “vehicle” as used in this chapter shall not include implements of husbandry. Vehicles include automobiles, boats, vans, trucks, travel trailers, or any other similar type conveyance propelled or towed by motorized power.

State law reference--Similar provisions, 47 O.S. § 1-186.

(Code 1976, § 15-1-1)

Vehicle, commercial shall mean any vehicle: (1) having a combined laden weight over 8,000 pounds and used primarily for business or commercial purposes; (2) having a gross vehicle weight rating greater than 16,000 pounds; or (3) having a gross vehicle weight rating greater than 10,000 pounds and a maximum height greater than nine (9) feet. For purposes of this definition, “combined laden weight” means the weight of a vehicle and its cargo or payload, and “gross vehicle weight rating” means the value specified by a vehicle’s manufacturer as the maximum load weight of a single vehicle.

Vehicle, recreational shall mean a van or utility vehicle used for recreational purposes, as camping, and often equipped with living facilities.

Watercraft trailer. A trailer (as defined in this Section) designed to transport boats or other forms of watercraft.

Yard, front means a yard located in front of the front elevation of a main building and extending across a lot between the side yard lines and being the horizontal distance between the front property line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches.

Yard, rear means a yard extending across the rear of a lot measured between the side yard lines and being the horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, side means a yard between the main building and sideline of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps, unenclosed balconies or unenclosed porches.

Section 2. That Chapter 13, Section 13-222 of the Code of Ordinances is hereby amended to read as follows:

Sec. 13-222. Parking of travel trailers, boats, motor homes, watercraft trailers, and recreational vehicles.

- (a) Except as otherwise provided in this section, all travel trailers, boats, motor homes, watercraft trailers, and recreational vehicles of any kind are prohibited from parking on any street or highway in the city at any time except for the purposes of loading or unloading, which procedure shall be limited to a total of two (2) hours.
- (b) No travel trailer, motor home, or recreational vehicle that:
 - (1) is unregistered or unlicensed (as may be required by law); or
 - (2) exceeds seven (7) feet in width, twenty-two (22) feet in length, or nine (9) feet in height (including accessories such as loading arms or frame-mounted equipment, but excluding rooftop equipment such as air conditioning units and similar equipment)shall be parked, stored, or occupied on any lot occupied by a dwelling or on any lot in any residential district except for purposes of loading or unloading, which procedure shall be limited to a total of forty-eight (48) hours.
- (c) No boat or watercraft trailer shall be parked or stored in the front yard of any lot occupied by a dwelling or in the front yard of any lot in any residential district except for purposes of loading or unloading, which procedure shall be limited to a total of forty-eight (48) hours.
- (d) No travel trailer, boat, motor home, watercraft trailer, or recreational vehicle shall be allowed on any residential lot unless parked in accordance with the provisions of Section 13-228 of this Chapter.
- (e) A permit may be obtained from the city clerk for the temporary parking of travel trailers, motor homes, or recreational vehicles on residential streets. Travel trailers, motor homes or recreational vehicles that have obtained a temporary parking permit pursuant to this section shall not be subject to the twenty-four (24) hour parking provisions contained in Section 13-224 of this chapter. Said permit shall be in an amount established by resolution of the city council and shall be issued in accordance with the following regulations:
 - (1) No permit shall authorize temporary parking for more than four (4) consecutive days.
 - (2) No residence shall be allowed more than two (2) temporary parking permits per calendar year.
 - (3) All permits shall be subject to revocation if the parking of any travel trailer, motor home, or recreational vehicle is determined by the city to constitute a traffic hazard.
 - (4) Permits shall be placed on the trailer or vehicle in plain view at all times.

Cross references--Chapter 13, Sections 13-214 (c), 13-224.

Section 3. That Chapter 13, Section 13-223 of the Code of Ordinances is hereby amended to read as follows:

Sec. 13-223. Parking of trucks, vans, commercial vehicles, buses, and trailers.

- (a) No bus or van in excess of one-half-ton capacity, dual-wheeled pickup truck, commercial vehicle, or trailer may be parked on any street or highway within the city between the hours of 6:00 p.m. and 6:00 a.m., except for the purpose of loading or unloading, which procedure shall be limited to a total of two (2) hours.
- (b) No bus or van designed to carry more than twelve passengers may be parked on any residential lot or driveway, unless said bus or van is parked in an enclosed area and out of public view.
- (c) No commercial vehicle or trailer may be parked on any residential lot or driveway unless said commercial vehicle or trailer is less than:
 - (1) Seven (7) feet in width;
 - (2) Twenty-two (22) feet in length; and
 - (3) Nine (9) feet in height (including frame-mounted accessories but excluding rooftop equipment).
- (d) No truck, van, commercial vehicle, bus, or trailer shall be allowed on any residential lot unless parked in accordance with the provisions of Section 13-228 of this Chapter.

Section 4. That Chapter 13, Section 13-228 of the Code of Ordinances is hereby amended to read as follows:

Sec. 13-228. Parking vehicles/farm equipment on paved surface, rights-of-way, etc.

- (1) Parking on Unpaved Surfaces. Except as described in this Section, it shall be unlawful for any person to park any vehicle on any unpaved surface on any residential lot.
 - (a) Exception for rear yard and side yard behind the front building line of interior lots. No more than one (1) vehicle may be parked on an unpaved surface located in the rear yard, or in the portion of the side yard that is situated behind the front building line, of any residential lot in the city, provided that the following screening and load bearing design requirements are met:
 - (i) *Screening Requirements.* Any vehicle parked on any unpaved surface must be located behind a minimum six (6) foot high sight-proof fence erected so that any vehicle so parked will not be visible from outside the premises.
 - (ii) *Design and load bearing requirements.* Any unpaved surfaces upon which a vehicle may be parked pursuant to this Section: (1) must consist of crushed gravel, loose aggregate, or similar material; (2) must be provided as a surface over a compacted base material sufficient to withstand the weight of the vehicle to be parked on it; and (3) must be sufficiently designed, constructed, or maintained to prevent erosion, rutting, and vegetation.

(2) Maximum Number of Vehicles Permitted on a Residential Lot.

- (a) Each legal and current occupant of any single-family residence who holds a valid Oklahoma Driver's License shall be allowed to park two (2) passenger vehicles on the lot occupied by said residence provided however, that in no instance shall more than six (6) vehicles be parked in an unenclosed parking area on any residential lot occupied as a single-family residence.
- (b) No more than two (2) vehicles may be stored in an unenclosed parking area on any unoccupied or vacant single-family residential property.
- (c) No more than one (1) trailer, boat, bus, travel trailer, watercraft trailer, motor home, commercial vehicle, or recreational vehicle may be parked in the front yard of any residential property at any given time.
- (d) Nothing contained in this subsection shall be construed to supersede or negate other parking regulations contained in this chapter, including by not limited to, provisions relating to parking on a paved surface parking in the front, side and rear yards, sight-proof fencing green area requirements, and vehicle size or categorical restrictions.

(3) Exposure of Unpaved Rights-of-Way to Vehicle Traffic.

- (a) It shall be unlawful for any person, firm, or corporation to allow the unpaved right-of-way adjacent to the front or side property line of any lot to be subjected to continued exposure of vehicle traffic so as to create mud, dust, or ruts in said right-of-way.
- (b) City street rights-of-way shall not be paved or used for vehicle parking except for ingress and egress driveways or as may otherwise be provided for herein.

(4) Parking of Farm or Commercial Equipment. It shall be unlawful for any person to park, place, keep, or maintain on any residential lot in the city any farm or commercial equipment, regardless of use or purpose, without storing said farm or commercial equipment behind a minimum six (6) foot high sight-proof fence so that said farm or commercial equipment will not be visible from outside the premises.

(5) Parking on Driveways and Other Paved Surfaces.

- (a) No person shall stop, stand or park upon a paved portion of the right-of-way used for an ingress and egress driveway, except for the purpose of loading or unloading, any vehicle, which by virtue of its length or height, creates a sight restriction for motorists using an adjacent ingress-egress driveway.
- (b) No vehicles shall be parked so as to encroach on any paved portion of the right-of-way, including a paved portion of the right-of-way used for an ingress and egress driveway. Recreational vehicles or motor homes tagged with a legal and current handicap license plate shall be exempt from this subsection. (Ord. No. 643, §1, 09-15-2009)

- (c) Any vehicle parked on any paved surface located in the side yard or rear yard of any residential property must be located behind a minimum six (6) foot high sight-proof fence or other structure erected so that any vehicle so parked will not be visible from outside the premises.
- (6) Exemptions. The following vehicles shall be exempt from the provisions of this section:
 - (a) Vehicles engaged in the construction and/or maintenance of utilities, buildings, or properties when parking on an unpaved surface is necessary to facilitate the timely completion of the activity and
 - (b) Vehicles parked at YMCAs, schools, churches or public property during sporting events, carnivals, circuses and similar public events when adequate paved parking space is not available.
- (7) Additional Uses Not Authorized.
 - (a) This section shall not be deemed to allow uses in any zoning district where the provisions of any such zoning district do not expressly allow such use.
 - (b) This section shall not be deemed to authorize the erection of any fence on property that does not conform to other applicable building regulations or area regulations to which the authorized use of the property is subject.

Section 5. Repealer Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 6. Severability Clause. If any section, subsection, sentence, clause, or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 7. Effective Date. The provisions of this Ordinance shall take full force and effect as of October 1, 2019.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA, this ____ day of _____, 2019, after compliance with the notice requirements of the Open Meeting Law (25 O.S. § 301, *et seq.*).

SONNY WILKINSON, MAYOR

ATTEST:

Bruce K. Stone, City Clerk

APPROVED AS TO FORM AND LEGALITY this ____ day of _____, 2019.

Leslie V. Batchelor, City Attorney