

**LOC Article 32.06
Parking Regulations.**

32.06.076 Storing Vehicles on Highways.

1. Except as provided by subsection (2):
 - a. No person shall store, or permit to be stored, a vehicle on a public highway, street, or right-of-way controlled by City in excess of 72 hours without permission of the City Manager or his designee.
 - b. Failure to move a vehicle for 72 hours constitutes prima facie evidence of storage.
2. Truck, trailer, bus, camper, motor home, recreational vehicle, boat, and trailer restrictions.
 - a. No person shall at any time park or leave standing a house trailer, motor bus, motor truck, truck tractor, motor home, boat, vehicle with camper, recreational vehicle, or trailer, whether attended or unattended, on any public highway, street or other right-of-way within the city limits, for a period greater than thirty minutes, between the hours of one minute past twelve a.m. and six a.m. without permission of the City Manager or his designee, except that a motor home, boat and boat trailer, vehicle with camper, recreational vehicle, or travel trailer may be parked on a public street between the above hours for one day in any 7-day consecutive period, provided the motor home, boat and boat trailer, vehicle with camper, recreational vehicle, or travel trailer is parked within 100 feet of the owner's residence.
 - b. A recreational vehicle, house trailer or motor home may be parked on a public street longer than the period allowed in Section [32.06.076\(2\)\(a\)](#) if:
 - i. It is owned by the resident or guest of the resident of the property in front of which it is parked;
 - ii. It is parked on the public street adjacent to the lot of the resident; and
 - iii. It is parked on the public street no longer than ten days in any calendar year. Failure to move a motor vehicle for ten days constitutes prima facie evidence of violation of this section.
 - c. Such vehicle must be parked in a manner which does not interfere with traffic or create a hazard by obstructing the view of drivers.
 - d. Tractor Trailer, Truck Trailer. No person shall at any time park a tractor trailer or truck trailer unattended on any public highway, public street or other public way within the city limits.

LOC Article 32.16

Trucks.

32.16.010 Truck Routes.

1. Definition of Motor Truck. "Motor Truck" means a motor vehicle that is primarily designed or used for carrying loads other than passengers and has a gross weight in excess of 8,000 pounds.
2. Truck Operation on Designated Routes. Except as provided in Section (3), no person shall operate any motor truck upon any street within the City except of a state highway or county road unless designated as a truck route under Section (4). A state highway or county road within the City limits may be designated as a truck route or restricted upon written approval of the Oregon Department of Transportation (ODOT) or the Board of County Commissioners of the affected County.
3. Exemptions.
 - a. Motor trucks may be operated on streets not designated as truck routes under subsections (4) or (5) of this section as follows.
 - i. Emergency vehicles may be operated off a truck route.
 - ii. Utility vehicles may be operated off a truck route when responding to an emergency or when installing, repairing or maintaining a public utility on or accessed by a street not designated as a truck route.
 - iii. Motor trucks may operate off a truck route when picking up or discharging goods at any business establishment or residence in the City accessed from a non-designated street.
 - iv. Motor trucks may operate off a truck route when delivering fuel, services and repairs at any business establishment or residence in the City accessed from a non-designated street.
 - v. Motor trucks may operate off a truck route to service construction sites accessed from a non-designated street.
 - vi. Garbage and recycling collection motor trucks may operate off a truck route when providing services to premises accessed from a non-designated street.
 - vii. Motor trucks may operate off a truck route when re-routed by the City or pursuant to the City's approval as a result of an emergency situation, construction on or along a truck route, or other circumstance requiring a detour.
 - viii. Motor trucks may be operated off a truck route in the following circumstances:

- A. The motor truck is owned by a resident of property not accessible by a truck route; and
- B. The motor truck is stored on the property in a garage or area screened from view of the public street or right-of-way.

b. Except in an emergency as described in subsections 3(a)(i) and (ii) of this section or when directed to use a specific route as described in subsection 3(a)(viii) of this section, a motor truck lawfully operating off a truck route pursuant to subsection 3(a) of this section shall use the most direct route to and from the closest designated truck route.

4. Truck Routes. The following streets are hereby designated as truck routes:

- a. Streets classified as freeways, major arterials and minor arterials in the Lake Oswego Comprehensive Plan (Goal 12 - Transportation).
- b. Streets or portions of streets classified as major collectors, neighborhood collectors or local streets in the Lake Oswego Comprehensive Plan (Goal 12 - Transportation) when located within a commercial or industrial zone as designated on the Lake Oswego Zoning Map.
- c. Stafford Road/McVey Avenue from Rosemont Road to South Shore Boulevard.

5. Adding or Removal of Truck Routes. After the effective date of this ordinance, the City Council may by council order add a street to or remove a street from the list of designated truck routes in the following manner:

- a. The City Council shall first hold a public hearing on the proposed addition or closure of a truck route. Notice of the hearing shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City. The second publication of the notice shall occur not later than the fifth day before the date of the hearing. In addition, notice of the hearing shall be mailed at least 15 days in advance of the hearing to the Chair of any neighborhood association in which the road or portion of the road proposed for designation or removal is located. The notice shall state the date, time and place of the public hearing and contain a concise statement of the proposed action, including a descriptions of the road and streets affected.
- b. The Council shall only designate or remove a truck route based upon one or more of the following findings:
 - i. Doing so is necessary or convenient to providing vehicular access. In making a determination under this section, the Council shall balance the need for motor truck access, including a consideration of the availability of reasonable alternative routes, against negative impacts on the properties surrounding the proposed route.

ii. Prohibiting or permitting motor truck access is necessary to protect the public infrastructure on the subject route or on alternative routes.

iii. Designation or removal of a truck route is necessary to provide for public safety or the quiet enjoyment of property. Considerations under this section shall include the functional classification of the subject street or streets, whether the subject street or streets are adequately designed or in a condition to support truck traffic, and whether the street or streets abut schools or travel through residential neighborhoods.

6. Signage. Pursuant to ORS [810.050](#)(3) and (4), the City shall erect and maintain signs in a conspicuous manner and place at each end of a street or section of street where a designation or prohibition is imposed to give notice of the prohibitions or the designations imposed, and shall erect signs at such other places as may be necessary to inform the public. A prohibition or designation imposed under this section is effective when signs giving notice thereof are posted as required by this subsection.

7. Penalty. A violation of this Article is a Class B traffic violation under the Lake Oswego City Code.

(Ord. No. 2165, Enacted, 02/17/98)

(Ord. 2231, Amended, 03/21/2000)

Oregon Revised Statute

Chapter 825 — Motor Carriers

2013 EDITION

(Excerpt of sections relevant to local regulations and idling)

825.601 Definitions. As used in ORS 825.601 to 825.615:

(1) “Auxiliary power unit” means any device that is installed on a commercial vehicle that provides electrical, mechanical or thermal energy to the vehicle cab, a sleeper berth, a bus passenger compartment or any other vehicle cab, as an alternative to idling the primary engine.

(2) “Cargo temperature control unit” means any device used for controlling the temperature of a cargo transport area.

(3) “Commercial vehicle” means a commercial vehicle with a gross vehicle weight rating that is greater than 10,000 pounds.

(4) “Idle reduction technology” means any device or system of devices that is installed on a commercial vehicle and that is designed to provide heat, air conditioning or electricity that would otherwise require the operation of the primary engine.

(5) “Idling” means operation of the primary engine of a commercial vehicle while the vehicle is stationary.

(6) “Primary engine” means an internal combustion engine attached to a commercial vehicle that provides the power to propel the vehicle into motion and maintain motion. [2011 c.349 §3]

Note: 825.601 to 825.615 were added to and made a part of the Oregon Vehicle Code by legislative action but were not added to ORS chapter 825 or any series therein. See Preface to Oregon Revised Statutes for further explanation.

825.605 Unlawfully idling the primary engine of a commercial vehicle; penalty. (1) A person commits the offense of unlawfully idling the primary engine of a commercial vehicle if the person is operating a commercial vehicle and the person:

(a) Stops the commercial vehicle; and

(b) Allows the engine of the commercial vehicle to idle for more than five minutes in any continuous 60-minute period.

(2) For purposes of this section, a person is not idling a primary engine if the person:

(a) Operates an auxiliary power unit, generator set or other idle reduction technology as a means to heat, air condition or provide electrical power.

(b) Operates a cargo temperature control unit to maintain the cargo.

(3) A citation issued under this section may be issued to the person operating the commercial vehicle, the motor carrier as defined in ORS 825.005, or both.

(4) The offense described in this section, unlawfully idling the primary engine of a commercial vehicle, applies on any premises open to the public.

(5) The offense described in this section, unlawfully idling the primary engine of a commercial vehicle, is a Class C traffic violation. [2011 c.349 §4]

Note: See note under 825.601.

825.610 Exemptions from requirements in ORS 825.605. ORS 825.605 does not apply to a commercial vehicle if it is necessary to idle the primary engine of the commercial vehicle:

(1) Due to traffic, a traffic control device or mechanical difficulties over which the operator has no control or at the direction of a law enforcement official or road authority.

(2) Due to the need to operate defrosters, heaters or air conditioners or installing equipment necessary to comply with manufacturers' operating requirements, specifications and warranties or with federal, state or local safety regulations.

(3) Because the commercial vehicle is a police, fire, ambulance, public safety, military, utility service or road authority vehicle, or any other vehicle being used to respond to an emergency or for other public safety purposes, or being actively used for training for emergencies or public safety.

(4) For maintenance, service, repair or diagnostic purposes or for particulate matter trap regeneration.

(5) For a state or federal inspection to verify that all equipment is in good working order.

(6) To power work-related mechanical, safety, electrical or construction equipment installed on the vehicle that is not used for propulsion.

(7) Because the commercial vehicle is an armored vehicle and a person must remain inside the vehicle to guard the contents or while the vehicle is being loaded or unloaded.

(8) To maintain the comfort of commercial bus passengers while passengers are on board.

(9) In a commercial vehicle with a gross vehicle weight rating of more than 26,000 pounds, for purposes of air conditioning or heating during a rest or sleep period and the outside temperature is less than 50 degrees or greater than 75 degrees Fahrenheit at any time during the rest or sleep period. This subsection applies to a commercial vehicle with a sleeper berth compartment that is parked in any place that a commercial vehicle is legally permitted to park, including, but not limited to, a fleet trucking terminal, commercial vehicle stop or designated rest area. This exemption does not apply if the commercial vehicle is equipped with an auxiliary power unit or other suitable idle reduction technology, if the commercial vehicle is parked at a location equipped with suitable stationary idle reduction technology that is available for use, or during a rest or sleep period when the commercial vehicle is parked on or adjacent to a public or private educational institution offering education in all or part of kindergarten through grade 12, unless the outside temperature is greater than 75 degrees Fahrenheit and the auxiliary power unit provides heating only, in which case the person may idle the primary engine to provide air conditioning.

(10) In a commercial vehicle with a gross vehicle weight rating of more than 26,000 pounds, for purposes of air conditioning or heating while waiting to load or unload the commercial vehicle or while actually loading or unloading the commercial vehicle, and the outside temperature is less than 50 degrees or greater than 75 degrees Fahrenheit at the time. This exemption does not apply if the commercial vehicle is equipped with an auxiliary power unit or other suitable idle reduction technology, or if the commercial vehicle is parked at a location equipped with suitable stationary idle reduction technology that is available for use, unless the outside temperature is greater than 75 degrees Fahrenheit and the auxiliary power unit provides heating only, in which case the person may idle the primary engine to provide air conditioning.

(11) For a maximum of 30 minutes while waiting to load or unload the commercial vehicle or while actually loading or unloading the commercial vehicle during a single loading or unloading event. [2011 c.349 §5]

Note: See note under 825.601.

825.615 Preemption of local regulation of idling; exception. (1) The authority to regulate the idling of primary engines in commercial vehicles is vested solely in the Legislative Assembly. A city, county or other local government may not enact any charter provision, ordinance, resolution or other provision regulating the idling of primary engines in commercial vehicles.

(2) Notwithstanding subsection (1) of this section, a city, county or other local government may enforce any charter provision, ordinance, resolution or other provision regulating the idling of primary engines in commercial vehicles in effect on January 1, 2011. [2011 c.349 §6]