

ORDINANCE NO. 2897

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING CHAPTER 10.40 OF, AND ADDING CHAPTER 10.42 TO, OF THE REDLANDS MUNICIPAL CODE RELATING TO THE STOPPING, STANDING, OR PARKING OF VEHICLES WITHIN THE CITY OF REDLANDS, AND THE ESTABLISHMENT OF PREFERENTIAL PARKING ZONES

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

Section 1. Section 10.40.090 of the Redlands Municipal Code, entitled "Parking Restriction or Prohibition; Determination" is hereby amended to read as follows:

"10.40.090: PARKING RESTRICTION OR PROHIBITION; DETERMINATION:

A. Whenever the city council determines upon the basis of a traffic engineering investigation that it is necessary to prohibit stopping, standing or parking of vehicles on certain highways or portions thereof or on any municipal parking lot at all or certain hours of the day in order to facilitate the movement of traffic or to eliminate hazardous conditions, the city council shall by resolution direct the traffic engineer to place appropriate signs or curb markings as designated in section 10.40.240 of this chapter on such highways or portions thereof or on such municipal parking lot.

B. Whenever the city council upon the basis of a traffic engineering investigation finds that the conditions because of which it was necessary to prohibit the stopping, standing, or parking of vehicles at all or certain hours of the day as provided in subsection A of this section no longer exist, the city council shall, by resolution, direct the traffic engineer to remove such signs and curb markings from such highways or portions thereof.

C. Whenever the city council determines upon the basis of protecting public health, safety and welfare that it is necessary to prohibit or restrict the stopping, standing or parking of vehicles, including, but not limited to, commercial and recreational vehicles that are six feet or more in height (including any load thereon) (an "Oversized Commercial or Recreational Vehicles"), on certain streets or highways, or portions thereof, during all or certain hours of the day the city council may by resolution direct the City engineer to place appropriate signs or curb markings as designated in section 10.40.240 of this chapter on such streets or highways or portions thereof.

- (1) For purposes of this subsection, a "commercial vehicle" is a motor vehicle of a type required to be registered under the California Vehicle Code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.
- (2) For purposes of this subsection, a "recreational vehicle" is a motorhome, travel trailer, truck camper, or camp trailer; with or without motive power; designed for human habitation or other occupancy.

D. The City Council may, in accordance with the authority provided by Vehicle Code section 22507 and 22507.5, implement the provisions of this Chapter by resolution. Any violation of the provisions of a resolution of this Chapter shall be deemed a violation of this Chapter.”

Section 2. Section 10.40.130 of the Redlands Municipal Code, entitled “Parking All Night Prohibited” is hereby deleted in its entirety.

“.”

Section 3. Section 10.42 of the Redlands Municipal Code, entitled “Preferential Parking Zones,” is hereby added to read as follows:

“CHAPTER 10.42
PREFERENTIAL PARKING ZONES

10.42.010	PURPOSE
10.42.020	PETITION FORMS
10.42.030	ESTABLISHMENT OF A PREFERENTIAL PARKING ZONE
10.42.040	TERMINATION OF A PREFERENTIAL PARKING ZONE
10.42.050	PERMIT ISSUANCE
10.42.060	PERMIT FEE
10.42.070	PERMIT DISPLAY
10.42.080	PERMIT REVOCATION
10.42.090	NOTICE OF PREFERENTIAL PARKING ZONES
10.42.100	ENFORCEMENT HOURS
10.42.110	PARKING PRIVILEGES OF PERMIT HOLDERS
10.42.120	DESIGNATION OF ZONES
10.42.130	EXEMPTIONS
10.42.140	VIOLATIONS

10.42.010 PURPOSE.

This Chapter shall be known as, and may be cited as, the “Preferential Parking Code.” This Chapter is enacted pursuant to authority granted by Sections 22507 and 22507.5 of the California Vehicle Code. Preferential parking zones are necessary to alleviate serious problems in certain residential areas of the City due, in part, to the parking of motor vehicles on streets by nonresidents of the immediate area for extended periods of time and the nonuse of available public transit alternatives to automobile travel by nonresidents which has resulted in neighborhood decline in affected areas because of traffic congestion, noise, air pollution, traffic hazards, and inability of residents to park their vehicles reasonably close to their residences.

10.42.020 PETITION FORMS.

The Municipal Utilities and Engineering Department shall provide petition forms for preferential parking zones upon the written request of any five (5) residents of a proposed zone, one (1) of whom shall be designated in the request as the official representative of the zone advocates.

10.42.030 ESTABLISHMENT OF A PREFERENTIAL PARKING ZONE.

- A. Proceedings for establishment of a preferential parking zone may be initiated by petition containing the signatures of at least sixty (60) percent of the residents of all units of occupancy fronting curbs proposed to be included in the zone. The petition shall include a description of the proposed zone boundaries, the proposed restriction, and the days and hours the restriction is proposed to be effective. The petition shall state that all signatories desire to have preferential parking restrictions imposed and that all signatories are willing to pay associated administrative costs necessary to establish such zone. Each signatory shall affix his or her signature, printed name, and address to the petition which petition shall be circulated by the zone advocates. Not more than sixty (60) days after the petition form is provided by the MUED Department pursuant to section 10.42.020 of this Code, the signed and completed petition shall be submitted to the Traffic and Parking Commission.
- B. The Traffic and Parking Commission shall set a place and time for a public discussion on the proposed zone. The MUED Director shall mail notice of the hearing at least ten (10) days prior to the hearing to all property owners, residents, and other occupants within the proposed zone and within three hundred (300) feet of the boundaries of the proposed zone.
- C. Following public discussion, the Traffic and Parking Commission shall make a recommendation to the City Council regarding whether the preferential parking zone should be established. Following receipt of the recommendation of the Traffic and Parking Commission, the City Council shall, by resolution, determine whether the preferential parking zone shall be established. Said determination shall be based upon factors which may include but are not limited to, the following:
 - (1) High Demand: More than seventy-five (75) percent of the on-street spaces are occupied during the days and hours proposed for parking restriction; and
 - (2) Self Contained Area: The zone, alone or in combination with other existing or potential preferential parking zones, constitutes a self-contained area of parking demand and supply. For purposes of this Section, "self-contained area" shall mean an area of sufficient size to allow for resident parking, using boundaries such as major streets, nonresidential land uses, transition to higher or lower density residential areas, water bodies and other natural features; and using surveys of existing conditions to determine the extent of the area impacted by nonresident parking.
- D. Each preferential parking zone shall be identified by a letter or combination of letters which shall be the official designation of the zone.

10.42.040 TERMINATION OF A PREFERENTIAL PARKING ZONE.

The City Council may terminate a preferential parking zone upon receipt of a petition calling for termination which has been received and transmitted by the City Clerk, and which contains the signatures and corresponding printed name and address representing a majority (fifty percent (50%) plus one (1)) of the dwelling units in the zone. The City Council may also terminate a preferential parking zone, without submission of a petition requesting termination, by resolution setting forth the reasons for such termination which reasons may include, but are not limited to, changes in circumstances which led to the original establishment of the zone.

10.42.050 PERMIT ISSUANCE.

- A. Parking permits for preferential parking zones shall be issued by the Department of Finance. No more than one (1) permit shall be issued for each vehicle for which application is made. Each permit issued shall show by code, color or both, the particular preferential parking zone for which it has been issued and resident permits shall include the license plate number of the motor vehicle for which it was issued.
- B. Preferential parking permits for residents shall be issued only upon application of a legal resident of the established zone who is the registered owner or has exclusive use and control of the vehicle for which application is made. Proof of residency and ownership or exclusive use and control shall be demonstrated as determined by the Finance Director.
- C. The number of preferential parking permits, if any, that may be issued pursuant to this Chapter shall be determined and calculated as follows:
 - (1) Residents: No more than three (3) permits for residents shall be issued to any one (1) residence. Permits issued to residents shall remain valid while the applicant continues to reside at the address set forth on the application and remains the owner of the vehicle for which the permit is issued.
 - (2) Visitors: Not more than two (2) Visitor Preferential Parking Permits shall be issued to any one (1) residence for the use of visitors to the home of the applicant. Visitor permits shall remain valid while the applicant continues to reside at the address set forth on the application.

10.42.060 PERMIT FEE.

Applications for issuance of initial permits or transfer permits when the holder of a permit in one zone moves to another zone and desires a permit for the new zone, or a replacement permit in the case of a lost or mutilated permit, shall be filed with the Department of Finance and shall be accompanied by the fee established by Resolution of the City Council. Fees may be prorated for periods of less than one (1) year except that no refund shall be issued for cancellation of a permit unless the zone is terminated by City Council action. The Finance Director shall not issue a replacement permit unless the Finance Director has received satisfactory evidence that the permit being replaced has been lost or mutilated.

10.42.070 PERMIT DISPLAY.

Preferential parking permits for residents shall be prominently displayed and firmly attached to the left side of the rear bumper of the vehicle for which the permit was issued. Permits for visitors shall be prominently displayed either on the left side of the rear window of the vehicle or hanging from the interior rear view mirror.

10.42.080 PERMIT REVOCATION.

- A. The Finance Director is authorized to revoke the preferential parking permit of any person found to be in violation of any of the provisions of this Chapter and, upon written notification, that person must surrender the permit to the Finance Director or prove its destruction or disfigurement to the Finance Director's satisfaction.
- B. Any person whose preferential parking permit has been revoked shall not be issued a new permit for one (1) calendar year following revocation and must submit a new application and pay the fee required for a new permit.

10.42.090 NOTICE OF PREFERENTIAL PARKING ZONES.

The Facilities and Community Services Director shall place and maintain, or cause to be placed and maintained, on each street or portion of street designated to be within a preferential parking zone, appropriate signs giving notice that vehicles must display preferential parking permits and any applicable time limits for parking of vehicles without permits.

10.42.100 ENFORCEMENT HOURS.

Preferential parking in the zones established by the City Council shall be in effect on those days and during those hours as shall be determined by the City Council when the zone is established.

10.42.110 PARKING PRIVILEGES OF PERMIT HOLDERS.

Any vehicle properly displaying a valid preferential parking permit issued for that vehicle may be parked on any street or portion of street within the zone for which the permit was issued without being limited by the time restrictions imposed pursuant to this Chapter. Permit holders shall be subject to parking restrictions imposed pursuant to any other Chapter of this Code or other state law provisions. Preferential parking permits shall not guarantee or reserve to the holder any specific on-street parking space.

10.42.120 DESIGNATION OF ZONES.

The streets and/or portions of streets established as preferential parking zones for the purposes of this Chapter shall be designated by resolution of the City Council.

10.42.130 EXEMPTIONS.

The following vehicles are exempt from the parking restrictions imposed pursuant to this Chapter:

- A. Vehicles in use for the construction or repair of any utility;
- B. Vehicles engaged in official government business;

C. Vehicles from which persons or goods are being loaded or unloaded;

D. Vehicles engaged in construction, repairs, or similar services on property within the preferential parking zone; or

E. Emergency vehicles.

10.42.140 VIOLATIONS.

A. No vehicle shall be parked or stopped adjacent to any curb in a preferential parking zone in violation of any posted restrictions during the time preferential parking is in effect, unless such vehicle shall have the permit prominently displayed in accordance with section 10.42.070 of this Code.

B. No person shall falsely represent that he or she is eligible for preferential parking permit(s) or furnish false information in an application for a permit.

C. No person shall park or leave standing in a preferential parking zone, any vehicle which displays a preferential parking permit issued for a different vehicle.

D. No person shall park or leave standing in a preferential parking zone any vehicle which displays a facsimile or counterfeit preferential parking permit.

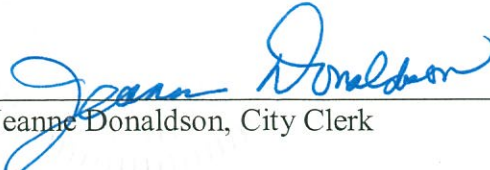
E. No person whose preferential parking permit has been revoked shall refuse or fail to surrender the permit when requested to do so in writing by the Director of Finance.

F. No resident or visitor preferential parking permit issued pursuant to this Chapter shall thereafter be assigned, transferred, sold or used for any consideration, monetary or otherwise."

Section 4. The Mayor Pro Tempore shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and shall cause it, or a summary of it to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this ordinance shall take effect as provided by law.


Denise Davis, Mayor Pro Tempore

ATTEST:


Jeanne Donaldson, City Clerk

I, Jeanne Donaldson, City Clerk of the City of Redlands, hereby certify that the foregoing Ordinance was adopted by the City Council at a regular meeting thereof held on the 17th day of September, 2019 by the following vote:

AYES: Councilmembers Barich, Tejeda, Momberger, Davis
NOES: None
ABSENT: Mayor Foster
ABSTAIN: None



Jeanne Donaldson, City Clerk