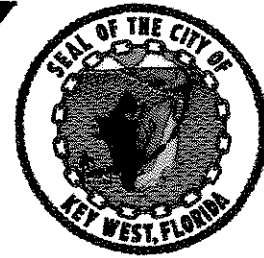


EXECUTIVE SUMMARY



TO: Jim Scholl

FROM: John Wilkins, Parking Manager

DATE: June 7, 2012

SUBJECT: Code of Ordinance Change proposal for trailered vessels and Recreational Vehicles (RVs).

Action statement:

The City of Key West City Commission directed City Staff to explore options for changing the City Code of Ordinances to allow trailered vessels to park in the City right-of-way.

The following proposed Ordinance change would provide for a permit process allowing residents to park their trailered vessel and Recreational Vehicles in front of their residence with an annual permit with various stipulations and requirements.

Background:

Current City Ordinance Section 108-680 prohibits parking Recreational Vehicles, Boats and Trailers in the City right-of-way. Additionally, the City has other ordinances that effectively ban the practice. Section 70-116 (a)(5) prohibits storage of vehicles in City right-of-way for more than 72 hours. Section 70-462 prohibits vehicles more than 20 feet in length parking in City right-of-way.

Current enforcement practice for this ordinance by Key West Police, City Code Enforcement and City Parking Division is complaint driven. When a complaint is received, a City Employee visits the site to investigate. If a Boat or RV is discovered parked in the City right-of-way, a Notice of Violation is affixed to the vehicle. Commonly called a "Red Tag", this document gives the owner of the vehicle written notice that the vehicle will be towed if not removed within a specific amount of time – usually 3 days. After the time period expires, the City Employee revisits the site. If the vehicle is removed, the case is closed. If the vehicle is still in violation, the Employee begins the tow process. The City investigates every complaint it receives.

This manner of enforcement is not very effective. Owners of vehicles in violation frequently move their vehicle for a few days and then return it to the same location. Often conflict between neighbors occurs because the investigation began with a complaint. Confusion about the ordinance is generated because of the large number of vehicles in violation – people assume the ordinance is not enforced or that it is enforced selectively. On occasion vehicles are towed and later it is discovered the owner was out of town on vacation or in hospital.

Recommendation:

Staff has drafted a change to the existing ordinances allowing for a permit to store trailered vessels in the City right-of-way in a similar manner to ordinance section 70-467 which provides for an Owners Permit to park RVs in City right-of-way.

This ordinance change would allow owners of trailered vessels and RVs who are City Residents to apply for a right-of-way permit for trailered vessel or RVs registered to them to park in front of their residence in the City right-of-way. It would provide for a fee for the permit. The permit would expire annually and would not be transferable. The following suggested criteria would need to be met for the permit to be issued.

- Limited to the Single Family (SF) Zoning District.
- Limited to Streets wide enough to allow legal on-street parking.
- Residents who do not have parking on their side of street must obtain a letter of non-objection from owner of residence the vehicle will be obscuring.
- Renters or lease holders must provide a letter of non-objection from the property owner.
- Trailered vessel or RV max. length is 32' and width 10'
- In no case shall parking interfere with emergency vehicle access; travel lane must be maintained at a minimum of 14 feet in width.
- Maintain line of sight at street corners and driveways.
- Permit does not intend to grant exclusive parking rights in City right-of-way in front of residence. If the parking space is occupied upon return from an outing, the permit holder must find another place to store the trailered vessel or RV until the space is vacated.
- Vessel must be stored on a trailer in the City right-of-way.
- Vessel and trailer or RV must maintain current registration.
- Vessel and trailer or RV must be maintained in working order.
- No greasing or repair of vessel or RV in City right-of-way.
- Vessel or RV must be removed with official notice from the City.
- Parking would be prohibited where indicated by official sign or markings.
- All other prohibited parking regulations would apply i.e. 15 feet from fire hydrant, 20 feet from crosswalk, cannot park on bike path, no parking against traffic, etc...

- City reserves the right to terminate the permit with notice to the permit holder if necessary for public purpose or misuse without compensation to permit holder.

This permit would be administered by the City's right-of-way Coordinator and would require a site inspection and permit fee. A \$500.00 per year fee has been proposed. On average, it would cost approximately \$4,000.00 to dry rack store a boat at local marinas.

Upon passage a Public Service Announcement would be sent to all local media informing them of the change and that the City will now be proactive in the enforcement of City Ordinances prohibiting RVs, Boats, Trailers and such from parking in the City right-of-way. City Staff will canvas the City and a "red tag" notice of violation will be affixed to the vehicles in violation. There will be a 30 day grace period from the announcement to allow owners to make other arrangements for their vehicles or apply for permit. At the expiration of the 30 day grace period, any vessels remaining in violation will be cited and towed.

From that day, City employees from the 3 divisions charged with enforcement of these ordinances will actively patrol the City right-of-way, issue a citation and a 24 hour "red tag" notice of violation, then tow the vehicles still in violation after 24 hours. After this notice is given and the vehicle, as identified by tag or registration, is in another location in the City right-of-way it will be towed upon discovery.

Financial Impact:

There is minimal financial impact to the City this change.

It would require increased staff effort but could be absorbed with current staff levels. The permit fee would have a positive financial impact to the City. We estimate there are 200+ boats currently in the City right-of-way but it is not possible to predict the number that would seek right-of-way permits. There are 6 RVs with current permits.