



Agenda Item #:






Staff Report

City of Manhattan Beach

TO: Honorable Mayor Tell and Members of the City Council

THROUGH:  David N. Carmany, City Manager

FROM: Eve R. Irvine, Chief of Police 
 Roxanne M. Diaz, City Attorney 
 Julie Dahlgren, Management Analyst 

DATE: November 1, 2011

SUBJECT: Adoption of Ordinance No. 2144 Amending the Manhattan Beach Municipal Code by Adding a New Chapter 14.46 Regarding the Parking of Oversized Vehicles and Trailers; Adoption of Ordinance No. 2145 Amending the Manhattan Beach Municipal Code by Adding Section 14.36.180 to Prohibit the Parking of Detached Trailers, and Consideration of a Resolution Amending the Penalty Schedule for Parking Violations.

RECOMMENDATION:

Staff recommends that the City Council a) adopt Ordinance No. 2144 "An Ordinance of the City of Manhattan Beach Adding a New Chapter 14.46 Regarding the Parking of Oversized Vehicles and Trailers and Amending the Manhattan Beach Municipal Code;" b) adopt Ordinance No. 2145 "An Ordinance of the City of Manhattan Beach Amending the Manhattan Beach Municipal Code to Prohibit the Parking of Detached Trailers;" and c) adopt Resolution No. 6331 "A Resolution of the Council of the City of Manhattan Beach Amending the Penalty Schedule for Parking Violations."

FISCAL IMPLICATION:

Signage is required at all entrances of the City and around schools, parks, and community centers in order to enforce the proposed ordinance, at a cost not to exceed \$20,000. Funds were appropriated from the Unreserved General Fund balance at the October 18, 2011 City Council Meeting. Adoption of the ordinances may result in additional parking citation fines and impound fees.

BACKGROUND:

At the October 18, 2011, City Council meeting, City Council waived further reading and introduced Ordinance No. 2144 amending the Manhattan Beach Municipal Code by adding Chapter 14.46 regarding On-Street Parking of Oversized Vehicles and Trailers. City Council also introduced Ordinance No. 2145 amending the Municipal Code by adding Section 14.36.180 regarding Detached Trailer Parking.

Ordinance No. 2144 (Attachment A) requires the City to erect signs on streets adjacent to schools, parks, community centers and other designated areas to prohibit oversized vehicle/trailer parking in areas where there are problems with oversized vehicle parking. Per the California Vehicle Code, it is mandatory for the City to install signage in order to enforce the proposed ordinance. At the October 18, 2011, City Council meeting, staff recommended installing signage at this time around Pacific Elementary School and along Valley Drive around Joslyn Center, Live Oak Park, and Veteran's Parkway due to continued oversized vehicle parking issues in these areas. Additional signs can be added around other schools and parks in the future as needs arise. Signs will be installed on existing sign poles where possible.

Ordinance No. 2145 (Attachment B) prohibits all non-motorized vehicles (e.g. travel trailers, utility trailers, boats), regardless of their size, from parking on City streets at any time unless the trailer is attached to a motor vehicle capable of moving it. Exceptions are allowed for loading/unloading or emergency repairs (up to eight hours). Per the California Vehicle Code, signs will be posted at the entrances of the City and other locations as necessary to notify residents and visitors of the regulation. Signs will be installed on existing sign poles where possible.

Staff will use a variety of methods to notify the public of the adopted ordinances, including the City website and utility bill insert. Staff will return to City Council with a status report in Fall 2012. The Police Department will begin enforcement on February 1, 2012, to provide residents with advanced notice and to allow Public Works Staff to install the necessary signage.

Resolution No. 6331 sets the citation amounts for oversized vehicle and detached trailer parking violations at three times the standard parking ticket amount; presently, that would result in a \$144 citation (\$48 for a standard citation x 3). Adopting a higher citation amount for oversized vehicle and trailer parking violations is in line with neighboring cities. Similar violations in Redondo Beach are \$125 and in Torrance are \$133.

ATTACHMENTS:

- A. Ordinance No. 2144, On-Street Parking of Oversized Vehicles and Trailers
- B. Ordinance No. 2145, Parking of Non-motorized Vehicles and Trailers Prohibited on City Streets
- C. Resolution No. 6331, Penalty Schedule for Parking Violations
- D. City Council Staff Report dated October 18, 2011 (without Attachments)
(Please note, the October 18, 2011 staff report with attachments can be found on the City website, www.citymb.info, under the October 18, 2011 City Council meeting tab)

ORDINANCE NO. 2144

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH
ADDING A NEW CHAPTER 14.46 REGARDING THE PARKING
OF OVERSIZED VEHICLES AND TRAILERS AND AMENDING
THE MANHATTAN BEACH MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA DOES
ORDAIN AS FOLLOWS:

Section 1. Findings.

The City Council finds and determines as follows:

- A. Oversized vehicles, such as recreational vehicles, and trailers when parked on residential streets, create a safety hazard by reducing visibility.
- B. Oversized vehicles and trailers also present a significant burden on limited parking availability on residential streets since a single oversized vehicle and/or trailer uses more than a standard passenger vehicle parking space.
- C. It is therefore necessary and in the interest of the health, safety and welfare of the residents of Manhattan Beach to amend the Manhattan Beach Municipal Code to adopt restrictions on parking oversized vehicles and trailers.

Section 2. A new Chapter 14.46 is hereby added to Title 14 of the Manhattan Beach Municipal Code to read as follows:

“Chapter 14.46

ON-STREET PARKING OF OVERSIZED VEHICLES AND TRAILERS

Sections:

- 14.46.010 Definitions
- 14.46.020 Prohibition of Parking of Oversized Vehicles and Trailers
- 14.46.030 Exceptions
- 14.46.040 Restricted Oversized Vehicle & Trailer Parking Areas
- 14.46.050 Oversized Vehicle Hook-Ups
- 14.46.060 Violation of Chapter
- 14.46.070 Application of Chapter
- 14.46.080 Rules and Regulations

14.46.010 Definitions.

“Oversized Vehicle” as used in this Chapter shall mean any vehicle, as defined by Section 670 of the California Vehicle Code, or combination of vehicles, which exceeds twenty-two feet in

length, seven feet in width or eight feet in height, exclusive of projecting lights or devices allowed by Sections 35109 and 35110 of the California Vehicle Code.

“Trailer” as used in this Chapter shall mean a trailer, semitrailer, camp trailer (including tent trailers), unmounted camper, trailer bus, or trailer coach, as defined in Sections 242, 243, 550, 630, 635, and 636 of the California Vehicle Code regardless of trailer length or width, or a fifth-wheel travel trailer, as defined in Section 324 of the Vehicle Code, regardless of trailer length or width.

14.46.020 Prohibition of Parking of Oversized Vehicles and Trailers.

No person who owns, leases or has possession, custody or control of any Oversized Vehicle or Trailer shall stop, stand, park or leave standing an Oversized Vehicle and/or Trailer at any time upon any public street, alley or highway in a Restricted Oversized Vehicle and Trailer Parking Area as defined in Section 14.46.040.

14.46.030 Exceptions.

The prohibition contained in Section 14.46.020 shall not apply to any of the following:

- A. Oversized Vehicles or Trailers stopped, parked or left standing as a result of a mechanical breakdown but only to allow the performance of emergency repairs on the vehicle or to arrange for emergency repairs to be made, provided that all repairs are completed within eight (8) hours of the mechanical breakdown. Emergency repairs shall be limited to repairs necessitated by sudden unforeseen events, such as a flat tire. Emergency repairs shall not include routine or normal maintenance or extensive mechanical repairs.
- B. Commercial vehicles making pickups or delivery of goods, wares or merchandise, or while actively providing services, including, but not limited to yard maintenance, pool care and maintenance, repair and construction services. This exception does not supersede the regulations set forth in Chapter 7.40 Code entitled Construction Site Temporary Encroachment Permit.
- C. Tow trucks and similar vehicles that are in the course of providing services.
- D. Public or utility vehicles and trailers that are in the course of providing services as set forth in Section 14.08.080 of the City’s Municipal code.
- E. Any public emergency vehicle.
- F. Oversized Vehicles or Trailers belonging to federal, state or local authorities that are temporarily parked within the City while the operator of the vehicle is conducting official business.
- G. Any vehicle stopped to avoid immediate conflict with other traffic or to comply with the directions of a police officer or official traffic control device.

14.46.40 Restricted Oversized Vehicle & Trailer Parking Areas.

A. The Police Chief or his/her designee is authorized to designate areas where the stopping, parking or standing of an Oversized Vehicle and/or Trailer is prohibited as follows: (i) on any street, alley or highway adjacent to any private or public school, City park(s), or community center(s); and/or (ii) on any street, alley or highway where the stopping, parking and/or standing of an Oversized Vehicle and/or Trailer would interfere with vehicular or pedestrian traffic or otherwise create a situation hazardous to the public health, safety or welfare.

B. The Traffic Engineer or his/her designee is authorized to designate areas where the stopping, parking or standing of an Oversized Vehicle and/or Trailer is prohibited as follows: (i) that portion of a city street within twenty-five (25) feet of any intersection; and/or (ii) wherever the Traffic Engineer has caused lines or markings painted or otherwise designated upon the parkway, curb, sidewalk, roadway, driveway, parking lot, or street in such a manner as to identify individual parking spaces, if the parking of an Oversized Vehicle or Trailer would cross any such line or marking, or occupy more than the single space designated by said markings.

C. The Police Chief or Traffic Engineer, as applicable, shall place or cause to be placed signs on such streets, alleys or highways giving notice of the parking restriction as set forth in paragraphs A or B of this Section.

D. When signs authorized by the provisions of this section are in place giving notice thereof, no person who owns, leases or has possession, custody or control of any Oversized Vehicle or Trailer shall stop, stand, park or leave standing an Oversized Vehicle and/or Trailer at any time upon any public street, alley or highway designated by the Chief of Police or Traffic Engineer pursuant to paragraphs A and B of this Section.

14.46.050 Oversized Vehicle Hook-Ups.

No person shall run electrical cords, extension cords, hoses, cables, or other items across, above or on the parkway or sidewalk from any residential or commercial property to an Oversized Vehicle or Trailer parked on a public street.

14.46.060 Violation of Chapter

A. Any person in violation of any provision in this Chapter is guilty of an infraction.

B. Oversized Vehicles and Trailers stopped, parked or left standing on a public street, alley or highway in violation of this Chapter may be removed immediately pursuant to Vehicle Code Section 22651.

C. Oversized Vehicles and Trailers stopped, parked or left standing on a public street, alley or highway in violation of this Chapter are subject to a citation.

14.46.070 Application of Chapter

The time limitations on stopping, standing or parking in this Chapter will not relieve any person

or the Manhattan Beach Municipal Code prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

14.46.080 Rules and Regulations

The Chief of Police is authorized and empowered to adopt rules and regulations to implement the provisions of this Chapter.”

Section 3. The Police Department shall place or cause to be placed signs giving notice of the prohibitions set forth in this Chapter.

Section 4. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Chapter, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Chapter, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 6. The City Clerk shall cause this ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code, shall certify to the adoption of this ordinance.

Section 7. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED, APPROVED, and ADOPTED this 1st day of November, 2011.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

ORDINANCE NO. 2145

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH
AMENDING THE MANHATTAN BEACH MUNICIPAL CODE TO
PROHIBIT THE PARKING OF DETACHED TRAILERS

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA DOES
ORDAIN AS FOLLOWS:

Section 1. Findings.

The City Council finds and determines as follows:

- A. Detached trailers and other non-motorized vehicles can, when parked on residential streets, create a safety hazard by reducing visibility.
- B. Detached trailers are not motorized and cannot be readily moved to provide emergency access on a public street if needed in the event of an emergency.
- C. It is therefore necessary and in the interest of the health, safety and welfare of the residents of Manhattan Beach to amend the Manhattan Beach Municipal Code to adopt restrictions regarding the parking of detached trailers.

Section 2. A new Section 14.36.180 is hereby added to Chapter 14.36 of Title 14 of the Manhattan Beach Municipal Code to read as follows:

“14.36.180 Parking of non-motorized vehicles and trailers prohibited on City streets

A. No person who owns or has possession, custody or control of any non-motorized vehicle, trailer or semitrailer, shall park, stop or leave standing such non-motorized vehicle, trailer, or semitrailer upon any street, alley, public way or public place, unless such non-motorized vehicle, trailer or semitrailer is at all times attached to a motor vehicle capable of providing the motive power for moving the vehicle, trailer, or semitrailer upon the highway, street, alley, public right of way or public place.

B. Exceptions. The prohibition contained in paragraph A above shall not apply to any of the following:

1. The parking, stopping or standing of a non-motorized vehicle, trailer, or semitrailer in the process of being actively loaded or unloaded.

2. The parking, stopping or standing of a non-motorized vehicle, trailer or semitrailer which is disabled in such a manner and to such an extent that it requires some vehicle or facility other than its normal means of motivation; provided, however, such disabled non-motorized vehicle, trailer, or semitrailer may remain so parked while unattached only for the time necessary for the provision of a vehicle or facility to remove the disabled non-

motorized vehicle, trailer, or semitrailer, and in no event longer than eight (8) hours of the breakdown.

3. The parking, stopping or standing of any construction-related equipment that is in compliance with Chapter 7.40, Construction Site Temporary Encroachment Permit, of the City's municipal Code.

C. Any person who violates any provision in this Section is guilty of an infraction and the non-motorized vehicle, trailer or semitrailer may be subject to towing or a citation or both."

Section 3. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b) (3) of Title 14 of the California Code of Regulations.

Section 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Chapter, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Chapter, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 5. The City Clerk shall cause this ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code, shall certify to the adoption of this ordinance.

Section 6. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED, APPROVED, and ADOPTED this 1st day of November, 2011.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney

RESOLUTION NO. 6331

A RESOLUTION OF THE COUNCIL OF THE CITY OF
MANHATTAN BEACH AMENDING THE PENALTY
SCHEDULE FOR PARKING VIOLATIONS

Whereas, the Council of the City of Manhattan Beach adopted Ordinance No. 2144, which adds a new chapter to the Manhattan Beach Municipal Code to prohibit the parking of oversized vehicles and trailers in specified areas of the City such as on any street adjacent to any private or public school, city park or community center. In addition, the Council adopted Ordinance No. 2145 which amends the Manhattan Beach Municipal Code to prohibit all non-motorized vehicles and detached trailers from parking on any street at any time unless the trailer is attached to a motor vehicle capable of moving it; and

Whereas, the City Council is authorized pursuant to Section 40203.5(a) of the California Vehicle Code to establish a schedule of parking penalties for parking violations.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MANHATTAN BEACH DOES HERBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to California Vehicle Code Section 40203.5, the City Council hereby establishes the following amount as the base penalty for the following parking violations:

Classification	Description	Amount
Parking Violation	Parking of Oversized Vehicles and Trailers (§14.46.020)	\$144.00
Parking Violation	Parking of Detached Vehicles and Trailers (§14.36.180)	\$144.00

Section 2. The parking citation penalty set forth in Section 1 above shall be subject to previously adopted state mandated surcharges, late fees and other similar charges that are added to the City's parking citations.

Section 3. The City Council is taking action only on penalties amount set forth in Section 1. Remaining state mandated surcharges, late fees and other similar charges that have been set forth in previous resolutions or actions of the City have not been modified.

Section 4. This resolution shall take effect immediately upon adoption.

Section 5. The City Clerk shall certify to the adoption of this resolution

PASSED, APPROVED AND ADOPTED this 1st day of November, 2011

Ayes:
Noes:
Absent:
Abstain:

Nicholas W. Tell, Jr., Mayor
City of Manhattan Beach

Attest:

_____ (SEAL)
Liza Tamura, City Clerk

Approved as to Form:



Roxanne M. Diaz, City Attorney



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Tell and Members of the City Council

THROUGH: David N. Carmany, City Manager

FROM: Eve R. Irvine, Chief of Police
Roxanne M. Diaz, City Attorney
Julie Dahlgren, Management Analyst

DATE: October 18, 2011

SUBJECT: Consideration of Ordinance No. 2144 Amending the Manhattan Beach Municipal Code by Adding a New Chapter 14.46 Regarding the Parking of Oversized Vehicles & Trailers; Consideration of Ordinance No. 2145 Amending the Manhattan Beach Municipal Code by Adding Section 14.36.180 to Prohibit the Parking of Detached Trailers; and Appropriate \$20,000 from the Unreserved General Fund for the Cost of Signage .

RECOMMENDATION:

Staff recommends that the City Council consider versions of Ordinance No. 2144 regulating parking of oversized vehicles and detached trailers; a) waive further reading and introduce a version of Ordinance No. 2144 adding Chapter 14.46 to the Manhattan Beach Municipal Code regarding oversized vehicle parking; b) waive further reading and introduce by title only Ordinance No. 2145 adding Section 14.36.180 prohibiting the parking of detached trailers; and c) appropriate funds for signage from the Unreserved General Fund balance in an amount not to exceed \$20,000.

FISCAL IMPLICATION:

Most options require signage at all entrances of the City in order to enforce. The cost for the signage around the perimeter of the City is approximately \$10,000. Specific signage may also be required in designated areas around schools, parks, and community centers (at an estimated cost of approximately \$10,000). Depending on the option selected, staff recommends funds in an amount not to exceed \$20,000 be appropriated from the Unreserved General Fund balance. Adoption of any of the ordinances may result in additional parking citation fines and impound fees.

BACKGROUND:

The City Council, Police Department, and other City staff members receive complaints about traffic and parking each year. The presence of oversized/recreational vehicles (including motorhomes, campers, boats, and trailers) is a recurring issue among these complaints. Concerns include reduced roadway space for motorists (especially on narrow streets), oversized vehicles occupying multiple valuable parking spaces, safety concerns regarding line of sight of

approaching traffic at intersections and driveways, oversized vehicles parked near schools, and the visual blight.

Oversized vehicle parking was added to City Council's FY 2009-2010 Work Plan, and discussed at the March 2, 2010 City Council Meeting where City Council referred the item to the Parking and Public Improvements Commission (PPIC). The PPIC held three public meetings regarding oversized vehicle parking (April 22, July 22, and August 26, 2010). Staff returned to City Council on December 21, 2010 and again on May 17, 2011 for further discussion.

Many cities in Los Angeles County have implemented stricter regulations for oversized vehicles, including implementation of permit programs. The Cities of Hermosa Beach, Redondo Beach, Torrance, Rancho Palos Verdes, Hawthorne, Culver City, Santa Monica, and Los Angeles are among more than 30 cities in the County to have oversized vehicle parking restrictions. El Segundo is also exploring oversized vehicle parking restrictions.

Currently, there are approximately 160 recreational vehicles registered to Manhattan Beach residents. The majority of oversized vehicles parked on Manhattan Beach streets belong to residents. As more cities adopt oversized vehicle parking restrictions, it is possible that the number of non-resident oversized vehicles parking in our community may increase if we do not have any oversized vehicle parking restrictions.

Permit Programs

Cities have used a variety of strategies to restrict oversized vehicle parking on City streets; 75% of those surveyed utilize a permit program for oversized vehicles, but the structure of the permit programs varies greatly. The types of permit programs can be generally categorized into three types:

- **Absolutely No Oversized Vehicle Parking at Any Time without a Permit:**

Implemented by Rancho Palos Verdes, Torrance, Hermosa Beach, Lakewood, Temple City, South Pasadena, and Signal Hill

In Rancho Palos Verdes, oversized vehicle parking is prohibited at any time, but the City issues resident and guest parking permits for parking in front of the permittee's house or a neighboring house if a parking permission agreement is obtained. Permits are limited to no more than 72 permits in any calendar year.

Torrance also has a permit program that allows a person to park their oversized vehicle or that of a guest in front of their property with a permit. Residents can obtain daily permits and can be parked for up to 72 consecutive hours. Permits are limited to no more than 96 permits in any calendar year. For oversized vehicles of guests, a daily permit can be obtained and a resident can request no more than 14 consecutive permits at one time and no more than 30 permits in any calendar year.

Hermosa Beach recently adopted an ordinance which prohibits oversized vehicle parking at any time, but allows parking with resident and guest parking permits. The permits are valid for up to a 72 hour period and residents may not be issued more than 32 permits in any calendar year. Guest permits are limited to no more than 4 consecutive permits and are limited to 10 permits in a calendar year.

- **Oversized Vehicle Loading/Unloading Allowed for Limited Period of Time Without Permit, Parking for Longer Period of Time Requires a Permit:**

Implemented by Culver City, Hawthorne, Calabasas, Santa Clarita, Montebello, Lawndale, Bradbury, and La Cañada Flintridge

Culver City allows residents to park adjacent to their residence for up to 48 hours for loading/unloading without a permit. A resident can park an additional 24 hours (72 hours in total) by obtaining a permit. At the end of the permitted time, oversized vehicles must be removed from City streets for at least 48 hours.

Hawthorne also allows residents to park adjacent to their residence for up to 48 hours for loading/unloading without a permit. Permission must be granted by the Chief of Police at least three days in advance to park for an additional 24 hours (72 hours in total).

- **Daytime Oversized Vehicle Parking Allowed Without a Permit, Permit Required for Overnight Oversized Vehicle Parking:**

Implemented by Redondo Beach, Santa Monica, Los Angeles, Bellflower, Glendora, San Marino, Alhambra, Claremont, and San Dimas

In June 2011, Redondo Beach began enforcing an ordinance that prohibits non-residents from parking an oversized vehicle in the City any day of the week between 2:00 a.m. and 6:00 a.m. A resident may park their oversized vehicle during restricted hours near their residence with a permit Tuesday through Friday and without a permit on Saturday, Sunday, and Monday. Redondo Beach residents must register their oversized vehicle with the City and pay a one-time registration fee to park during hours requiring a permit. Registered oversized vehicles are allowed 60 permits per calendar year.

Santa Monica prohibits oversized vehicle parking from 2:00 a.m. to 6:00 a.m., and requires a permit for overnight oversized vehicle parking. No more than 36 overnight permits are issued in a calendar year.

Non-Permit Programs

Seven cities surveyed do not allow any overnight parking of any type of vehicle, and do not issue overnight permits to recreational or oversized vehicles (*Beverly Hills, La Mirada, San Gabriel, Duarte, Whittier, Cerritos, and Sierra Madre*). These are more traditional overnight parking prohibitions which are adopted, not necessarily to address recreational vehicles, but to prohibit all parking of vehicles in the city from the hours of generally 2:00 a.m. to 6:00 a.m. Permits are issued on a limited basis, and only to passenger vehicles.

The most restrictive oversized vehicle parking regulations found were in Inglewood, where oversized vehicles can only be parked on City streets for two hours at a time.

DISCUSSION:

As previously noted, this topic has been a matter of discussion at several public meetings. Given that there has been a change in department heads who have previously presented this item (Chief of Police and City Attorney), Staff is presenting City Council with five options representing the various types of oversized vehicle parking ordinances. This will serve as the foundation for a discussion about what type of ordinance will best serve the residents of Manhattan Beach.

Staff prepared five proposed ordinances for consideration, some with permits and some without. There a number of consistent provisions among the five ordinances, which are similar to other ordinances adopted by our neighboring cities, and they are as follows:

- The definition of oversized vehicles and trailers is the same in each option. An oversized vehicle is defined as a vehicle as greater than 22 feet long, 7 feet wide or 8 feet high.
- Exceptions to the prohibitions are contained in each option to exempt from the prohibition certain activities such as: commercial vehicles actively engaged in making deliveries or providing services; tow trucks providing services; public vehicles and utility vehicles in the course of providing services or conducting official business; emergency repair of the oversized vehicle or trailer but limited to sudden unforeseen repairs that must be completed within 8 hours of the breakdown; accommodations for oversized vehicles operating at construction sites pursuant to other provisions of the City's municipal code.
- Each option prohibits oversized vehicles from running electrical cords, cables, etc. from the residential/commercial property to the vehicle in the street.
- Each option authorizes the Chief of Police to designate areas where the parking of oversized vehicles and trailers are prohibited regardless of whether the ordinance provides for a permit system. This authority applies to streets adjacent to private or public schools, city parks, community centers and on any street where the stopping or parking of an oversized vehicle or trailer would interfere with vehicular or pedestrian traffic or create an otherwise hazardous situation. If implemented by the Chief of Police, signage must be posted before the prohibition is effective.
- Each option authorizes the Traffic Engineer to designate areas where the parking of oversized vehicles and trailers are prohibited regardless of whether the ordinance provides for a permit system. This authority applies to portions of city streets within 25 feet of any intersection where the Traffic Engineer believes that parking should be prohibited. It also applies to streets where the Traffic Engineer has designated through markings or other means individual parking spaces and allows the Traffic Engineer to prohibit an oversized vehicle or trailer to cross that line or marking or otherwise occupy more than one space. If implemented by the Traffic Engineer, signage must be posted before the prohibition is effective.
- Each ordinance includes penalties for violation of the ordinance including citation and towing.
- Regardless of which ordinance is adopted, signage will be required to be posted before the provisions of the ordinance can be enforced.

The unique provisions of the five options are discussed further below:

Option 1: Absolutely No Oversized Vehicle Parking Anytime without a Permit. (Similar to the version recommended by PPIC.)

- No oversized vehicle parking anytime without City registration and permit.
- 72 one-day permits are available to City residents who register their oversized vehicle or trailer with the City in one calendar year.
- Guest permits are available for residents who on occasion rent an oversize vehicle or are visited by guests who have an oversized vehicle. 14 guest permits are available in one calendar year.

This version is simple to enforce but requires more day to day administration for the City and may be burdensome for residents who need to load and unload their oversized vehicle before and after trips. (See Attachment A)

Option 2: Oversized Vehicle Loading/Unloading Allowed for 48 Hours without Permit. A Time Extension for an Additional 24 Hours Allowed with a Permit.

- No oversized vehicle parking anytime without City registration.
- If a resident registers their oversized vehicle/trailer, the resident may park that vehicle for up to 48 hours without a permit.
- If a resident desires a time extension, a permit can be obtained for an additional 24 hour period.
- After the allowable period (48 or 72 hours), the vehicle must vacate City streets for at least 48 hours.
- For those oversized vehicles/trailers not registered in the City (that owned of guests or rented by residents), a parking permit can be obtained to allow parking of the vehicle for up to a 72-hour period. No more than 14 permit days can be issued in one calendar year.

This version is more labor intensive to enforce than Option One, but reduces the day to day administration for the City because fewer permits would need to be issued. It would also be less burdensome for residents, who would have the freedom to load and unload their oversized vehicle before and after trips for up to 48 hours without obtaining a permit. (See Attachment B)

Option 3: Daytime Oversized Vehicle Parking Allowed without a Permit. A Permit is Required for Overnight Parking.

- Residents and non-residents are allowed to park oversized vehicles/trailers on City streets from 6:00 a.m. to 2:00 a.m. (20 hours in a day).
- Residents can obtain an overnight permit to park their vehicle from 2:00 a.m. to 6:00 a.m. No more than 36 permits can be issued in any calendar year.
- Guest permits are available for residents who rent an oversize vehicle or are visited by guests who have an oversized vehicle. 7 guest permits are available in one calendar year.

This version is simple to enforce, but requires more day to day administration for the City and may be burdensome for residents. (See Attachment C)

Option 4: Daytime Oversized Vehicle Parking Allowed; No Overnight Parking.

- Residents and non-residents are allowed to park oversized vehicles/trailers on City streets from 6:00 a.m. to 2:00 a.m. (20 hours in a day).
- No overnight oversized vehicle parking allowed (2:00 a.m. to 6:00 a.m.)

This version is simplest to enforce and there is no day to day administration for staff, but it provides residents the least flexibility because it does not allow overnight parking if needed to load or unload. (See Attachment D)

Option 5: No Oversized Vehicle Parking around Schools and Other Designated Areas.

- This option would allow the Chief of Police to erect signs around schools, parks, community centers and other designated areas to prohibit oversized vehicle/trailer parking in areas where there are problems with oversized vehicle parking.
- It should be noted that this provision is contained in the other 4 options.

This version is simple to enforce and will require no day to day administration for staff. (See Attachment E)

Parking Around Schools

If Option 3, 4, or 5 is implemented, this would allow the City to erect signs around schools, community centers, and parks as needs arise. If one of these options is selected, staff recommends installing signage at this time around Pacific Elementary School and along Valley Drive around Joslyn Center, Live Oak Park, and Veteran's Parkway due to continued oversized vehicle parking issues in these areas. Signs will be installed on existing poles, where possible. Additional schools and parks can be signed in the future as needs arise.

Where oversized vehicle parking is banned all day Citywide unless an oversized vehicle is registered with the City (Options 1 and 2), information will be included in the registration paperwork which delineates areas where parking is expressly prohibited. Therefore, signs around the designated areas (like schools, parks, and community centers) are not needed under these options.

Proposed Fees

Options 1, 2, and 3 require residents to register their oversized vehicle with the City by filing an application and paying a one-time registration fee. Once registered, the resident will be issued a registration sticker to place on the vehicle. This will assist Staff in the enforcement and administration of the ordinance.

Staff is recommending that, for the first year, fees for permits and one-time registration are free.

Detached Trailer Parking

The proposed detached trailer ordinance (Ordinance No. 2145) is modeled after the cities of Hawthorne, Thousand Oaks, and Downey. It prohibits all non-motorized vehicles (e.g. travel trailers, utility trailers, boats), regardless of their size, from parking on City streets at any time unless the trailer is attached to a motor vehicle capable of moving it. Exceptions are allowed for loading/unloading or emergency repairs (up to eight hours). (See Attachment F)

City Council introduced a version of this Detached Trailer Ordinance at the May 17, 2011 City Council Meeting (See Attachment G). The ordinance for City Council consideration is the detached trailer ordinance as presented at the May 17, 2011 meeting, with the addition of a clarifying statement regarding detached trailers at constructions sites. This change requires the City Council to re-introduce Ordinance No. 2145 with the new language.

Enforcement

Per the California Vehicle Code, it is mandatory for the City to install signage in order to enforce the proposed ordinances. Some options require signs around the perimeter of the City (approximately 60 signs), some options require signs around designated areas (like schools, parks, and community centers), and some options require both.

Complaint-based enforcement of the ordinance had been discussed. Upon review, the City Attorney advised against incorporating the complaint-driven only enforcement policy into the municipal code because it may create several issues related to enforcement, specifically the issue of selective enforcement. Accordingly, in order to ensure that the ordinance meets minimum constitutional standards, this process has not been incorporated in any of the options. An enforcement system which solely relies upon complaints may result in discriminatory enforcement, where residents “look the other way” when they are paid a fee or when a friend or neighbor parks on their street, while seeking enforcement of other vehicles in violation. It is recommended that the ordinance be enforced by the Police Department, similar to other parking violations established by the City.

Whichever option is approved, Staff recommends City-wide enforcement would begin on February 1, 2012, to allow oversized vehicle owners time to find adequate off-street storage and allow Public Works Staff to install the necessary signage.

Citation amounts for oversized vehicle and detached trailer parking violations will be set by resolution and will be three times the standard parking ticket amount; presently, that would result in a \$144 citation (\$48 for a standard citation x 3).

Staff will use a variety of methods to notify the public of the adopted ordinance, including the City website, City newsletter, message boards, and utility bill insert. Staff will return to City Council with a status report in the fall of 2012.

CONCLUSION:

Staff recommends that the City Council provide direction as to which option the City Council desires to implement.

Once an option is selected, the City Council should make a motion to introduce, waive full reading and read by title only the ordinance entitled “An Ordinance of City of Manhattan Beach Adding a New Chapter 14.46 Regarding the Parking of Oversized Vehicle and Trailers and Amending the Manhattan Beach Municipal Code.” Staff also recommends that the City Council make a motion to introduce, waive full reading and read by title only the ordinance entitled “An Ordinance of the City of Manhattan Beach Amending the Manhattan Beach Municipal Code to Prohibit the Parking of Detached Trailers.” Last Staff recommends the appropriation of funds for the signage.

If a proposed ordinance is introduced, the Police Department will continue to work with the City Attorney, Community Development, Public Works, and Finance Departments to implement the ordinance.

ATTACHMENTS:

- A. Ordinance No. 2144, Option 1 - No Oversized Vehicle Parking Any Time without a Permit
- B. Ordinance No. 2144, Option 2 - Oversized Vehicle Loading/Unloading Allowed for Limited Period of Time without Permit, Parking for Longer Period of Time Requires a Permit
- C. Ordinance No. 2144, Option 3 - Daytime Oversized Vehicle Parking Allowed without a Permit, Permit Required for Overnight Parking
- D. Ordinance No. 2144, Option 4 - Daytime Oversized Vehicle Parking Allowed; No Overnight Oversized Vehicle Parking Allowed
- E. Ordinance No. 2144, Option 5 - No Oversized Vehicle Parking Around Schools and Other Designated Areas
- F. Ordinance No. 2145, No Detached Trailer Parking Any Time
- G. City Council Staff Report dated May 17, 2011 (with Attachments)