

MEETING DATE: 02/06/06

AGENDA ITEM : Discussion of Public Comments Relating to Oversized Vehicle
Parking Regulations.

ATTACHMENTS

	<u>Pages</u>
1. Public notification in Culver City News on January 23 and February 2, 2006	1
2. Ordinance No. 2005-009	2-9
3. Residents' proposal	10



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CITY OF CULVER CITY

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

NOTICE OF CULVER CITY

CITY COUNCIL MEETING

REGARDING DISCUSSION OF PUBLIC COMMENTS RELATING TO OVERSIZED VEHICLE PARKING REGULATIONS

You are hereby notified that the following item will be considered by the City Council at its meeting on **Monday, February 6, 2006**:

Discussion of Public Comments Relating to Oversized Vehicle Parking Regulations

The item will be discussed during the regular meeting of the City Council, which will convene at 7:00 p.m., and will be held in the Mike Balkman Council Chambers at the City Hall, 9770 Culver Boulevard, which is accessible to disabled persons. Anyone wishing to address the City Council in person on this item may do so at the time of the meeting commences. Anyone who is unable to attend the meeting but who wishes to provide the City Council with written input or comment may do so by any of the following means **BEFORE 5:30 p.m. on February 6, 2006**:

1. By **LETTER** to the City Clerk, City of Culver City, 9770 Culver Blvd., Culver City, CA 90232;
2. By **FAX** to the City Clerk at 310-253-5830; or
3. By **E-MAIL** to city.clerk@culvercity.org.

The City Council Agenda Item Report will be available for viewing on the City's website on or after February 1, 2006 at www.culvercity.org or at the City Clerk's Office or the Julian Dixon Library, 4975 Overland Avenue, Culver City.

If you have any questions regarding this matter, please call Heather Iker, Deputy City Attorney, at (310) 253-5660.

ORDINANCE NO 2005-009

AN ORDINANCE OF THE CITY OF CULVER CITY,
CALIFORNIA, AMENDING VARIOUS PROVISIONS OF
CHAPTER 7 03 OF THE CULVER CITY MUNICIPAL CODE
RELATING TO PARKING OF OVERSIZED, NON-MOTORIZED
AND COMMERCIAL VEHICLES, 72-HOUR PARKING
LIMITATION AND VEHICLE HABITATION

WHEREAS, the City of Culver City has experienced an increase in
complaints regarding the parking and/or storage of oversized vehicles, including
recreational vehicles campers trailers and boats, on City streets in residential and
commercial areas throughout the City and

WHEREAS, the parking of such vehicles throughout the City has caused the
City and the community concerns regarding safety issues, including reduced visibility of
drivers when backing out of driveways and entering intersections resulting from oversized
vehicles being parked on public streets and rights-of-ways, as well as concerns of, visual
blight and persons living in vehicles and

WHEREAS, the public streets, highways, parkways and alleys are not
intended to be used for the storage of vehicles or vehicle habitation, and

WHEREAS the City acknowledges that the temporary parking of oversized
and commercial vehicles is reasonably necessary for limited purposes such as activities
that are preparatory or incidental to travel and the loading and unloading of goods

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1 **NOW THEREFORE**, the City Council of the City of Culver City, California,
2 **DOES HEREBY ORDAIN** as follows

3 **SECTION 1** Chapter 7 03 of the Culver City Municipal Code is hereby
4 amended to add subchapter 7 03 600, et seq as follows

5 **PROHIBITED AND LIMITED PARKING OF OVERSIZED,**
6 **NON-MOTORIZED AND COMMERCIAL VEHICLES**

7 § 7 03 600 Definitions

8 § 7 03 605 Measurements

9 § 7 03 610 Prohibitions

10 § 7 03 615 Exemption

11 § 7 03 620 Removal and Penalties

12 § 7 03 625 Conflict of Provisions

13 **§ 7 03 600 DEFINITIONS**

14 For the purposes of this subchapter, the following definitions shall
15 apply unless the context clearly indicates or requires a different meaning
16 Any term that is not defined herein shall have the meaning as set forth in the
17 California Vehicle Code

18 **Chief of Police** shall mean the Chief of Police of the City of Culver
19 City or his or her designee

20 **Commercial Vehicle** shall mean any vehicle having more than two
21 axles or any single commercial vehicle or combination of said vehicles which
22 exceed twenty feet (20') in length, any single commercial vehicle or
23 combination of said vehicles eighty-four inches (84) or more in width, or any
24 single commercial vehicle or combination of said vehicles having a
25 manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds
26 or more A commercial vehicle includes a truck tractor but does not include
27 a large motor vehicle or non-motorized vehicle as defined herein or a pick-up
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1 truck without a camper or sports utility vehicle

2 **Large Motor Vehicle** shall mean any house car, pick up truck with
3 camper, recreational vehicle or any other vehicle, or combination of vehicles,
4 that measures more than twenty feet (20') in length, or is both more than
5 eight-four inches (84) in width and eighty-four inches (84") in height The
6 term "large motor vehicle" does not include a commercial vehicle as defined
7 herein, a pick-up truck without a camper or sports utility vehicle

8 **Non-motorized Vehicle** shall mean any trailer, boat, or any other
9 device that can be used for transporting persons or property, and is not self-
10 propelled

11 **Motor Vehicle** shall mean any passenger vehicle, pick-up truck
12 without a camper, sports utility vehicle motorcycle or motor-driven cycle but
13 shall not include a house car

14 **Police Department** shall mean the Culver City Police Department

15 **Residential District** shall mean any area within the City that is zoned
16 R1 R2 R3, RLD RMD, RHD, and those portions of PD Zone districts which
17 are specified for residential uses

18 **Vehicle Owner** shall mean the registered owner or person who has
19 possession custody or control of any motor vehicle large motor vehicle or
20 non-motorized vehicle

21 **§ 7 03 605 MEASUREMENTS**

22 To determine the width or length of the vehicles defined in this
23 subchapter, any extension to the vehicle caused by mirrors, air conditioners,
24 or similar attachments shall not be included

25 **§ 7 03 610 PROHIBITIONS**

26 A No person shall, at any time, park or leave standing any large
27 motor vehicle or non-motorized vehicle on any public street, highway,
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1 parkway or alley except

2 1 In residential districts large motor vehicles or non-
3 motorized vehicles attached to a motor vehicle or large motor vehicle, which
4 are parked adjacent to the vehicle owner's residence, are allowed for a period
5 of time not to exceed forty-eight (48) consecutive hours for the sole purpose
6 of loading unloading cleaning, battery-charging or other activity preparatory
7 or incidental to travel

8 2 In residential districts, large motor vehicles, or non-
9 motorized vehicles attached to a motor vehicle or large motor vehicle, which
10 are parked adjacent to the vehicle owner's residence, may be allowed for an
11 additional period of time of up to twenty-four (24) consecutive hours, but no
12 more than a total of seventy-two (72) consecutive hours, provided an
13 extension has been granted by the Chief of Police

14 B Any large motor vehicle, or non-motorized vehicle attached to a
15 motor vehicle or large motor vehicle, which is parked on a public street,
16 highway parkway or alley pursuant to either subsection (A)(1) or (A)(2)
17 hereinabove shall, at the end of the permitted period of time, whether forty-
18 eight (48) or seventy-two (72) hours, be removed from its location and shall
19 not be parked on any public street, highway, parkway or alley for a period of
20 at least forty-eight (48) hours

21 C No person who owns or has possession, custody or control of
22 any commercial vehicle shall park or leave standing any such vehicle on any
23 public street highway, parkway roadway, alley or thoroughfare for more than
24 three (3) hours, except

25 1 For such reasonable period of time in excess of three (3)
26 hours that may be necessary for the purpose of making pick-ups or deliveries
27 of goods wares, and merchandise from or to any building or structure or for
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1 the purpose of delivering materials to be used for repair, alteration,
2 remodeling, or construction of any building or structure upon a restricted
3 street or highway or

4 2 For such reasonable period of time in excess of three (3)
5 hours that may be necessary when such vehicle is parked in connection with
6 the performance of a service to or on a property in the block in which such
7 vehicle is parked or

8 3 For such reasonable time in excess of three (3) hours
9 that may be necessary to make emergency repairs

10 D No person who owns or has possession, custody or control of
11 any motor vehicle, large motor vehicle, non-motorized vehicle or commercial
12 vehicle, which is six feet (6') or more in height, including any load thereon,
13 shall park or leave standing any such vehicle on any street or highway within
14 forty-five feet (45') of any intersection

15 **§ 7 03 615 EXEMPTIONS**

16 The provisions of this subchapter shall not apply to the following

17 A Any government, public utility or emergency vehicle, or

18 B Any motor vehicle, large motor vehicle, non-motorized
19 vehicle or commercial vehicle that is parked on any public street, highway,
20 parkway, roadway, alley or thoroughfare pursuant to a permit lease license
21 or other entitlement issued by the City

22 **§ 7 03 620 REMOVAL AND PENALTIES**

23 A Unless otherwise specified a violation of any provision of this
24 subchapter shall be deemed a civil offense and punishable by a fine
25 established by resolution of the City Council

26 B Any vehicle found in violation of this subchapter may be cited or
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1 removed, or both cited and removed, by any member of the Police
2 Department authorized by the Chief of Police in the manner and subject to
3 the requirements of this section and California Vehicle Code Sections 22651
4 and 22651 05

5 C After any vehicle has been removed summarily as provided in
6 subsection (B) above, the registered and legal owners of the vehicle shall be
7 given the opportunity for a post-removal hearing to determine the validity of
8 the storage of the vehicle in accordance with California Vehicle Code Section
9 22852

10 D The procedures for hearings provided for in subsection (C)
11 above shall be established by the Chief of Police and the hearing shall be
12 held by the Chief of Police or his or her designee Said designee shall not be
13 the person who directed the storage of the vehicle

14 E The disposition of any stored vehicle shall be in accordance
15 with California Vehicle Code Sections 22850 5 through 22855

16 **§ 7 03 625 CONFLICT OF PROVISIONS**

17 In the event of any conflict between this subchapter and any other
18 provisions of this Code this subchapter shall control

19 **SECTION 2** The title of Section 7 03 220 of the Culver City Municipal Code
20 is hereby amended as follows

21 **§ 7 03 220 USE OF STREETS FOR PARKING, STANDING OR**
22 **STORING OF VEHICLES PROHIBITED**

23 **SECTION 3** Sections 7 03 220 (C) (D) and (E) of the Culver City Municipal
24 Code are hereby repealed (Note The provisions of repealed sections (C)(1) (D) and (E)
25 have been relocated and revised in new subchapter 7 03 600, et seq as set forth above in
26 Section 1 of this Ordinance and the provisions of repealed section (C)(2) have been
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1 revised and adopted as a new section (C) as set forth below in Section 4 of this
2 Ordinance)

3 **SECTION 4** A new Section 7 03 220(C) is hereby adopted to read as
4 follows

5 C Exemptions The provisions of subsections (A) and (B)
6 above shall not apply to the following

7 1 Any government, public utility or emergency
8 vehicle, or

9 2 Any motor vehicle, large motor vehicle, non-
10 motorized vehicle or commercial vehicle that is parked on any public
11 street highway parkway, roadway, alley or thoroughfare pursuant to a
12 permit lease, license or other entitlement issued by the City

13 **SECTION 5** Section 7 03 242 of the Culver City Municipal Code is hereby
14 repealed and replaced with a new Section 7 03 242 as follows

15 **§ 7 03 242 REGULATING VEHICLE HABITATION ON PUBLIC**
16 **STREETS AND OTHER PUBLIC PROPERTY**

17 A Except in a verifiable emergency, no person shall use
18 any vehicle parked or standing upon any public street, alley, right-of-
19 way, public park or other public property as a temporary or permanent
20 substitute for a residence or dwelling unit

21 B For purposes of this section

22 1 Evidence that a vehicle is being used as a
23 temporary or permanent substitute for a residence or dwelling unit
24 shall include, but not be limited to, use of the vehicle for living
25 sleeping, cooking and/or bathing purposes,

26 2 The term "vehicle" shall include any boat and any
27 device, operable or inoperable with or without wheels, by which any
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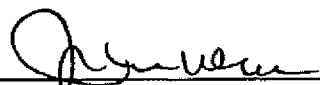
1 person or property may be propelled, moved or drawn upon any street
2 or highway including but not limited to, a motor vehicle mobile home
3 and trailer

4 **SECTION 6** Pursuant to Section 512 of the City Charter, this Ordinance
5 shall take effect thirty (30) days after the date of its adoption Pursuant to Sections 514
6 and 517 of the City Charter, prior to the expiration of fifteen (15) days after the adoption,
7 the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the
8 Culver City News and shall post this Ordinance or a summary thereof in at least three
9 places within the City

10 **SECTION 7** The City Council hereby declares that, if any provision, section,
11 subsection paragraph, sentence, phrase or word of this ordinance is rendered or declared
12 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
13 reason of any preemptive legislation, then the City Council would have independently
14 adopted the remaining provisions sections, subsections, paragraphs, sentences, phrases
15 or words of this ordinance and as such they shall remain in full force and effect

16 **APPROVED AND ADOPTED** this 7th day of November 2005

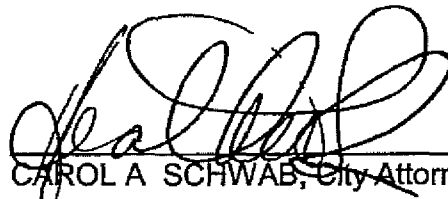
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ALBERT M VERA Mayor
City of Culver City, California

ATTEST

APPROVED AS TO FORM


CHRISTOPHER ARMENTA, City Clerk


CAROL A SCHWAB, City Attorney

From: Guzman, Liz on behalf of Attorney, City
Sent: Tuesday, January 17, 2006 4:53 PM
To: Iker, Heather
Subject: FW: Jan 17 deadline: Amendment for RV Parking

-----Original Message-----

From: DavBreg@aol.com [mailto:DavBreg@aol.com]
Sent: Tuesday, January 17, 2006 2:31 PM
To: Attorney, City; Schwab, Carol; Fulwood, Jerry
Subject: Jan 17 deadline: Amendment for RV Parking

Attention: Heather S. Iker, deputy city attorney

Final Working document--Jan 17 deadline

1. (Modified) Permit parking system: For any legitimate resident of Culver City.

Attach copy of valid current RV registration to inside of windshield or to-be-specified window of towed vehicle, visible to any Police Officer. Only street address without apartment or unit numbers needs to be readable. Name and/or apt numbers may be blacked out. The city and zip code needs to be readable.

Alternate only if desired by registered owner: Permit from city of Culver City to be affixed to inside of windshield. Permit fee not to exceed clerical costs.

Location of above in windshield to be specified by city attorney.

Permit system for visitors to legitimate residents of Culver City to be determined by City Attorney.

2. Parking along curb in front of residence owned or rented by RV owner. City policy that no restrictions to be put in effect on this, except for any other applicable State or City laws.
3. Parking in front of any other R1 or R2 residence. City policy to encourage and /or allow owner, renter or other legitimate occupant of this residence to call police at any time asking for posting three day notice to remove or be towed. If city wishes establish one day notice or shorter.
4. If ticketed for Street Sweeping violation, immediately have Ticketing City employee affix Notice to Remove with three day limit.
5. Strictly enforce No Parking 3 to 6 AM where posted.
6. Ticket offending vehicles without Permit (see point 1 above); post two hour Notice to Remove or be Towed.

END OF WORKING DOCUMENT

Please review this and get back to me at (310) 837-7332. Also email if additional.

Thank you David Bregman, working closely with Mayor Vera

Please place copy in Mayor Vera's in-box.