

**ORDINANCE NO. 2018-28**

**AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, APPENDIX - TRAFFIC AND VEHICLES, SECTION 78-137 PROHIBITED TERRACE PARKING; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. Section 78-137 of the City of Wayne Municipal Code is hereby amended by as follows:

**§ 78-137 PROHIBITED TERRACE PARKING.**

(A) In residential areas only, it shall be unlawful for any person to park, or leave standing any recreational equipment including, but not limited to, camper, boat or other similar recreational equipment upon any terrace parking space. Any vehicle found in violation of this section is subject to a fine in accordance with § 78-122 of this chapter and the vehicle is subject to impoundment.

(B) In residential areas only, it shall be ~~un~~lawful for any person to park, or leave standing any pickup, automobile or motorcycle parked upon any **improved** terrace parking, ~~any~~ **No** commercial vehicles, utility trailers, construction or agricultural equipment, **boats, campers, recreational equipment**, straight trucks, or step vans **shall be allowed on terrace parking**.

(C) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMERCIAL VEHICLE.** A commercially licensed motor vehicle that has commercial decals and/or a federal DOT number on the vehicle that is configured with accessories, including, but not limited to, those that hold materials, ladders, signs, storage space, tool access or delivery accessories, and/or have tandem axles or dual wheels and are used for the conduct of commercial business.

**TERRACE PARKING.** The use of any portion of the right-of-way of any street **located behind the back of the curb** for the parking of motor vehicles. Such parked vehicles shall not extend over any sidewalk and shall not present a traffic hazard.

(2002 Code, § 78-137) (Ord. 2002-6, passed 1-9-2002; Ord. 2006-10, passed 9-12-2006; Ord. 2006-22, passed 11-28-2006)

Section 2. Any other ordinance or parts of ordinance in conflict herewith are repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 16<sup>th</sup> day of October, 2018.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk