

ORDINANCE NO. 2015 – 11

An Ordinance to Amend the City of Hobart Municipal Code Concerning Residential Parking and Parking-Related Structures

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) has taken notice of a number of instances in which the current Municipal Code of the City (“Code”) fails properly to regulate the parking of vehicles at or near residential properties of the City; and

WHEREAS, the Council also notes instances where the Code prohibits common practices relating to residential parking which are not harmful to the peace and health of the City and the elimination of which will result in proper enforcement of other existing Code provisions which govern parking and structures related thereto; and

WHEREAS, certain other residential parking-related structures and practices should be the subject of regulation by ordinance and the Council believes that these should be the subject of immediate regulation; and

WHEREAS, the Council desires, through this Ordinance, to address these matters legislatively and to spread same upon the public record.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: The Municipal Code of the City of Hobart, Indiana (“Code”) is hereby amended by striking out subsection (A) of §154.358, such subsection entitled “*Use of parking facilities,*” and inserting in lieu thereof the following new subsection (A):

(A) Use of parking facilities. All off street parking in R-1, R-2 and R-3 zoning classifications shall be in an enclosed parking structure or on an exterior improved surface, except as set forth in this subsection. Off-street parking facilities accessory to residential use and developed in any residential district in accordance with the requirements of this section, including driveways for detached single dwellings or multi-units in R-1, R-2 and R-3 zoning classifications, as illustrated in subsection (H) of this section, shall be used solely for the parking of passenger automobiles, trailers or other vehicles with a Gross Vehicle Weight Rating of 11,000 pounds or less owned, leased or rented by an occupant or the employer of an occupant of the dwelling structure to which such facility, driveway or off-street parking location is accessory for guests, customers, or invitees of such occupant.

(1) Under no circumstances shall parking facilities accessory to residential structures, including driveways and off-

street parking locations of detached single dwellings or multi-units in R-1, R-2 and R-3 zoning classifications, be used for the parking or storage of commercial vehicles or for the parking of automobiles belonging to employees, owners, tenants, visitors, or customers of business or manufacturing establishments, except that each occupant of a residentially zoned property shall be allowed to park one (1) commercial vehicle with a Gross Vehicle Weight Rating of 11,000 pounds or less owned, leased or rented by the occupant or the employer of the occupant of the dwelling structure to which such facility, driveway or off-street parking location is accessory.

(2) Vehicles and trailers parked in a driveway or unenclosed off-street parking location of a detached single dwelling or multi-unit in R-1, R-2 and R-3 zoning classifications must be in running order, ~~and must have current registration.~~

(3) On residential parcels of less than ten thousand square feet (10,000 sq. ft.), a single trailer, or on residential parcels of ten thousand square feet (10,000 sq. ft.) or more, up to two (2) trailers, that are owned by the resident and in operating condition may be parked on driveways and off-street parking locations of detached single dwellings or multi-units in R-1, R-2 and R-3 zoning classifications and in rear or side yards of same on any surface unless forbidden by applicable restrictive covenants.

(4) Parking of any vehicle or trailer in the front yard, other than upon a driveway, or off-street parking location properly constructed pursuant to the requirements of subsection (E) and (H) of this section, is prohibited.

~~Up to a total of two (2) recreational trailers for boats, snowmobiles, 4-wheelers, motorized cycles, camping, golf carts or other recreational uses, and recreational vehicles owned by the resident that are in operating condition may be parked on driveways and off-street parking location of detached single dwellings or multi-units in R-1, R-2 and R-3 zoning classifications and in rear or side yards of same on any surface, (unless forbidden by applicable restrictive covenants) but parking such vehicle units in the front yard, other than upon a driveway, or off-street parking location properly constructed pursuant to the requirements of subsection (E) and (H) of this section, is prohibited.~~

~~(4) A single box trailer or commercial trailer that is in operating condition may be parked upon an improved driveway or off-street parking location properly constructed pursuant to the requirements of subsection (E) and (H) of this section.~~

(5) There are no restrictions on the number or type of

vehicles or trailers that may be parked in an enclosed parking facility.

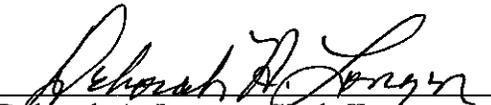
SECTION TWO: This ordinance shall become effective upon its adoption in the manner required by law, and upon publication thereof pursuant to I.C. §36-3-4-6-14(b) in two newspapers of general circulation published within the City pursuant to I.C. §5-3-1-4 (a).

SECTION THREE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

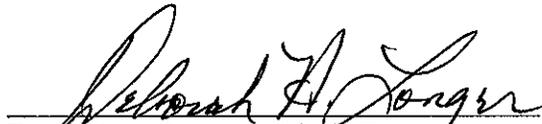
ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 19th day of August, 2015.



Presiding Officer

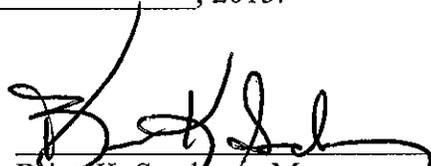
ATTEST: 
Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 19th day of August, 2015 at the hour of 6:45 pm

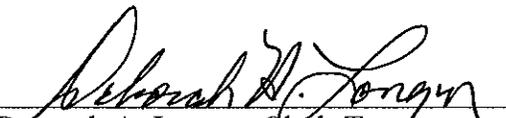


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 19th day of August, 2015.



Brian K. Snedecor, Mayor

ATTEST: 
Deborah A. Longer, Clerk-Treasurer