ORDINANCE NO. 1035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING TITLE 10 OF THE LANCASTER MUNICIPAL CODE BY ADDING SECTION 10.04.055 (RESTRICTION OF OVERSIZED VEHICLE PARKING) TO CHAPTER 10.04 (TRAFFIC CODE), TO ESTABLISH A GENERAL PROHIBITION ON THE PARKING OF OVERSIZED VEHICLES ON ALL PUBLIC STREETS, ALLEYS, RIGHT-OF-WAY AND PUBLICLY OWNED LOTS

WHEREAS, the City Council of the City of Lancaster finds and declares that parked oversized vehicles interfere with and obstruct visual access to streets, traffic control signs and signals, other vehicles, pedestrians, bicycles and sidewalks, which poses a serious risk of vehicular collisions as well as injury to schoolchildren and other pedestrians, drivers and bicyclists, particularly at intersections, crosswalks, driveways and alleys, and that such risks are present both in commercial areas and on neighborhood residential streets; and

WHEREAS, the City Council further finds and declares that law enforcement and parking patrols have reported signs of long-term occupancy of recreational vehicles and other oversized vehicles on public streets, which may have a deleterious effect on the health and safety of neighboring residences and businesses resulting from issues related to kitchen, bathing and toileting facilities, as well as noise and fumes from on-board generators; and

WHEREAS, the City Council further finds and declares that establishing a general prohibition on the parking of oversized vehicles on all public streets, alleys, right-of-way and publicly owned lots will help protect public health, safety and welfare from the risks posed by on-street parking of such vehicles.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 10.04 of the Lancaster Municipal Code is hereby amended by adding a new Section 10.04.055 as follows:

10.04.055 Restriction of Oversized Vehicle Parking.

A. Definitions.

1. For purposes of this section, “bus” shall mean and include a bus, school bus, public paratransit vehicle, or a transit bus, as defined in California Vehicle Code sections 233, 545, 462 and 642, respectively.

2. For purposes of this section, "oversized vehicle" shall mean any vehicle, as defined in California Vehicle Code section 670, which is twenty-two feet (22') or more in length, seven feet (7') or more in width and/or seven feet (7') or more in height. "Oversized vehicle" includes, without limitation, any motor vehicle, recreational vehicle, camper, boat, trailer, commercial motor truck or truck-trailer which meets or exceeds any of these dimensions, or any combination of connected vehicles, including but not limited to trailers and semi-trailers as defined in Vehicle Code sections 630 and 550, respectively, which collectively meet or exceed any of these dimensions.

B. General Prohibition. It shall be unlawful for any person to park, store or leave an oversized vehicle on any public street, alley, right-of-way or publicly owned lot in the City at any time. To the extent that there is conflict between this subsection and subsection 10.04.050.A.1, this subsection shall apply.

C. Exceptions. Subsection B shall not apply to the following:

1. An oversized commercial vehicle which is parked for the immediate pickup or delivery of goods, merchandise, wares or other materials at an adjacent business or residence, provided, however, that such activity does not exceed thirty (30) minutes.

2. An oversized vehicle belonging to or under contract with federal, state or local government authorities, a public utility, the City's refuse collection and disposal franchisee, or any emergency vehicle as defined in California Vehicle Code section 165.

3. A bus, as defined in this section, provided it is not parked or stored for longer than two (2) hours or is located in an area specifically posted to allow bus parking for a prescribed time.

4. An oversized vehicle that is parked in a residential zone for the purpose of and while being actively loaded or unloaded by an owner or occupant of a dwelling, for a period not to exceed seventy-two (72) hours.

5. An oversized vehicle used in relation to construction activity at an adjacent property (between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, 9:00 a.m. and 6:00 p.m. on weekends), provided that there is a current and valid City building permit or other permit or approval for the activity. The vehicle must be associated with a business for which a current and valid City business license has been issued and must display both a copy of the business license and the vehicle-specific City-issued parking permit at all times the vehicle is parked on a public street, alley, right-of-way or lot.

6. An oversized vehicle used by a landscaping business at an adjacent property (between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, 9:00 a.m. and 6:00 p.m. on weekends). The vehicle must be associated with a business for which a current and valid City business license has been issued and must display both a copy of the business license and the

vehicle-specific City-issued parking permit at all times the vehicle is parked on a public street, alley, right-of-way or lot.

D. Nuisance; Violation; Remedies.

1. An oversized vehicle parked, stored or left on a public street, alley, right-of-way or lot is hereby declared a public nuisance, subject to abatement, including but not limited to removal and impounding at the owner's expense.

2. Any person violating the provisions of this section is subject to the penalty provisions set forth in chapter 1.12 of this code and/or may be issued a parking, administrative or other applicable citation.

3. The City's removal and impounding of an oversized vehicle and/or issuance of a citation shall not prejudice or adversely affect any other civil, administrative or criminal action that may be brought to abate an unlawfully parked or stored oversized vehicle or to seek compensation for damages suffered. A civil or criminal action may be brought concurrently with any other process regarding the same violation.

SECTION 2: CEQA Findings. This Ordinance is exempt from CEQA pursuant to State CEQA Guidelines section 15301, minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use, and section 15061(B)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

SECTION 3: The City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Britt Avrit, MMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the 26th day of September, 2017, and placed upon its second reading and adoption at a regular meeting of the City Council on the 10th day of October, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

_____
BRITT AVRIT, MMC
City Clerk
City of Lancaster

_____
R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }ss
CITY OF LANCASTER }

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 1035, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)

_____