

**Meeting Date:** 12/9/2014

**Report Type:** Consent

**Report ID:** 2014-00881

**Title:** Ordinance Amending Sacramento City Code Section 10.36.080(A) Limiting Parking of Any Unattached Vehicle, Structure, Trailer, Semitrailer, or Equipment On A Street or Highway (Passed for Publication 12/02/2014; Published 12/05/2014)

**Location:** Citywide

**Recommendation:** 1) Pass an Ordinance amending Section 10.36.080 (A) of the Sacramento City Code to limit the parking of any unattached vehicle, structure, trailer, semitrailer or equipment on the street or highway; and 2) Pass a resolution amending the City's Fee and Charge Report.

**Contact:** Erika Galang, Program Specialist, (916) 808-8572; Matthew W. Eierman, Parking Services Manager, (916) 808-5849, Department of Public Works

**Presenter:** None

**Department:** Public Works Department

**Division:** On-Street Parking Admin

**Dept ID:** 15001511

**Attachments:**

1-Description/Analysis

2-Background

3-Resolution

4-Exhibit A - Ordinance Amending Section 10.36.080 - Red-line version

5-Exhibit B - Ordinance Amending Section 10.36.080

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**City Attorney Review**

Approved as to Form  
Audreyell A. Anderson  
12/2/2014 10:56:49 AM

**Approvals/Acknowledgements**

Department Director or Designee: Jerry Way - 11/21/2014 12:39:49 PM

## Description/Analysis

**Issue:** The Sacramento City Code currently does not regulate the parking of unattached vehicles, structures, trailers, semitrailers, or equipment on City streets or highways. These vehicles, structures, trailers, semitrailers, and equipment consume limited parking supply and also diminish the aesthetics of the streetscape. In addition, they cannot be easily removed and may cause potential safety hazards in the event of an emergency.

**Policy Considerations:** The proposed actions herein are consistent with the authorization given pursuant to Sacramento City Code Section 10.36.080(A) to remove vehicles or impose administrative penalties for vehicles parked in a manner which limit the parking supply.

**Economic Impacts:** None.

**Environmental Considerations:** This ordinance is not subject to the provisions of the California Environmental Quality Act (CEQA) under the general rule (CEQA Guidelines Section 15061(b)(3)) that CEQA applies only to projects that have the potential for causing a significant effect on the environment.

**Sustainability:** This ordinance supports the City of Sacramento's sustainability goals to improve and optimize the transportation infrastructure.

**Other:** None.

**Commission/Committee Action:** On October 7, 2014, the Law and Legislation Committee forwarded the ordinance to the City Council with a recommendation for approval.

**Rationale for Recommendation:** The California Vehicle Code does not specifically regulate the parking of unattached vehicles, structures, trailers, semitrailers, or equipment on streets or highways. Such regulation is typically provided through local ordinances. It authorizes local agencies to regulate such parking through local ordinances.

Staff recommends amending Chapter 10.36 to include a provision prohibiting the parking of unattached vehicles, structures, trailers, semitrailers, and equipment on streets and highways Citywide, except when loading, unloading, cleaning, or routine maintenance for a maximum of four hours within any 24-hour period. Should the City Council approve the attached ordinance amendment, residents will need to explore other storage options for these unattached items as opposed to parking them on the street. This will free up on-street parking for residents and visitors, and improve safety on the public right-of-way.

**Financial Considerations:** The Fee and Charge report will be amended to include parking citation bail fees for violations of Section 10.36.080(A)(1) and 10.36.080(A)(6).

**Local Business Enterprise Program (LBE):** Not applicable.

## **Background**

The City of Sacramento, as with many other cities, faces the on-going challenge of providing adequate on-street parking for both residents and visitors. In addition, due to its proximity to many recreational attractions, on-street parking, in some residential areas, is impacted by recreational vehicles, structures, trailers, semitrailers, or equipment. Staff was requested to provide additional research and analysis of these issues with the focus on addressing the limited accessibility to available parking, mitigating the potential safety hazards to both pedestrians and residents, and improving the overall aesthetics of the area.

A determination was made that current enforcement practices need to be improved. By utilizing the Parking Division's newest License Plate Recognition (LPR) technology, Parking Enforcement Officers will have the tools they need to assist Code Enforcement staff with increasing the availability of parking and safety while freeing up Code Enforcement staff to attend to more serious issues. In addition, by limiting the on-street parking of large, unattached vehicles, structures, trailers, semitrailers and equipment from the streets and highways, there will be an increase in the parking supply for residents while allowing those who enjoy recreational activities the flexibility to load, unload and clean their vehicles and equipment.



## **RESOLUTION NO.**

Adopted by the Sacramento City Council

December 9, 2014

### **AMENDMENT OF PARKING CITATION FEE AND CHARGE REPORT**

#### **BACKGROUND**

- A. Sacramento City Code Section 10.36.080(C) authorizes the assessment of civil penalties for violations of any provision of Sacramento City Code Section 10.36.080(A).
- B. Sacramento City Code Section 10.36.080(A)(1) authorizes removal (towing) of vehicles parked in the same space for more than 72 hours. Currently, there is no parking citation bail fee amount associated with this violation to issue citations.
- C. On October 7, 2014, the Law and Legislation Committee forwarded the ordinance to the City Council with a recommendation for approval.
- D. The amended Sacramento City Code Section 10.36.080 (A)(6) which authorizes the removal (towing) of unlawfully parked, unattached vehicles, structures, trailers, semi-trailers or equipment will also require an assignment of a parking citation bail fee to facilitate the issuance of citations.
- E. The imposition of parking citation bail fees for violations of these two ordinances will provide an alternative method of enforcement.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. The following parking citation bail fees pursuant to Sacramento City Code Section (S.C.C.) 10.36.080(A) are hereby adopted :

S.C.C 10.36.080(A)(1) - \$35

S.C.C. 10.36.080(A)(6) - \$256

**ORDINANCE NO.**

Adopted by the Sacramento City Council

Date Adopted

**AN ORDINANCE AMENDING SECTION 10.36.080 OF THE SACRAMENTO CITY CODE RELATING TO STOPPING, STANDING, AND PARKING OF VEHICLES**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

**SECTION 1.**

Section 10.36.080 of the Sacramento City Code is amended as follows:

A. Subsection A.6 is added to read as follows:

6. Any vehicle, structure, trailer, semitrailer, or equipment – defined by California Vehicle Code sections 225 (“auxiliary dolly”), 242 (“camp trailer”), 243 (“camper”), 245 (“carry-all”), 324 (“fifth-wheel travel trailer”), 475 (“pole or pipe dolly”), 550 (“semitrailer”), 617 (“tow dolly”), 630 (“trailer”), 635 (“trailer coach”), 636 (“trailer bus”), 655 (“truck tractor”), or 667 (“utility trailer”) – that is parked or left standing on a street or highway and is either unattached to a motor vehicle or attached to a motor vehicle that may be removed pursuant to California Vehicle Code section 22669(d). This subsection does not apply when the vehicle, structure, trailer, semitrailer, or equipment is parked and unattached to a motor vehicle for the limited purpose of loading, unloading, cleaning, or routine maintenance for less than four hours in any 24-hour period.

B. Except as amended by subsection A above, all provisions of section 10.36.080 remain unchanged and in full effect.

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B. Except as amended by subsection A above, all provisions of section 10.36.080 remain unchanged and in full effect.