

Parking Ordinance

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STATE OF MISSOURI
COUNTY OF NEWTON 001414

I, LENORA HYDER, RECORDER, DO CERTIFY THE INSTRUMENT
ATTACHED, WAS FILED FOR RECORD ON
9th DAY OF February, 2005
AT 12 00 P M.

RECORDED IN BOOK 354 AT PAGE 1461

HEREUNTO SET MY HAND & AFFIXED THE SEAL OF
SAID OFFICE. DONE IN NEOSHO, MISSOURI.

LENORA HYDER
RECORDER OF DEEDS

Deputy Kelly A Peters



Bob Harding
P.O. Box 1354

Jopli, Mo 64802 1880 \$33.00

grantor - village of Leawood
grantee - Public

PARKING ORDINANCE

ORDINANCE NO. 05-1

BILL NO. _____

AN ORDINANCE ADOPTING A NEW PARKING
ORDINANCE FOR THE VILLAGE OF LEAWOOD,
MISSOURI, IN ACCORDANCE WITH CHAPTER 89 OF
THE REVISED STATUTES OF MISSOURI.

WHEREAS, on or about the 18th day of JANUARY 2005, after at least fifteen days notice of the time and place had been published in an official paper of general circulation in the Village of Leawood, Missouri, and in accordance with Section 89.050 of the Revised Statutes of Missouri, the Board of Trustees of the Village of Leawood, Missouri held a public hearing at which parties in interest and citizens had an opportunity to be heard in relation to this Ordinance to adopt a new Parking Ordinance for the Village of Leawood, Missouri in accordance with Chapter 89 of the Revised Statutes of Missouri; and,

WHEREAS, on or about the 18th day of JANUARY 2005, after the aforesaid public hearing, the Public Works Director of the Village of Leawood, Missouri approved, recommended and submitted as its final report, Pursuant to Section 89.070 of the Revised Statutes of Missouri, the adoption of this Ordinance as herein above Described; and,

WHEREAS, on or about the 18th day of JANUARY, 2005, after a public hearing duly advertised in accordance with Section 89.050 of the Revised Statutes of Missouri, the Board of Trustees of the Village of Leawood, Missouri received and considered the aforesaid final report and recommendation of the Public Works Director of the Village of Leawood, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
VILLAGE OF LEAWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That a new Parking Ordinance for the Village of Leawood, Missouri be, and the

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same hereby is, adopted in accordance with Chapter 89 of the Revised Statutes of Missouri, a true and accurate copy of the new Parking Ordinance being attached hereto and incorporated herein as Exhibit "A".

SECTION 2. This Ordinance having been available for public inspection prior to its consideration by the Board of Trustees, and having been read by title twice prior to passage, shall become effective immediately upon its Passage by the Board of Trustees.

APPROVED after final passage, this 18th day of JANUARY 2005.

Robert Harding
ROBERT HARDING, CHAIRMAN

ATTEST:

Nick Nichols
NICK NICHOLS, VILLAGE CLERK

Signed and sworn to me this 26th day of January, 2005.

State of Missouri
County of Jasper
RUBY J. AMBROSIOUS
Notary Public - Notary Seal
State of Missouri, Jasper County
My Commission Expires Oct. 24, 2006

Ruby J. Ambrosius
Notary Public
My Commission Expires October 24, 2006

The legislative body of all cities, towns, and villages is empowered to zone...for the purpose of prompting health, safety, morals or the general welfare of the community..." Missouri Revised Statutes 89.020.

"Such regulations shall be...designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with...a view to conserving the values of buildings and encouraging the most appropriate use of land throughout such municipality." Missouri Revised Statutes 89.040.

SECTION I

General

- A. TITLE - This Ordinance shall be known and may be cited as "The Village of Leawood, Missouri, Parking Ordinance."

B. PURPOSE:

The purpose of this ordinance is to promote public safety by regulating on and off street parking.

C. LEGAL PROVISIONS:

1. In case of conflict between this Ordinance or any part thereof, and the whole or part of any other existing or future ordinance, the most restrictive in each case shall apply.
2. The Board of Trustees of the Village of Leawood, Missouri, hereby declares that it would have passed this Parking Ordinance and each article and section, sub-section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, clauses or phrases be declared invalid or unconstitutional.

D. ARTICLES:

1. General:

- a. This ordinance addresses vehicular parking, in and along village streets, which has continued to impede not only residential traffic but, in many cases, would have denied passage of emergency vehicles.
- b. Moreover, this ordinance also regulates parking in yards. Parking of vehicles, trailers, campers, RVs, and such, in yards not only creates a safety hazard, but an eyesore and a nuisance, thus negatively affecting neighborhood pride. It also violates village Stormwater Runoff, Zoning, and Nuisance Ordinances as well as State Clean Water Act regulations. Parking in yards can also create ruts, which increase damage to the watershed by causing soil erosion. In other instances, storm water runoff can be increased and tree roots damaged as a result of soil compaction.
- c. These issues dictate the Board of Trustees take action to reduce and eliminate this public safety issue, and the aesthetic deterioration of neighborhoods within village limits.
- d. The existing Village Zoning Ordinance 02-1 provides the basis for parking requirements and restrictions. (See Section V-1.) This particular ordinance applies to all zoning categories, and is designed to supplement the parking guidelines found in the existing Zoning Ordinance.
- e. For purposes of this ordinance, the "front yard" shall be defined as that area of land between the street which the house faces, and an imaginary line extended out from the front edges of the house. On corner lots, the same imaginary line applies to the side of the house facing the side street.

2. Parking - On Streets:

- a. On streets less than twenty feet (20) wide, NO on-street parking shall be permitted, except as defined below;
- b. On streets twenty (20) to thirty (30) feet wide, on-street parking shall be permitted on one side of the street only as designated by the Village Board of Trustees or the Public Works Director
- c. On streets over thirty (30) feet wide, parking shall be permitted on both sides, unless prohibited by the Board of Trustees or the Public Works Director.
- d. Short-term (less than three hours) guest parking only may be allowed along streets less than twenty (20) feet wide and then, only as long as:
 1. vehicles are fully off the road and present no safety hazard to passers-by,
 2. vehicles present no sight blockage of intersections or neighbors driveways,
 3. vehicles do not block access to fire hydrants or neighbors driveways

3. Parking - Off Streets:

- a. Village ordinances allow parking on all-weather hard surfaces such as asphalt or concrete - which must also be maintained. Parking is also permitted on pre-existing gravel driveways.
- b. Parking vehicles or trailers of any kind in front yards is not permitted.

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c. Should existing driveways and parking space be inadequate to accommodate parking needs, residents must follow the established building permit process.

d. Special parking accommodations may be made for handicapped individuals.

e. Commercial vehicles and trailers of all types, including travel, camping and hauling and mobile homes shall not be parked or stored on any lot occupied by a dwelling or any lot except in accordance with the following provisions:

1.) Not more than one commercial vehicle, which does not exceed one and one-half tons rated capacity, per family living on the premises, shall be permitted and in no case shall a commercial vehicle used for hauling explosives, gasoline, or liquefied petroleum products be permitted.

2.) Not more than one camping or travel or hauling trailer per family living on the premises shall be permitted and said trailer shall not exceed twenty-four (24) feet in length or eight (8) feet in width; and further provided that said trailer shall not be parked or stored for more than one week unless it is located behind the "front yard." A camping or travel trailer shall not be occupied permanently while it is parked or stored within the incorporated limits except in a travel trailer court authorized under the ordinances of the Village of Leawood.

3.) Automotive vehicles or trailers of any kind or type without current license plates must be parked or stored inside completely enclosed buildings.

4.) In all cases, said automotive vehicles, trailers and all other vehicles (camper, RV's, travel trailers, etc.) shall be parked behind the "front yard."