City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 20 **Ordinance#** 2566 **Council District:** ___

For Meeting of March 1, 2010
(Adoption Date)

AN ORDINANCE AMENDING THE LAS CRUCES MUNICIPAL CODE TO ADD TWO NEW SECTIONS UNDER *CHAPTER 27, TRAFFIC* IN *ARTICLE VI, TRAFFIC REGULATIONS*, THAT RESTRICT THE PARKING OF RECREATIONAL VEHICLES IN RESIDENTIAL AREAS WITH THE EXCEPTION OF BRIEF PERIODS OF TIME IN CONNECTION WITH ACTIVITIES SUCH AS A PLANNED TRIP, AS WELL AS TO MAKE IT UNLAWFUL TO OCCUPY A RECREATIONAL VEHICLE AS A RESIDENCE WITH CERTAIN EXCEPTIONS.

PURPOSE(S) OF ACTION: To amend the Las Cruces Municipal Code to add sections which address the parking and occupation of recreational vehicles in residential areas.

Name of Drafter: Monica Campbell MC		**Department:** Legal		**Phone:** 541-2128	
Department	**Signature**	**Phone**	**Department**	**Signature**	**Phone**
Originating Department			Budget		541-2107
			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Pursuant to a request from the Mayor, staff has drafted this ordinance amendment to address the parking and occupation of recreational vehicles in residential areas.

The two new sections indicate that:

1. Recreational vehicles may only be stored in a garage or private driveway and may not be parked on a City street or sidewalk. However, parking in restricted areas will be allowed, with time restrictions, for purposes such as preparing for a planned trip, outing or vacation.

2. The occupation of a recreational vehicle for residence purposes will be allowed in an established trailer park, or for a period of not more than seven days if the recreational vehicle is lawfully parked in a residential area.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
N/A	N/A	N/A

1. Ordinance.

OPTIONS / ALTERNATIVES:

1. Adopt the Ordinance. This means that the Las Cruces Municipal Code will be amended to add two new sections which address the parking and occupation of recreational vehicles in residential areas.

2. Do not adopt the Ordinance. This means that the proposed new sections which address the parking and occupation of recreational vehicles in residential areas will not be added to the Las Cruces Municipal Code.

3. Modify the ordinance and provide further direction to staff.

(Continue on additional sheets as required)

COUNCIL BILL NO. 10-037
ORDINANCE NO. 2566

AN ORDINANCE AMENDING THE LAS CRUCES MUNICIPAL CODE TO ADD TWO NEW SECTIONS UNDER *CHAPTER 27, TRAFFIC* IN *ARTICLE VI, TRAFFIC REGULATIONS*, THAT RESTRICT THE PARKING OF RECREATIONAL VEHICLES IN RESIDENTIAL AREAS WITH THE EXCEPTION OF BRIEF PERIODS OF TIME IN CONNECTION WITH ACTIVITIES SUCH AS A PLANNED TRIP, AS WELL AS TO MAKE IT UNLAWFUL TO OCCUPY A RECREATIONAL VEHICLE AS A RESIDENCE WITH CERTAIN EXCEPTIONS.

The City Council is informed that:

WHEREAS, the parking and occupation of recreational vehicles in residential areas is of concern to the City; and

WHEREAS, adding two new sections under the Las Cruces Municipal Code, *Chapter 27, Traffic* in *Article VI, Traffic Regulations* will address those concerns.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAS CRUCES:

(I)

THAT LCMC 1997, *Chapter 27, Traffic* in *Article VI, Traffic Regulations*, is amended to add the following two new sections:

Sec. 27-12-6-17. Parking restrictions for recreational vehicles.

A. In areas zoned residential, including multifamily areas, no recreational vehicle may be stored upon any city street or sidewalk, but may be stored in a garage or private driveway.

B. The restrictions set forth in this section shall not apply to the parking of a recreational vehicle on a street or alley immediately abutting the street lot line of the lot upon which the owner or operator of the vehicle resides if such parking is solely in connection with a planned trip, outing or vacation, commencing or ending on the same day of such departure or return, including any loading or unloading of persons and personal effects, or for the preparation of the vehicle in regards to such departure or return; provided, however, that such parking may not occur [OPTION 1: on more than two consecutive days] [OPTION 2: for more than 72 hours] or [OPTION 1: on more than two days] [OPTION 2: for more than 72 hours] in any seven-day period and shall not be occupied while parked on street.

Sec. 27-12-6-18. Occupation of recreational vehicle.

It shall be unlawful to occupy any recreational vehicle for residence purposes anywhere in the city, except in a duly established trailer park maintained in accordance with all applicable state statutes and city ordinances; provided, however, that occupation for residence purposes for a period of not more than seven days shall not be construed to be a violation of this section.

(II)

THAT City staff is authorized to do all deeds necessary to accomplish the intent of this Ordinance.

DONE AND APPROVED on this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

{SEAL}

Moved by: _____

Seconded by: _____

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

APPROVED AS TO FORM:

_____
City Attorney