

**DRAFT #1**  
***For Consideration by the Hastings Planning Commission***  
*December 4, 2017*

**City of Hastings**  
COUNTY OF BARRY, STATE OF MICHIGAN

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**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND CHAPTER 90 OF THE HASTINGS CODE OF 1970, AS AMENDED, BY AMENDING ARTICLE 1, IN GENERAL, ARTICLE 9, SUPPLEMENTARY DISTRICT REGULATIONS, ARTICLE 10, OFF-STREET PARKING

*As recommended by the Planning Commission on \_\_\_\_\_.*

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**THE CITY OF HASTINGS ORDAINS:**

**SECTION I.**

Article 1; Article 9, Division 5; Article 10, Division 1 of Chapter 90 of the Hastings Code of 1970 are hereby amended to AMEND Sec. 90-1 Definitions; Sec. 90-882 Outdoor storage and yards; and Sec. 90-929, Supplemental parking requirements in residential zones, to read as follows (new language in **bold**):

**Sec. 90-1. – Definitions**

*Recreational vehicle* means a vehicular unit not exceeding 36 feet in overall length, eight feet in width, or 12 feet in overall height, ~~when equipped for highway usage~~, which complies with one of the following specific vehicle types:

- (1) *Camper trailer* means a folding or collapsible vehicular unit, without its own motive power, designed as a temporary living quarters for travel, camping, recreation and vacation use, licensed and registered for highway use.
- (2) *Travel trailer* means a vehicular unit, without its own motive power, designed as a temporary living quarters for travel, camping, recreation and vacation use, licensed and registered for highway use.
- (3) *Truck camper* means a portable vehicular unit, without its own motive power, designed to be transported on a power vehicle as a temporary living quarters for travel, camping, recreation and vacation use, and, in combination with the carrying vehicle, is licensed and registered for highway use.

- (4) *Motor home* means a vehicular unit built on or as a part of a self-propelled motor vehicle chassis, primarily designed to provide ~~as a~~ temporary living quarters for travel, camping, recreation and vacation use, and licensed and registered for highway use.
- (5) *Boat trailer* means a vehicular unit without its own motive power, designed to transport a recreational water vessel for recreation and vacation use, licensed and registered for highway use.
- (6) *Horse trailer* means a vehicular unit without its own motive power designed primarily for the transportation of horses and, in combination with the towing vehicle, is licensed and registered for highway use.
- (7) *Utility trailer* means a vehicular unit without its own motive power designed ~~and/or used~~ for the transportation of all manner of motor vehicles, goods or materials, licensed and registered for highway use.
- (8) *Off-Road Vehicle (ORV)* means any motor vehicle designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain, including All-Terrain Vehicles (ATVs), but excluding vehicles originally designed for highway use. An ORV shall be identified with an official ORV decal.**

*Residential use* means land and/or buildings which contain one or more dwelling units.

*Residential zone or district* means the R-R, R-S, R-1, R-2, R-D, R-M, A-1, A-2, A-O, and PUD districts.

***Semi-Trailer* means a detachable freight trailer which, when attached, is supported at its forward end by the rear of a truck tractor or towing vehicle. All semi-trailers must be operable, licensed, and in good repair unless converted for an approved use and no longer designed for highway use.**

*Service station or filling station* means a place where gasoline or other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale at retail to the public, including sale of accessories, oiling and light motor service on the premises, but in no case to include major automotive repairs.

## **Sec. 90-882. - Outdoor storage and yards.**

The outdoor storage, parking, display, accumulation or placing of material, waste, machinery, vehicles in inoperable condition, unlicensed vehicles, trucks, boats **not properly stored on a licensed boat trailer (not including small, non-motorized craft such as kayaks or canoes)**, equipment, furnishing, or the parts

thereof, whether new or used, is prohibited on any residentially zoned lot unless located in the rear yard and then only if garaged or screened from the view of any adjoining property or a public street. This shall not be deemed to include **children's** play or recreational equipment in good repair or other equipment or structures customarily essential and accessory to a residential use.

**Sec. 90-929. - Supplemental parking requirements in residential zones.**

- (1)** ~~All driveways and parking areas shall be maintained in good condition.~~ All driveways and parking areas, **including areas used to access parking spaces**, shall be constructed of stable materials designed and maintained to support parked vehicles, **including, but not limited to, bituminous material, brick pavers, gravel, concrete, or crushed stone**. Parking on bare dirt, mud, grass, debris, refuse and other unstable material in any front yard is prohibited. **All driveways and parking areas shall be maintained in good condition and** any rutting or deformation of the drive or parking surface shall be promptly repaired.
- (2)** Parking spaces and driveways on residential properties shall not occupy in excess of 40 percent of the width of the front yard at any point within such front yard as measured from property line to property line. In the event that drive areas used exclusively to turn vehicles around are present, such turn-around drives shall not occupy in excess of 60 percent of the width of the front yard. ~~No parking shall be allowed in the turn-around area that extends beyond the 40 percent width limitation.~~
- (3) Stopping, standing, or Parking in the following areas shall be prohibited:**

  - a. **between the curb and the sidewalk**
  - b. **between the curb and the right-of-way line**
  - c. **on any curb lawn of any public street**
  - d. **on driveway approaches within the public right-of-way**
- (4) The outdoor parking or storage** of semi-tractors, semi-trailers, or vehicles with two or more rear axles in residential areas is prohibited **except if stored within an enclosed building, provided that the same does not constitute a fire hazard or is prohibited by any ordinance related to buildings and protection of life and property.**
- (5) The parking or storage of semi-tractors, semi-trailers, or vehicles with two or more rear axles on any streets, alleys, or public ways within the City is prohibited, except when actively loading or unloading.**

**The outdoor parking or storage of semi-tractors, semi-trailers, or vehicles with two or more rear axles in any other area is prohibited except:**

- a. Where such parking is necessary in connection with construction activity actually occurring on the property pursuant to a valid and current building permit.**
  - b. For a period of up to 3 hours, or longer as permitted by the Chief of Police, for the purpose of loading or unloading materials, supplies, or inventory to be used in connection with the business activity occurring on the property. Such vehicles and attachments may not be parked for the purpose of storing such materials, supplies, or inventory.**
  - c. Where such vehicles are being offered for sale by a licensed dealership.**
  - d. Where such vehicles are customarily used in connection with the business where the vehicles are parked.**
- (6) The parking or storage of any unattached trailers or other recreational vehicles or equipment as defined in Section 90-1, on any streets, alleys, or public ways within the City is prohibited. No vehicle with a trailer, recreational vehicle, or similar appurtenance shall be parked on any streets, alleys, or public ways within the City for a period of more than 12 hours.**

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## **SECTION II.**

If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

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## **SECTION III.**

This ordinance shall become effective upon its adoption and publication as provided by City Charter.

Moved by Member \_\_\_\_\_, with support by Member \_\_\_\_\_, that **Ordinance No. \_\_\_\_\_** be adopted as read.

YEAS:  
NAYS:  
ABSENT:

**CITY OF HASTINGS**

Adoption Date:  
Effective Date:  
First Reading:  
Second Reading:

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By: Daniel V. King  
Hastings City Clerk

**CERTIFICATE**

The undersigned, being the duly qualified and acting Clerk of the City of Hastings, Michigan, does hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the \_\_\_\_\_ of the City of Hastings, at a regular meeting of the \_\_\_\_\_ on the \_\_\_\_\_, at which meeting a quorum was present and remained throughout, and that the original of said Ordinance is on file in the records of the City of Hastings. I further certify that the meeting was conducted and public notice was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

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Daniel V. King  
City Clerk