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August 24, 2017

Memorandum

To: Ordinance and License Committee
From: Brian Running
Re: Allowing Parking on Driveway Aprons

This is a referral from Alderman Cory Payne. He has asked that Waukesha Municipal Code §7.04(4) be amended to allow parking on driveway aprons between the street and the sidewalk where the apron is large enough to allow it. Presently, doing so is prohibited because the driveway apron is in the terrace, and §7.04(4) prohibits parking in the terrace.

There are properties around the city where the terrace is unusually wide, i.e., an unusually large distance between the curb and sidewalk, so a vehicle can be parked in the apron without hanging over either the street or the sidewalk. These are the properties that the amendment would affect. The majority of aprons in the city are much too small to park in and would not be affected by this change. I've attached drawings to illustrate.

This proposal has been reviewed and approved by the Police Department, Fire Department, and Public Works Department.

Here is a draft of §7.04(4), showing some of the possible options for accomplishing Alderman Payne's objectives, with discussion in red:

(4) Parking on Terraces.

(a) Definitions. As used in this subsection (4), capitalized terms have the following meanings. Refer also to Illustration 1.

- (i)** Apron means that portion of a driveway within a Terrace.
- (ii)** Emergency Vehicle means any vehicle that is operated by any fire department, police department, sheriff's department or any other state or federal law enforcement agency.
- (iii)** Terrace means the area between the curb of a street or an extension of the line of the curb, and the closest edge of the adjacent sidewalk on that street or an extension of the line of that closest edge.

- (b) **General Rule.** No vehicles, motorized or otherwise and including trailers, shall be parked or left standing at any time within Terraces, including Aprons, except for Emergency Vehicles.

The general rule is that there is no parking within terraces, period. The only exception is for parking on aprons. This amendment would not allow parking on the non-apron portions of terraces.

- (c) **Exception for Certain Aprons.** Regardless of subsection (b), the owner of a property may park a motor vehicle on the Apron of a driveway that accesses that owner's property, if the following requirements are met:

This draft would allow only the owners of properties to park in the apron of their own driveway. Otherwise, anyone could park in anyone else's apron. This could be expanded to include the owner's invitees, permittees, or tenants. Our parking enforcers wondered whether this would require them to verify ownership and address before they could write a ticket. Our response was that tickets would only be written upon the complaint of the owner – the owner will certainly call if someone else is parking on their apron.

- (i) The Apron is at least 20 feet long from the line of the curb to the line of the sidewalk, measured perpendicularly to the center line of the street.

20 feet is the standard length of a street parking space. Requiring the apron to be 20 feet long minimizes the chance that vehicles will overhang onto the street or sidewalk.

- (ii) The motor vehicle is oriented perpendicularly to the center line of the street.

The thought here is that if parallel parking is allowed in aprons, there's a greater chance that others will see it and think that parking on aprons is okay anywhere in the City. There are a lot of aprons in the City that are wide enough to parallel park a car in them, but which are not 20 feet in length perpendicular to the road.

- (iii) No part of the motor vehicle, including any accessories and equipment attached to the motor vehicle, extends beyond the Apron and across the plane of the curb or sidewalk, or onto the adjacent Terrace.

- (iv) No trailers or RVs may be parked on Aprons.

We are absolutely certain that parking trailers or RVs on aprons would generate a lot of neighbor complaints. We also believe that parking on aprons in general may bring complaints, but for sure, boats, ATVs or snowmobiles on trailers, or RVs, will generate complaints.

There are other options that could also be considered, such as requiring a permit, prohibiting apron parking between 2 am and 5 am, allowing apron parking only in certain zoning districts, etc. If the Committee considers such other restrictions, we advise that there be a genuine purpose served by imposing them.

A proposed ordinance with redline is also attached.

City of Waukesha, Wisconsin

Ordinance No. _____-17

**An Ordinance Amending Section 7.04 of the Waukesha Municipal Code,
Regarding Parking on Driveway Aprons within Terraces**

The Common Council of the City of Waukesha do ordain as follows:

Section 1. Subsection (4) of Waukesha Municipal Code §7.04 is amended to read in its entirety as follows:

(4) Parking on Terraces.

(a) Definitions. As used in this subsection (4), capitalized terms have the following meanings. Refer also to Illustration 1.

(i) Apron means that portion of a driveway within a Terrace.

(ii) Emergency Vehicle means any vehicle that is operated by any fire department, police department, sheriff's department or any other state or federal law enforcement agency.

(iii) Terrace means the area between the curb of a street or an extension of the line of the curb, and the closest edge of the adjacent sidewalk on that street or an extension of the line of that closest edge.

(b) General Rule. No vehicles, motorized or otherwise and including trailers, shall be parked or left standing at any time within Terraces, including Aprons, except for Emergency Vehicles.

(c) Exception for Certain Aprons. Regardless of subsection (b), the owner of a property may park a motor vehicle on the Apron of a driveway that accesses that owner's property, if the following requirements are met:

(i) The Apron is at least 20 feet long from the line of the curb to the line of the sidewalk, measured perpendicularly to the center line of the street.

(ii) The motor vehicle is oriented perpendicularly to the center line of the street.

(iii) No part of the motor vehicle, including any accessories and equipment attached to the motor vehicle, extends beyond the Apron and across the plane of the curb or sidewalk, or onto the adjacent Terrace.

(iv) No trailers or RVs may be parked on Aprons.

Section 2. All ordinances, or portions of ordinances, inconsistent with this ordinance are hereby repealed.

Section 3. This Ordinance shall be effective immediately upon its publication.

Passed the _____ day of _____, 2017.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk

(4) **No Parking on Terraces.** ~~No person shall park or leave standing~~

(a) **Definitions.** As used in this subsection (4), capitalized terms have the following meanings. Refer also to Illustration 1.

(i) **Apron** means that portion of a driveway within a Terrace.

(ii) **Emergency Vehicle** means ~~any motor vehicle, except an emergency vehicle attended~~ vehicle that is operated by any fire department, police department, sheriff's department or ~~any other state or unattended,~~ federal law enforcement agency.

(iii) **Terrace** means the area ~~between the curb line (terrace area)~~ of a street or an extension of the line of the curb, and the closest edge of the adjacent sidewalk on ~~any street;~~ that street or an extension of the line of that closest edge.

(b) **General Rule.** No vehicles, motorized or otherwise and including trailers, shall be parked or left standing at any time within Terraces, including Aprons, except for Emergency Vehicles.

(c) **Exception for Certain Aprons.** Regardless of subsection (b), the owner of a property may park a motor vehicle on the Apron of a driveway that accesses that owner's property, if the following requirements are met:

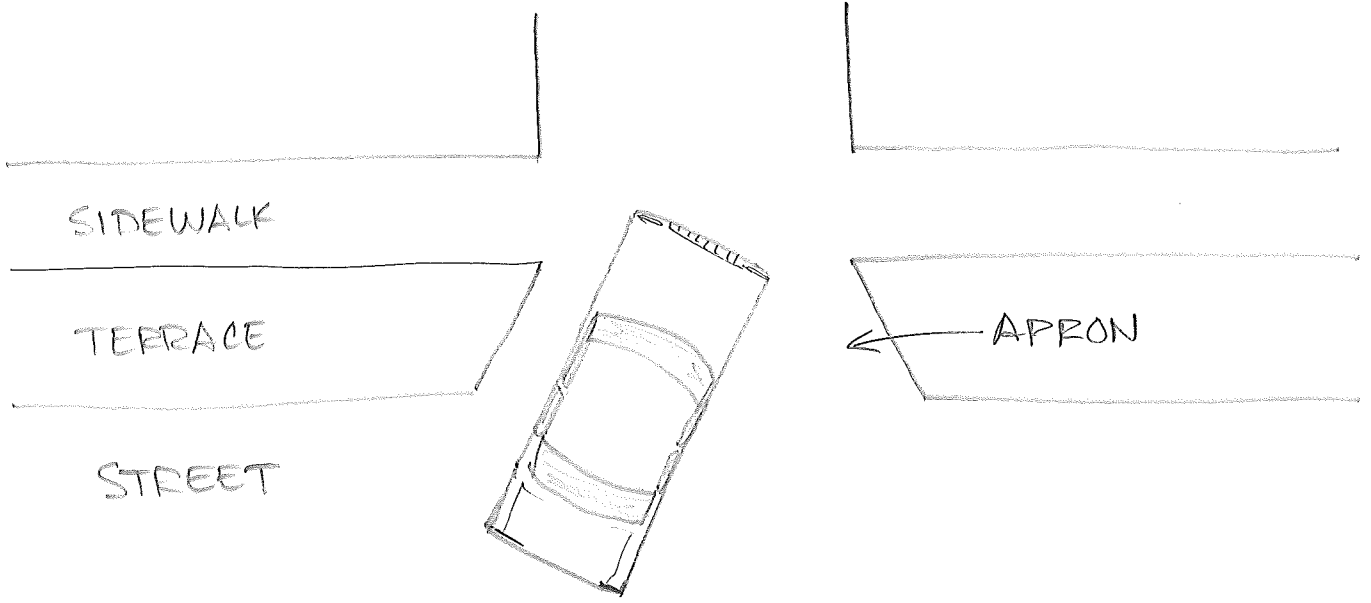
(i) The Apron is at least 20 feet long from the line of the curb to the line of the sidewalk, measured perpendicularly to the center line of the street.

(ii) The motor vehicle is oriented perpendicularly to the center line of the street.

(iii) No part of the motor vehicle, including any accessories and equipment attached to the motor vehicle, extends beyond the Apron and across the plane of the curb or sidewalk, or onto the adjacent Terrace.

(iv) No trailers or RVs may be parked on Aprons.

TYPICAL DRIVEWAY



WIDE TERRACE

