

Sponsor: Gravatt
First Reading: 12/7/2021
Second Reading: 1/10/2022

ORDINANCE #62-21

AN ORDINANCE REPEALING ORDINANCE #20-11 “REGULATING THE PARKING AND USE OF RECREATIONAL VEHICLES IN THE TOWN OF WYOMING” AND ADOPTING A NEW ORDINANCE REGULATING THE PARKING AND USE OF RECREATIONAL VEHICLES AND TRAILERS IN THE TOWN OF WYOMING

WHEREAS, Section 18.9 of the Charter of the Town of Wyoming authorizes the Town to enact ordinances “as it may deem necessary and beneficial for the safety, regulation and control of pedestrians, automobiles, and animal drawn traffic over the streets, squares, lanes, and alleys and other public places for the Town, including power to make and enforce any and all parking and non-parking regulations”;

WHEREAS, the Town Council of the Town of Wyoming finds that, *inter alia*, the parking and storing of trailers and recreational vehicles on streets obstructs the view of automobile drivers and pedestrians, creating a condition hazardous and detrimental to the public health, safety, and welfare.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Wyoming, a majority thereof concurring in council duly met, that Ordinance #20-11 “An Ordinance Regulating the Parking and Use of Recreational Vehicles in the Town of Wyoming” is hereby repealed in its entirety and a new ordinance is hereby adopted, as follows to wit:

AN ORDINANCE REGULATING THE PARKING AND USE OF RECREATIONAL VEHICLES AND TRAILERS IN THE TOWN OF WYOMING

Section 1. Purpose. In order to promote safe, unimpeded traffic circulation in town, improve visibility and promote safe ingress and egress to and from public streets and private property, reduce congestion in streets, provide for adequate parking in town, promote the safe travel of emergency vehicles, and improve aesthetics in the Town, the following restrictions limiting parking, stopping, standing, or storage of recreational vehicles and trailers shall be applicable.

Section 2. Definitions. As used in this ordinance, the following terms shall have the meanings as indicated herein:

Person – Any natural person, corporation, partnership, society, club, firm, company, partner, director, officer, lessee, employer, employee or any of them, including an executor, administrator, trustee, receiver or other representative appointed pursuant to law.

Recreational Vehicle – Means any vehicle used for human living quarters and often used for recreational or vacation activities, including but not limited to motor homes, mobile homes, vans, self-propelled campers, pickup coaches, camping trailers, pop-up campers, fifth-wheel campers, and other vehicles with permanently attached living quarters or camper components, regardless of the equipment or furnishings contained within the same.

Street – All public streets, avenues, boulevards, roads, lanes, alleys, sidewalks, curbs or

other areas used for vehicular or pedestrian traffic, including access roads.

Trailer – Any enclosed or unenclosed vehicle without self-propelling power designed to carry property or passengers on its own structure and to be drawn or pulled by a self-propelled motor vehicle, including but not limited to landscaping trailers and business trailers.

Section 3. Occupancy prohibited. No recreational vehicle or trailer may be used as a permanent or temporary residence or for overnight sleeping accommodations.

Section 4. Parking permits for recreational vehicles and trailers. The parking or storing of recreational vehicles or trailers on any street in Wyoming is prohibited except as otherwise outlined herein. Recreational vehicles or trailers may be parked or stored on a street on a temporary basis when the following requirements are met:

- a. The owner shall obtain a parking permit from the Town, which permit shall identify (i) the license and registration information for the recreational vehicle or trailer to be parked, (ii) the name of the permit recipient, and (iii) the permit expiration date. The parking permit must be displayed in a visible location on the recreational vehicle or trailer while it is parked in the street.
- b. The recreational vehicle or trailer shall not be parked in a manner that obstructs the vision of motor vehicle operators or pedestrians or obstructs the flow of traffic in the street.
- c. Each parking permit shall authorize the recreational vehicle or trailer to be parked as outlined herein for up to 7 consecutive days. The recreational vehicle or trailer shall only be parked on that portion of the street adjacent to land that the owner of the recreational vehicle owns, occupies, or is visiting with the consent of the property owner. If parking the recreational vehicle or trailer on the street adjacent to said land (i) is not possible due to a lack of space or availability, (ii) would obstruct the vision of motor vehicle operators in the vicinity, and/or (iii) would violate existing traffic regulations, the recreational vehicle or trailer may be parked elsewhere on the street as long as it will not obstruct the vision of pedestrians or persons operating the motor vehicle, obstruct the flow of traffic, or violate existing traffic regulations.
- d. Failure to display the parking permit shall be deemed to be a violation of this ordinance and punishable as herein provided.
- e. No more than six (6) parking permits may be issued in any calendar year (i) to the same person, (ii) for the same recreational vehicle or trailer, or (iii) to park a recreational vehicle or trailer in front of the same property.

Section 5. Loading and unloading restrictions. Recreational vehicles and trailers may be parked or stored on streets while in the active process of being loaded or unloaded, which period of time shall not exceed four (4) hours. On those days when a trailer is being used to perform construction, landscaping, yard or house maintenance, or other similar work at a property situated in the Town, a trailer may be parked or stored on a street adjacent to the work site during the hours of 6:00 a.m. and 6:00 p.m., after which time the trailer shall be removed each day.

Section 6. Penalty. Any person violating any of the provisions of this ordinance shall, upon conviction thereof before any court of competent jurisdiction, be fined fifty (\$50.00) dollars and costs for each violation. In the event of a continuing violation of any of the provisions of this

ordinance, each day or part of a day which any such violation continues shall constitute a separate and distinct offense under this ordinance.

Section 7. Removal of recreational vehicles and trailers. Whenever a recreational vehicle or trailer is determined to be in violation of this Ordinance, the town shall be authorized to remove the recreational vehicle or trailer by following the removal procedures for violations on public property found in sections 5 through 10 of Ordinance #8-11 "An Ordinance Regulating Abandoned, Wrecked, Dismantled, Inoperative, or Unregistered Vehicles," which provisions are incorporated herein by reference.

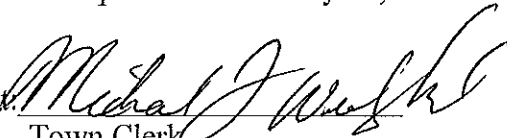
Section 8. Enforcement of Delaware Code. Anything herein to the contrary notwithstanding, the Town of Wyoming Police may take those actions necessary to enforce the parking regulations found in Title 21 of the Delaware Code or any other part of the Delaware Code without following those requirements and procedures outlined in this ordinance.

Section 9. Effective Date. This ordinance shall become effective sixty (60) after its adoption.

SYNOPSIS

This ordinance defines recreational vehicles and trailers and provides that they may not be used for overnight sleeping accommodations. Recreational vehicles and trailers may only be parked temporarily on streets for less than 7 days pursuant the issuance of a temporary parking permit. This ordinance dictates where recreational vehicles and trailers obtaining a permit may temporarily park, and no more than 6 permits may be issued for a recreational vehicle or trailer or to a person or property in any calendar year. Recreational vehicles and trailers may be parked on streets when being actively loaded or unloaded for a period of less than 4 hours, and trailers may be parked during certain hours when being used for landscaping and construction activities. Violators of this ordinance are subject to a fifty-dollar penalty and may be subject to having their vehicle towed. The effective date of this ordinance is sixty (60) days after its adoption.

This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Wyoming at a duly-noticed and convened meeting at which a quorum was present on January 10, 2022.

Attest: 
Town Clerk

So Certifies: 
Mayor

This shall certify that a copy of this Ordinance was posted at the Town Hall on January 11, 2022.

1/11/2022
Date

So Certifies: 