

1 AN ORDINANCE TO ADD SECTION 16-41.1  
2 AND 16-41.2 TO CHAPTER 16, HOUSING  
3 AND BUILDING MAINTENANCE CODE, OF  
4 THE CITY CODE PERTAINING TO  
5 COMMERCIAL VEHICLES AND  
6 RECREATIONAL VEHICLES  
7

8 Sections Added: §§ 16-41.1 and 16-41.2  
9

10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA  
11 BEACH, VIRGINIA:  
12

13 That Sections 16-41.1 and 16-41.2 of the City Code are hereby added and  
14 ordained to read as follows:  
15

16 **Sec. 16.41.1. Parking of commercial vehicles**  
17

18 (a) "Commercial vehicle" is defined as a loaded or empty motor vehicle,  
19 trailer, or semitrailer designed or regularly used for carrying freight,  
20 merchandise, or more than ten passengers, including buses, but not  
21 school buses.  
22

23 (b) Parking of a commercial vehicle in residential or apartment zoning districts  
24 shall be prohibited, except that:  
25

26 1) One commercial vehicle of one ton or less in carrying capacity and  
27 which does not exceed seven (7) feet in height or twenty (20) feet  
28 in length may be parked on any lot where there is located a main  
29 building owned or occupied by a resident of the premises;  
30

31 2) Commercial vehicles during the normal conduct of business or in  
32 the delivery or provision of service to a residential area are allowed;  
33

34 3) The parking of semitrailers for commercial or industrial storage is  
35 permitted on bona fide construction sites.  
36

37 (c) Violations of this section shall constitute a Class 3 misdemeanor. In  
38 addition to any penalties imposed hereunder, the code enforcement  
39 administrator or his designee may institute legal action to enjoin the  
40 continuing violation.  
41

42 **Sec. 16.41.2. Parking and storage of recreational equipment.**  
43

44 (a) "Recreational equipment" is defined as any equipment, used for  
45 transporting people or property in connection with recreation and designed  
46 for temporary occupancy, including ,but not limited to jet skis, boats and  
47 similar recreational equipment, trailers, campers, motor homes or similar

48 vehicles or racing vehicles, off road vehicles or the trailer or other device  
49 used to haul or move such equipment.

50  
51 (b) In AG-2 zoning districts, no such equipment shall be parked or stored in  
52 any required yard adjacent to a street nor closer than three (3) feet to any  
53 lot line.

54  
55 (c) Where the principal use of a building is residential, recreational equipment  
56 shall be stored only as a use accessory to a permitted principal use, and  
57 subject to the following limitations:

58  
59 (1) Such equipment shall be parked or stored on any lot only within a  
60 building or behind every plane of a structure that is substantially  
61 parallel to and facing the public right-of-way.

62  
63 (2) On through lots, such equipment may also be parked or stored on  
64 the portion of the lot that is clearly and physically the rear of the lot  
65 provided that it is substantially screened from the public right-of-  
66 way with a six-foot solid fence or equivalent vegetation or  
67 landscaping.

68  
69 (3) On corner lots, such equipment may also be parked or stored on  
70 the portion of the lot that is clearly and physically the rear of the lot  
71 and behind the plane of the house parallel and closest to the public  
72 right-of-way.

73  
74 (d) Where the principal use of a building is commercial, business, or  
75 industrial, recreational equipment may be parked or stored as an  
76 accessory use, provided the limitations and requirements of the zoning  
77 district are met.

78  
79 (e) Such equipment may be parked entirely within a driveway for a period not  
80 to exceed twenty-four (24) hours during loading or unloading. For  
81 purposes of this section, the term "driveway" shall include any portion of a  
82 lot, surfaced or otherwise, that constitutes an approved parking area or  
83 provides access to an approved parking area.

84  
85 (f) No recreational equipment shall be parked in any public street or public  
86 right-of-way for more than three (3) hours.

87  
88 (g) No such equipment shall be used for living, sleeping or housekeeping  
89 purposes except in locations lawfully established for such use.

90  
91 (h) Violations of this section shall constitute a Class 3 misdemeanor. In  
92 addition to any penalties imposed hereunder, the code enforcement

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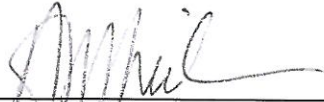
administrator or his designee may institute legal action to enjoin the continuing violation.

Adopted by the Council of the City of Virginia Beach, Virginia, on the 10<sup>th</sup> day of May, 2011.

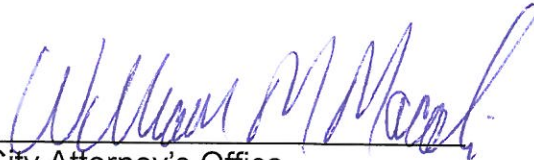
**This ordinance shall take effect on July 1, 2011.**

APPROVED AS TO CONTENT:

APPROVED AS TO LEGAL SUFFICIENCY:



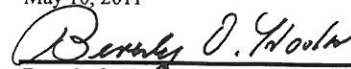
Department of Housing and  
Neighborhood Development



City Attorney's Office

CA11825  
R-2  
April 27, 2011

CERTIFIED TO BE A TRUE COPY OF  
AN ORDINANCE ADOPTED BY THE  
COUNCIL OF THE CITY OF VIRGINIA  
BEACH, VIRGINIA, ON  
May 10, 2011



Beverly O. Hooks, CMC  
Chief Deputy City Clerk