

## ORDINANCE 1193

AN ORDINANCE TO AMEND THE FOLLOWING PORTIONS OF THE ZONING ORDINANCES OF THE CITY OF ASHLAND: SECTIONS 8.02 STORAGE OR PARKING OF VEHICLES, BOATS AND TRAILERS; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA, THAT THE CITY'S ZONING ORDINANCES BE AMENDED AS FOLLOWS:

**SECTION 1:** That Section 8.02 Storage or parking of vehicles, boats and trailers be amended in its entirety:

### **Section 8.02 Storage or parking of vehicles, boats, campers and trailers**

#### **A. Unlicensed and inoperable vehicles and equipment.**

1. The storage or keeping of a boat, boat trailer, camp trailer, construction or utility trailer, and/or any other vehicle, not having a properly issued current motor vehicle license plate and registration, or any inoperable vehicle under repair for more than ten (10) days shall be prohibited on any private or public property within the zoning jurisdiction of the City of Ashland, unless otherwise provided for. This section shall not apply to personal property in a fully enclosed building; to vehicles or machinery on the premises of a business enterprise, operated in a lawful manner, when such vehicle or machinery is necessary to the lawful operation of the business; to operable off-highway farm or industrial vehicles or equipment on tracts zoned TA, RE or I-1, and used in agricultural or industrial activity conducted on the premises; or to a vehicle in an appropriate storage place or depository maintained in a lawful manner by the Municipality.
2. The storage, keeping or abandonment of parts, including scrap metals and tires, from motor vehicles or machinery, or parts thereof, is prohibited on any lot, parcel or tract of land or part thereof, situated within the zoning jurisdiction of the City of Ashland, except in enclosed buildings or garages or where otherwise permitted by this ordinance.
3. Before the City removes a vehicle suspected of violation hereof by reason of it being inoperable the City shall give the owner of the premises upon which the offending vehicle is situated a 72-hour warning notice which may be given by either tagging the motor vehicle or by sending notice by regular mail, postage prepaid, to the occupier of the premises upon which the motor

vehicle is situated. Any motor vehicle not removed from the premises within such 72-hour period shall be presumed to be in operable and may thereafter be removed by the City. If he/she chooses, the owner may demonstrate operability of the vehicle by making special arrangements with the designated law enforcement agency to demonstrate within said 72-hour period. The operability of the vehicle and, if such operability is satisfactorily demonstrated, the automobile need not be removed.

#### B. Recreational Vehicles and Boats

1. Recreational vehicles and boats must be maintained in a clean, well-kept state.
2. Recreational vehicles may be used as temporary housing by nonpaying guests for a maximum of nine (9) consecutive days or twenty-one (21) days total during any calendar year. Cooking in the recreational vehicle is prohibited at all times.
3. Recreational vehicles and boats may not be connected to utility lines for any period that exceeds thirty (30) consecutive days.
4. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.

#### C. Parking Requirements.

1. No motor vehicle as defined by section 60-301 of Nebraska State Statutes (or boat, camper or trailer in excess of 16 feet in length excluding the trailer tongue or 10 feet in height) shall be parked in the front, side or rear yard of any lot zoned residential except on paved driveways or other hard surfaced areas as designed and provided for in Article 2; provided that:
  - a. Motor vehicles, boats, campers, trailers or any combination thereof not exceeding two maybe parked in the side or rear yard of lots zoned residential provided they are parked on a hard or permeable surface and are not within any sidewalk or street right-of-way areas. A camper or boat situated on a trailer shall be considered as one vehicle.
  - b. Boats, campers, trailers or any combination thereof not exceeding two may be parked in the front paved driveways of lots zoned residential from April through October, provided they are not with in any sidewalk or street right-of-way areas.
  - c. Boats, campers, trailers or any combination thereof not exceeding two may be parked in the front paved driveways of lots zoned residential from November through March for a period not to exceed 72 hours, provided they are not within any sidewalk or street right-of-way areas.

- d. Said boats, campers and together with accessory structures shall not occupy more than thirty-five percent of the required yard.
  - e. Permeable or Non-Permeable surfaces shall include rock, gravel, interlocking pavers, and geocell ground mat with grass/vegetation, asphalt and concrete. Permeable product shall be installed upon an aggregate setting bed with infiltration opening filler aggregate. Rock, gravel and other shall have a compacted depth of 4 inches with edge restraint, and weed-inhibiting geotextile fabric for the parking areas of motor vehicles, boats, campers, trailers or any combination thereof, as allowed by this section, in rear and side yards. (Intent is to stop rutting, bare dirt in the yards, prevent weed growth and keep gravel/rock from getting out into street.)
  - f. Any motor vehicle, boat, camper or trailer parked, stored or kept in violation of the provisions here of may be removed by the City. All towing, storage and other costs of removal pursuant to this section shall be solely at the expense of the owner of the premises from which the vehicle, boat, camper or trailer is situated, and if the owner is different than the occupier of the premises, then both owner and occupier shall be jointly and severally liable. In addition, the City, upon certifying the same to the county treasurer, shall have a lien against the premises in the full amount of such removal costs, together with interest at the highest legal rate that the City is authorized by law to collect on special assessments.
2. There shall be no more than two vehicles displayed for private sale at any time on any residential lot. The display of vehicles for sale both commercially and privately within any other district shall require the appropriate permits.

**SECTION 2:** That all ordinances or parts of ordinances in conflict with this ordinance, or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect.

**SECTION 3:** That this ordinance shall be in full force, and take effect from and after its passage, approval and publication according to law.

**SECTION 4:** That this ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 20<sup>th</sup> day of May, 2021.

CITY OF ASHLAND  
SAUNDERS COUNTY, NEBRASKA

BY: *Richard Grauerholz*  
Richard Grauerholz, Mayor

ATTEST:

*Kathleen Sliva*  
Kathleen Sliva, City Clerk

