

Salinas, California

For 25 years, the city of Salinas, California, had an ordinance that prohibited the parking of RVs on city streets; the ordinance specified that RVs were to be parked on private property and screened from sight. Few RV owners were aware that the ordinance existed until 1989, when the city hired a code enforcement officer who started issuing tickets to illegally parked RVs. Most were on private property, but they were not screened from sight. A hue and cry from RV owners prompted the city to put a temporary moratorium on enforcing the ordinance while a committee studied the issue, but the compromise the city proposed didn't change anything or improve the situation for RV owners.

At the time the RV parking issue erupted, Bob Taylor, a lawyer, was the only pro-RV member of the Salinas City Council, but he did not carry enough clout to come to the rescue of RV owners. Not satisfied with the city's actions, RV owners formed RV Owners of Salinas and engaged the services of Taylor, who was no longer a member of the city council. The RV owners appealed to the council to reconsider the issue, but their plea fell on deaf ears. The RV owners then put the RV-parking issue on a ballot, but the issue lost by a landslide. That's when the RV owners, under the guidance of Taylor, took a new approach. In California, the city has only the authority given to it by the state legislature over streets and highways. If a city chooses to impose parking restrictions beyond the 72-hour street-parking limit provided for by the state, there is a state code section that requires the city to post these parking ordinances on signs before they can be enforced. Taylor claimed that the city's ordinance prohibiting RV parking on streets could not be enforced since the required signs were not in place. To legally enforce the ordinance, the city would have to post signs every 250 feet on streets where the restrictions were to apply. Armed with this information, RV owners took their grievance to the administration-hearing officer, but, as anticipated, they lost. Undaunted, they appealed to the Municipal Court where a trial was held, but again the RV owners lost.

The next step was an appeal to the Superior Court, and it was there, during a hearing before three judges, that the RV owners won a sweet victory. The Superior Court overturned the Municipal Court's ruling and said that the city cannot prohibit street parking without posting the signs as required by the state code. As Taylor pointed out, at a cost of \$150 to purchase and install each sign, it would be an extremely costly venture that would irritate taxpayers footing the bill. That leaves the city with the option of changing the existing ordinance and allowing RV owners to park their vehicles on their property, or having the rigs parked on the streets, which is not a desirable option to RV owners, who must move their vehicles every 72 hours, or to non-RV owners or the city. The Good Sam Club does not encourage or condone long-term street parking for RVs. It does encourage reasonable street parking limits for loading/ unloading vehicles (usually 72 hours), but the Club discourages RV owners from demanding the right to store their vehicles on city streets. However, RV owners moved their rigs to the streets in an effort to

encourage the city to cooperate with RV owners in providing reasonable ordinances for parking their vehicles on their own property.

Since RV storage facilities will not accommodate the vast number of RVs in Salinas and many other California communities, it was the only recourse, short of selling their rigs, left to RV owners. The Salinas situation bears watching. After the Superior Court ruled in favor of the RV owners, the city approached the state about enacting a law that would have eliminated the need for posting signs in order to enforce a city parking ordinance, but the issue was not introduced to the legislature.

Sec. 37-50.190. The purpose of this section is to minimize adverse aesthetic impacts that large vehicles have.

- *Recreational Vehicle: Any travel trailer or other vehicular portable structure designed to be used as a temporary occupancy for travel or recreation use, including, but not limited to, any motor home, truck slide-in camper, fifth wheel trailer, tent trailer, animal trailer, (any trailer used for transporting recreational vehicles, any type of three- or four-wheeled sport racing vehicle, any boat or boat trailer, any raft, aircraft, dune buggy, snowmobile, jet skis, all-terrain vehicle, and vehicle dolly. (37:50.190 (b)(4))*
- *No parking in the front, corner or street yard. (37:50.60(c))*
- *Temporary parking or storage on any front yard or corner side yard is provided such temporary parking or storage complies with ALL of the following: (37:50.60 (d)(4))*
- *Recreational vehicle parking or storage shall be limited to forty-eight hours in a seven-day period for purposes of loading and unloading; (37:50.60 (d)(4)(A))*
- *Recreational vehicles shall be parked on a paved driveway (which provides access to the required parking for the site and meets the requirements of Section 37-50.450: Driveways) when parked in the front yard or corner side yard; (37:50.60(d)(4)(B))*
- *Recreational vehicles shall not be parked over or onto a public sidewalk; (37:50.60 (d)(4)(C)) and*
- *No person who owns or has possession, custody, or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two hours. (37:50.60 (d)(4)(D) which is (20-49).*
- *Parking or storage on any rear yard or interior side yard is allowed provided such parking or storage complies with all of the following: (37:50.60 (d)(5))*
- *It is screened from view of public or public streets and other lots by a solid fence or wall six feet in height; and (37:50.60 (d)(5)(A))*
- *It does not impede safe entry to or exit from any residential structure or be so located so as to inhibit emergency access to and from any structure. (37:50.60 (5)(B))*
- *The storage of a junked or derelict recreational vehicle is prohibited. Recreational Vehicles shall be junked or derelict when the cost of repairs to restore such vehicles to operating condition exceeds twenty-five percent of the replacement cost of the recreational vehicles in good working condition. (37:50.60 (5)(C))*

- *The use of Recreational Vehicles for living or sleeping purposes is prohibited unless: (37:50.60 (5)(D))*
- *Guests with Recreational Vehicles may occupy and park temporarily on a residential lot, provided the temporary occupancy does not exceed seventy-two hours each calendar month, and the recreational vehicle shall be parked on a paved driveway (which provides access to the required parking for the site and meets the requirements of Section 37- 50.450: Driveways, and the recreational vehicle shall not be parked over or onto a public sidewalk.) (37:50.60 (6(A-C)*
- *Occupancy of any recreational vehicle is permitted on a public street or on any lot during an officially declared state of emergency. (Ord. No. 2463 (NCS).) (37:50.60 (7)*