

REPORT TO CITY COUNCIL

DATE: NOVEMBER 28, 2011

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

SUBJECT: INTRODUCTION OF ORDINANCE NO. 11-391; AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING TITLE 15 OF THE LOS ANGELES COUNTY CODE, AS ADOPTED BY REFERENCE, ADOPTING PARKING REGULATIONS FOR CITY-OWNED AND CITY-OPERATED PARKING FACILITIES AND AMENDING ARTICLE III OF THE AGOURA HILLS MUNICIPAL CODE

This report addresses the introduction of an ordinance regulating city-owned and city-operated parking facilities.

Section 3200 of Chapter 2 of Article III of the Agoura Hills Municipal Code (AHMC) adopts, by reference, Title 15, Vehicles and Traffic, Division 1, Traffic Code of the Los Angeles County Code, as amended and in effect on April 1, 1983, as the traffic ordinance of the City of Agoura Hills.

Recently, staff has been citing vehicles on a daily basis at City Hall in direct violation of two particular sections in the County Code related to the parking of trailers or semi-trailers on County property, as well as overnight parking at County library facilities. Los Angeles County Ordinance (LACO) 15.64.100 specifically prohibits trailers or semi-trailers from being parked in a public way or public place without being attached to a vehicle capable of moving the trailer or semi-trailer in a normal manner at all times. Additionally, LACO 15.64.447 specifically prohibits overnight parking (10pm – 6am) at County library facilities. Although both ordinances give the ability for the City to enforce the code, it limits such enforcement strictly to citing, with no authority to remove the vehicle.

Due to the recent barrage of citations being issued at City Hall, staff thought it would be prudent to amend the code to allow for more expeditious enforcement abilities for all City-owned and City-operated parking lots, namely, being able to quickly remove a vehicle in violation of the proposed ordinance.

Those parking lots include:

- (1) City Hall
- (2) Recently acquired Recreation Center site
- (3) Forest Cove Park
- (4) Morrison Park
- (5) Old Agoura Park
- (6) Reyes Adobe Park
- (7) Sumac Park
- (8) Horse Arena

California Vehicle Code Section 21113, 22519, and 22651 authorize the City to regulate parking within its boundaries.

Under the new ordinance, the City would be required to post one sign at the entrance of each City-owned and City-operated parking lot clearly noting that vehicles violating the parking restrictions may be removed at the owner's expense. Furthermore, the City Manager, or his or her designee, has the ability, on behalf of the City Council, to create and enforce additional parking regulations as he or she deems necessary, so long as such additions are properly noted on required signage and available for inspection at the Office of the City Clerk.

The attached ordinance, if adopted, would permit the City to initiate quick action against vehicles parked on City-owned and City-operated parking lots that are in violation of the proposed ordinance. Following tonight's first reading, this item would return to the Council at the December 14, 2011, City Council meeting as a public hearing item. If approved following the public hearing, the ordinance will officially go into effect January 14, 2012, thirty (30) days after final City Council approval.

RECOMMENDATION

Staff respectfully recommends the City Council:

- (1) Introduce, read by title only, and waive further reading of Ordinance No. 11-391, An Ordinance of the City of Agoura Hills, California, Regarding Adopting by Reference Title 15 of the Los Angeles County Code, Revising Parking Regulations to Include Parking Regulations for City-owned and City-operated Parking Facilities and Amending Article III of the Agoura Hills Municipal Code, and;
- (2) Set a Public Hearing for Ordinance No. 11-391 for December 14, 2011.

Attachment: Ordinance No. 11-391

ORDINANCE NO. 11-391

**AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA,
AMENDING TITLE 15 OF THE LOS ANGELES COUNTY CODE, AS
ADOPTED BY REFERENCE, ADOPTING PARKING REGULATIONS
FOR CITY-OWNED AND CITY-OPERATED PARKING FACILITIES
AND AMENDING ARTICLE III OF THE AGOURA HILLS MUNICIPAL
CODE**

**THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS
FOLLOWS:**

Section 1. Findings and Intent.

- A. The City of Agoura Hills previously adopted by reference Title 15, Vehicles and Traffic, Division 1, Traffic Code of the Los Angeles County Code, as the traffic ordinance of the City of Agoura Hills.
- B. The City of Agoura Hills desires to amend the Traffic Code to include regulations for City-owned and City-operated parking facilities.
- C. California Government Code Section 50022.2, *et seq.* authorizes the adoption by reference of County Codes and also authorizes amendments to previously adopted County Codes to be adopted in the same manner as adoption by reference.
- D. A duly noticed public hearing, as required by California Government Code Section 50022.3, has been conducted and concluded prior to the adoption of this Ordinance.
- E. At least one (1) copy of Title 15 of the Los Angeles County Code, certified as full, true and correct, has been filed in the office of the City Clerk of the City of Agoura Hills in accordance with the provisions of California Government Code Section 50022.6.
- F. All legal prerequisites to the adoption of this Ordinance have occurred.
- G. The purpose of this Ordinance is to establish parking restrictions on City-owned or City-operated parking facilities pursuant to California Vehicle Code Sections 21113, 22519, and 22651.

Section 2. Code Amendment. Section 3204 of Chapter 2 of Article III of the Agoura Hills Municipal Code is hereby further amended by adding Section 15.64.449 to Part 2 of Chapter 15.64 of Division 1 of Title 15 of the Traffic Code of the Los Angeles County Code, as amended and in effect on April 1, 1983, to read as follows:

Notwithstanding the provisions of Section 3200, the Traffic Ordinance is amended by amending Part 2, Chapter 15.64 of Division 1 of Title 15 by adding Section 15.64.449 to read:

15.64.449 City-Owned or City-Operated Parking Facilities – Parking Restrictions.

A. This section shall apply to the following off-street parking lots owned or operated by the City (“City Parking Lots”):

1. “Agoura Hills City Hall Parking Lot” consisting of approximately 85 parking spaces, located at 30001 Ladyface Court (APN 2061-005-911), as depicted on a map on file in the Office of the City Clerk;

2. “Agoura Hills Recreational Center Parking Lot” consisting of approximately 119 parking spaces, located at 29900 Ladyface Court (APN 2061-005-915), as depicted on a map on file in the Office of the City Clerk;

3. “Forest Cove Park Parking Lot” consisting of approximately 32 parking spaces, located at 5451 Forest Cove Lane (APN 2053-029-900 and APN 2053-018-901), as depicted on a map on file in the Office of the City Clerk;

4. “Morrison Park Parking Lot” consisting of approximately 22 parking spaces, located at 29909 Forest Cove Lane (APN 2056-058-900), as depicted on a map on file in the Office of the City Clerk;

5. “Old Agoura Park Parking Lot” consisting of approximately 46 parking spaces, located at 5301 Cheseboro Road (APN 2055-009-900, APN 2055-009-901, APN 2055-008-903, APN 2055-008-904, APN 2055-008-905, APN 2055-008-906 and APN 2055-008-907), as depicted on a map on file in the Office of the City Clerk;

6. “Reyes Adobe Park Parking Lot” consisting of approximately 23 parking spaces, located at 31400 Rainbow Crest Drive (APN 2054-025-900, APN 2054-024-900, APN 2054-022-901 and APN 2054-022-902), as depicted on a map on file in the Office of the City Clerk;

7. “Sumac Park Parking Lot” consisting of approximately 7 parking spaces, located at 6000 Calmfield Avenue (APN 2050-018-900), as depicted on a map on file in the Office of the City Clerk;

8. “Horse Arena Parking Lot” consisting of approximately 17,500-square feet of dirt parking lot area, located at 5301 Chesebro Road (APN 2055-008-908, APN 2055-008-909, APN 2055-008-910 and APN 2055-008-902), as depicted on a map on file in the Office of the City Clerk; and

9. Any parking lot owned or operated by the City and designated by Resolution of the City Council as being subject to this Section.

B. The following restrictions apply to all City Parking Lots subject to this Section:

1. No vehicle shall be parked or left standing adjacent to a red curb or line painted red;

2. No vehicle shall be parked or left standing in any parking space or area marked with a sign or pavement markings stating “No Parking”;

3. No vehicle shall be parked or left standing within two (2) or more designated parking spaces or in a manner that inhibits the use of adjacent parking space.

4. Parking of vehicles is permitted only in designated spots.

5. Parking of vehicles is permitted only for City patrons or staff.

6. No unauthorized parking of vehicles in areas or spaces marked as reserved.

7. No parking of vehicles in aisles or hash-marked areas.

8. No parking of vehicles in driveways.

9. No loitering in City Parking Lots.

10. No overnight parking of vehicles between the hours of 10:00 p.m. to 6:00 a.m.

11. No dumping of gray water or other materials of any kind from any vehicle or recreational vehicle unit.

12. No parking vehicles over twenty (20) feet long.

13. No parking of vehicles in violation of the times when parking at City Parking Lots is prohibited as set forth in this Section or by resolution of the City Council;

14. No parking of vehicles in violation of any applicable requirements of the California Vehicle Code, including without limitation, restrictions on parking in parking space reserved for persons with disabled placards; or

15. No parking of vehicles in violation of any other parking restrictions as may be set forth in this Section or by resolution of the City Council.

C. The parking restrictions set forth in Subsection B of this Section shall be posted on signs at the City Parking Lots in accordance with the following requirements:

1. A sign shall be displayed, in plain view at all vehicle entrances to the City Parking Lot;

2. Each sign shall be not less than seventeen inches (17”) by twenty two inches (22”) in size with lettering not less than one inch (1”) in height, describing the parking restrictions;

3. Each sign shall indicate that vehicles violating the parking restrictions may be removed at the owner's expense; and

4. Each sign shall contain the telephone number of the local traffic law enforcement agency where a person whose vehicle has been removed from a City Parking Lot may find out the status of the vehicle and the location to which it has been removed.

D. The City Council authorizes the City Manager, or his or her designee, to issue, on behalf of the City Council, additional parking regulations and restrictions relating to the use of any or all of the parking facilities listed in this Section and to post at such parking facilities appropriate signs giving notice of all applicable regulations and restrictions in compliance with Subsection C of this Section. A written statement of regulations and restrictions imposed under this Section shall be available for inspection at the office of the City Clerk of the City of Agoura Hills.

E. In addition to the grounds for removal specified in the California Vehicle Code, and pursuant to California Vehicle Code section 22651(n), vehicles parked in violation of Subsection B of this Section shall be subject to removal from a City Parking Lot within the City.

1. Such vehicles may be removed by any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or may be removed by any regularly employed and salaried employee of the City who is engaged in directing traffic or enforcing parking laws and regulations of the City. Vehicles removed from City Parking Lots shall be removed and stored either to: (a) the nearest garage; (b) a garage designated or maintained by the City; or (c) other place of safety as approved in writing by the City Manager, or his or her designee.

2. The City Council hereby delegates to and authorizes the City Manager to adopt such written regulations and procedures as necessary to implement the removal of vehicles parked or left standing on a City Parking Lot in violation of this Section.

3. The City Council hereby delegates to and authorizes the City Manager to enter into such agreements with tow services as may be necessary to implement the removal remedies of this Section.”

Section 3. CEQA. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment because the adoption of this Ordinance will impose greater limitations on parked vehicles in the City, and will thereby serve to reduce potential significant adverse environmental impacts. It is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 5. Certification and Posting. The City Clerk of the City of Agoura Hills shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law. This Ordinance shall go into effect on the 31st day after its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2011.

CITY OF AGOURA HILLS:

Harry Schwarz, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk

APPROVED AS TO FORM:

Craig A. Steele
City Attorney