RESOLUTION NO. 2723

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-003(B)(9) OF THE UNIFIED DEVELOPMENT CODE RELATING TO PARKING OF TRAILERS AND RECREATIONAL VEHICLES IN RESIDENTIAL DISTRICTS, AMENDING THE DEFINITION OF 'RECREATIONAL VEHICLES,' AND ADDING AN ILLUSTRATION TO THE DEFINITION OF 'STREET;' AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

WHEREAS, the Code of the Town of Payson was declared to be a public record by Resolution Number 1536 and was adopted as a public record by Ordinance Number 588; and

WHEREAS, it is the intention of the Town of Payson to amend the provisions of the Unified Development Code of the Town of Payson relating to the parking of trailers and recreational vehicles in residential zoning districts; and

WHEREAS, such amendments may be enacted by reference, pursuant to A.R.S. § 9-802,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. Section 15-02-003(B)(9) (Trailers and Recreational Vehicles) of the Unified Development Code of the Town of Payson is hereby amended, is declared to be a public record, and as amended shall read as set forth in Exhibit A.

Section 2. The Definition of "Recreational Vehicle" under Section 15-11 (Definitions) of the Unified Development Code of the Town of Payson is hereby amended, is declared to be a public record, and shall read as follows:

RECREATIONAL VEHICLE: A vehicle primarily designed as temporary living quarters, recreation, camping or travel use, which either:

a. contains its own motor as in the case of motor homes;
b. is drawn by another vehicle as in the case of trailers; or
c. is mounted on another vehicle as in the case of truck campers.

Section 3. The Definition of "Street" under Section 15-11 (Definitions) of the Unified Development Code of the Town of Payson is hereby amended, is declared to be a public record, and as amended shall read as set forth in Exhibit B.

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PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2013, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Timothy M. Wright, Town Attorney

EXHIBIT A TO RESOLUTION 2723

B. Residential District Stipulations and Provisions:

~~9. Trailers or recreational vehicles shall not be used as a permanent dwelling on any residential or commercial lot, and shall not be connected to a sewer system other than in an approved trailer park, except as otherwise provided in this Code. Trailers, including travel trailers, and recreational vehicles shall be parked only in the residential yard and not on any street. Trailers or recreational vehicles shall not be used for storage purposes or as an accessory building.~~

9. Trailers and Recreational Vehicles.
   a. Recreational Vehicles and trailers may be parked on private property subject to the provisions below:
      (1) Recreational Vehicles shall not be used as permanent dwellings;
      (2) Recreational Vehicles shall not be connected to a sewer system other than in an approved Manufactured Home Park; and
      (3) Recreational Vehicles and/or trailers shall not be used for storage purposes or as an accessory building.
   b. Trailers and Recreational Vehicles shall not be parked on any Town Street or Right of Way except as provided in subsection c and d below.
   c. Property owners and lessees may park one non commercial trailer, Recreational Vehicle, or commercial trailer not exceeding 40 feet in length, per parcel, in the unimproved portion of the right of way between their property and the roadway improvements subject to the following:
      (1) Parking is prohibited within 35 feet of an intersection;
      (2) Parking must be at least 3 feet behind any right of way improvements;
      (3) Parking must be at least 5 feet from a parcel owned by someone other than the property owner or lessee;
      (4) Parking is prohibited when it creates a traffic hazard.
      (5) Any trailer or Recreational Vehicle parked in the unimproved portion of the right of way may be removed by the Town or other utility when necessary to install, improve, repair, or remove public utilities in the right of way. Except in cases of emergency, the Town utility shall provide 5 working days notice requesting the owner to remove the trailer or Recreational Vehicle.
      (6) The Public Works Director may temporarily prohibit parking in specific portions of the unimproved right of way. The Public Works Director, upon confirmation of the Town Manager, may permanently prohibit parking in specific portions of the unimproved right of way.
      (7) A right of way permit must be obtained if a homeowner desires to make any modification, excavation or other improvement in the right of way.

d. Recreational Vehicles may be temporary parked in the improved portion of the right of way for temporary loading and unloading subject to the following:

(1) Temporary parking shall not exceed 24 consecutive hours nor more than 48 hours in any calendar month.

(2) Temporary parking is prohibited in a no parking zone or if it creates a traffic hazard including, but not limited to impairing vision in sight triangles at intersections or not allowing vehicles to safely pass on the street.
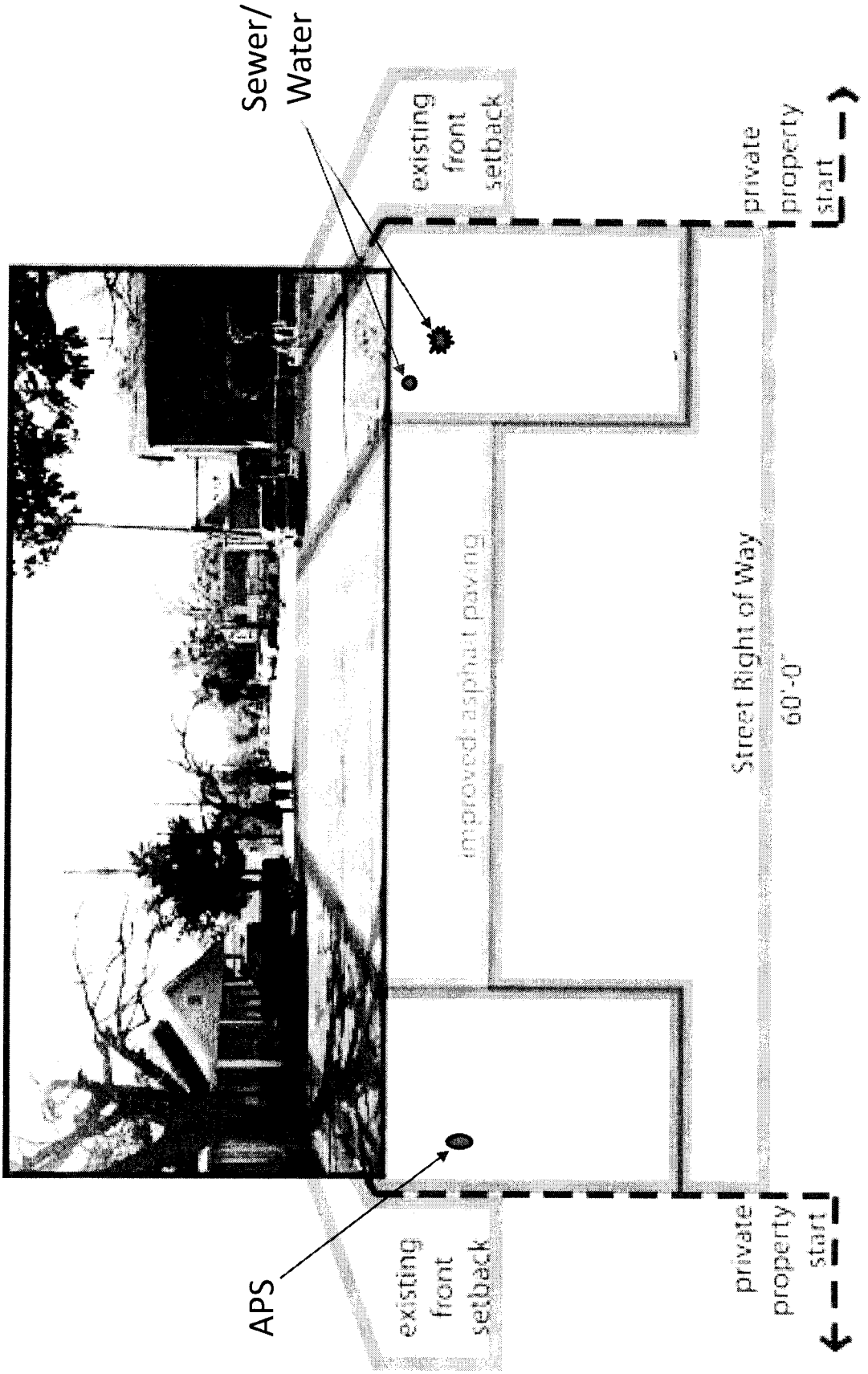
Exhibit "B" To Resolution 2723