

CITY OF FRANKLIN, OHIO
ORDINANCE 2023-11

AMENDING SECTION 1345.10 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, THE PROPERTY
MAINTENANCE CODE

WHEREAS, the City of Franklin has codified its Property Maintenance Code into Title Seven, Part Thirteen of the Codified Ordinances of the City of Franklin; and

WHEREAS, the City of Franklin Property Maintenance Code is necessary to help ensure the safety of City of Franklin citizens, residents, property owners, occupants, business owners, employees, and guests of the City; and

WHEREAS, this Council now desires to amend Section 1345.10 to update recreational vehicles parking regulations for residential properties;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. The City's Codified Ordinances, Section 1345.10, are amended as set forth in Exhibit A, attached hereto.

Section 2. All ordinances or parts of ordinances that conflict with this Ordinance are hereby repealed.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action occurred in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

INTRODUCED: April 3, 2023

ADOPTED: April 17, 2023

ATTEST: Khristi Dunn
Khristi Dunn, Clerk of Council

APPROVED: Brent Centers
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2023-11 passed by that body on April 17, 2023.

Khristi Dunn
Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder, Ben Yoder, Law Director

1345.10 Parking_ Of Vehicles And Watercraft;_ Exceptions

- (a) Vehicle parking. No vehicle shall remain on any non-impervious parking surface (such as lawn) of any premises for a period of ~~not~~ more than four hours. Impervious surfaces are any surface that cannot be easily penetrated by water, thereby resulting in runoff.

Exemptions for temporary vehicle usage. This Section shall not apply to:

- (1) Emergency vehicles;
 - (2) Utility vehicles on service calls;
 - (3) Vehicles used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed during the time of parking such vehicles, or to the time during which such vehicle, trailer or semi-trailer is being loaded or unloaded, or used to deliver or hoist property or merchandise for completion of delivery, if such loading, unloading or other activities referred to in this provision are conducted diligently and without unnecessary delay; or
 - (4) As approved by the Code Official.
- (b) Commercial vehicle parking on private property. No commercial vehicle when parked on private property shall be parked for more than twenty-four (24) hours in any forty-eight (48) hour period on any premises in the City unless contained within a fully enclosed structure.

Exception: Any commercial vehicle with no more than four tires may be parked outside of a fully enclosed structure, subject to the following conditions:

- (1) All such commercial vehicles, when parked more than two hours in any twenty-four (24) hour period, shall be located no closer to any street right-of-way than the building setback line or the most remote wall of the building elevation facing the street, whichever is further from the street;
- (2) All such commercial vehicles shall be parked at least three feet (3') from any side lot line. A side yard facing a street on a corner lot shall be considered a front yard;
- (3) ~~Only~~With respect to residential property, only one such commercial vehicle may be parked outside of a fully enclosed structure ~~at any one dwelling unit, and on a paved driveway or street abutting the front yard of a residential lot, with the residential property owner's permission (provided such street parking complies with all other applicable parking regulations and does not create a hazard for vehicular or pedestrian traffic). A commercial vehicle~~ may not be parked outside on or adjacent to a residential lot in addition to a recreational vehicle, trailer or watercraft parked ~~in compliance with Section 1345.10~~on or adjacent to the same property; and
- (4) Any equipment and/or load attached to, or supported by, such commercial vehicle must be totally enclosed within the commercial ~~vehicles~~vehicle to conceal it from external observation; and
- (5) Commercial vehicles are permitted to be parked on non-residential property.

~~(5)~~ Exemptions for temporary vehicle usage. This Section shall not apply to:

- (1) Emergency vehicles; or
- (2) Utility vehicles on service calls; or

- (3) Vehicles used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed during the time of parking such vehicles, or to the time during which such vehicle, trailer or semi-trailer is being loaded or unloaded, or used to deliver or hoist property or merchandise for completion of delivery, if such loading, unloading or other activities referred to in this provision are conducted diligently and without unnecessary delay; or
- (4) As provided by the Code Official.
- (c) Parking of recreational vehicles, watercraft and recreational trailers in residential districts. All recreational vehicles, watercraft and recreational trailers shall meet the following conditions when parked in any residential zoning district within the City:

~~(1) Location. When located outside an enclosed structure, all recreational vehicles, watercraft and recreational trailers must be parked within the buildable area of any given lot and must be screened from the view of surrounding neighbors and passing motorists in compliance with UDO 1113.07 (h). The use of tarpaulins and/or location within an open-sided carport does not qualify as adequate screening. If the Code Official receives an objection to the degree of obscurity, the Code Official shall determine if adequate screening or obscurity exists. The extent of owner liability for obscurity is limited to the erection of a six foot (6') opaque wooden fence screening the recreational vehicle or watercraft from view from all abutting property owners and streets.~~

(1) Long-Term Parking.

(A) Subject to the other provisions of this Section, all recreational vehicles, watercraft and recreational trailers located on a residential lot for longer than twenty-four (24) hours in any thirty (30) day period must be parked within a fully enclosed permanent structure.

(B) No more than one (1) recreational vehicle, watercraft and/or recreational trailer may be located at one time on a single residential lot outside of an enclosed structure for longer than twenty-four (24) hours in any thirty (30) day period.

(C) Recreational vehicles, watercraft and recreational trailers parked outside of an enclosed structure for longer than twenty-four (24) hours in any thirty (30) day period must be located in the rear yard of the property, with all wheels situated on a paved parking surface, and screened from public view with opaque fencing which is a minimum of six feet (6') tall.

(2) Short-Term Parking. ~~No recreational vehicle~~ Recreational vehicles, watercraft and recreational trailers may be parked for more than a maximum of twenty-four (24) hours in any thirty (30) day period on a paved driveway or street abutting the front yard of a residential lot, with the residential property owner's permission (provided such street parking complies with all other applicable parking regulations and does not create a hazard for vehicular or pedestrian traffic).

(3) Improvements. No recreational vehicle, watercraft or recreational trailer shall be parked in any manner on a ~~premises~~ residential lot which is not improved with a principal building.

(4) Habitation/guest occupancy. A recreational vehicle, watercraft or recreational trailer may not be used for overnight sleeping or living while parked ~~except that~~ in a residential

~~zoning district, unless the~~ recreational vehicle, watercraft or recreational trailer ~~may be parked in the rear yard for a period not to exceed, in the aggregate,~~ is parked on a residential lot in compliance with Section 1345.10(c), with the permission of the owner or occupant in charge of the residential real property, and such use of the recreational vehicle, watercraft or recreational trailer does not exceed seventy-two (72) hours in any thirty (30) day period, ~~and if the owner or person in charge of such recreational vehicle, watercraft or recreational trailer is a bona fide guest of the owner, agent of owner or occupant of the residential zoning district premises.~~

- (5) Storage. No parked recreational vehicle, watercraft or recreational trailer shall be used as a means of permanent storage for any materials ~~that a reasonable person would not store. Acceptable materials include dishes, linens, or other items used in the course of travel in, or use of the~~ (excepting items customarily used in connection with the use of a recreational vehicle, watercraft or recreational trailer, including but not limited to dishes, linens, and other items used in the course of recreational travel).
- (6) Registration. All recreational vehicles and recreational trailers shall be operable and have borne valid registration and licenses within the most recent twelve (12) month period. All watercraft shall be operable and have been registered within the most recent twelve (12) month period. Operable in the case of a powered vehicle means a vehicle capable of being started and driven from the location in question. Operable in the case of a non-powered or waterborne vehicle means a vehicle capable of being safely towed from the location in question.
- ~~(7) Indoor storage. Parking recreational vehicles, watercraft or recreational trailers under roof within a fully enclosed structure is encouraged.~~
- ~~(8) Maintenance/condition. A~~ All recreational vehicles, watercraft or recreational trailers parked in a residential zoning district shall be maintained in good condition and repair. An inadequately maintained recreational vehicle, watercraft or recreational trailer ~~is inadequately maintained, and shall~~ which is not parked in a fully enclosed structure may be removed from residential premises by the City, when ~~all of the following conditions are met:~~ the vehicle, watercraft or trailer is in a state of disrepair and apparently inoperable; provided, the City has first given written notice to the owner of the associated residential real property of the inadequate condition of the vehicle, watercraft or trailer and a reasonable opportunity to remove the vehicle, watercraft or trailer from the premises.
- ~~(A) The recreational vehicle, watercraft or recreational trailer is three years or older;~~
~~and~~
- ~~(B) The recreational vehicle, watercraft or recreational trailer is inoperable.~~
- ~~(9) Ownership. The recreational vehicle, watercraft or recreational trailer must be owned by a resident on whose premises it is parked, unless it qualifies for the guest occupancy exception above.~~
- ~~(10) Safety. The~~ No recreational vehicle, watercraft or recreational trailer shall ~~not~~ be parked in ~~an unsafe manner~~ any manner which is unsafe or otherwise poses a hazard to the safety of real or personal property. Recreational vehicles, watercraft and recreational trailers parked in a manner which poses a safety concern or hazard may be immediately removed by the City with or without prior notice to the owner of residential real property on which, or abutting the area where, the vehicle, watercraft or trailer is parked.

Summary report: Litera Compare for Word 11.3.1.3 Document comparison done on 3/27/2023 3:11:05 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original DMS: iw://bricker-mobility.imatech.com/BRICKER2/18544427/1	
Modified DMS: iw://bricker-mobility.imatech.com/BRICKER2/18544427/2	
Changes:	
<u>Add</u>	32
Delete	33
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	65