

ORDINANCE NO. 634

AN ORDINANCE RESCINDING SECTION 10.19.050
AND AMENDING SECTION 10.19.020 AND ADDING
SECTION 10.19.050 AND SECTION 10.19.060 OF
CHAPTER 19 TO TITLE 10 OF THE MUNICIPAL CODE
OF THE CITY OF WOODLAKE

THE CITY COUNCIL OF THE CITY OF WOODLAKE DOES ORDAIN AS
FOLLOWS:

Section 1. PURPOSE. The provisions of this ordinance are intended in order to promote the public health, safety, comfort and general welfare of the community by minimizing the potential of public nuisance issues of reduced roadway space for motorists, oversized vehicles occupying multiple parking spaces, safety concerns regarding line of sight of approaching traffic at intersections and driveways, being hit and projected into roadways and traffic and visual blight.

Section 2. CODE ENACTMENT. Section 10.19.020, Section 10.19.050 and Section 10.19.060 within Title 10, Chapter 10.19 of the Woodlake Municipal Code is hereby enacted to read in its entirety as follows:

SECTION 10.19.020: Definitions.

"Boat" means a boat of any kind, whether self-propelled or propelled by any other means, including sailing vessels and all other structures adapted to be navigated on water from place to place for recreational purposes or for the transportation of merchandise or persons.

"Motor vehicle" means a passenger vehicle, truck, recreational vehicle, motorcycle, motor scooter, golf cart, or other similar self-propelled vehicle. "Motor vehicle" does not mean a motorized wheelchair, bicycle, tricycle or quadricycle.

"Non- Motorized vehicle" is any trailer, boat, camper, camper shell, boat trailer, two-axle camp trailer, one-axle trailer, utility trailer, fifth-wheels, semi-trailer, trailer coach, machinery or farm labor equipment, an implement of husbandry, or similar device or vehicle that is not self-propelled, motorized, or capable of movement under its own power.

"Property" means any real property not owned by the city, the federal or state government or any political subdivision or agency thereof.

"Recreational vehicle" means a motor vehicle designed and equipped for human habitation, including but not limited to a motor home, mini-motor home, camper/truck, house trailer, camper (not mounted on a truck).

"Trailers", "semi-trailers", "trailer coach", and "trailer bus" "Trailer" as used in this chapter shall mean a trailer, semitrailer, camp trailer (including tent trailers), unmounted camper, trailer bus, or trailer coach, as defined in Sections 242, 243, 550, 630, 635, and 636 of the California Vehicle Code regardless of trailer length or width, or a fifth-wheel travel trailer, as defined in Section 324 of the Vehicle Code, regardless of trailer length or width.

SECTION 10.19.050 – Non-Motorized Vehicle Parking

- A. No person who owns or has possession, custody or control of any non-motorized vehicle, shall park, stop or leave standing regardless of width or length, when it has been detached upon any residential street, alley, public way or public place in the Cit.
- B. Exceptions.
 - 1. Unless such non-motorized vehicle or trailer is at all times attached to a motor vehicle capable of providing the motive power for moving the vehicle or trailer semitrailer upon the highway, street, alley, public right of way or public place.
 - 2. The parking, stopping or standing of a non-motorized vehicle, trailer or semitrailer is in the process of being actively loaded or unloaded.
 - 3. When such vehicle is parked in connection with, and in aid of, the performance of a valid commercial service to or on a property in the block on which such vehicle is parked.

SECTION 10.20.060 - Violation—Penalty.

- A. Any person who violates any provisions of any ordinance enacted by the city, as amended from time to time, or any person who owns property upon which a violation exists, irrespective of whether that person caused the violation, shall be subject to an administrative fine or penalty up to the maximum amounts set forth by Woodlake Municipal Code Chapter 1.12.070 and authorized by Government Code Section 53069.4.
- B. Each day that a violation of any city ordinance exists shall constitute a separate and distinct violation.

Section 3. CEQA REVIEW. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant affirmative effect on the environment]. In addition to the foregoing general exemption, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a *Notice of Exemption* is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

Section 4. NO LIABILITY. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Woodlake, or any official, employee or agent thereof.

Section 5. PENDING ACTIONS. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Woodlake hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 7. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this

ordinance shall be construed in light of that intent. To the extent the provisions of the Woodlake Municipal Code as amended by this ordinance are substantially the same as provisions in the Woodlake Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 8. EFFECTIVE DATE. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Sun Gazette, a newspaper printed and published in the City of Woodlake, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the City Council of the City of Woodlake, State of California, on July 26, 2021 at a regular meeting of said Council duly and regularly convened on said day by the following vote:

AYES: Mendoza, Ortiz, Martinez & Valero
NOES: Guerra
ABSTAIN:
ABSENT:



ATTEST: _____


Rudy Mendoza
Mayor, City of Woodlake


Irene Zacarias
City Clerk