

AN ORDINANCE REGULATING THE USE OF RESIDENTIAL AREAS FOR THE PARKING/STORAGE OF COMMERCIAL VEHICLES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FOLEY, MISSOURI, AS FOLLOWS:

Section 1: That cities of the fourth class, Foley being such, have the power under RSMo Section 79.410 through Section 79.450, as amended, to regulate activities within the city.

Section 2; Any of the following specified acts shall constitute an unauthorized commercial use of land in any residential area and is a violation of this title.

- A.) Residential area is any property that is not used for business, not require a business license from the State of Missouri and/or the City of Foley, Missouri and is not covered by Ord. #185 of the City of Foley, Missouri

Section 3. **COMMERCIAL VEHICLE:** Any motor vehicle exceeding twenty-four (24) feet in length, or seven and one-half (7 1/2) feet in height, or seven and one-half (7 1/2) feet in width, each measured from the furthest points of the exterior of the motor vehicle body and any accessory affixed thereto. For purposes of this Section, any trailer shall be deemed to be a commercial vehicle having a gross weight greater than 10,000 pounds unless it meets the the guide lines of Ord.# 176 of the City of Foley, Missouri.

Section 4. **PARKING REQUIREMENTS FOR COMMERCIAL VEHICLES:**

- A. No commercial vehicle shall be parked in a residential area except those commercial vehicles temporarily parked while actively loading/unloading or delivery to a residential dwelling. At which time it is parked for a period of time not to exceed two (2) hours in the aggregate in any twenty-four (24) hour period.
- B. Parking at one time in any residential area or upon any street adjacent thereto, of two or more commercial vehicles, commercial trucks, and/or commercial trailers, as defined, by any person having possession or control thereof. "Park" is defined as the permitting of a vehicle to remain standing on a public street, highway, or on private property, while not in use.

Section 5. Existing violations within the residential area of the City of Foley. Conditions that are not in the best interest of the residents and the residential areas of the City of Foley, in as, unsightly, creates negative impact values on surrounding dwellings, creates additional habitat areas for vermin. This ordinance allows for the abatement of the existing violation by granting

thirty (30) calendar days for the removal of such violation. This removal will begin upon notification of the violation by the Chief of Police or the Mayor in the absence of the Chief of Police. Any appeal for an extension must be made in writing to the city clerk by the property owner within two (2) weeks of the next monthly board meeting. A variance can be granted due to proof of current employment using a motorized truck tractor only by the applicant. This will not apply to a non-motorized trailer. This variance must be approved by the Foley Board of Aldermen.

Section 6: It shall be a violation of this ordinance for any person/property owner to allow use of their property for the parking of commercial vehicles as herein stated. The investigating officer for the city is thereby granted access to the area of violation.

Section 7: Any person who violates this section/ordinance upon conviction may be punished by a fine not to exceed Five Hundred Dollars (\$500.00) per occurrence.

READ THREE TIMES AND APPROVED THIS 16th DAY OF March, 2011.

Kenneth L. Jospensky
MAYOR

ATTEST:

Sylvia J. Celber
CITY CLERK

