# City of Loma Linda Official Report

Floyd Petersen, Mayor
Stan Brauer, Mayor pro tempore
Robert Christman, Councilmember
Robert Ziprick, Councilmember
Charles Umeda, Councilmember

COUNCIL AGENDA: August 23, 2005

TO: City Council

VIA: Dennis R. Halloway, City Manager

FROM: Rolland M. Crawford, Division Chief

SUBJECT: Council Bill #O-2005-13 – Amending the Loma Linda Municipal Code Relating to Parking Regulations

## RECOMMENDATION

That the City Council:

1. Waive reading of the proposed ordinance in its entirety;
2. Direct the Clerk to read by title only;
3. Adopt on roll call vote.

## BACKGROUND

On July 26, 2005, the City Council introduced the Ordinance for Council Bill #O-2005-13. The Council scheduled the second reading for the meeting on August 23, 2005.

## ANALYSIS

Revisions to the City's parking regulations have been a discussion topic for the past several years. The goal has been to clarify and simplify Loma Linda Municipal Code (LLMC) language pertaining to parking and/or storage of vehicles. As a result of these discussions, we have narrowed the focus to regulating commercial vehicles (including commercial trailers), and not to recreational vehicles.

## ENVIRONMENTAL

Not applicable.

## FINANCIAL IMPACT

Not applicable.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA AMENDING CHAPTER 10.36 OF THE MUNICIPAL CODE.

The City Council of the City of Loma Linda does hereby ordain as follows:

**SECTION 1.** Section 10.36.020 of Chapter 10.36 of Title 10 of the Loma Linda Municipal Code is hereby amended in its entirety to read as follows:

**10.36.020 Storage of Vehicles**

A. Residential Zones. It is unlawful for any person to park or store any commercial motor vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more, or any unattached commercial trailer or wheeled commercial equipment, irrespective of weight, upon any public highway, street, road or alley, or on public or private property in the City within any residential or housing zone as defined by Title 17 of this Code; except:
   1. While making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted streets or highways, or
   2. While delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon the restricted streets or highways for which a building permit has previously been obtained.

B. Non-residential Zones. It is unlawful for any person to park or store any commercial motor vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more, or any unattached commercial trailer or wheeled commercial equipment, irrespective of weight, upon any public highway, street, road or alley, or on public or private property in the City between the hours of 2:00 AM and 6:00 AM, or for more than four hours consecutively between the hours of 6:00 AM and 2:00 AM; except:
   1. While making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted streets or highways, or
   2. While delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon the restricted streets or highways for which a building permit has previously been obtained, or
   3. While parked on private property, with the consent of the property owner, in a commercial, manufacturing, general business, or administrative and professional office zone consistent with all requirements of this code or state law, and any applicable conditions of approval of any land use permit for the subject property.

C. All Zones. It is unlawful for any person to park or store any vehicle, including any unattached trailer, upon any public highway, street, road or alley for 72 or more consecutive hours. The 72 hour period may include more than one separate period if a stored vehicle is re-parked in the same vicinity after a brief move, with the intent to circumvent this prohibition.

D. This section shall not apply to:
   1. Any school or passenger bus under the jurisdiction of the Public Utilities Commission,
   2. Any authorized emergency vehicle as defined by the Vehicle Code,
   3. Any vehicle owned by the City, county, State, a public utility, or a licensed and authorized contractor engaged in the construction, maintenance or repair of any public property, utility, or highway, or
   4. Any vehicle displaying a valid permit issued pursuant to section 10.36.060, provided that the vehicle is parked consistent with all terms and conditions of said permit.

**SECTION 2. Penalties.** If any person shall violate any of the provisions of this Ordinance, or fail to comply with any of the mandatory requirements of this Ordinance, he shall be guilty of an infraction. Any person convicted of an infraction under the provisions of a City Ordinance shall be punishable by (1) a fine of not more than one hundred dollars ($100.00) for a first violation; (2) a fine not exceeding two hundred dollars ($200.00) for a second violation of the same Ordinance within one year and (3) a fine not exceeding five hundred dollars ($500.00) for each additional violation of the same Ordinance within one year. Each such person shall be deemed guilty of a separate offense for every day during such portion of which any violation of this Ordinance is committed, continued or permitted by such person, and shall be punishable therefore as provided by this Ordinance.

**SECTION 3. Validity.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding or holdings shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**SECTION 4. Posting.** Prior to the expiration of fifteen (15) days from its passage, the City Clerk shall cause this Ordinance to be posted pursuant to law in three (3) public places designated for such purpose by the City Council.

This Ordinance was introduced at the regular meeting of the City Council of the City of Loma Linda, California, held on the _____day of _____ and was adopted on the _____ day of _____ by the following vote to wit:

Ayes: _____

Noes: _____

Abstain: _____

Absent: _____

_____
Floyd Petersen, Mayor

Attest:

_____
Pamela Byrnes-O'Camb, City Clerk