ORDINANCE NO. 184660

AN ORDINANCE introduced by Councilmember John Alcala amending City of Topeka Code § 142-355 to include a provision allowing for the waiver of the provisions of the code section relating to parking on unimproved surfaces, and specifically repealing said original section.

BE IT ORDAINED BY THE GOVERNNG BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. City of Topeka Code § 142-355, Parking of vehicles on non-paved surfaces, is hereby amended to read as follows:

Parking of vehicles on non-paved surfaces.

(a) It shall be unlawful for any person to park or allow to be parked any vehicle or machinery on the backyard of a residential lot for more than six (6) months or on any other part of a residential lot for any period of time unless the area used for parking is improved with at least four (4) inches of rock, gravel, paver brick, asphalt, or concrete.

(b) Subsection (a) shall not apply to any vehicle or machinery which displays a special license plate or placard issued to a person with a disability by the Director of Vehicles, Kansas Department of Revenue in accordance with K.S.A. 8-1, 125 and amendments thereto. This section shall not apply to any vehicle or machinery which displays acceptable official identification devices issued to persons with a disability by any other state, district or territory recognized by the Kansas Department of Revenue.

(c) For purposes of this section the following definitions shall apply:

(1) Park. Park shall mean to halt a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers or personal property.
(2) **Vehicle or machinery.** Vehicle or machinery shall mean a machine propelled by power other than human power and designed to travel along the ground by use of wheels, treads, runner or slides and which transports persons or property and shall include without limitation an automobile, truck, trailer, recreational vehicle, motorcycle, boat, camper, or tractor.

(d) Police officers and property maintenance inspectors shall have the authority to issue a uniform complaint and notice to appear for violations of this section.

(e) The city council may, by resolution, waive the provisions of subsection (a) of this section at specific properties identified by address for community events or activities designated by the council for periods of time not to exceed two (2) weeks.

**Section 2.** City of Topeka Code § 142-355 is hereby specifically repealed.

**Section 3.** This ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council 

JUN 21 2005

ATTEST:

William W. Bunten, Mayor

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 6/9/05 BY BL
TO BE CODIFIED
NOT TO BE CODIFIED___________

LORD\NON-PAVED SURFACE WAIVER 6/03/05