

1 (Published in the Topeka Metro News June 17, 2024)

2
3 **ORDINANCE NO. 20494**

4
5 AN ORDINANCE introduced by Councilmember Neil Dobler concerning parking of
6 vehicles on residential property, amending § 10.60.120 of the
7 Topeka Municipal Code and repealing original section.
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9 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

10 Section 1. That section 10.60.120, Parking of vehicles on residential property,
11 of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

12 **Parking of vehicles on residential property.**

13 (a) *Definitions.* For purposes of this section the following definitions shall
14 apply:

15 (1) "Driveway" is a paved or graveled area that is intended for off-street
16 vehicular parking.

17 (2) "Park" or "parking" shall mean the standing of a vehicle or machinery
18 on or over a paved or graveled area, whether occupied or not, other than
19 temporarily for the purpose of loading or unloading property or passengers.

20 (3) "Paved or graveled area" shall mean (i) an area comprised of a solid,
21 permanent surface constructed of asphalt, concrete, stone, brick or other similar
22 material of sufficient dimension to accommodate the entire vehicle or machinery,
23 with no overhang onto dirt or grass; or (ii) an area comprised of a loose
24 aggregation of rock fragments (e.g., gravel) thick enough to prevent grass,
25 weeds and dirt from permeating or penetrating through and of sufficient
26 dimension to accommodate the entire vehicle or machinery, with no overhang
27 onto dirt or grass.

28 (4) "Vehicle or machinery" shall mean a machine propelled by power
29 (other than human power) that is designed to travel along the ground by use of
30 wheels, treads, runners or slides and transport persons or property. "Vehicle or
31 machinery" shall include, without limitation, automobiles, trucks, trailers,
32 recreational vehicles, motorcycles, boats, campers, or tractors.

33 (b) Prohibitions – Enforcement – Waiver.

34 (1) It shall be unlawful for ~~an owner of real property~~any person to park, or
35 allow to be parked, any such vehicle or machinery on the back yard of a
36 residential lot for more than ~~six~~three (3) months, or on any other part of a
37 residential lot for any period of time, unless on a paved or graveled area or on a
38 driveway, as defined by subsections (a)(1) and (a)(~~3~~2) of this section. Such
39 paved or graveled area or driveway must be maintained free of vegetation, debris
40 and standing water.

41 ~~(2) Subsection (b)(1) of this section shall apply to any motor vehicle that~~
42 ~~displays a special license plate or placard issued to a Kansas resident who is a~~
43 ~~person with a disability or is responsible for the transportation of a person with a~~
44 ~~disability in accordance with K.S.A. 8-1,125 and 8-1,126 and amendments~~
45 ~~thereto.~~

46 (~~3~~2) In addition to law enforcement officers, property maintenance
47 inspectors shall also have the authority to issue a uniform complaint and notice to
48 appear for violations of this section, as provided in TMC 2.40.130 and 2.40.210.

49 (~~4~~3) The Governing Body may, by resolution, waive the provisions of
50 subsection (b)(1) of this section for ~~designated~~ properties within a designated

51 area requested by an event sponsor and identified (by specific address) in the
52 resolution in order to accommodate a special event approved pursuant to
53 Chapter 12.70 TMC.

54 Section 2. That original § 10.60.120 of The Code of the City of Topeka,
55 Kansas, is hereby specifically repealed.

56 Section 3. This ordinance shall take effect and be in force from and after its
57 passage, approval and publication in the official City newspaper.

58 Section 4. This ordinance shall supersede all ordinances, resolutions or rules,
59 or portions thereof, which are in conflict with the provisions of this ordinance.

60 Section 5. Should any section, clause or phrase of this ordinance be declared
61 invalid by a court of competent jurisdiction, the same shall not affect the validity of this
62 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

63 PASSED AND APPROVED by the Governing Body on June 11, 2024.

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65 CITY OF TOPEKA, KANSAS

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71 Michael A. Padilla, Mayor

71 ATTEST:
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76 Brenda Younger, City Clerk