ORDINANCE NO. 2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, CREATING A NEW CODE SECTION 10.20.060 D AND AMENDING SECTIONS 10.04.320 AND 10.04.380 OF THE MILWAUKIE MUNICIPAL CODE REGARDING PARKING OF RECREATIONAL VEHICLES AND PRIVATE PLEASURE CRAFTS, AMENDING DEFINITION OF "RIGHT-OF-WAY" AND "STREET"

WHEREAS, there exists a need to prohibit parking of recreational vehicles and private pleasure craft in residential areas of the City to maintain safety of residential streets; and

WHEREAS, a recent code amendment repealed that prohibition.

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. A new section 10.20.060D of the Municipal Code of Milwaukie which will read as follows is hereby adopted:

10.20.060 D. It shall be unlawful for an owner, operator or other person in charge of a recreational vehicle or a private pleasure craft, as defined in Section 19.103, to park or store or permit or cause such vehicle to be parked or stored upon a public right-of-way within a residential zone.

Section 2. Section 10.04.320 of the Municipal Code of Milwaukie is amended to read as follows: (underlined language added)

"10.04.320 RIGHT-OF-WAY

"Right-of-way" means:

A. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other; or

B. An area that allows for the passage of people or goods. Right-of-way includes passageways such as freeways, pedestrian connections, alleys and all streets. A right-of-way may be dedicated or deeded to the public for public use and under the control of a public agency or it may be privately owned. A right-of-way that is not dedicated or deeded to the public is usually in a tract or easement. See also "street".

Section 3. Section 10.04.380 of the Municipal Code of Milwaukie is amended to read as follows: (~~language stricken through is deleted~~, underlined language added):

10.04.380 STREET OR HIGHWAY

"Street" or "highway" means the entire width between the ~~boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic~~ right-of-way lines for vehicular, bicycle and pedestrian traffic and includes the terms "road," "roadway," "highway," "lane," "place," "avenue," "alley" and other similar designations.

Read the first time on 11/16/10, and moved to second reading by 5:0 vote of the City Council.

Read the second time and adopted by the City Council on 11/16/2010.

Signed by the Mayor on 11/16/10.

Jeremy Ferguson, Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:
Jordan Schrader Ramis, PC

C. Phillips