

**CITY OF WASHINGTON TERRSACE  
WEBER COUNTY, UTAH**

**ORDINANCE NO. 18-02**

**AMENDED PARKING REGULATIONS**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE AMENDING THE  
VARIOUS PARKING REGULATIONS SET FORTH IN CHAPTER 10.12 OF THE  
MUNICIPAL CODE; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Washington Terrace (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

**WHEREAS**, the City finds it necessary to update its municipal code in order to protect public health, safety, and welfare;

**WHEREAS**, after publication of the required notice the Planning Commission held its public hearing on October 26, 2017, to take public comment on this proposed Ordinance;

**WHEREAS**, the Planning Commission held a public meeting on November 30, 2017, after which the Planning Commission gave its recommendation to approve this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_;

**NOW, THEREFORE BE IT ORDAINED** by the Washington Terrace City Council as follows:

**Section 1: Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Amendment.** Various sections of the Washington Terrace Municipal Code are hereby amended to read as follows:

**10.12.40**

**Vehicles ~~for Sale or Merchandise or Used Merchandise for Sale.~~**

1. Streets. It is unlawful to park any motor vehicle, recreational vehicle, any type of trailer, or any other vehicle of any kind on any street, road, or highway for the purpose of displaying it for sale. ~~Neither shall any motor vehicle, recreational vehicle, any type of trailer, or any other vehicle of any kind be parked on any street for the purpose of~~

advertising or for the selling of any merchandise. It is unlawful to advertise or sell merchandise on any street, road, or highway within the City of Washington Terrace.

2. Parking area for the sale of vehicles and other merchandise.
  - a. It is also unlawful to park any motor vehicle, recreational vehicle, any type of trailer, or any other vehicle of any kind for the sole purpose of selling or advertising on any public or private parking area without the permission of the owner. In accordance with municipal code 17.68, approval may be granted by the City under a "Conditional Use".
  - b. This part does not apply to any residential individually owned vehicle or merchandise parked on residential owned property.

#### **10.12.050 Parking of Trucks on Public Roads and Commercial Vehicles**

1. Semi-truck. No semi-truck and/or trailer with a rated capacity licensed for more than Fourteen thousand (14,000) pounds gross vehicle weight shall be parked on the public road for a period in excess of two (2) hours, except while actively loading or unloading personal property or merchandise.
  - a. In no event shall a truck or trailer remain parked for longer than eight (8) hours or in the manner that obstructs traffic.
  - b. In no event shall a semi-truck or semi-trailer be parked within the commercial or residential zones, unless actively engaged in loading and/or unloading.
  - c. Notwithstanding this section, in no circumstances shall a semi-truck and/or trailer be parked on any public road closer than thirty (30) feet to an intersection with a private driveway, private street, alley, or any other type of access.
  - d. For the purposes of this section a semi-truck and/or trailer shall be deemed parked, even though the motor is running, if the vehicle is left standing for any period in excess of three (3) minutes when the same is not attended by a driver lawfully authorized to drive the said vehicle.
2. Commercial vehicles. ~~Tow Truck.~~ The following regulations apply:
  - a. No commercial vehicles and/or tow truck shall be parked on any street, road, or highway unless actively involved in the towing or commercial services of a vehicle and/or at the premises.
  - b. A maximum of one (1) tow truck shall be permitted as an accessory use in the applicable Commercial Zone for any automotive repair use.

#### **10.12.055. Commercial vehicles and trailers in the residential zones**

1. Purpose:

The purpose of this section is to regulate the parking of trucks, trailers and other similar vehicles and equipment of a certain size upon property and streets and roadways in the Residential Zones, which will negatively impact the aesthetics of the residential neighborhood. The following restrictions of the parking of vehicles upon residential properties are in order to further protect the health, safety and general well-being of the residents of Washington Terrace City.
2. Definition:

As used herein, a (14,001) fourteen thousand and one pound commercial vehicle and/or trailer, truck, trailer, bus, or similar like vehicles or equipment shall be considered as a heavy commercial vehicle.

Light duty commercial vehicle allowable for residential use shall comply with the following description, comprise of Classes 1, 2 and 3. The class is determined by the GVWR of the vehicle as follows:

- Class 1 – This class of truck or vehicle has a GVWR of 0 to 6,000 pounds (0 to 2,722kg).(ex. small pick-up-ex. Ranger/colardo)
- Class 2 – This class of truck or vehicle has a GVWR of 6,001 to 10,000 pounds (2,722 to 4,536 kg).(ex. 1500/150 Truck class)
- Class 3 – This class of truck or vehicle has a GVWR of 10,001 to 14,000 pounds (4,536 to 6,350 kg).(ex. 3500/350 Truck class, Utility vehicles, the largest SUVs, many "Dually" pickups, and some heavy duty vans)

3. Vehicle which that has a gross vehicle weight rating (GVWR) or gross combination weight rating of 14,001 or greater shall not be parked in or on a residential property and the following vehicle are prohibited:

- a. A vehicle that is designed to transport more than 15 passengers, including the driver,
- b. A vehicle that is used in the transportation of hazardous materials,
- c. A single, full, or semi-trailer, used in commerce, with a manufacturer's gross vehicle weight rating over 14,000 lbs; or
- d. No commercial vehicles that exceeds Class 3 or fourteen thousand (14,000) pounds shall be parked on any residential street, road, or highway unless actively involved in providing services at any premises within the City.

4. The following regulations apply to the type of vehicles and trailers that shall be allowed in a residential zone:

- a. Motor vehicles which are not considered a commercial vehicle, a private passenger motor vehicle, antique motor car, motorcycle, house trailer, taxicab, ambulance, hearse, delivery vehicle, or school pupil transport vehicle under 15 passengers, and or a pick-up truck under 14000 GVWR, (and/or with advertising, such as logo marking on the doors),
- b. Any Class 3 vehicle under 14,000 pound gross weight rating, and/or have the appropriate signage for notification of service type businesses.

5. Commercial vehicles and trailers parking requirements and/or regulations in the residential zones

- a. Residential commercial vehicle parking requirements:
  - i. Parking must be on an improved surface of concrete or asphalt.
  - ii. The commercial vehicle shall be parked (3) three feet behind Sidewalk.
  - iii. There will be no continuous operation of commercial vehicles engines or accessory generators or compressors and they shall not be left running
  - iv. The commercial vehicle shall not take away or impact the required parking for the residential area or property, all vehicles, trailers or axle devices shall be parked on an approved asphalt or concrete parking area. No parking is allowed on any lawn, landscaping, or non-impervious surface area.
  - v. No construction equipment shall be parked in a residential zone, unless actively engaged in providing an improvement or repair to the premises such as: site construction or landscaping equipment, including but not limited to, backhoe, trencher, bobcat, bulldozer, dump truck, construction trailers, utility equipment, and similar equipment.

- vi. Vehicles with hazardous or toxic materials or odors are not permitted in the residential areas, except sewer repair equipment servicing a residential use.
- vii. No vehicle or axle device shall be parked on grass, or gravel, dirt or any type of soft surface.

b. Commercial Trailer parking requirements:

- i. No commercial trailer having a net total weight of greater than 14,000 pounds shall be parked on a residential property.
- ii. A trailer is an unpowered vehicle towed by a powered vehicle. It is commonly used for the transport of goods and materials.
- iii. No trailer larger than 7 feet wide and 30 feet long shall be parked in residential zone.
- iv. A commercial trailer can be parked within the residential zones, when actively engaged in loading and/or unloading or providing a service for the resident.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 4. Effective date.** This Ordinance takes effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this \_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

RECORDED this \_\_\_ day of \_\_\_\_\_, 2018.

PUBLISHED OR POSTED this \_\_\_ day of \_\_\_\_\_, 2018.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) \_\_\_\_\_, 2) \_\_\_\_\_, and 3) \_\_\_\_\_, on the above referenced dates.

\_\_\_\_\_  
DATE: \_\_\_\_\_