

ORDINANCE NO. 2013-17

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 17 "NUISANCES" OF THE PEORIA CITY CODE (1992), BY AMENDING SECTION 17-3 "PUBLIC NUISANCES; PROHIBITION" OF THE PEORIA CITY CODE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. Chapter 17 of the Peoria City Code (1992) shall be amended to read as indicated on Exhibit A.

SECTION 2. Effective Date. This Ordinance shall become effective on the date provided by law.

SECTION 3. SEPARABILITY. If any 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 decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona this 17<sup>th</sup> day of September, 2013.

  
\_\_\_\_\_  
Bob Barrett, Mayor

9/21/13  
\_\_\_\_\_  
Date Signed

Ordinance No. 2013-17  
September 17, 2013

ATTEST:

Bronda Herminski  
City Clerk



APPROVED AS TO FORM:

Stephen J. Bungfer  
Stephen M. Kemp, City Attorney

Published in: Peoria Times  
Pub. Dates: September 27 and October 4, 2013  
Effective Date: October 22, 2013

## EXHIBIT A

### CHAPTER 17 – NUISANCES

Sec. 17-3. Public nuisances; prohibition.

The following acts, omissions, conditions, and things in or upon any land or structure in the City constitute public nuisances, the existence of which are hereby prohibited and declared to be unlawful:

(a) It shall be unlawful for any person to cause or allow any abandoned or inoperable vehicle to be stored or placed on, or allowed to remain on, any property except in complete conformance with the terms of this Subsection. All abandoned or inoperable vehicles or vehicles in residential areas being restored or repaired for longer than 48 consecutive hours within a fourteen (14) consecutive day period, starting the first day the vehicle is located unscreened shall be stored safely within a lawful, permitted enclosed building or structure having a perimeter composed of rigid walls and a roof or screened by a lawful six foot fence, or shall be stored on the premises of a business enterprise operated in a lawful place and manner in accordance with the provisions of the Peoria City Code where the storage of the vehicle is necessary to the operation of the business enterprise.

(b) It shall be unlawful to park or store any vehicle within the front, side or rear yard of a single or multi-family residence use unless such parking or storage is on an improved, dustproof-parking surface such as concrete asphalt, "chip seal", or crushed rock or aggregate that is a minimum of three inches thick. All crushed rock or aggregate shall be contained by a permanent border and must be treated with a dust palliative in such a manner as to prevent the release of fugitive dust. The property owner and/or legal occupant of the property shall be under a continuous duty to maintain the parking surface in a manner to meet the minimum requirements of this subsection and to treat crushed rock or aggregate not less than two (2) times a year with a dust palliative. Parking within the front yard of a single residence use shall be on or contiguous to a legal driveway ~~provided such parking does not exceed a maximum of 35% of the front yard area, except on lots less than 7,000 square feet in which case the excess vehicle and visitor parking may be located on up to 50% of the front yard.~~ Parking within the side or rear yard of a single residence use shall have continuous access to a legal driveway meeting the dustproof requirements of this subsection.

(c) Any existing single or multi-family residence having unimproved parking shall by October 1, 2009 improve all existing parking areas with a dustproof-parking surface such as concrete asphalt, "chip seal", or crushed rock or aggregate that is a minimum of three inches thick. All crushed rock or aggregate shall be contained by a permanent border and must be treated with a dust palliative in such a manner as to prevent the release of fugitive dust. The property owner and/or legal occupant of the property shall be under a continuous duty to maintain the parking surface in a manner to meet the minimum requirements of this subsection and to treat crushed rock or aggregate not less than two (2) times a year with a dust palliative.