

ITEM 13 ATTACHMENT A

ORDINANCE NO. 2016-344

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, ADDING CHAPTER 10.22 TO TITLE 10 OF THE CALABASAS MUNICIPAL CODE TO INCLUDE REGULATING PARKING OF VEHICLES AND USES OF CITY-OWNED AND CITY-OPERATED OFF-STREET PARKING FACILITIES.

WHEREAS, the City has determined that it has the authority to prescribe regulations and rules for the stopping, standing and parking of vehicles and uses of City-owned and City-operated off-street parking facilities; and

WHEREAS, the City Council desires to adopt an ordinance to regulate the stopping, standing, parking and usage of vehicles on City-owned and City-operated off-street parking facilities within the City; and

WHEREAS, the City establishes parking restrictions on City-owned and City-operated off-street parking facilities pursuant to California Vehicle Code Sections 21113, 22519 and 22651; and

WHEREAS, the City Council authorizes the City Manager or the Director, to issue, on behalf of the City Council, parking regulations and restrictions related to the use of city owned and operated off-street parking facilities and tow services (when necessary), to implement the removal remedies in compliance with this ordinance; and

WHEREAS, the City Council desires to amend Title 10 (Vehicles and Traffic) of the Municipal Code to include regulations governing the operations and parking regulations of City-owned and City-operated off-street parking facilities; and

WHEREAS, the City has determined that adopting the ordinance will promote and protect the safety and welfare of the public using City-owned and City-operated off-street parking facilities.

THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 10.22 is hereby added the Calabasas Municipal Code to read as follows:

10.22.010 - Title

10.22.020 - Definitions

The following definitions are applicable to provisions of this Ordinance:

"City" means the City of Calabasas

"Parking Facility" means any City-owned and City-operated off-street parking facility, including, but not limited to, a Park and Ride Lot.

"Director" means the Public Works Director or his/her designee.

"Vehicle" means an automobile or motorcycle, as defined in California Vehicle Code (CVC) Sections 465 and 400.

"Oversize Commercial vehicle" means a vehicle of a type required to be registered under the Vehicle Code, used or maintained for the transportation of persons for hire, compensation or profit, or designated, used or maintained primarily for the transportation of property, having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more, at any time.

"Parking" means the parking or standing of a vehicle, whether occupied or not, other than temporarily for the purpose of loading or unloading merchandise or passengers.

"Camper" means a structure designed to be mounted onto a motor vehicle and to provide facilities for human habitation or for camping purposes.

"Recreational vehicle" means a vehicle or trailer capable of human habitation--- designed or used for recreational camping or for travel, whether self-propelled or mounted on or drawn by another vehicle, or any structure inspected, approved and designated to be a recreational vehicle by and bearing the insignia of the state of California or any other state or federal agency having the authority to approve recreational vehicles. "Recreational vehicle" includes, without limitation, any of the following: (1) camp trailer, as defined by California Vehicle Code Section 242; (2) fifth-wheel travel trailer, as defined by California Vehicle Code Section 324; (3) house car, as defined by California Vehicle Code Section 362; (4) trailer coach, as defined by California Vehicle Code Section 635; (5) mobile home, as defined by California Vehicle Code Section 396; (6) boat, watercraft, and/or a trailer for a boat or watercraft; (7) trailers designed to carry persons, property or animals on its own structure and drawn by a motor vehicle; and (8) recreational vehicle, as defined by California Health and Safety Code Section 18010.

“Utility trailer” means a non-motorized vehicle designed to carry persons, property, animals, waste, materials, or any other items on its own structure and to be drawn by another motor vehicle which is not designed for recreational purposes.

“Mobile Billboard” means an advertising display that is attached to a wheeled, mobile, non-motorized vehicle, that carries, pulls, or transports a sign or billboard, and is for the primary purpose of advertising.

10.22.030 - Parking Restrictions

1. No person shall park or leave standing in a parking facility any oversize commercial vehicle, recreational vehicle with or without camper and utility trailer.
2. No vehicle shall be parked or left standing adjacent to a red curb or line painted red.
3. No vehicle shall be parked or left standing in any parking space or area marked with a sign or diagonal white solid cross hatching pavement markings.
4. No vehicle shall be parked or left standing within two (2) or more designated parking spaces or in a manner that inhibits the use of adjacent parking space.
5. Parking of vehicles is permitted only in designated spots.
6. No person shall park or leave standing any vehicle in driveways.
7. No loitering in parking facility.
8. No person shall park or leave standing any vehicle overnight in the parking facility.
9. No parking of vehicles in violation of any applicable requirements of the California Vehicle Code, including without limitation, restrictions on parking in parking space for the exclusive use of those physically handicapped persons whose vehicles display the distinguishing license plates or placards issued to disabled persons pursuant to Section 22511.5 of the Vehicle Code, or to disabled veterans as specified in Section 5007 of the Vehicle Code.
10. No parking or leave standing a mobile billboard advertising display in parking facility.
11. Other general parking restrictions for the safety and welfare of the public as directed by the City Manager or Public Works Director.

10.22.040 - Loading and Unloading of Merchandise

Loading and unloading activity by any commercial vehicle shall be prohibited in the parking facility. Signage will be posted in the parking facility prohibiting this activity.

10.22.050 - Valet Service

Valet service shall not be permitted in the parking facility. Signage will be posted in the parking facility prohibiting such service.

10.22.060 - Posting of Notice

The parking restrictions set forth in section 10.22.040 this ordinance shall be posted on signs or on pavement markings, providing notice of all applicable regulations and restrictions, at the parking facility.

Any sign indicating that vehicles violating the parking restrictions may be removed at the owner's expense shall contain the telephone number of the local traffic law enforcement agency where a person, whose vehicle has been removed from the parking facility, may find out the status of the vehicle and the location to where it has been removed.

10.22.070 - Violation

It is unlawful for any person to park a vehicle or cause, allow, or permit to be parked, a vehicle in any parking facility in violation of signs erected and/or pavement markings pursuant to this ordinance.

It is unlawful for any person to cause, allow, or permit any vehicle to remain in or upon any parking facility for more than the time indicated by signs erected pursuant to this ordinance.

10.22.080 - Removal of Vehicle from Parking Facility

Pursuant to California Vehicle Code section 22651 (n), any peace officer, or the City's contracted vendor, who is engaged in enforcing parking laws and regulations for the City, may remove vehicles parked in the parking facility that violate the following:

- 1. The vehicle is parked or left standing adjacent to a red curb or line painted red
- 2. The vehicle is parked in stalls dedicated and designated by appropriate markings to the exclusive use of those physically handicapped persons or to disabled veterans.
- 3. In any area with posting of notice in accordance with CVC 22658.

10.22.090 - Parking Citation Procedures

Parking citations issued in the parking facility shall follow the ordinance codified in Chapter 10.04 in the City of Calabasas' Municipal Code.

10.22.100 - Mobile Billboard Advertising Display

Parking citations issued in the parking facility for this violation shall follow the ordinance codified in Chapter 10.20 in the City of Calabasas' Municipal Code.

10.22.110 - Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance is found to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council declares that it has adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of any one or more sections, subsections, sentences, clauses, phrases or sections declared invalid or unconstitutional.

EFFECTIVE DATE. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance

CERTIFICATION. The City Clerk shall certify to the adoption of the resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this ____ day of January, 2017.

Mary Sue Maurer, Mayor

ATTEST:

APPROVED AS TO FORM:

Maricela Hernandez, MMC
City Clerk

Scott H. Howard, City Attorney