

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2016-O-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO REPEALING AND REENACTING
SECTION 1212 OF THE MODEL TRAFFIC CODE AS AMENDED AND
CODIFIED IN SUBSECTION 8-1-30(15) OF THE CENTENNIAL
MUNICIPAL CODE CONCERNING THE STOPPING AND PARKING OF
RECREATIONAL AND COMMERCIAL VEHICLES**

WHEREAS, pursuant to its home rule authority and Section 31-15-702(1)(a)(I), C.R.S., the City is authorized to regulate the use of streets; and

WHEREAS, Section 8-1-30 of the Centennial Municipal Code concerns amendments to the 2003 edition of the Model Traffic Code as adopted by the City; and

WHEREAS, Subsection (15) of Section 8-1-30 of the Centennial Municipal Code was previously adopted to amend the 2003 Model Traffic Code by the addition of a new Section 1212 to the Model Traffic Code entitled “Parking Restrictions in Residential Districts”; and

WHEREAS, that provision concerns the application of parking restrictions general in residential districts throughout the City; and

WHEREAS, commercial vehicle parking within the City impacts commercial and industrial districts as well; and

WHEREAS, the City desires to amend provisions within Subsection (15) of Section 8-1-30 of the Municipal Code to amend the definition of commercial vehicle and add restrictions on the parking of commercial vehicles on streets within non-residential zone districts and throughout the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, ORDAINS:**

Section 1. Subsection (15) of Section 8-1-30 of the Centennial Municipal Code is repealed and reenacted to read as follows in its entirety:

1212. Parking restrictions for recreational vehicles, recreational trailers and commercial vehicles.

(1) As used in this section:

(a) *Bus* means a motor vehicle designed to seat more than sixteen (16) passengers and used for the transportation of persons, regardless of compensation, including but not limited to motor vehicles operated for profit by governmental agencies and motor vehicles used for the transportation of children to and from school.

(b) *Camper* means non-wheeled, detachable vehicular equipment that weighs over five hundred (500) pounds, used for temporary or permanent habitation, which has no independent motor power and that is capable of being placed on a vehicle but is not capable of being towed.

(c) *Camping Trailer* means a trailer constructed to provide temporary occupancy as a dwelling or sleeping place for one or more persons, to include, without limitation, “fifth wheels.”

(d) *Car carrier trailer* means a type of trailer or semi-trailer designed to efficiently transport passenger vehicles via truck or semi-tractor.

(e) *Commercial Vehicle* means:

(i) A vehicle used to transport cargo or passengers for profit, hire, or otherwise to further the purposes of a business or commercial enterprise if in use for a commercial purpose;

(ii) Any towed vehicle (whether or not attached to a motor vehicle, and to include without limitation recreational trailers) if in use for a commercial purpose;

(iii) Any self-propelled or towed vehicle (whether or not attached to a motor vehicle) bearing a commercial license plate or having a manufacturer's gross vehicle weight rating or gross combination rating of ten thousand one pounds (10,001) or more, which vehicle is used in commerce or is designed to transport sixteen (16) or more passengers, including the driver, unless such vehicle is a bus; or

(iv) Any motor vehicle designed or equipped to transport other motor vehicles from place to place by means of winches, cables, pulleys, or other equipment for towing, pulling, or lifting.

(f) *Load(ed)(ing)* and/or *Unload(ed)(ing)* means the activity of moving material, equipment, goods or other items of personal property from or to a vehicle.

(g) *Mobile Home* means a non-motorized vehicle designed to be permanently affixed to land to be used for occupancy as a dwelling or sleeping place for one or more persons, but which is constructed to allow it to be transported upon streets and highways.

(h) *Motor Home* means a motorized vehicle designed to provide temporary occupancy as a dwelling or sleeping place for one or more persons and which is intended to be transported upon streets and highways, but excluding pick-up trucks with attached campers.

(i) *Non-residential District* means a zoning district that generally includes the General Commercial (CG), Activity Center (AC), Urban Center (UC),

Planned Unit Development, Business Park (BP), Industrial (I), Education, Institutional and Recreation (ED), Public Open Space and Recreation (OSR) and Agricultural (AG) zoning districts as are more particularly described in Section 12-2-201 of this Code.

(j) *Residential District* means a zoning district that generally allows for the development and preservation of residential neighborhoods and generally includes the Neighborhood Conservation (NC), Neighborhood Infill (NI), Suburban Residential (RS), Auto-urban Residential (RA), and Urban Residential (RU) zoning districts as are more particularly described in Section 12-2-201 of this Code.

(k) *Recreational Vehicle* or *RV* means a motor home or camping trailer and does not include campers or mobile homes.

(l) *Recreational Trailer* means a trailer used and operated for any purpose other than a predominantly commercial purpose, such as a boat trailer or snowmobile trailer.

(m) *Rendering Services* means commercial activities carried on in connection with the business purpose of the vehicle, such as making deliveries, service calls, accepting articles for removal or delivery, and related commercial activities.

(n) *Semi-Tractor* means a motor vehicle with a manufacturer's gross combination weight rating (GCWR) in excess of twenty-six thousand and one (26,001) pounds, which is designed and commonly used to draw a semi-trailer and its cargo load over the public roadways.

(o) *Semi-Trailer* means a wheeled vehicle, the empty weight of which is more than two thousand (2,000) pounds or the length of which is greater than twenty-five (25) feet, which has no motor power and is designed to be used in conjunction with a semi-tractor so that some part of its own weight and that of its cargo load rests upon or is carried by such semi-tractor.

(p) *Trailer* means any wheeled vehicle without motor power that may be drawn over the roadway by a motor vehicle, including camping trailers, utility trailers and boat trailers.

(q) *Truck* means a motor vehicle exceeding eight (8) feet in width, twenty-five (25) feet in length or ten (10) feet in height, excluding motor homes and recreational vehicles as defined herein.

(2) The following restrictions shall apply to parking vehicles on public rights of way in residential districts anywhere within the boundaries of the City of Centennial:

(a) No recreational vehicle (RV) or recreational trailer, whether or not attached to a motorized vehicle, or camper unattached to a motor vehicle, or boat

unattached to a recreational trailer, or mobile home shall be parked on any public street or highway within any residential district of the City, with the exception of:

1. A recreational vehicle (RV) or recreational trailer if:

(A) It is parked only for a period that does not in any event exceed forty-eight (48) consecutive hours, and

(B) The recreational vehicle (RV) or recreational trailer is parked immediately adjacent to and on the same side of the street as the property occupied permanently by the registered owner of such recreational vehicle (RV) or recreational trailer, and

(C) A new up to forty-eight (48) hour period allowed by subsection (A) is never initiated without an intervening minimum twenty-four (24) hour period from the conclusion of the previous up-to-forty-eight (48) hour period, during which time the recreational vehicle (RV) or recreational trailer must be removed from and remain off the street, and

(D) No part of the recreational vehicle (RV) or recreational trailer, or any part of any item placed thereon, is on or over the sidewalk, including, without limitation, tires, and no slide outs or awnings or other protrusions from the recreational vehicle (RV) or recreational trailer are in the open position, and no cords, wires, hoses or other appurtenances from such recreational vehicle (RV) or recreational trailer, including any item placed thereon, are laid upon or across the sidewalks or rights-of-way, and

(E) There are no tarps or vehicle covers placed upon such recreational vehicle (RV) or recreational trailer, except that a custom-fitted boat or recreational trailer cover or shrink wrap which is secured around the entire perimeter of the boat or recreational trailer is permitted.

2. A recreational vehicle (RV) parked immediately adjacent to and on same side of the street as a residential lot for up to forty-eight (48) hours when and if the registered owner of such vehicle is temporarily visiting the permanent occupant of such residential lot. A new up to forty-eight (48) hour period allowed by this subsection shall not be initiated without an intervening minimum twenty-four (24) hour period from the conclusion of the previous up to forty-eight (48) hour period, during which time the recreational vehicle (RV) must be removed from and remain off the street. Any vehicle parked in accordance with this subsection shall not be occupied or used as a sleeping quarters or for other housekeeping purposes

3. Any vehicle otherwise parked in violation of this section for a period not to exceed four hours (4) as a result of an emergency.

(b) Subject to the further restrictions set forth in subsection (c) below, no commercial vehicle shall be parked upon any public street or private property located in a residential district except temporarily for such period of time necessary to expeditiously complete rendering services to real property located within two hundred (200) feet of the commercial vehicle.

(c) No semi-tractor, truck or semi-trailer shall be parked upon any public street or private property located in a residential district other than when being loaded and/or unloaded or otherwise rendering services within two hundred (200) feet of the commercial vehicle, and such loading and/or unloading or rendering of service locally shall not exceed twelve (12) hours between the hours of 7:00 am and 7:00 pm, or four (4) hours between the hours of 7:00 pm and 7:00 am. No loading and/or unloading of a semi-tractor, truck or semi-trailer during permissible hours is allowed to extend over more than two consecutive calendar days. This provision shall not apply to parking such vehicles on residential lots larger than one acre (1 ac) within residential districts AG and NC_{2a}. Such vehicles legally parked on the larger exempted lots shall not be parked within fifty (50) feet of any residential structure located on an adjacent property.

(3) The following restrictions shall apply to parking vehicles on public rights of way in non-residential districts anywhere within the boundaries of the City of Centennial:

(a) No commercial vehicle shall be parked upon any public street in a non-residential district other than when being loaded and/or unloaded or otherwise rendering services within two hundred (200) feet of the commercial vehicle.

(b) No commercial vehicle shall be parked upon any public street in a non-residential district between the hours 7:00 p.m. and 7:00 a.m.

(4) The following restrictions shall apply to parking or stopping of car carrier trailers on public rights of way anywhere within the boundaries of the City of Centennial:

(a) No car carrier trailers shall be parked or stopped for the purpose of loading or unloading on any City street except upon local or collector roadways within the area bounded by Dayton Street on the west, Revere Parkway on the east, Costilla Avenue and Briarwood Avenue on the south and Peakview Avenue and Racine Circle on the north.

Section 2. **Severability.** If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The City Council hereby declares that it would have passed this

Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term "*provision*" means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term "*application*" means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the City.

Section 2. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Centennial, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ___ DAY OF _____, 2016.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2016 and ordered published one time by title only in *The Villager* newspaper on _____, 2016, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN

FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE _____ DAY OF _____, 2016, BY A VOTE OF _____ IN FAVOR AND _____ AGAINST.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2016, and ordered published by title only, one time by *The Villager* newspaper on _____, 2016 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

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