

ORDINANCE 972

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DAKOTA CITY, NEBRASKA BY AMENDING ZONING PERTAINING TO OFF-STREET PARKING; ADOPTING NEW SECTIONS; AND REPEALING CONFLICTING PROVISIONS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAKOTA CITY, NEBRASKA:

SECTION 1: SECTION ADDED. The following section is hereby added to Appendix A, Article V, of the Code of Ordinances of the City of Dakota City, Nebraska which states as follows:

Sec. 510.3. – Parking Location. Parking is permitted outside of an enclosed structure in the side yard behind the line of the required front yard setback, or in the rear yard, provided the space is on a hard-surfaced driveway or paved pad adjacent to the driveway. Parking is permitted outside an enclosed structure within the required front yard setback subject to the following:

- (a) The parking space is provided on a hard-surfaced driveway or paved pad adjacent to the driveway.
- (b) Space is unavailable in the side yard behind the required front yard setback or in the rear yard, or where there is no reasonable access to the side or rear yard. A corner lot is considered to have reasonable access to the rear yard. A fence does not prevent reasonable access.
- (c) Enclosed parking in conformance with the requirement of the district is impossible.
- (d) The vehicle is parked perpendicular to the front curb.
- (e) The vehicle does not encroach on the right of way or sidewalk.

SECTION 2: SECTION ADDED. The following section is hereby added to Appendix A, Article V, of the Code of Ordinances of the City of Dakota City, Nebraska which states as follows:

Sec. 510.4. – Recreational Vehicles. For purposes of this section, “recreational vehicle” includes, but is not limited to boats, personal watercraft, campers, motor homes, busses, travel trailers, snowmobiles, ATVs, and any other vehicle not designed primarily for operation on highways. The parking and storage of recreational vehicles are subject to the following additional conditions:

- (a) Recreational vehicles shall be maintained in a clean, well-kept manner.
- (b) Recreational Vehicles designed for one or more person to sleep within the vehicle may only be so used by nonpaying guests in a residential district for a maximum of three consecutive days or 14 days during any calendar year.
- (c) Recreational vehicles shall not be permanently connected to utilities.
- (d) Recreational vehicles shall not be used for storage of goods, materials, or equipment, other than those items which are part of the unit or essential to its immediate use.

- (e) Recreational vehicles parked in the front yard shall not exceed 20 feet in length.
- (f) No more than two recreational vehicles shall be stored outside an enclosed structure on each lot.

SECTION 3: REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4: SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof, not adjudged invalid or unconstitutional.

SECTION 5: WHEN EFFECTIVE. Residential lots with parking areas not in conformance with the requirements of Section 510.3 shall have one year after the adoption of this Ordinance to conform with all of the requirements of this Code. This Ordinance shall otherwise be in full force and effect after its final passage, approval and publication as provided by law.

Councilperson _____ introduced, caused to be read and moved the adoption of the foregoing ordinance.

Councilperson _____ seconded the motion to adopt the ordinance and moved that the Council dispense with the requirement that the ordinance be fully read on three different days.

The Mayor then put the question on the motion to dispense with the three readings, and, upon the roll being called, the vote was:

Ayes: _____

Nayes: _____

The foregoing motion having passed by three-fourths votes of the Council, the Mayor then put the question on the adoption and enactment of the foregoing ordinance and upon the roll being called, the vote was:

Ayes: _____

Nayes: _____

WHEREUPON, the Mayor declared the foregoing ordinance duly enacted on _____, 2020.

JERRY YACEVICH, MAYOR

ATTEST:

JASON ALLEN, CITY CLERK