

ORDINANCE NO. 1007

**AN ORDINANCE OF THE CITY OF LOS BANOS
REGULATING THE USE, STORAGE AND PARKING OF
RECREATIONAL VEHICLES, RECREATIONAL
TRAILERS, AND UTILITY TRAILERS**

The City Council of the City of Los Banos does ordain as follows:

Section 1. The City Council of the City of Los Banos does hereby add the following Article and Sections to Title 9, Chapter 3 of the Los Banos Municipal Code:

ARTICLE 33

**REGULATING THE USE, STORAGE AND PARKING OF
RECREATIONAL VEHICLES, RECREATIONAL TRAILERS,
AND UTILITY TRAILERS**

Section 9-3.3301 Purpose.

The purpose of this article is to regulate the use, storage and parking of recreational vehicles, recreational trailers, and utility trailers in the city, in the interest of public health, safety, and welfare to prevent such vehicles from being utilized as housing except in lawfully established trailer parks and to ameliorate street congestion, sight blockage and aesthetic blight caused by the improper storage and parking of such vehicles.

Section 9-3.3302 Definitions.

For the purposes of this article, unless otherwise apparent from the context, certain words and phrases used in this article are defined as follows:

(a) "Camp car" shall mean a vehicle with or without motor power which is designed or used for human habitation and which may contain plumbing, refrigeration, cooking, heating, or electrical equipment, but does not include an installed "mobile home" as set forth in Government Code Sections 65852.3 and 65852.7.

(b) "Camper" shall mean a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes. The term "camper" does not include a camper shell.

(c) "Camper shell" shall mean a structure designed to be mounted upon a motor vehicle and to provide shelter from the elements but does not contain plumbing, refrigeration, cooking, heating, electrical equipment or other facilities for human habitation.

(d) "Driveway" shall mean an established paved path leading directly from a garage or parking facility on a lot to the street or alleyway, and used primarily for the ingress or egress of vehicles.

(e) "Motor home" shall mean a vehicle that is a self-propelled device used or maintained for the transportation of persons or property upon a street or highway which is designed or used for human habitation and which may contain plumbing, refrigeration, cooking, heating, or electrical equipment.

(f) "Motor vehicle" shall mean a self-propelled device used or maintained for the transportation of persons or property upon a street or highway.

(g) "Person" shall mean an individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination

acting as a unit, excepting the United States of America, the State of California, and any political subdivision of either thereof.

(h) "Public storage" shall mean a facility, the purpose of which is to provide secure storage area and which has been approved by the city to operate as a public storage business with designated parking areas for outside storage of vehicles or boats.

(i) "Recreational vehicle" shall mean any vehicle or trailer designed, or modified for habitation or recreational uses including but not limited to: a camp car, camper, motor home, house car, trailer coach, travel trailer, or camping trailer; boat, snowmobile, jet ski, recreational equipment; and any trailer designed or modified for use in transporting boats, motorcycles, jet skis, snowmobiles, horses or other livestock, tents and any other recreational equipment.

(j) "Store" shall mean the leaving, standing, or parking.

(k) "Trailer coach" shall mean a structure designed to be drawn by a motor vehicle for human habitation, or human occupancy for carrying persons or property on its own structure.

(l) "Utility trailer" shall mean a trailer, whether open or enclosed, utilized for hauling equipment, materials or debris or for any similar purpose including but not limited to a utility or box trailer, farm trailer, auxiliary and pull dollies.

Section 9-3.3303 Use Restrictions.

It is unlawful for any person, between the hours of ten p.m., of any day and six a.m., of the next ensuing day, to use or occupy or permit the use or occupancy of any motor vehicle or recreational vehicle upon any lot, piece or parcel of land within the city, for temporary or permanent habitation purposes including but not limited to use for living or sleeping quarters, except as follows:

Within a residential zoning district a resident of a single family or two family lot located in a residential district may use a recreational vehicle that is lawfully stored within the front, side or rear yard of the resident's lot, for the purpose of temporary sleeping quarters, subject to the following limitations: any such recreational vehicle must be fully contained and must not require any plumbing hookups to the residential structure and such use as temporary sleeping quarters shall in no event extend beyond seven (7) calendar days (or portions thereof) within any 90 day period.

Upon a commercial parking lot where the business allows such parking by policy for transient travelers subject to the following limitations: any such recreational vehicle must be fully self contained and must not require any electrical or plumbing hookups external to the recreational vehicle and such use as temporary sleeping quarters shall in no event extend beyond one (1) day.

Section 9-3.3304 Storage and Parking.

(a) It is unlawful for any person to store or park a recreational vehicle, utility trailer, or camper-shell not securely fastened to a vehicle, upon any lot or piece or parcel of land within an area zoned for residential purposes, including multiple-family areas in the city, except:

(1) In a licensed trailer park or licensed public storage facility; or

(2) Wholly enclosed within a structure lawfully existing on the premises; or

(3) Within the side or rear yard of the lot provided that the recreational vehicle or utility trailer be located no closer than three feet to any exit from a building used for human habitation, that its wheels are properly blocked or locked, that it does not encroach on a public right-of-way, and that it is not stored or parked in a clear vision zone of a corner lot, that it is no closer than five feet to any abutting side or

rear yard, and provided further that it is screened from adjacent lots by a solid nontransparent fence six feet in height, unless a waiver is granted by the Community Development Director; or

(4) Within the front yard of the lot provided that the recreational vehicle or utility trailer is located entirely within a paved driveway or an improved parking area, that its wheels are properly blocked or locked, that it does not encroach on a public right-of-way, that it is no closer than five feet to any abutting side or rear yard, and that it is not parked or stored in a clear vision zone on a corner lot. Additional improved parking areas may be provided in the front yard of a residential lot for the purpose of storing recreational vehicles, provided further that the paved area including the driveway does not exceed fifty percent of the front yard area. The provisions of this subsection allowing the storage or parking of recreational vehicles and utility trailers within the front yard shall be limited to one such vehicle.

Section 9-3.3305 Parking On City Streets.

The parking of any recreational vehicle on any public street or avenue, highway, lane, alley, court or public place remains subject to regulation of parking pursuant to established city or state traffic and zoning regulations.

Section 9-3.3306 Dimensions.

No recreational vehicle or utility trailer which exceeds thirty eight feet in length, eight feet six inches in width, or twelve feet six inches in height may be stored, parked and/or maintained within any Residential District (R) of the City.

Section 9-3.3307 Enforcement.

Violations of the provisions of this ordinance shall be subject to Title 4, Chapter 11 – Administrative Citations of the Los Banos Municipal Code.

Section 2. The City Council of the City of Los Banos does hereby add the following sub section to Title 4, Chapter 11 Section 4-11.01 (d) of the Los Banos Municipal Code.

(41) Sections 9-3.3301 – 9-3.3307 of the Los Banos Municipal Code.

Section 3. This Ordinance shall go into effect and be in full force and operation thirty (30) days after its final passage and adoption, and shall be published by one (1) insertion in the Los Banos Enterprise, a newspaper printed and published in the City of Los Banos, within fifteen (15) days after its final passage.

Introduced by Mayor Amabile and seconded by Council Member Hudak on the 5th day of May 2004.

Passed on the 19th day of May, 2004, by the following vote:

AYES: Council Members Gerbi, Hudak, Mayor Amabile
NOES: Council Member McAdam
ABSENT: Council Member Smith

APPROVED:

/s/ Michael S. Amabile
Michael S. Amabile, Mayor

ATTEST:

/s/ Lucille L. Mallonee
Lucille L. Mallonee, City Clerk