

## ORDINANCE NO. 2453

**AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, AMENDING SECTIONS 26-1 and 26-195 OF THE LEXINGTON CITY CODE, RELATING TO VEHICLE PARKING; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:**

**SECTION I.** That Section 26-1 of the Lexington City Code, be amended to read as follows:

**Sec. 26-1. – Definitions.**

- (a) For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

*Commercial Vehicle* means truck-tractors or semi-trailers, semi-tractors, panel trucks and any commercial hauling trailers.

*Motor truck* means any motor vehicle which is 18 feet or more in length from the extreme front to the rear of such vehicle; or any vehicle which is 72 inches or more in width.

*Official traffic control devices* means all signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

*Official traffic signals* means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.

*Police officer* means every officer of the city police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

*Public place* means a place to which the public or a substantial number of the public has access, and includes, but is not limited to, roadways, highways, transportation facilities, schools, places of amusement, parks, playgrounds, and the common areas of public and private buildings and facilities.

*Standing* means any stopping of a vehicle, whether occupied or not.

*Street* means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

(b) The definitions in R.R.S. 1943, ch. 60, art. 6 (R.R.S. 1943, § 60-601 et seq.) also apply to this chapter.

**SECTION II.** That Section 26-195 of the Lexington City Code, be amended to read as follows:

**Sec. 26-195. - Trucks and Commercial Vehicles parking in residential districts.**

In all residential zoning districts, the parking of trucks and commercial vehicles is expressly prohibited on any residential zoned lot or on any street or other public property within a residential zoning district or adjacent to residential property however, that parking of any such vehicle for the following purposes shall not be a violation of this section:

- (1) Truck or commercial vehicle being used for the purpose of delivery or pickup of goods or materials at a point of delivery or pickup within a residential zoning district may be parked in such a district on or adjacent to a residential zoned lot during loading and unloading of the vehicle at or upon such lot, not to exceed one hour;
- (2) Unloaded trucks classified as one ton or less which have no malodorous, offensive, foul or noxious odors and which do not violate article III of chapter 22;
- (3) Truck or commercial vehicle being used in connection with construction, repair, service, or moving operations may be parked in such a district on or adjacent to a residential zoned lot while the construction, repair, service, or moving operations are actually in progress at or upon such lot.

**SECTION III.** That original Sections 26-1 and 26-195 of the Lexington City Code, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

**SECTION IV.** That this ordinance shall be published in electronic form and take effect as provided by law.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
John Fagot, Mayor

ATTEST:

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Pamela Baruth, City Clerk