

ORDINANCE NUMBER 20-07

AN ORDINANCE REGULATING THE PARKING OF RECREATIONAL AND UTILITY VEHICLES ON RESIDENTIAL STREETS AND PROPERTIES; AMENDING ORDINANCE NUMBER 17-03 REGARDING NUISANCES; AND FOR OTHER PURPOSES

WHEREAS, the parking of recreational and utility vehicles on residential streets and properties can be unsightly and detrimental to the local environs; and

WHEREAS, the parking of recreational and utility vehicles on residential streets and properties can constitute a nuisance; and

WHEREAS, the City Council values and desires to uphold the health, safety and welfare of the constituents of the City of East Camden.

NOW, THEREFORE, BE AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST CAMDEN, ARKANSAS, THAT:

Section 1. *Recreational and utility vehicles defined.* For the purposes of this Ordinance, recreational and utility vehicles are defined as travel trailers, folding tent trailers, motor homes, truck campers removed from a truck or pickup, livestock trailers, boat trailers with or without boats, personal watercraft trailers with or without personal watercrafts and utility trailers.

Section 2. *Prohibitions.* It shall be unlawful to park or leave unattended a recreational or utility vehicle:

- (A) On any street or right-of-way zoned as residential; or
- (B) In a front yard or within thirty (30) feet of the front property line on any property zoned residential.

Section 3. *Exemptions.* The following exemptions to the provisions of section (2) shall apply:

- (A) A recreational or utility vehicle may be temporarily parked in the

identified yard setbacks or in the identified street right-of-way for no more than four (4) days.

(B) A recreational or utility vehicle may be parked under a carport or structure approved by the City Council.

Section 4. *Residing in recreational or utility vehicle prohibited.* At no time shall a parked or stored recreational or utility vehicle be occupied or used as a dwelling unit. Guests may reside in a recreational or utility vehicle on the host's premises for a period not longer than two (2) weeks in any ninety-day period.

Section 5. *Variances.* In instances where strict enforcement of the requirements of sections Two (2) or Four (4) would cause undue hardship due to circumstances unique to the individual property under consideration, the property owner may appeal to the City Council. The City Council may grant a variance of the requirements of this Ordinance, if the granting of such variance is demonstrated to be within the spirit and intent of the provisions of this Ordinance, according to the following guidelines:

(A) Notice of the request for a variance shall be provided to the neighbors of the subject property.

(B) Upon the showing required by (C) below, the City Council may modify the requirements of section Two (2) or Four (4) to the extent deemed just and proper so as to relieve such hardship, provided that such relief may be granted without detriment to the public interest.

(C) When the applicant can show the property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, the strict application of the provisions of sections Two (2) or Four (4) would prohibit or unreasonably restrict the use of the property, and the City Council is satisfied that the granting of a variance would alleviate a hardship, as distinguished from a special privilege or convenience sought by the applicant, such variance may be granted; provided that all variances shall be in harmony with the intended purpose of this Ordinance.

Section 6. *Appearance.* Any recreational or utility vehicle properly parked

pursuant to this Ordinance shall be maintained in a clean, well-kept state which does not detract from the appearance of the surrounding area.

Section 7. *Nuisance*. Any recreational or utility vehicle that is not maintained in a clean, well-kept state, or detracts from the appearance of the surrounding area, shall constitute a nuisance and may be treated as such pursuant to Ordinance Number 17-03.

Section 8. *Nuisance Ordinance Amended*. Ordinance Number 17-03 is amended to add a new subsection (a)(6) of prohibitions that reads as follows:

(a)(6) The open storage of an abandoned recreational or utility vehicle, unless such storage is in connection with a sales or repair business enterprise which operates under a duly licensed and exhibited occupational license and located on a properly zoned parcel. In this section "abandoned recreational or utility vehicle" means any recreational or utility vehicle that is in a state of disrepair; or is not maintained in a clean, well-kept state; or detracts from the appearance of the surrounding area.

Passed and approved this 17th day of December, 2020.

Angie McAdoo
HON. ANGIE MCADOO
MAYOR

ATTEST:

Amanda Harcrow
AMANDA HARCROW
CITY RECORDER