Article 4. Parking

*Sec. 4-3.401. Living in vehicle.

It shall be unlawful for any person to park a motor vehicle or a transportable living facility on any street, highway, or public or private property for purposes of living or residing therein, except as permitted by ordinance, resolution or other formal action of the City Council. This section shall not apply to registered guests, campers or residents at licensed mobile home or recreational vehicle parks.

(§ 2, Ord. 856-NS, eff. April 17, 1984, as amended by § 1, Ord. 1307-NS, eff. November 20, 1997)

* *Section 4-3.401 entitled "Vehicles for Sale," recodified from Section 7141, T.O.O.C.; repealed by Section 1, Ordinance No. 856-NS, effective April 17, 1984.*

Sec. 4-3.402. Loading zones.

It shall be unlawful for the operator of any vehicle to park or stop such vehicle for any purpose other than the loading or unloading of passengers or materials; provided, however, no stop for the loading of passengers shall be made for more than three (3) minutes nor for the loading or unloading of materials for more than twenty (20) minutes in any of the following places:

(a) In any alley within any business or residence district; and

(b) In any loading zone designated by the City Engineer; provided, however, such loading zone shall be designated by yellow painted curb markings or signs.

(§ 7142, 7142.1, and 7142.2, T.O.O.C., as amended by § I, Ord. 489-NS, eff. August 22, 1974, and § I, Ord. 538-NS, eff. August 21, 1975)

Sec. 4-3.403. Passenger loading zones.

It shall be unlawful for the operator of any vehicle to park or stop such vehicle for any purpose other than the loading or unloading of passengers; provided, however, no stop for the loading or unloading of passengers shall be made for more than three (3) minutes in any of the following places:

(a) For a distance of thirty (30) feet along any curb at the main entrance to any hotel;

(b) At any curb in front of any portion of the main entrance and outside vestibule of any theater during any time such theater is open for public performance; and

(c) In any passenger loading zone designated by the City Engineer; provided, however, such passenger loading zone shall be designated by white painted curb markings or signs.

(§§ 7143, 7143.1, 7143.2, and 7413.3, T.O.O.C., as amended by § I, Ord. 489-NS, eff. August 22, 1974, and §II, Ord. 538-NS, eff. August 21, 1975)

Sec. 4-3.404. Bus zones.

The City Engineer is hereby authorized to establish and located bus zones within fifty (50) feet of any intersection when such zones are found by him to be necessary and will not cause a safety hazard.

(§ 7149.10, T.O.O.C.)

Sec. 4-3.405. Parallel parking.

Except as otherwise provided in Section 4-3.406 of this article, it shall be unlawful for the operator of any vehicle to stop, stand, or park such vehicle in a roadway other than parallel with the curb or right-hand edge of the roadway with the two (2) right-hand wheels of the vehicle within eighteen (18”) inches of the regularly established curb line or, where no curb line exists, as near to the right-hand edge of the roadway as practicable.

(§ 7144, T.O.O.C., as amended by § III, Ord. 538-NS, eff. August 21, 1975)

Sec. 4-3.406. Angle parking.

(a) Determination. The City Engineer shall determine the location of streets, or parts of streets, where angle parking shall be permitted.

(b) Method. When the City Engineer shall determine the location of streets, or parts of streets, where angle parking shall be permitted, it shall be unlawful for any person to stop, stand, or park, or cause or permit to be stopped, stood, or parked, any vehicle in any roadway otherwise than at the prescribed angle with the nearest wheel not to exceed one (1’) foot from such curb.

(c) Demarcation. The City Engineer shall indicate the proper angle for such parking upon the portions of such streets by the painting of white lines upon the surface of the roadway

adjacent to the curb line thereof.

(d) Prohibited on portion of Thousand Oaks Boulevard. In the best interests of the public health, safety, and welfare, there shall be no diagonal parking within the public right-of-way along Thousand Oaks Boulevard beginning at the easterly line of Moorpark Road, easterly to the easterly line of Pleasant Way.

(§§ 7145, 7145.1, and 7145.2, T.O.O.C., and § I, Ord. 87, as amended by § I, Ord. 489-NS, eff. August 22, 1974, and § 1, Ord. 1551-NS, eff. February 10, 2011)

Sec. 4-3.407. Prohibited parking or stopping.

No person shall park, stop, or leave standing any vehicle, trailer, or camper, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device in any of the following places:

(a) Within an intersection;

(b) On a crosswalk, except that a bus engaged as a common carrier or a taxicab may stop in an unmarked crosswalk to load or unload passengers;

(c) Between a safety zone and the adjacent right-hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb;

(d) Within fifteen (15) feet of the driveway entrance to or exit from any fire station. This subsection shall not apply to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle;

(e) Within fifteen (15) feet of a fire hydrant, except when such vehicle is attended by a licensed driver who is seated in the front seat and who can immediately move such vehicle in case of necessity. This subsection shall not apply in respect to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle;

(f) In front of a public or private driveway, except that a bus engaged as a common carrier, school bus, or taxicab may stop to load or unload passengers;

(g) On a sidewalk, curb, median island, or other parking lot island, except as permitted by ordinance;

(h) Alongside, opposite, or within any street or highway excavation, obstruction, or construction when such stopping, standing, or parking would obstruct traffic or construction operations;

(i) On the roadway side of any vehicle stopped, parked, or standing at the curb or

edge of a highway;

(j) In any “No Parking or Stopping Any Time Zone” or emergency parking only zone determined and designated by the City Engineer; provided, however, such zone shall be designated by red curb painted markings or signs; and

(k) On any roadway in such a position as to obstruct the normal movement of traffic or in such a condition as to create a hazard to other traffic upon the street;

(l) Parking in other than a designated space or across or over the lines or defined limits of a parking space. This shall include taking more than one space for parking;

(m) Parking in a designated space for electrical vehicle charging by a non-electric vehicle.

(n) In any lane designated as a Fire Lane by the Ventura County Fire Protection District with such zone being designated by red curb painted markings and signs or white lettering reading “Fire Lane”.

(§§ 7147 and 7147.1 through 7147.6, T.O.O.C.; repealed by § IV, Ord. 538-NS, eff. August 21, 1975; reenacted by § V, said Ord. 538-NS, as amended by §§ 3 and 4, Ord. 856-NS, eff. April 17, 1984, as amended by part 3, Ord. 1434-NS, eff. July 1, 2005, as amended by part 1, Ord. 1451-NS, eff. February 10, 2006)

Sec. 4-3.408. Prohibited or restricted parking.

It shall be unlawful to park, stop, or leave standing any vehicle, trailer, or camper, whether attended or unattended, on any street or part of a street, except as provided in this Chapter. Such prohibited or restricted parking may apply to such vehicles, in such locations, during certain hours or days as determined by the City Engineer; provided, however, such restrictions shall be designated by curb painted markings or signs.

(§ 7147.7, T.O.O.C., as amended by § I, Ord. 489-NS, eff. August 22, 1974, § I, Ord. 711-NS, eff. May 10, 1979, and § IV, Ord. 722-NS, eff. August 23, 1979)

Sec. 4-3.409. Parking on hills.

No person driving, or in charge of, or in control of a vehicle, trailer, or camper shall permit it to stand on any street unattended when upon any grade exceeding three percent (3%) within any business or residence district without blocking the wheels by turning them against the curb or by other means.

(§ 7190, T.O.O.C., as amended by § 2, Ord. 83; repealed by § IV, Ord. 538-NS, eff. August 21,

1975; reenacted by § V, said Ord. 538-NS)

Sec. 4-3.410. Improper storage on City streets.

No person who owns or has possession, custody, or control of any vehicle, trailer, or camper shall store such upon any City right-of-way or alley. "Store" for the purpose of this Section shall be any of the following:

(a) When a motorized or non-motorized vehicle is parked or left standing for seventy-two (72) or more consecutive hours.

(b) When the motorized vehicle is parked at or about the same location, but has not been moved an appreciable distance and used for purposes other than to avoid a violation of this Section during a seventy-two (72) hour period. If during that seventy-two (72) hour the odometer, if any, has not changed more than one mile, it will be presumed the vehicle has not been moved an appreciable distance and was used only to avoid violating this Section. This presumption may be overcome by proof of the vehicle owner or operator that said vehicle has been used for purposes other than to violate this Section.

(c) When a non-motorized vehicle, trailer or camper is unhooked or unattached to a motorized vehicle for any period of time unless:

(1) Emergency repairs are being made, or

(2) The unhooked or unattached non-motorized vehicle, trailer or camper is otherwise lawfully parked between the hours of 7:00 a.m. and 7:00 p.m. and is being used in connection with a delivery to, a requested pick-up from, or work performed at, the adjacent property, and said trailer or camper is braked or blocked and does not exceed a manufacturer's gross vehicle weight rating of ten (10,000) thousand pounds or more.

(§ 7191, T.O.O.C., as amended by § 2, Ord. 83; repealed by § IV, Ord. 538-NS, eff. August 21, 1975; reenacted by § V, said Ord. 538-NS, as amended by § 1, Ord. 964-NS, eff. June 2, 1987, and § 1, Ord. 1318-NS, eff. May 28, 1998)

Sec. 4-3.411. Removal of vehicles.

Any member of the Highway Patrol of the State or any member of the Police Department authorized by the Chief of Police may remove a vehicle, trailer, or camper from a street under the circumstances noted in the Vehicle Code of the State and under the following circumstances:

(a) When a vehicle is parked or left standing upon a street for seventy-two (72) or more consecutive hours;

(b) When a vehicle is parked or left standing upon a street in such a position as to obstruct the normal movement of traffic or in such a condition as to create a hazard to other traffic upon the street;

(c) When any vehicle is illegally parked so as to block the entrance to a driveway;

(d) When any vehicle is illegally parked so as to prevent access by firefighting equipment to a fire hydrant; and

(e) When any vehicle is illegally parked in any parking restricted zone designated by the City Engineer to be a tow away zone; provided, however, such zone shall be designated by signs;

(f) When any non-motorized vehicle, trailer, or camper is unhooked or unattached from a motorized vehicle for any period of time, unless emergency repairs are being made.

(§ 7146, T.O.O.C., repealed by § IV, Ord. 538-NS, eff. August 21, 1975; reenacted by § V, said Ord. 538-NS, and amended by § 1, Ord. 1145-NS, eff. April 21, 1992)

Sec. 4-3.412. Trains blocking crossings.

(§ 7149, T.O.O.C., repealed by Ord. 1437-NS, eff. July 7, 2005)

Sec. 4-3.413. Private entrances.

(§§ 7148 and 7148.1, T.O.O.C., repealed by § IV, Ord. 538-NS, eff. August 21, 1975)

Sec. 4-3.414. Commercial vehicles in residential districts.

For the purposes of subsections (a) and (b) of this section, “commercial vehicle” shall mean any vehicle used or maintained for the transportation of persons for hire, compensation or profit, or any vehicle designed, used or maintained primarily for the transportation of property for hire, compensation or profit. A van pool vehicle maintained and used primarily for the nonprofit and work-related transportation of adults for the purpose of ride sharing is not a commercial vehicle.

(a) On private property in residential districts. It shall be unlawful to park a commercial vehicle, having a specific manufacturer’s gross vehicle weight rating of twelve thousand (12,000) pounds or more, upon private property in a residential district and off of a public street, when the parking is not connected with a delivery to that property, or work being performed on that property or property in the immediate area where the vehicle is parked.

(b) On streets in residential districts. It shall be unlawful to park a commercial vehicle, having a specific manufacturer's gross vehicle weight rating of twelve thousand (12,000) pounds or more, on any street in a residential district, when the parking is not connected with deliveries to an adjoining property or in connection with work being performed at the adjoining property.

(§ 7250, T.O.O.C., as added by § 1, Ord. 83, as amended by § 5, Ord. 856-NS, eff. April 17, 1984, Ord. 1068-NS, eff. April 3, 1990, and § 2, Ord. 1241-NS, eff. September 19, 1995)

Sec. 4-3.415. Commercial vending vehicles near schools.

(a) Prohibited during certain hours. No person operating or controlling a vehicle designed for, or intended to be a vehicle for, the selling of any merchandise consisting of food or other commodity may stop or park within five hundred (500) feet of the property line of any public school between the hours of 7:00 a.m. and 4:00 p.m. on the days the public school is in session; provided, however, the principal of any school, or any person authorized by him, may permit a person so prohibited from engaging in such business by specifically waiving the provisions of this section provided such principal or authorized person finds that no hazard to persons or property or interference with traffic will result.

(b) Noise-making devices. During school hours no noise-making device on a commercial vending vehicle shall be utilized within five hundred (500) feet of the property line of a public school.

(§§ 1 through 4, Ord. 123, as amended by § 3, Ord. 1188-NS, eff. October 12, 1993)

Sec. 4-3.416. Time limited parking zones.

It shall be unlawful for the operator of any vehicle to park or stop such vehicle in any time limited parking zone designated by the City Engineer in excess of the indicated time limit; provided, however, such time limited zone shall be designated by green painted curb markings or signs.

(§ 1, Ord. 592-NS, eff. October 14, 1976)

Sec. 4-3.417. Disabled persons parking zones.

(a) Parking.

(1) It shall be unlawful for the operator of any vehicle, other than a vehicle bearing a distinguishing license plate as defined by the State Vehicle Code to park or stop such vehicle in a parking zone identified as reserved for disabled or handicapped person pursuant to subsection (c)

below. The fine for this violation shall be as prescribed by the Vehicle Code.

(2) Physically handicapped parking zones. It is unlawful for any person to obstruct, block or otherwise bar access to those parking stalls, spaces, curb cuts or ramps except as provided in subdivision (1) of subsection (a) of this section.

(b) Improper parking in cross hatch section.

(1) It shall be unlawful for any person, including disabled persons who may lawfully park in

a physically handicapped parking stall, to park a vehicle on or otherwise block or obstruct the blue paint cross hatch section designated for the loading and unloading of vehicles parked in the adjacent physically handicapped stall or space.

(c) Improper display of placard.

(1) It shall be unlawful to fail to, or improperly display a disabled person's placard.

(2) If a citation is issued for parking or stopping in a zone identified as reserved for disabled persons, the Finance Director or staff as authorized by the Finance Director may, in his/her discretion, reduce the charge for violation of 4-3.417(a) to a charge of improper display under this subsection, and impose a fine not to exceed the base parking fine.

(d) Space identification.

(1) Such physically handicapped on-street parking zones shall be designated by blue paint on the curb or edge of the paved portion of the street adjacent to the space. In addition to the blue paint, the space shall also be indicated by signs or other suitable means.

(2) Such disabled persons or disabled veterans off-street parking zones, stalls or spaces shall be indicated by either signs, or markings, or both as specified in the Vehicle Code.

(§ 1, Ord. 592-NS, eff. October 14, 1976, as amended by §6, Ord. 856-NS, eff. April 17, 1984, § 1, Ord. 866-NS, eff. July 24, 1984, §§ 3 and 4, Ord. 988-NS, eff. February 16, 1988, § 1, Ord. 1017-NS, eff. February 7, 1989, § 1, Ord. 1046-NS, eff. October 17, 1989, and § 1, Ord. 1288-NS, eff. August 14, 1997, as amended by part 4, Ord. 1434-NS, eff. July 1, 2005, as amended by part 1, Ord. 1452-NS, eff. February 10, 2006)

Sec. 4-3.418. Permit parking.

(a) Definitions. For the purposes of this Section the following terms, phrases, words and their derivations shall have the meaning herein given. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word shall

is always mandatory and not merely directory.

(1) “Resident” shall mean a person who lives in a dwelling unit located in a preferential parking district.

(2) “Merchant” shall mean a person who, as proprietor, operates a commercial business involved in the retailing of goods or services within a preferential parking district.

(3) “Employee of merchant” shall mean any person employed by a merchant within a preferential parking district.

(4) “Guest” shall mean any person visiting or intending to visit, for any purpose, either a resident or merchant located in a preferential parking district.

(5) “Preferential parking permit district” or “district,” shall mean a residential area with streets or boundaries designated by the ordinance establishing the district wherein vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to this Section.

(6) “Dwelling unit” shall mean a house, apartment, condominium, mobile home or other type of residence.

(b) Designation of preferential parking permit district. The City Council may, upon receipt of a petition signed by residents or merchants living or working in sixty percent of the dwelling units or businesses comprising not less than sixty percent of the developed frontage of the area proposed for designation, designate a certain area or areas to be a preferential parking permit district by motion.

(c) Issuance of permits.

(1) Parking permits for preferential parking districts may be issued by the City Engineer.

(2) The number of permits to be issued to any one dwelling unit or to any merchant’s business establishment (including its employees) shall be determined by the City Engineer based on the parking conditions within each district.

(3) Parking permits may be issued only to the following persons: residents, merchants, employees of merchants or guests within the prescribed preferential parking districts.

(d) Requirements. To obtain a Resident Parking Permit a resident must:

(1) Present “proof of residence” and “proof of vehicle ownership” as determined by the City Engineer;

(2) Pay any required application fees; and

(3) Provide complete and correct information on the application for a Resident Parking Permit.

(e) Specific resident vehicle. A Resident Parking Permit may only be used by the vehicle which has been identified in the application for the permit. If the vehicle is not owned by the resident, sufficient evidence must be presented to prove that the resident has the legal right to use the vehicle so that it can be considered a resident vehicle. At such time as the vehicle is no longer used by the resident, the Permit Holder shall advise and return the Permit to the City Engineer. Proof of residence and vehicle ownership shall not be required for any renewals so long as ownerships have not changed.

(f) Visitor permits. Five (5) Visitor Parking Permits may be issued for each legal dwelling unit within a designated Permit Parking Area for use by the resident or the resident's temporary visitors in accordance with applicable rules and regulations. The same privileges and restrictions applicable to a Resident Parking Permit shall be applicable to a Visitor Parking Permit.

(g) Special function permits. Residents may apply for a one-day special function parking permit (for parties, etc.) in person at the Public Works Department for a fee determined by the City Engineer. Said permit must be obtained a minimum of twenty-four (24) hours in advance of the special function.

(h) Permit fees. Permit fees shall be established by the City Council. In the absence of any such order, the City Engineer may establish and collect a fee for the issuance of permits.

(i) Lost, stolen, or damaged permits. Replacement permits may be obtained after payment of a fee for each such replacement permit as specified in the City's Master Fee Resolution.

(j) Deposit of permit fees. Any permit fees collected under the provisions of this part shall be paid into the treasury of the City and deposited in the Preferential Parking Program Fund. Said funds shall earn interest paid into the funds annually.

(k) Display of Permit. In order to be valid, a permit must be displayed so that it is clearly visible to a police officer and in the following manner:

(1) Either suspended from or affixed to the back of the interior rear view mirror facing the front of the vehicle, except as authorized herein.

(2) On a motorcycle, in the middle of the left front fork facing outward.

(3) A Visitor permit shall be suspended from the interior rear view mirror facing the front of the vehicle.

(l) Permit appearance. The City Engineer is authorized to establish the design,

designation, style, color and other similar characteristics for each Preferential Parking Permit.

(m) Duration of permit. Except as otherwise provided, each parking permit issued by the City Engineer shall be valid until rescinded by the City Engineer.

(n) Posting signs in permit parking area. Upon approval by the City Council designating a preferential parking district and the specified parking regulations applicable thereto, the City Engineer shall cause appropriate signs to be erected in the district indicating prominently thereon the parking limitation, period of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom.

(o) Permit parking exemption.

(1) A motor vehicle on which is displayed a valid parking permit shall be permitted to stand or be parked in the preferential parking district for which it is issued without being limited by parking restrictions established pursuant to this Section. Except as provided below, all other motor vehicles parked within a preferential parking district shall be subject to the parking restrictions and penalties as provided in this Section.

(2) A preferential parking permit shall not guarantee or serve to the holder thereof an on-street parking space within the designated preferential parking district.

(3) A vehicle displaying a valid parking permit will be subject to all on-street parking restrictions and limitations except those restrictions and limitations imposed pursuant to Section 4-3.418 of this Code.

(p) Exemption of certain vehicles. No person shall, without a permit therefor, park or leave standing any vehicle or trailer in a preferential parking district in excess of the parking restrictions authorized pursuant to this part, except for the following:

(1) Repair, maintenance, refuse, utility, City, fuel or delivery vehicles doing business in the preferential parking district;

(2) Vehicles delivering life-support and health commodities to residential areas and schools located in the preferential parking district; and

(3) Emergency vehicles.

(q) Grounds for refusal to issue or revocation of a resident parking permit. Any of the following are grounds for refusal to issue or to revoke a Resident Parking Permit:

(1) Current Residence. The applicant or permit holder cannot provide required evidence that the dwelling is the principal residence of the applicant or permit holder.

(2) Incomplete Application. Failure of applicant to provide complete and correct

information required by the City Engineer.

(r) Permit revocation procedure. The City Engineer is authorized to suspend and revoke a Resident Parking Permit under these rules and regulations. If the City Engineer determines that there are adequate grounds to revoke such a permit he shall give a permit holder a notice of revocation which states (1) the grounds for revocation, (2) that the permit has been suspended, and (3) the procedure for review and appeal of that notice of revocation. Such a notice may be delivered by leaving a copy on the windshield of the permitted vehicle or by delivering notice as authorized in the appeal process established by these rules and regulations.

A Resident Parking Permit is automatically suspended as soon as notice of revocation is delivered to the permit holder. The suspension shall become a permanent revocation if either (1) no timely appeal is filed, or (2) the City Engineer, or his designee, does not rescind the notice of revocation. During any period of suspension, a Resident Parking Permit shall not be valid nor shall it exempt a vehicle from compliance with this Section.

(1) Reconsideration by City Engineer (first step). An applicant or permit holder may appeal a decision to deny or revoke a permit to the City Engineer. Any such appeal shall be in writing and shall be filed with the City Engineer within seven (7) calendar days after delivery of a notice of denial or revocation. If such an appeal is made, the applicant or permit holder shall be given an opportunity for a review and meeting concerning the decision by the City Engineer or his designee. The City Engineer or his designee is authorized to affirm, reverse or modify any such decision. Notice of the determination on reconsideration shall be in writing.

(2) Appeal to the City Council (final appeal). Any applicant or permit holder may appeal the determination of the City Engineer to the City Council. Any such appeal (1) shall be in writing, (2) shall state the reasons for the appeal, and (3) shall be filed with the City Engineer's determination. If such an appeal is timely made, the applicant or permit holder shall be given an opportunity for a review by and meeting with the City Council concerning the denial or revocation of the permit. The City Council is authorized to affirm, reverse or modify any such denial or revocation.

(s) Penalty provisions.

(1) Unless exempted by provisions of this Section, no person shall stand or park a motor vehicle in any preferential parking district established pursuant to this Section in violation of any parking restrictions established pursuant to this Section.

(2) No person shall falsely represent himself as eligible for a parking permit or furnish false information to the City Engineer in an application for a preferential parking permit.

(3) No permit issued pursuant to this Section shall thereafter be assigned, transferred, or used for any consideration, monetary or otherwise.

(4) No person shall copy, produce, or create a facsimile or counterfeit parking permit,

nor shall any person use or display a facsimile or counterfeit preferential parking district permit.

(5) A violation of this Section shall constitute an infraction.

(t) Dissolving district. The designation process as set forth in this Section shall be utilized by the City Council in determining whether to dissolve a preferential parking district.

(§ 1, Ord. 924-NS, eff. July 1, 1986, as amended by § 3, 1556-NS, eff. July 1, 2011)

Sec. 4-3.419. Parking of vehicles for sale.

(a) Prohibition. It shall be unlawful for any person to park on a public street or permit any vehicle, trailer, boat or camper owned or controlled by them to be so parked when such vehicle, trailer, boat or camper displays a sign or other markings indicating that the vehicle is "for sale" in any zone designated as and posted as a "No Parking of Vehicles for Sale" zone.

(b) Designation. The City Traffic Engineer may post specified areas within the City to restrict or prohibit the parking of vehicles for sale. Each zone so restricted shall be designated only upon the following findings by the City Engineer:

(1) That at least two (2) surveys of the proposed area taken a minimum of twenty-four (24) hours apart have indicated that three (3) or more vehicles displaying "for sale" signs have been parked at that location or along a high volume street;

(2) That the parking of vehicles at this location or along this street in groups significantly interferes with the flow of traffic or with vehicular or pedestrian safety;

(3) That the rights of those who own, control or have possession of a vehicle, as defined in the California Vehicle Code, to display their vehicle for sale elsewhere in the City along public streets has not been materially diminished by the designation of this area or street as "no parking" for that purpose; and

(4) That no alternative solution is feasible or practical.

(§ 1, Ord. 1022-NS, eff. April 25, 1989, as amended by §I, Ord. 1106-NS, eff. June 13, 1991)

Sec. 4-3.420. Prohibition of overnight parking on posted public streets.

(a) Designation. Upon filing with the City of a petition signed by seventy-five (75%) percent of the property owners of property adjoining any public street which is requested to have restricted parking, the City Council shall hold a noticed public hearing and may, by resolution, direct the City Engineer to post specified public streets, or portions thereof, within residential zones of the City, restricting parking or standing of vehicles between the hours of 2:00 a.m. to

6:00 a.m.

(b) Prohibition. Between the hours of 2:00 a.m. to 6:00 a.m., it is unlawful for any person in any residential zone to park or leave standing a vehicle, as defined by the California Vehicle Code, on a posted public street without a properly issued City permit visibly shown in the vehicle.

(c) Exemptions. The following vehicles are exempted from the no-parking and no-standing provisions of this section:

(1) Any vehicle registered with the California Department of Motor Vehicles to a disabled person, as defined in Section 22511.5 of the Vehicle Code, and bearing a distinguished license plate issued by the Department of Motor Vehicles;

(2) Any vehicle which cannot be parked off the roadway because of ongoing construction activity at the adjoining property, and the Police Department has been notified;

(3) Any vehicle parked only for such time as the person parking the vehicle shall be making deliveries or pickups at a property within the immediate area;

(4) Any ambulance or other vehicle parked for an existing fire, safety, or health emergency purpose;

(5) Any vehicle which has been issued and displays a permit issued under this Section;

(6) Any vehicle owned, leased or operated by the City, or any other governmental agency or by any public utility company;

(7) A recreational vehicle which is parked for only one twenty-four (24) hour period for the purpose of loading and unloading.

(d) Permit. The Public Works Department shall review and may issue twelve (12) month permits for each dwelling unit to be used for parking by the occupants of that dwelling upon submission of a written application, payment of appropriate processing fee, and in accordance with specific guidelines established by the City Council by resolution. Such permits shall allow parking or standing of vehicles on public streets between the hours of 2:00 a.m. to 6:00 a.m. No permit shall be issued unless all required garage parking areas or carports are being used for the parking of licensed and operative vehicles. Guest permits may be obtained consistent with the City Council's resolution authorizing such posting.

(§ 1, Ord. 1139-NS, eff. March 17, 1992)

Sec. 4-3.421. Prohibitions and restrictions on overnight parking permits.

(a) No vehicle issued an overnight parking permit shall be parked or stopped between the hours of 2:00 a.m. to 6:00 a.m. unless such vehicle shall have prominently displayed on the left side of the rear bumper thereof a permit issued under this section.

(b) It shall be unlawful for any person to transfer, assign, sell, rent, or lease, or cause to be transferred, assigned, sold, rented, or leased, any overnight parking permit. Upon violation of this subsection, all overnight parking permits issued to, or for the benefit of, the dwelling unit for which the transferred, assigned, sold, rented, or leased permit was authorized, shall be void.

(c) It shall be unlawful for any person to buy, or otherwise acquire for value or use, any overnight parking permit, except as provided for in this section.

(§ 1, Ord. 1139-NS, eff. March 17, 1992)

Sec. 4-3.422. Revocation of permit.

Where any permit issued under this section has been procured through fraud or misrepresentation, or where the permittee has violated provisions of this section, the Public Works Department shall hold a hearing, with notice of the time and place of such hearing mailed to the permittee, at least five (5) days preceding the hearing. If the permit is revoked following the hearing, the permittee shall be mailed written notice of the revocation and the reasons therefor.

(§ 1, Ord. 1139-NS, eff. March 17, 1992)

Sec. 4-3.423. Civil penalty.

Any violation of this article and any violation under the California Vehicle Code for the parking or standing of a vehicle on a street, highway, alley, parking lot or other patrolled area in the City (including any concurrently issued improper vehicle equipment violation) shall be subject to a civil penalty plus the administrative charges or penalties as authorized by the California Vehicle Code.

The various civil penalties shall be in the amounts as set forth by City Council resolution.

(§ 2, Ord. 1183-NS, eff. June 1, 1993, as amended by § 1, Ord. 1524-NS, eff. August 20, 2009)

Sec. 4-3.424. Oversized vehicles: Parking prohibited: Parking permits.

(a) Definitions. For the purposes of this section, the following words or phrases shall be defined as follows unless the context clearly otherwise requires:

(1) “Out-of-town visitor” means any person who does not reside in the City and who is temporarily visiting a resident of the City.

(2) “Oversized vehicle” means any vehicle, as that word is defined in Section 570 of the California Vehicle Code, or a combination of connected vehicles, which exceeds twenty-five (25') feet in length, or eighty (80") inches in width, or eighty-two (82") inches in height, exclusive of such projecting lights or devices as are expressly allowed pursuant to the California Vehicle Code as it now exists or hereafter may be amended. Oversize vehicle shall not mean or include a pickup truck, which is less than twenty-five (25') feet in length and eighty-two (82") inches in height.

(3) “Residential areas” means those residential areas of the City as defined by the local zoning ordinance.

(4) “Commercial areas” mean those commercial areas of the City as defined by the local zoning ordinance.

(5) “Highway” shall mean any street, road or highway as that word is defined in Section 360 of the California Vehicle Code.

(b) No person shall park or leave standing any oversized vehicle on any highway between the hours of 10:00 a.m. and 4:00 p.m. Monday through Friday, excluding holidays recognized by the City, except as provided in Subsection (c) or (d) of this section.

(c) Exceptions. This section shall not apply to:

(1) Any oversized vehicle actively engaged in the loading or unloading of persons, materials, supplies or goods, in the delivery of goods, wares, merchandise, or other materials, or in the course of construction or other work at an adjacent residence or business;

(2) Any oversized vehicle to which a person is actively engaged in making temporary or emergency repairs;

(3) Any oversized vehicle that has been issued and is displaying a permit issued pursuant to subsection (d) of this section;

(4) Any public emergency or utility service vehicle; or

(5) Any oversized vehicle properly displaying valid disabled placard or license plates issued by a governmental entity.

(d) Permits.

(1) Oversized Vehicle Parking Permit. An oversized vehicle may be parked on a highway in a residential area or a commercial area if an oversized vehicle parking permit is

issued by the City pursuant to the following:

(i) Purpose. The purpose of authorizing the issuance of oversized vehicle parking permits is to allow a resident or an out-of-town visitor to park on a highway adjacent to the residence where he or she lives or is visiting, respectively, for a designated time period.

(ii) Issuance of Permits. Oversized vehicle parking permits shall be issued by the police chief of the City, or designee.

(iii) Requirements for Oversized Vehicle Parking Permits. Any City resident or out-of-town visitor to a resident within the City may obtain an oversized vehicle parking permit authorizing the resident or visitor to park an oversized vehicle on a highway adjacent to a specified residence where he or she lives or is a guest, respectively.

(iv) Application Forms--Fees. Each applicant desiring an oversized vehicle parking permit shall file with the police chief, a completed City application form and pay an application fee approved by City Council Resolution.

(v) Description of Permits. Oversized vehicle parking shall be issued on a form approved by the police chief, and shall include the license plate number of the oversized vehicle to which it relates, the address or location the vehicle is approved to park, and the dates of issuance and expiration of the permit.

(vi) Display. All permits shall be placed at the lower driver's side of the windshield of the oversized vehicle to which it relates, so it is clearly visible from the exterior of the oversized vehicle.

(vii) Oversized Vehicle Permit--Duration-- Renewal. An oversized vehicle parking permit shall be valid for a period not to exceed five (5) consecutive calendar days. A resident may apply for and be granted an extension if the resident still qualifies under the conditions set forth herein. In no event shall oversized vehicle parking permits be issued to a specific residence for a total period in excess of ten (10) days within any consecutive ninety (90) day period.

(e) No enforcement action against an owner or other responsible party of a vehicle subject to this section will be taken until twenty-four (24) hours have elapsed from receipt of a complaint or notice of violation by the enforcement agency.

(f) Signs giving reasonable notice of the prohibitions contained in this section shall be posted at all entrances to the City.

(g) If the provisions of this section conflict with any other section of this article, the provisions of this section shall prevail.

(§ 1, Ord. 1523-NS, eff. January 1, 2010)