

*Ordinance Summary published in the Miami County Republic on May 17, 2017 and the full text of the Ordinance made available at [www.cityofpaola.com](http://www.cityofpaola.com) for a minimum of 1 week from the date of publication.*

### **Ordinance No. 3113 Summary**

On May 9, 2017, the City of Paola, Kansas, adopted Ordinance No. 3113, adding a new Section 310.030, Vehicle Parking on Private Property, in Chapter 310 Parking Regulations, of the Code of the City of Paola, Kansas, 2009, which prohibits the parking of vehicles on unpaved surfaces within the area defined as the street yard of a residential property as such terms are defined in the Paola Land Development Ordinance, with exceptions, other restrictions, and fines for violations. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 19 E Peoria Street or at [www.cityofpaola.com](http://www.cityofpaola.com). This summary is certified by Lee H. Tetwiler, Paola City Attorney pursuant to K.S.A. 12-3007.

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### **ORDINANCE NO 3113**

#### **AN ORDINANCE ADDING A NEW SECTION 310.030, VEHICLE PARKING ON PRIVATE PROPERTY, IN CHAPTER 310 PARKING REGULATIONS, OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009.**

##### **Be it Ordained by the Governing Body of the City of Paola, Kansas:**

**SECTION 1.** That a new Section 310.030, Vehicle Parking on Private Property, in Chapter 310 Parking Regulations, of the Code of the City of Paola, Kansas, 2009, is hereby added and shall read as follows:

##### **“Section 310.030. Vehicle Parking on Private Property.**

- A. No person or operator shall park any vehicle, including a motor vehicle as defined by the Standard Traffic Ordinance as adopted from time to time, on unpaved surfaces within the area defined as the street yard of a residential property, as such terms are defined in the Paola Land Development Ordinance, except temporarily to load or unload property, temporarily by a licensed contractor actively engaged in work on the property, or as otherwise provided for within this section.
- B. In residential areas, all vehicles, except major recreational equipment such as boats, camping or house trailers, motor homes, horse trailers or utility trailers, shall be parked in the following areas in accordance with the Land Development Ordinance of the City of Paola, Kansas:
  1. On the designated paved hard surface (concrete or asphalt) parking area or driveway relating to the garage or carport;

2. On the designated paved hard surface (concrete or asphalt) parking area in the rear of the property, where the area is in compliance with the City's zoning regulations and ingress/egress to the rear yard is by a paved driveway or through an alleyway;
3. On the designated paved hard surface (concrete or asphalt) parking area for multi-family dwellings;
4. On the designated paved hard surface (concrete or asphalt) circular parking area or driveway, where the area is in compliance with the City's zoning regulations and the circular driveway is constructed in relation to two (2) designated street curb cuts extending perpendicular from the street right-of-way, and contained within the bounds of the subject property;
5. On residential property developed before November 18, 1997, on unpaved parking areas in the front yard within the width of an existing street curb cut extending perpendicular from the street right-of-way to at least three (3) feet from the residence or the building setback;
6. On residential property developed before November 19, 1997, on designated parking areas in the rear of the property where ingress/egress to the rear yard is by an unpaved driveway perpendicular from the street right-of-way or through an alleyway.

C. No person or operator shall stop, stand or park any vehicle between the sidewalk and the curb, over the curb, or over a water meter. No person shall access private property by driving any vehicle over an existing standard street curb or by utilizing a public sidewalk ramp as a means of ingress or egress.

D. In all other private property use (non-residential) areas, all vehicles shall be parked in parking areas designated, installed and provided in accordance with the Land Development Ordinance of the City of Paola, Kansas.

E. All new private property parking areas, including drives with street access, shall be of hard surface (concrete or asphalt).

F. A person convicted of a violation of this section shall pay a fine of up to \$100.00 plus court costs for the first offense within a calendar year; up to \$250.00 plus court costs for a second offense within a calendar year; and up to \$500.00 plus court costs for a third or any subsequent offense within a calendar year.”

**SECTION 2.** All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

**SECTION 3.** That this ordinance shall become effective upon and after its passage, approval and publication in the official city newspaper pursuant to KSA 12-3001, et seq.

**PASSED AND APPROVED** by the Governing Body this 28th day of February, 2017.

**APPROVED** by the Mayor this 28th day of February, 2017.

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Artie Stuterville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk