

CITY COUNCIL MEMORANDUM
12-07

DATE: February 23, 2012
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: CITY COUNCIL WORK SESSION – FEBRUARY 27, 2012

The City Council is scheduled for a work session on Monday evening at 7:00 pm in the Multipurpose Room at the Central Services Complex. There are several items to discuss and Ken Krushenski will take the lead on the session, as I will be speaking at the 2012 Waste Management conference in Phoenix at that time. There is to be an Oak Ridge focus at the conference and they have asked me to speak of the cooperative partnerships between the DOE and the City of Oak Ridge.

To conclude our discussion from the City Council meeting, I have requested that Karen Gagliano from Oak Ridge Schools to be present to explain the questions that were raised regarding the budget amendments at our last Council meeting. Additionally, Kathryn Baldwin has provided a proposed amendment to the Not In Our City parking ordinances with respect to commercial vehicles. These two items will be brought forward at our next "voting" meeting.

Looking ahead, the City of Oak Ridge needs to make a decision on acceptance of a TVA electric rate structure by April. Jack Suggs has brought our consultant forward to assist with your discussion and understanding of the options available to us. Further action will be considered next month.

Upon hiring Diana Stanley as City Clerk, I established that I wanted a goal of making the City Clerk's office the point of contact for open records requests. Presently, such requests are made at every department location and email contact. This has created some complications and duplication of efforts and has pointed out a lack of knowledge about how many requests are received throughout the year. Proper redactions and clarifications of the requests are also important for the City to know. The City Clerk's office as the point of contact also allows coordination to ensure that departments are responding in a quick fashion. Diana is prepared to coordinate her findings and suggestions on an open records procedures for the City. She has spent considerable time with MTAS in consultation on these issues and is now prepared to discuss with the Council.

Finally, the Council supported the holding of a retreat to continue discussions from our time together last September. Everyone's calendar is quite busy; therefore, I am suggesting a Monday meeting in March to conduct our discussions. David Krings is able to facilitate our meeting and is scheduled for either March 19 or March 26 (to be confirmed). I suggest we meet in the late afternoon at 3:00 p.m. and finish by 7:00 p.m. Some pizza and drinks would be brought in. The Council has a number of items that can be discussed that have been brought up at Council meetings, past retreat, and through communications to the City Manager. Please discuss your highest priorities for this time.

I look forward to hearing of the results of your meeting.


Mark S. Watson

CITY COUNCIL WORK SESSION AGENDA

FEBRUARY 27, 2012

7:00 P.M. – Call to order in the Multipurpose Room at the Central Services Complex

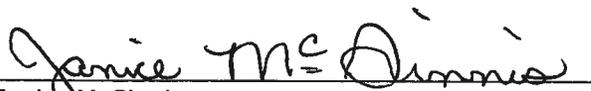
- I. Discussion and review by Karen Gagliano, Director of Business and Support Services, Oak Ridge Schools, of the request from the Schools to amend the fiscal year 2012 budget appropriation for the General Purpose School Fund.
- II. Discussion of concerns addressed at the February City Council meeting about implementation and definitions with regard to City Code amendment on utilization of rights-of-way and Zoning Ordinance amendment on parking and storage of vehicles.
- III. Presentation by Chris Mitchell, City consultant for electric utility rates, concerning TVA wholesale rate options and impacts for October 2012.
- IV. Discussion and review by Diana Stanley, City Clerk, on the City's Open Records Request Policy.
- V. Updates
 - Discussion and affirmation of a scheduled Council work session/retreat for March 19 or 26, 2012 from 3:00-7:00 p.m., Multipurpose Room, Central Services Complex
 - DOE Payment-In-Lieu-Of-Taxes for City – Tax Year 2011

**FINANCE DEPARTMENT MEMORANDUM
12-02**

DATE: February 3, 2012
TO: Mark S. Watson, City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: Fiscal Year 2012 Budget Appropriation Amendment

Attached is a request from Keys Fillauer, Chairman of the Oak Ridge Board of Education, and Dr. Thomas Bailey, Superintendent, requesting that the fiscal year 2012 budget appropriation for the General Purpose School Fund be amended to \$57,512,313. This is a \$937,091 increase over the General Purpose School Fund appropriation of \$56,575,222 adopted by City Council in budget ordinance amendment number 11-11 on July 25, 2011. The attached correspondence outlines the reasons for the School's request. The amendment does not change the fiscal year 2012 operating transfer from the City to the Oak Ridge Schools and has no impact on the property tax rate.

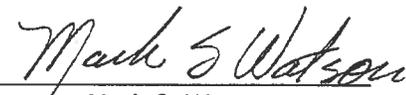
Staff recommends approval of the attached ordinance amendment.



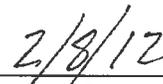
Janice McGinnis

City Manager's Comments:

I have reviewed the above issue and recommend council action as outlined in this document.



Mark S. Watson



Date



Oak Ridge Schools

OFFICE OF
Superintendent of Schools

Telephone (865)425-9011
Fax: (865)425-9070

January 19, 2012

Honorable Mayor and Members of City Council
City of Oak Ridge Schools
P.O. Box 1
Oak Ridge, TN 37831

Dear Mayor and Members of City Council:

The purpose of this letter is to request an amendment to the Schools FY 2012 Appropriations Ordinance to reflect budget adjustments that have been approved by the Board to date. The following summarizes those amendments.

FUND		APPROVED	AMENDED	CHANGE
141	General Fund	\$49,713,720	\$50,652,800.92	939,080.92
142	Federal Projects Fund	\$3,262,254	\$3,199,066.97	(63,187.03)
143	Central Cafeteria Fund	\$1,919,685	\$1,919,685	-0-
145	Special Revenue Fund	\$101,624	\$97,637.65	(3,986.35)
146	Extended School Program	\$463,521	\$463,521	-0-
147	ARRA	-0-	\$2,350.55	2,350.55
148	First To The Top	\$178,165	\$230,484.14	\$52,319.14
149	Employee Jobs Bill	\$936,253	\$946,766.83	\$10,513.83
GRAND TOTAL - ALL FUNDS		\$56,575,222	\$57,512,313.06	\$937,091.06

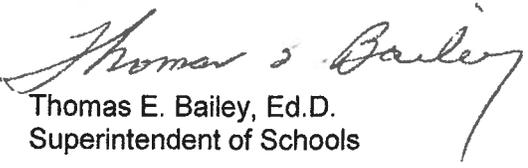
The majority of the change in the General Fund (\$766,843.55 of \$939,080.92) is an accounting entry to reflect the full value of the technology lease this first year. The second largest change in the General Fund is a transfer from fund balance in the amount of \$159,126.96. These funds were budgeted in FY'11 for the Data Center project and were unspent. They are needed in FY'12 to finish the first phase of the project.

The requested amendment does not impact the amount appropriated by Council to the Schools or the local tax rate but does impact the overall budget appropriation and must be authorized by ordinance.

Thank you for your prompt attention to this matter.

Sincerely,


Keys Fillauer
Chairman, Board of Education


Thomas E. Bailey, Ed.D.
Superintendent of Schools

TEB/KLG/tv

P. O. Box 6588, Oak Ridge, TN 37831-6588

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 8-11, AS AMENDED BY ORDINANCE 11-11, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, BY AMENDING SAID APPROPRIATIONS.

WHEREAS, there exists a need to amend the original appropriations for Fiscal Year 2012 and for the accomplishment of the same, a public hearing has been held before the City Council after ten (10) days' notice thereof published in The Oak Ridger, the official newspaper, as provided by law; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

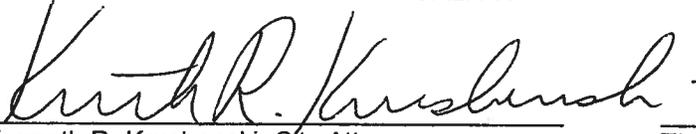
Section 1. Ordinance No. 8-11, which adopts appropriations for Fiscal Year 2012, is hereby amended by revising Section 3 so that the same, as revised, will read as follows:

Section 3. In accordance with Article V, Section 14, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2012:

General Fund, Municipal Operations	\$19,453,250
Debt Service (Bond and Interest Redemption Fund)	8,142,000
State Street Aid Fund	1,784,000
Streets and Public Transportation Fund	260,000
Drug Enforcement Program Fund	350,000
Grant Fund	4,000,000
General Purpose School Fund	57,512,313
Golf Course Fund	1,335,000
Capital Projects Fund	4,500,000
Solid Waste Fund	2,531,170
Economic Diversification Fund	2,131,000
West End Fund	2,893,000
Special Programs Fund	1,243,000
Housing Fund	850,000

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



 Kenneth R. Krushenski, City Attorney

 Thomas L. Beehan, Mayor

 Diana R. Stanley, City Clerk

Public Hearing: _____
 First Reading: _____
 Publication Date: _____
 Second Reading: _____
 Publication Date: _____
 Effective Date: _____

COMMUNITY DEVELOPMENT MEMORANDUM
12-04

DATE: February 23, 2012
TO: Mark Watson, City Manager
FROM: Kathryn G. Baldwin, Community Development Director
SUBJECT: NOT IN OUR CITY (NIOC) AMENDMENTS

An item for the March 7, 2012 Council agenda is the adoption of the Not In Our City (NIOC) companion ordinances. These two ordinances, one of which amends the City Code with regard to utilization of right-of-way and the second, which amends the Zoning Ordinance with regard to parking and storage of vehicles, were approved on first reading during the February City Council meeting. During consideration on first reading, Council members discussed concerns about implementation and definitions. The most notable concerns expressed were about the newly-established definition of "commercial/oversized vehicles." Staff completed additional research regarding tags issued to commercial vehicles and corresponding vehicular weights. This information has been included in a revised definition which is referenced below:

Commercial/oversized vehicles: "Any motor vehicle, trailer, or semi-trailer exceeding twenty-three (23) feet in length and /or eight (8) feet in width that is designed or used to transport merchandise, commodities, produce, freight, animals or passengers for a fee in the furtherance of any commercial enterprise, including but not limited to any vehicle used solely to generate income or which has the appearance that it is used solely for business or which carries a H3 (or higher) State classification commercial vehicle tag."

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM
12-02

DATE: February 3, 2012

TO: Mark Watson, City Manager

FROM: Kathryn Baldwin, Community Development Director 

SUBJECT: AMENDMENTS TO THE CITY CODE AND ZONING ORDINANCE THAT INCORPORATE NOT IN OUR CITY (NIOC) PRINCIPLES

An item for the February City Council agenda is adoption on first reading of two ordinances which are components of the "Not In Our City" (NIOC) program. In June 2010, the Planning Commission hosted a Housing Summit titled "Housing: Identifying a Path Forward." Since then City Manager Mark Watson, with support from city staff, has been working on a "Not in Our City" plan to address blight within our neighborhoods, improve structural housing conditions, reduce the incidence of crime and drugs, and to establish the City of Oak Ridge as a great place to live, work, and invest.

The two ordinances presented for first reading have a specific focus on parking and environmental concerns. The companion ordinances address citizen concerns expressed for commercial/oversized vehicles, recreational vehicles, utility trailers and storage located in on-street parking spaces within city right-of-way. This mis-use of on-street spaces creates parking shortages for personal vehicles and potential sight distance issues. In addition, many of the recreational vehicles are not operational and therefore contribute to the blighted aesthetics of the overall streetscape. Secondly, staff is proposing an ordinance regarding parking on private property to address concerns regarding utilization of front and side yards while permitting specific, temporary parking needs. The goal of these companion ordinances is to insure that vehicles removed from the right-of-way (ROW) are not prominently placed on private property, exacerbating an aesthetic problem which currently exists in many of our older neighborhoods.

The details of the ordinances are discussed individually below:

Amendments to the Code of Ordinances, Section 1. Titled "Motor Vehicles, Traffic and Parking"

Add three new definitions:

- **Commercial/Oversized Vehicles:** Any motor vehicle, trailer, or semi-trailer exceeding twenty-two (22) feet in length and/or eight (8) feet in width that is designed or used to transport commodities, produce, freight, animals, passengers for a fee, or merchandise in the furtherance of any commercial enterprise, including but not limited to any vehicle used to generate income or which has the appearance that it is used for business
- **Recreational Vehicles:** Any vehicle-type unit used primarily for recreational purposes including, but not limited to, boats, boat trailers, personal watercraft carriers, personal watercraft trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motor coaches, motorized homes, and non-motorized vehicles
- **Utility Trailers:** Any wheeled structure, without motive power, designed to be towed by a motor vehicle and which is generally and commonly used to carry and transport personal effects and/or property

The second section of the City Code ordinance amends Title 15, Chapter 6, titled "Stopping, Standing and Parking." In essence this section clearly states that the vehicles, newly defined above, are prohibited from parking within marked or unmarked street right-of-way. The intent in this section is not to prohibit residents from utilizing these types of vehicles but rather to limit storage of the vehicles within city street right-of-way. Exceptions for operational vehicles will be made for periods of up to three consecutive days for the purpose of loading, unloading, or minor repairs.

These code amendments are designed to clear city streets of vehicles which are not related to residential uses, are too large for on-street parking, and tend to overhang onto sidewalks or travel lanes. In addition, the proposed ordinance eliminates the continual storage of materials which are the responsibility of private property owners and do not belong within street right-of-way. Streetscapes within Oak Ridge have become plagued with unsightly vehicles which have limited the availability of on-street parking for residents and contributed to the blighted appearance of our neighborhoods.

Amendments to the Zoning Ordinance: This is a companion ordinance to amendments in the City Code in an effort to insure proper parking of vehicles on private property, establish parking on approved surfaces, and limit parking of vehicles within yards, which has a negative impact on neighboring property. In addition, exceptions to these criteria are identified to specifically allow parking on a temporary basis during periods of construction, remodeling or repairs, as well as family gatherings and parties. A grace period of 90 days is established to allow ample notification of city residents and allow time to relocate vehicles which may be in violation of the proposed ordinance changes. Details are as follows:

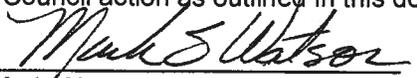
- Residential Parking Regulations
 - Residential off-street parking shall consist of a parking strip, driveway, garage, stall or combination thereof (collectively referred to as "approved parking surface")
 - To prevent material from entering the right-of-way, the entrance to the parking surface (driveway) is required to be paved an additional ten (10) feet into private property from the edge of public right-of-way.
 - Residential Parking Regulations Approved Surface
 - For single-family detached dwellings and duplexes, the approved parking surface shall be a hard surface which is comprised of either gravel, asphalt, concrete, pavers, or some combination thereof. For single-family attached dwellings with three (3) or more contiguous units and multiple family dwellings, all approved parking surfaces shall be paved
 - Residential Parking Regulations Location
 - Under no circumstances may a vehicle parked or stored in a residential district be occupied for permanent living purposes
 - Commercial/oversized vehicles are prohibited in residential districts
- Required Yard Parking Regulations
 - It is unlawful for any person to park or store any vehicle or trailer, including but not limited to recreational vehicles and utility trailers, within the front yard in any residential district unless such vehicle is parked on an approved parking surface
 - No more than 50% of the required front yard shall be utilized for the approved parking space

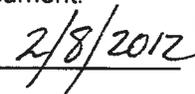
- Exceptions to Front Yard Parking Regulations
 - Temporary loading and unloading
 - When construction, remodeling, maintenance, or repairs are being performed on the property, provided a *Temporary Use Permit* is obtained and all applicable requirements of Section 3.18(h) of the Zoning Ordinance are met prior to issuance of the *Temporary Use Permit*
 - Parking for isolated, non-recurring gatherings or parties or for visitors. This exception is not intended and shall not be used to provide permanent or semi-permanent parking for extra vehicles
 - Side and Rear Yard Parking
 - Residential off-street parking for single-family detached dwellings and duplexes is permitted outside of an approved parking surface **only** in the side and rear yard, provided side and rear yard setbacks are met and remain clear of all vehicles.
 - For single-family attached dwellings with three (3) or more contiguous units and multiple family dwellings, **all** off-street parking shall be on a paved approved parking surface
- There shall be a ninety (90) day grace period from the effective date of the ordinance to allow City Staff time to educate the public on the requirements of the ordinance

These ordinance amendments comprise two primary elements of the "Not in Our City" campaign. Collectively, the intent is to clean up the streetscapes within the City of Oak Ridge which is the primary view of our town to residents and visitors. The streetscape forms the framework of our neighborhoods. Many community activities occur here, such as neighbors engaging in conversation; travel of pedestrians; and children riding bikes. These areas, while providing parking for our residents, should be clear of clutter and impingements which may create safety hazards. Streetscapes establish an aesthetic stage for neighborhoods and speak to the quality of adjacent homes. Lawn areas, in addition to travel lanes, are a common thread which ties neighborhoods together with the larger community. The lack of attention to this community asset mars the reputation of our residents and contributes to the assumption that the City of Oak Ridge is largely becoming a blighted city. This issue has continued unabated for years and has been allowed to contribute to the deterioration of our housing stock, our schools, and our reputation in the greater Knoxville region. Many potential residents choose not to live here, leading to absentee landlords who fail to invest in their property or our community which contributes to a lost sense of civic pride. We can no longer afford to sit idly by and allow this downward spiral to continue to compromise the quality, vitality, and livability of our neighborhoods and our community as a whole.

City Manager's Comments:

I have reviewed the above issue and recommend Council action as outlined in this document.


Mark Watson


Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," SUBSECTION (D), TITLED "RESIDENTIAL PARKING," TO ADD PROVISIONS PERTAINING TO CURB CUTS FOR OFF-STREET RESIDENTIAL PARKING, TO ALLOW PARKING IN SIDE AND REAR YARDS IN RESIDENTIAL DISTRICTS PROVIDED SUCH PARKING OUTSIDE THE REQUIRED SETBACK, AND TO PROHIBIT PERMANENT LIVING INSIDE A PARKED OR STORED VEHICLE IN A RESIDENTIAL DISTRICT, AND TO AMEND RESERVED SUBSECTION (E) TO DEDICATE SAID SUBSECTION TO FRONT YARD PARKING REGULATIONS.

WHEREAS, the City of Oak Ridge is continually reviewing the Zoning Ordinance to update provisions and make it more understandable to the general public; and

WHEREAS, the current provisions pertaining to off-street parking are in need of modification and clarification; and

WHEREAS, the following changes have been submitted for approval or disapproval to the Oak Ridge Municipal Planning Commission and the Commission has _____ the same; and

WHEREAS, a public hearing thereon has been held as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Section 11.02, titled "Required Off-Street Parking," is hereby amended by deleting Subsection (d), titled "Residential Parking," in its entirety and substituting therefor a new Subsection (d), titled "Residential Parking," which new subsection shall read as follows:

Section 11.02. Required Off-Street Parking

(d) Residential Parking

1. Residential off-street parking shall consist of a parking strip, driveway, garage, stall or combination thereof (collectively referred to as "approved parking surface"). All approved parking surfaces shall be located on the lot it is intended to serve and there shall be vehicular access from each approved parking surface to the public street via a curb cut. All curb cuts must be approved and permitted by the City of Oak Ridge Public Works Department (see City Code §16-102). All approved parking surfaces and accesses to the public street shall meet the requirements of Article XI of the Zoning Ordinance. The portion of the vehicular access to the public street (approved parking surface such as driveway, parking strip, etc.) that is located on the street right-of-way shall have a hard paved surface meeting the requirements of the City Public Works Department. For vehicular access that slopes down to the street, the City requires paving the approved parking surface an additional ten (10) feet from the street right-of-way line (property line) into the lot to prevent siltation from erosion into the street. The City Manager or the City Manager's designee shall have the authority to review cases for possible changes to the requirements where enforcement of this section will cause an undue hardship to the owner of the property.

For single-family detached dwellings and duplexes, the approved parking surface shall be a hard surface which is comprised of either gravel, asphalt, concrete, pavers, or some combination thereof. For single-family attached dwellings with three (3) or more contiguous units and multiple-family dwellings, all approved parking surfaces shall be paved.

2. Under no circumstances may a vehicle parked or stored in a residential district be occupied for permanent living purposes.
3. Commercial/oversized vehicles are prohibited in residential districts except as allowed by City Code §15-617. For the purposes of this section, a commercial/oversized vehicle is any motor vehicle, trailer, or semi-trailer exceeding twenty-two (22) feet in length and/or eight (8) feet in width that is designed or used to transport commodities, produce, freight, animals, passengers for a fee, or merchandise in the furtherance of any commercial enterprise, including but not limited to any vehicle used to generate income or which has the appearance that it is used for business.
4. The provisions of this subsection (d) are not intended to and shall not be used to permit the parking of junked vehicles as regulated by City Code Title 13, Property Maintenance Regulations, Chapter 2, Oak Ridge Property Maintenance Code, and Chapter 3, Junked Vehicles.
5. The provisions of subsection (d)(1) above pertaining to paving the street right-of-way portion of the vehicular access to the public street an additional ten (10) feet do not apply to approved parking surfaces that were properly permitted by the City prior to the effective date of this ordinance [insert date here] unless and until such time as a siltation and/or erosion problem exists as determined by the City Manager or the City Manager's designee.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Section 11.02, titled "Required Off-Street Parking," is hereby amended by dedicating reserved Subsection (e) to front yard parking regulations, which new subsection shall read as follows:

Section 11.02. Required Off-Street Parking

(e) Required Yard Parking Regulations

1. Parking in Front Yard.
 - a. It is unlawful for any person to park or store any vehicle or trailer, including but not limited to recreational vehicles and utility trailers, within the front yard in any residential district unless such vehicle is parked on an approved parking surface. It is also unlawful for the registered owner of any such vehicle or trailer to allow another person to park or store a vehicle or trailer within the front yard in any residential district unless such vehicle is parked on an approved parking surface. No more than fifty percent (50%) of the required front yard shall be utilized for an approved parking space.

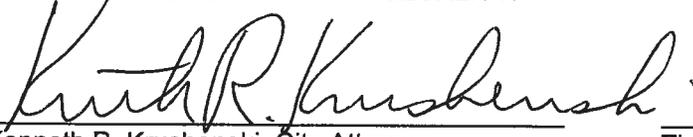
- b. Parking in a front yard off of an approved parking surface will be allowed under these special circumstances:
 - i. Temporary loading or unloading.
 - ii. When construction, remodeling, maintenance, or repairs are being performed on the property, provided a *Temporary Use Permit* is obtained and all applicable requirements of Section 3.18(h) of the Zoning Ordinance are met prior to issuance of the *Temporary Use Permit*.
 - iii. Parking for isolated, non-recurring gatherings or parties or for visitors. *This exception is not intended and shall not be used to provide permanent or semi-permanent parking for extra vehicles.*
- 2. Parking in Side and Rear Yard.
 - a. For single-family detached dwellings and duplexes, residential off-street parking is permitted outside of an approved parking surface only in the side and rear yard provided side and rear yard setbacks are met and remain clear of all vehicles.
 - b. For single-family attached dwellings with three (3) or more contiguous units and multiple-family dwellings, all off-street parking shall be on a paved approved parking surface.
- 3. The provisions of this subsection (e) are not intended to and shall not be used to permit the parking of junked vehicles as regulated by City Code Title 13, Property Maintenance Regulations, Chapter 2, Oak Ridge Property Maintenance Code, and Chapter 3, Junked Vehicles.
- 4. For the purposes of this section, the following definitions apply:
 - a. "Recreational vehicles." Any vehicular-type unit used primarily for recreational purposes including, but not limited to, boats, boat trailers, personal watercraft carriers, personal watercraft trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motor coaches, motorized homes, and non-motorized vehicles.
 - b. "Utility trailers." Any wheeled structure, without motive power, designed to be towed by a motor vehicle and which is generally and commonly used to carry and transport personal effects and/or property.

Section 3. There are no "grandfathered" rights associated with this ordinance except as specifically set forth in the ordinance.

Section 4. There shall be a ninety (90) day grace period from the effective date of the ordinance to allow City Staff time to educate the public on the requirements of the ordinance.

Section 5. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Public Hearing: _____
Publication Date: _____
First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

TITLE

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY AMENDING SECTION 15-101, TITLED "DEFINITIONS," TO CORRECT THE INTRODUCTORY LANGUAGE TO STATE THE DEFINITIONS APPLY WHEN USED IN THIS TITLE AND TO ADD THREE NEW DEFINITIONS: "COMMERCIAL/OVERSIZE VEHICLES," "RECREATIONAL VEHICLES," AND "UTILITY TRAILERS"; AND BY AMENDING CHAPTER 6, TITLED "STOPPING, STANDING AND PARKING," TO CREATE A NEW SECTION 15-617, TITLED "PARKING OF RECREATIONAL VEHICLES, COMMERCIAL/OVERSIZE VEHICLES AND UTILITY TRAILERS IN MARKED AND UNMARKED ON-STREET PARKING SPACES," TO ADDRESS PARKING CONCERNS.

WHEREAS, the Code of Ordinances, City of Oak Ridge, Tennessee, (City Code) contains provisions for on-street parking but does not currently address parking concerns regarding recreational vehicles, commercial/oversized vehicles, and utility trailers; and

WHEREAS, the City desires to amend the City Code to address those concerns.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 1, titled "In General," Section 15-101, titled "Definitions," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by correcting the introductory language and by adding three new definitions in alphabetic order and accordingly renumbering all definitions within this section, which introductory language and new definitions shall read as follows:

Sec. 15-101. Definitions.

The following words and phrases, when used in this title, having the meanings respectively ascribed to them in this section:

...

- (7) "Commercial/oversized vehicles." Any motor vehicle, trailer, or semi-trailer exceeding twenty-two (22) feet in length and/or eight (8) feet in width that is designed or used to transport commodities, produce, freight, animals, passengers for a fee, or merchandise in the furtherance of any commercial enterprise, including but not limited to any vehicle used to generate income or which has the appearance that it is used for business.
- (31) "Recreational vehicles." Any vehicular-type unit used primarily for recreational purposes including, but not limited to, boats, boat trailers, personal watercraft carriers, personal watercraft trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motor coaches, motorized homes, and non-motorized vehicles.
- (55) "Utility trailers." Any wheeled structure, without motive power, designed to be towed by a motor vehicle and which is generally and commonly used to carry and transport personal effects and/or property.

Section 2. Title 15, titled "Motor Vehicles, Traffic and Parking," Chapter 6, titled "Stopping, Standing and Parking," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new section 15-617, titled "Parking of recreational vehicles, commercial/oversized vehicles and utility trailers in marked and unmarked on-street parking spaces," which new section shall read as follows:

Sec. 15-617. Parking of recreational vehicles, commercial/oversized vehicles and utility trailers in marked and unmarked on-street parking spaces.

It is unlawful for any person to park or store any recreational vehicle, commercial/oversized vehicle, or utility trailer within marked or unmarked on-street parking on any public street. It is also unlawful for the registered owner of a recreational vehicle, commercial/oversized vehicle, or utility trailer to allow another person to park or store such vehicle or trailer within marked or unmarked on-street parking on any public street.

Notwithstanding any provisions to the contrary, an operational recreational vehicle, commercial/oversized vehicle, or utility trailer may be temporarily legally parked or stored within marked or unmarked on-street parking on any public street for a period not to exceed three (3) consecutive days for the purpose of loading, unloading, trip preparation, or minor, routine maintenance and repair. However, at no time shall any un-mounted camper enclosure, personal watercraft carrier, or boat not mounted on a utility trailer be parked or stored within any designated on-street parking space.

Section 3. There are no "grandfathered" rights associated with this ordinance.

Section 4. There shall be a thirty (30) day grace period from the effective date of the ordinance to allow City Staff time to educate the public on the requirements of the ordinance.

Section 5. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____