



ORDINANCE NO. 24-718

AN ORDINANCE OF THE CITY OF WINSTON OREGON CITY COUNCIL AMENDING THE WINSTON MUNICIPAL CODE TITLE VII, CHAPTER 71, SECTIONS 71.03 AND 71.25, REGARDING PARKING IN CERTAIN PUBLIC SPACES AND ADDING NEW SECTIONS 71.30, 71.31 AND 71.32 OUTLINING NOTICING STANDARDS, PERMITTING REQUIREMENTS AND REVOCATION OF PERMITS.

WHEREAS the Winston City Council recognizes the systemic issue within the corporate limits with recreational vehicles, trailer coaches, motor homes, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means, currently being stored on city jurisdictional streets and right of ways; and,

WHEREAS these vehicles are often being utilized as permanent dwellings without permit or authorization from the jurisdictional body and they pose a threat to the goal and vision of the city of Winston to maintain and clean and beautified public space; and,

WHEREAS a revision of the prohibited parking area of the Winston Municipal Code is necessary to provide the Winston Police Department and Code Compliance additional tools to assist the city in maintenance and beautification efforts.

NOW, THEREFORE, THE CITY OF WINSTON OREGON CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 71 Section 71.03 of the Winston Municipal Code related to camping is amended as follows:

71.03 PROHIBITED PARKING.

No operator shall park and no owner shall allow a vehicle recreational vehicle, trailer coach, motor home, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means, to be parked upon a street for the principal purpose of:

(A) Displaying ~~a the vehicle~~ recreational vehicle, trailer coach, motor home, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means for sale;

(B) Repairing or servicing ~~the vehicle~~ recreational vehicles, trailer coaches, motor homes, utility trailer and any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means except repairs necessitated by an emergency;

(C) Displaying advertising from ~~the vehicle~~ recreational vehicles, trailer coach, motor home, utility trailer and any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means; or

(D) Selling merchandise from ~~the vehicle~~ recreational vehicles, trailer coach, motor home, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means except when authorized.

(E) Parking, storing or leaving recreational vehicles, trailer coaches, motor homes, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles

that are propelled or powered by any means on a public street, right of way or public property under the jurisdiction of the city of Winston for longer than 24 hours unless the trailer coach, motor home or utility trailer is owned by a public agency

(F) Parking, storing or leaving recreational vehicles, trailer coaches, motor homes, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means on a public street or right of way that blocks access to mail boxes.

SECTION 2. Chapter 71 Section 71.25 is amended as follows:

71.25 CITATION AND TOWING ON ILLEGALLY PARKING VEHICLE.

Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this chapter, the officer finding the vehicle shall **may** take its license number and any other information displayed on the vehicle which may identify its owner, and shall **may** conspicuously affix to the vehicle a traffic citation for the operator to answer to the charge against him or her or pay the penalty imposed within seven days during the hours and at a place specified in the citation. **If the violation has not been resolved within 24 hours the recreational vehicle, trailer coach, motor home, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means that remains upon public or private property in violation of this subsection may be abated by the Chief of Police or designee using the procedures as are provided in state law applicable to abandoned vehicles (See ORS 819.110).**

SECTION 3. Section 71.30 is hereby created and added as follows:

71.30 NOTICING STANDARDS.

(A) The Winston City Manager, Chief of Police or designee shall apply noticing standards consistent with Oregon Revised Statutes 819.110 on any recreational vehicle, trailer coach, motor home, utility trailer or any other type of vehicle drawn upon a public highway and includes vehicles that are propelled or powered by any means, that is determined to be in violation of Chapter 71 of the Winston Municipal Code. Such a notice shall include details regarding time limitations, towing procedures, storing location of the vehicle in question and expressed rights of the owner of the vehicle.

SECTION 4. Section 71.31 is hereby created and added as follows:

71.31 PERMIT REQUIREMENTS

(A) Before any person or property owner places a recreational vehicle, trailer coach, motor home, utility trailer or any other type of vehicle drawn upon a public highway or right of way including vehicles that are propelled or powered by any means, he or she must obtain a written permit from the City Manager or designee. The application for the permit shall include a description of the property, the name of the property owner, and the amount of time requested for the storage of the vehicle in question in public space. The City Manager or designee shall issue the permit if the proposal is determined to mitigate the hardship and does not pose a threat to the general public or welfare of the area.

SECTION 5. Section 71.32 is hereby created and added as follows:

71.32 REVOCATION OF PERMIT

(A) The City Manager or designee may at any time revoke the permit for any violation of this subchapter and require the vehicle in question be removed from public space. The owner may appeal the action to the City Council by giving notice of an appeal to the City Recorder one week prior to a Council meeting, but in no case shall an appeal be allowed more than 60 days after the permit has been revoked.

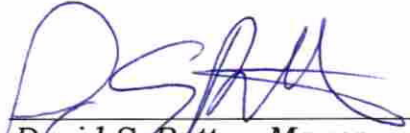
SECTION 6. Section 71.03 and 71.25 of the Winston Municipal Code is amended as set forth above. The additional provisions of 71.30, 71.31 and 71.32 are set forth above.

SECTION 7. Such supplements shall be deemed published as of the day of its adoption and approval by the Council, and the City Recorder is hereby authorized and ordered to insert such supplements into the copy of the Code of Ordinances kept on file in the Office of the Recorder.

SECTION 8. This ordinance shall go into effect 30 days after its adoption.

FIRST READING BY THE CITY OF WINSTON OREGON CITY COUNCIL ON THIS 4th DAY OF NOVEMBER 2024.

SECOND READING BY THE CITY OF WINSTON OREGON CITY COUNCIL ON THIS 18th DAY OF NOVEMBER 2024.



David S. Rutter, Mayor

Attest:



Thomas McIntosh, City Manager