

Title 10 - VEHICLES AND TRAFFIC

**Chapters:**

Chapter 10.08 - PREFERENTIAL PARKING

**Sections:**

FOOTNOTE(S):

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Prior ordinance history: Ord. 95-89.

10.08.010 - Definitions.

"Commuter vehicle" means a motor vehicle parked in a residential area which is not owned, leased or otherwise controlled by a resident who lives in the area.

"Director" means the city director of transportation or his/her designee.

" Dwelling unit" means a house, apartment, condominium, mobile home or other type of residence, in conformance with other provisions of this code and related zoning maps, having an address assigned consistently with the house numbering maps maintained by the city. Apartments having numbers or letters assigned in addition to the street address shall be deemed independent dwelling units.

"Merchant" means any person who operates a commercial business involved in the retailing of goods or services within a preferential parking district.

"Preferential parking district" or "district" means a commercial or residential area with streets or boundaries designated by the resolution establishing the district, wherein vehicles displaying a valid preferential parking permit shall be exempt from parking restrictions established pursuant to this chapter.

"Preferential parking permit" means a permanent preferential parking permit, guest preferential parking permit or a temporary preferential parking permit as defined by this chapter.

"Resident" means a person who lives in a dwelling unit.

(Ord. 2005-198 § 1 (part), 2005)

10.08.020 - Designation of preferential parking districts.

- A. The city council may, by resolution, designate one or more preferential parking districts pursuant to the provisions of this chapter and Section 22507(b) of the California Vehicle Code as it now reads or may hereafter be amended.
- B. In order to establish a preferential parking district, the city council must find that:
  1. Commuter vehicles regularly interfere with available parking on public streets adjacent to residential property within the proposed preferential parking district and cause or are the source of unreasonable noise, traffic hazards, environmental pollution, or other similar interference with the residential environment;
  2. There is no reasonable alternative to the proposed preferential parking district which will reduce the identified street parking problem to acceptable levels; and

3. Commuter vehicles displaced by the proposed preferential parking district will not unduly impact residential areas surrounding the proposed district.
- C. The director shall determine the days and/or hours during which a preferential parking district shall be in effect unless the council specifies otherwise by resolution. Unless otherwise determined by the director, the preferential parking district shall be in effect at all times after a preferential parking district is created and signs providing notice of the preferential parking district are erected pursuant to Section 10.08.120 of this chapter.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.030 - Initiation of proposal for preferential parking district.

- A. A preferential parking district may be initiated by either of the following methods:
1. A petition requesting the creation of the district is signed by residents of more than seventy-five percent (75%) of the residential properties abutting the streets within the proposed preferential parking district and submitted to the city; or
  2. A proposal initiated by the city council, the traffic and transportation commission or the director, following notice sent to the residents of property abutting the streets within the proposed preferential parking district; provided, however, that such a proposal shall be terminated if: (a) one-third or more of such residents object to the creation of the zone in writing on a form provided by the city, or (b) less than a majority of residents who receive such notice respond to the city's request for input.
- B. Upon initiation of a proposed preferential parking district, the director shall:
1. Prepare a study regarding the need for preferential parking restrictions; and
  2. Make a recommendation to the traffic and transportation commission as to whether a preferential parking district should be established and the parking restrictions that should be imposed.
- C. The traffic and transportation commission shall make a recommendation to the city council as to whether a preferential parking district should be established and the parking restriction that should be imposed.
- D. Upon receipt of the recommendation of the traffic and transportation commission, the council shall act by resolution to terminate the proposal or to create the district under the standards set forth in Section 10.08.020 of this chapter.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.040 - Changes to a preferential parking district.

Once established by the city council, a preferential parking district shall continue to exist until the city council adopts a resolution to dissolve or modify the district upon:

- A. A recommendation of the director, the traffic and transportation commission or one or more members of the city council; or
- B. A petition signed by seventy-five percent (75%) of the residents of property abutting the streets within the proposed preferential parking district is submitted to the city.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.050 - Parking within preferential parking districts.

- A. Persons may park motor vehicles displaying a valid preferential parking permit issued pursuant to this chapter within the preferential parking district for which the permit was issued without respect to restrictions imposed on non-permitted vehicles in that district.
- B. No person may stop, stand or park a motor vehicle that does not display a valid preferential parking permit issued pursuant to this chapter within any preferential parking district other than in accordance with the parking restrictions established for that district except:
  - 1. Repair, maintenance, refuse, utility, fuel or delivery vehicles while such vehicles are doing business in the preferential parking district;
  - 2. Vehicles necessary to the provision of gardening services within the preferential parking district while gardening services are being provided;
  - 3. Vehicles delivering life-support and health services to residents and schools located in the preferential parking district;
  - 4. Government vehicles while the operator of such vehicle is engaged in the performance of public duties; and
  - 5. Vehicles displaying distinguishing handicapped license plates or placards issued pursuant to Sections 9105 or 22511.5 of the California Vehicle Code.
- C. A preferential parking permit shall not guarantee or reserve to the holder of the permit an on-street parking space within the designated preferential parking district.

(Ord. 2005-198 § 1 (part), 2005)

10.08.060 - Individuals authorized to apply for a preferential parking permit.

- A. The following persons may apply for preferential parking permits:
  - 1. Residents of a preferential parking district shall be eligible to obtain all authorized types of parking permits within the district in which he or she resides;
  - 2. Merchants that operate a business within a preferential parking district shall be eligible to receive permanent and guest preferential parking permits within the district in which the merchant's business operates. Merchants shall not be eligible for any other class of preferential parking permit; and
  - 3. Nonresident owners of property within a preferential parking district are eligible to obtain one guest preferential parking permit annually for use in the preferential parking district in which the owner's property is located for the property owner's personal use and are not eligible for any other class of preferential parking permit.
- B. No permit may issue to any person with outstanding parking tickets that are not subject to a pending review under Chapter 10.04 of this code.
- C. A resident within overlapping preferential parking districts may be issued a guest preferential parking permit for either district as the resident may choose. Residents within such overlapping districts may only use the permit in the district for which a permit has been issued.

(Ord. 2005-198 § 1 (part), 2005)

10.08.070 - Application for and issuance of permits.

- A. The director shall issue such permits under the standards of this chapter.
- B. An applicant for a preferential parking permit shall submit an application on a form approved by the director, which application shall include:

1. Proof, satisfactory to the director, of residency on a street in the preferential parking district or, in the case of a merchant, ownership of a business located in the preferential parking district;
  2. Payment of the preferential parking permit fee of seventy-five dollars (\$75.00) per year (annually indexed for inflation after January 20, 2005 in proportion to the increase in the Consumer Price Index for All Urban Consumers for the Los Angeles Metropolitan Area) or such other amount as is established by resolution of the city council;
  3. The make, model and license plate number of each motor vehicle for which the applicant seeks a permanent preferential parking permit; and
  4. Any other information required by the director or by this chapter.
- C. The director shall accept as proof of residency or ownership of a business within a preferential parking district a current vehicle registration, a current driver's license, a recent utility bill, a current lease, photocopies of any of these, or such other evidence as the director deems credible.
- D. The director shall maintain records of the number of preferential parking permits issued to each dwelling unit and merchant in each district, the names of permit holders, the license plate numbers of vehicles for which a permit has been issued, permit numbers, a notation of the documents checked to establish residency and vehicle ownership, and such other information as shall be necessary or useful in the administration of the city's preferential parking program.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.080 - Classes of preferential parking permits.

##### A. Permanent Preferential Parking Permits.

1. A maximum of three permanent preferential parking permits may be issued for a single dwelling unit or merchant located within a preferential parking district in any twelve (12) month period.
2. Permanent parking permits shall be affixed to front, driver's side windshield of the vehicle for which it is issued.
3. A permanent preferential parking permit is valid for a year from the date it is issued.

##### B. Guest Preferential Parking Permits.

1. A maximum of two permanent guest preferential parking permits shall be issued for each dwelling unit or to each merchant within a preferential parking district in any twelve (12) month period.
2. Guest preferential parking permits shall be made of brightly colored, durable material and must be displayed on the front driver's side dash board of the vehicle to be parked pursuant to the permit.
3. A guest preferential parking permit is valid for a year from the date it is issued.

##### C. Temporary Preferential Parking Permits.

1. No more than fifty (50) temporary preferential parking permits shall be issued for a single dwelling unit for a single event and no more than four hundred (400) temporary preferential parking permits shall be issued for a single dwelling unit in any twelve (12) month period.
2. Applications for temporary preferential parking permits shall be submitted at least forty-eight (48) hours in advance of the event for which guest parking is expected.
3. The temporary preferential parking permit shall be of a different color than permanent and guest preferential parking permits and shall state the first and last day on which the temporary

preferential parking permit will be valid. No temporary preferential parking permit shall be valid for more than three days.

4. Each temporary preferential parking permit shall contain a space for the user of the permit to indicate the license plate number of the motor vehicle in which the permit is displayed. A temporary preferential parking permit shall not be valid unless it displays the license plate number of the motor vehicle in which it is displayed.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.090 - Notice of determination of application for preferential parking permit.

The director shall either grant or deny an application for any preferential parking permit within ten (10) working days of receipt of a completed application. If the director denies a permit, the written reasons for the denial shall be provided to the applicant, in person or by mail.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.100 - Revocation of preferential parking permit.

The director may revoke any preferential parking permit(s) of any person known to the director to no longer be eligible for a permit(s). The director may revoke any preferential parking permit if the permit is displayed in any vehicle for which delinquent unpaid parking tickets not subject to a pending review under Chapter 10.04 of this code remain outstanding. The director shall give written notice to the permit holder of any revocation, the reasons therefor, and that the permit shall be confiscated by the city.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.110 - Appeal.

Any person who has been denied a permit(s) or had a permit(s) revoked by the director may appeal that decision to the traffic and transportation commission within ten (10) days after the decision of the director.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.120 - Posting of permit parking area.

Upon the designation of a preferential parking district, the director shall cause appropriate signs to be erected providing adequate notice of the parking restrictions imposed pursuant to this chapter.

(Ord. 2005-198 § 1 (part), 2005)

#### 10.08.130 - Permit usage and penalty provisions.

- A. Unless exempted by this chapter, no person shall stop, stand or park a vehicle in any preferential parking district in violation of any parking restrictions established pursuant to this chapter. Any vehicle parked in a preferential parking district in violation of this chapter may be cited and/or towed at the owner's expense.
- B. No person shall falsely represent himself as eligible for a parking permit or furnish false information to the city in an application for a preferential parking permit.
- C. No permit issued pursuant to this section shall thereafter be assigned, transferred or used for any consideration, monetary or otherwise.
- D. No person shall copy, produce or create a facsimile or counterfeit parking permit, nor shall any person use or display a facsimile or counterfeit preferential parking district permit.

- E. Preferential parking permit holders shall report to the director a lost, stolen or missing permit within ten (10) days of loss, at which time that permit shall be canceled and a new permit issued upon payment of a replacement fee to be established from time to time by the director.
- F. Preferential parking permits shall be returned to the city when the permit holder moves out of a preferential parking district or is otherwise ineligible to hold the permit.
- G. No person shall misuse a preferential parking permit or display a stolen permit. Any such misuse or display on a vehicle shall be cause for citation and towing at the vehicle owner's expense. Misused permits shall be confiscated by the city.
- H. No person shall alter, deface, or intentionally conceal an expiration date or otherwise attempt to present false information as true and genuine, on the face of a preferential parking permit displayed in a vehicle parked within a preferential parking district.
- I. A violation of subsections B, D or H of this section shall constitute a misdemeanor punishable pursuant to Section 1.16.020(A) of this code; by a fine of fifty dollars (\$50.00) or, in the discretion of the prosecutor, as an infraction pursuant to Section 1.16.020(B) of this code. Any other violation of this chapter shall constitute an infraction punishable pursuant to Section 1.16.020(B) of this code.

(Ord. 2005-198 § 1 (part), 2005)

#### Chapter 10.18 - PARKING CODE

##### **Sections:**

##### 10.18.010 - Adoption.

Chapters [15.64](#) and [Chapter 15.80](#) of the "Los Angeles County Traffic Code" as adopted by the Board of Supervisors of the County of Los Angeles as Ordinance No. 6544, as amended through and including November 9, 2011, are hereby adopted by reference as the Parking Code of the City of Calabasas, except the following sections, which are not hereby adopted:

15.64.056 through 15.64.075

15.64.195

15.64.341(B)

15.64.445 through 15.64.446

It is the intention of the city council to establish clear and unambiguous regulations for stopping and parking motor vehicles, trailers, and other devices subject to the Vehicle Code of the State of California inside city boundaries. Copies of the code provisions hereby adopted are on file with the city clerk and are open to public inspection.

(Ord. No. 2011-290, § 2, 11-9-2011)

##### 10.18.020 - Definitions.

Whenever the "Los Angeles County Traffic Code" uses the following words or phrases, for purposes of this Code, they shall have the following meanings:

1. "County" or "County of Los Angeles" shall mean city of Calabasas, either the municipal corporation or its territory, as the context shall require.

2. "Board" or "board of supervisors" shall mean the city council.
3. "Commissioner" or "road commissioner" shall mean the director of public works.

(Ord. No. 2011-290, § 2, 11-9-2011)

#### 10.18.030 - Violation—Penalty.

It is unlawful for any person, firm, partnership, corporation or other legal entity to violate any provision, or fail to comply with any of the requirements, of this chapter. Any violation of any provision of this chapter, or failure to comply with any of its requirements, shall be punishable as an infraction pursuant to section 1.16.020(B) of this Code.

(Ord. No. 2011-290, § 2, 11-9-2011)

### Chapter 10.20 - REGULATION OF MOBILE BILLBOARD ADVERTISING DISPLAYS

#### **Sections:**

#### 10.20.010 - The parking of mobile billboard advertising displays is unlawful.

It shall be unlawful for any person to park or leave standing a mobile billboard advertising display on any public street or public lands in the city.

(Ord. No. 2011-291, § 1, 12-14-2011)

#### 10.20.020 - Definition of mobile billboard advertising display.

For purposes of this chapter, "mobile billboard advertising display" has the meaning provided by section 395.5 of the California Vehicle Code as it now reads and may hereafter be amended. That section presently states:

395.5. A "mobile billboard advertising display" 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.

(Ord. No. 2011-291, § 1, 12-14-2011)

#### 10.20.030 - Removal of mobile billboard advertising displays authorized.

Pursuant to Section 22651, Subdivision (v), of the California Vehicle Code, any peace officer, or any regularly employed and salaried employee of the city, who is engaged in directing traffic or enforcing parking laws and regulations may remove a mobile billboard advertising display found upon any public street or any public lands in the city when all of the following are true:

- A. The mobile billboard advertising display is parked or left standing in violation of this Code;
- B. The registered owner of the mobile billboard advertising display was previously issued a warning citation for the same offense;
- C. The warning citation was issued to a first-time offender at least twenty-four (24) hours prior to the removal of the mobile billboard advertising display and the warning citation advised the registered owner of the mobile billboard advertising display that he or she may be subject to penalties upon a subsequent violation that may include the removal of the mobile billboard advertising display.

Pursuant to Section 22651(v)(2) of the California Vehicle Code, the city is not required to provide further notice for any subsequent violation prior to enforcement.

(Ord. No. 2011-291, § 1, 12-14-2011)

#### 10.20.040 - Post storage impound hearing.

Pursuant to section 22852 of the California Vehicle Code:

- A. Whenever agency peace officer, non-sworn code enforcement officer, or non-sworn parking enforcement officer of the city directs the storage or impoundment of a mobile billboard advertising display, the city shall direct the storage operator to provide the registered and legal owner(s) of record of the mobile billboard advertising display, or their agent(s), opportunity for a post-storage hearing to determine whether reasonable grounds justified the removal. Notice of the storage shall be mailed or personally delivered to the registered and legal owner(s) within 48 hours, excluding weekends and holidays.
- B. The owner(s) of record, or their agent(s), must request a hearing in writing, within ten (10) days of the date appearing on the notice or the right to hearing is waived.
- C. The city shall conduct the hearing within forty-eight (48) hours, excluding weekends and holidays, of receipt of the request under subsection B of this section. The city shall inform the person requesting the hearing of the time and place for the hearing.
- D. The city may authorize any officer or employee to conduct the hearing, provided that the hearing officer is not the person who directed the storage of the vehicle. The hearing officer shall determine the validity of the removal and storage of the mobile billboard advertising display at the conclusion of the hearing.
- E. Following the hearing, if the hearing officer finds that the mobile billboard advertising display was improperly removed and stored, it shall be released to the owner at the storage facility and the city shall bear the cost of removal and storage. Otherwise, the mobile billboard advertising display shall be returned to the owner only after payment of any and all fines or fees, including, but not limited to: penalties under section 10.20.050 of this chapter; any outstanding amounts owed to the city for previous violations involving the same or similar mobile billboard advertising display; and the costs of removal and storage incurred by the city up to the time of release. The hearing officer shall determine the total amount to be paid prior to release of the mobile billboard advertising display, consistent with this subsection.

(Ord. No. 2011-291, § 1, 12-14-2011)

#### 10.20.050 - Violation—Penalties.

After an initial warning citation, any subsequent offense of this chapter is a misdemeanor, punishable pursuant to section 1.16.020 of this Code.

(Ord. No. 2011-291, § 1, 12-14-2011)

#### 10.20.060 - Construction.

It is the intent of this chapter to implement the provisions of the California Vehicle Code authorizing the city to regulate the parking of mobile billboard advertising displays. Reference to any section of the Vehicle Code is for the convenience of those governed by this chapter and those who must enforce it and does not imply that other, relevant provisions of the Vehicle Code are not applicable, nor is this chapter intended to duplicate, vary from or be preempted by the Vehicle Code. This chapter shall be construed in light of this intent.



(Ord. No. 2011-291, § 1, 12-14-2011)