ORDINANCE NO. 1123

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO ADDING SECTION 11.20.230 THAT WOULD GENERALLY PROHIBIT THE PARKING OF NON-MOTORIZED VEHICLES ON PUBLIC STREETS AND PARKING AREAS WITH CERTAIN LIMITED EXCEPTIONS

The City Council of the City of Camarillo ordains as follows:

SECTION 1. Findings. The City Council of the City of Camarillo finds as follows:

A. The City receives approximately 5-10 complaints a month regarding non-motorized vehicles being stored or parked on the street or alley.

B. The CMC Section 11.12.010 – Parking in Excess of 72 hours Consecutive Hours – states that no person who owns or has possession, custody, or control of any vehicle shall park such vehicle upon any highway, street, or alley for more than a period of 72 consecutive hours.

C. Enforcement of CMC Section 11.20.010 is difficult because most owners of non-motorized vehicles will move the non-motorized vehicle to a new location on the street or alley, after the Police Department marks the tires with the date and time, thereby starting the enforcement process all over again.

D. The City desires to have a more effective enforcement method to reduce the number of non-motorized vehicles being stored and parked on streets and alleys.

E. City staff has prepared a proposed ordinance amending the Camarillo Municipal Code to add a new Section 11.20.230 - Non-Motorized Vehicle Parking Restriction- which would generally prohibit the parking of non-motorized vehicles on any street, alley, or public property for any period of time with certain limited exceptions.

F. On April 19, 2016, the Planning Commission conducted a duly-noticed public hearing to consider the proposed ordinance. After all interested parties were given full opportunity to be heard and to present evidence, the Planning Commission voted to recommend to the City Council that the Council adopt the proposed ordinance.

G. On May 11, 2016, the City Council conducted a duly-noticed public hearing to consider this ordinance, and all interested parties were given full opportunity to be heard and to present evidence.

H. After reviewing the evidence presented, the City Council finds that this ordinance is consistent with the City's General Plan.

SECTION 2. Environmental Review. The City Council exercises its independent judgment and finds that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of Title 14, Section 15000, et sec. (CEQA Guidelines), because the subject regulation will have no potential for resulting in any significant physical change to the environment, directly or indirectly.

SECTION 3. Amendment to Chapter 11.20. A proposed amendment adding Section 11.20.230 to Chapter 11.20 (Stopping, Standing and Parking) of the Camarillo Municipal Code as follows:

11.20.230 - Non-Motorized Vehicle Parking Restrictions – No person may park a non-motorized vehicle on any street, alley, or public property for any period of time except as follows:

(A) A non-motorized vehicle, with a commercial license registration, while the non-motorized vehicle is being loaded with, or unloaded of, any goods, wares, or merchandise from property adjacent to the non-motorized vehicle;

(B) A non-motorized vehicle required for any lawfully-authorized construction, maintenance, or repair to adjacent property for a period less than 24 hours; or,

(C) A non-motorized vehicle used solely for recreational purposes, while the non-motorized vehicle is being loaded or unloaded, or otherwise prepared for, its intended recreational use. In no event may such a non-motorized vehicle be parked on a street, alley, or public property for a period greater than 24 hours.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. Certification. The Secretary is directed to certify to the adoption of this Resolution.

SECTION 6. Office of Record. The record of proceedings upon which this decision is based is located in the office of the Director of Community Development, who is the custodian of records for the matter.

SECTION 7. Publication. The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED May 25, 2016.

Mayor

Attested to on 5/26/16.

City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Ordinance No. 1123 was introduced by the City Council at a meeting held May 11, 2016, and subsequently passed and adopted by the City Council at a regular meeting held May 25, 2016, by the following vote:

AYES: Councilmembers: Craven, Kildee, Little, McDonald, Mayor Morgan
NOES: Councilmembers: None
ABSENT: Councilmembers: None

jamadland
City Clerk

CITY OF CAMARILLO INCORPORATED OCTOBER 22, 1964 CALIFORNIA

c: City Clerk
Community Development
Public Works
General Services (Information Systems Division)