

ORDINANCE NO. 3358

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
TITLE 10, VEHICLES AND TRAFFIC, BY ADDING
CHAPTER 10.52.495 PARKING OF RECREATIONAL
VEHICLES PROHIBITED ON CITY STREETS EXCEPT BY
PERMIT, TO THE CHULA VISTA MUNICIPAL CODE

WHEREAS, the parking or storing of motorhomes, boats, travel trailers, and other recreational vehicles, whether motorized or towed, on city streets can negatively affect traffic safety and quality of life for those who live and work in Chula Vista; and

WHEREAS, traffic safety impacts of recreational vehicles parked or stored on city streets include impaired visibility of pedestrians for drivers, impaired access to driveways and cross traffic on narrow residential streets, and impaired sight distance for drivers and pedestrians if the recreational vehicle is parked close to an intersection or on a curve; and

WHEREAS, quality-of-life impacts of recreational vehicles parked or stored on city streets include illegal discharge of wastewater onto streets or the storm water system, trash or litter by the recreational vehicle, reduced on-street parking for regular-sized vehicles for residents and business customers, blocked views of landscaping or other natural environmental features, and a sense of reduced security for nearby residents or business owners and patrons if the interior of a recreational vehicle parked or stored on a city street is hidden from view; and

WHEREAS, allowing recreational vehicles to park on city streets while being loaded or unloaded, or to park on a temporary basis with a permit, balances the needs of recreational vehicle owners in the city with other users of public streets; and

WHEREAS, California Vehicle Code section 22507 authorizes local authorities, by resolution or by ordinance, to restrict the parking of certain vehicles on certain streets during all or certain hours of the day, including designating certain streets upon which preferential parking privileges are given to residents adjacent to streets for their use and enjoyment, under which residents are issued permits that exempt them from the parking restriction; and

WHEREAS, pursuant to California Vehicle Code section 22507, such a parking restriction shall not apply until signs or markings giving adequate notice thereof are placed; and

WHEREAS, pursuant to California Vehicle Code section 22507, a resolution or ordinance adopted pursuant to this section may contain provisions that are reasonable and necessary to ensure the effectiveness of the parking restriction; and

WHEREAS, prohibiting the parking or storing of recreational vehicles on city streets promotes the health, safety and general welfare of the community by preserving the residential character of neighborhoods, preserving the commercial character of business areas, preventing the illegal discharge of wastewater from recreational vehicles into storm water systems, preventing the illegal disposal of trash on streets or easements, and preventing traffic safety problems associated with recreational vehicles parking or being stored on city streets, such as impaired visibility for drivers and pedestrians or impaired access to driveways.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

Section I.

Chapter 10.52.495 PARKING OF RECREATIONAL VEHICLES PROHIBITED ON CITY STREETS EXCEPT BY PERMIT

- A. No person shall park any recreational vehicle, whether motorized or not, whether attached to a motorized vehicle or not, at any time upon any highway, street, alley, public way or public place, except as otherwise allowed, in the city of Chula Vista except:
1. When the registered owner or lessor of a recreational vehicle is in possession of a valid City permit;
 2. While in the process of actively loading or unloading;
 3. When such vehicle or trailer is disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily parking such vehicle or trailer.
- B. For the purposes of this section, "recreational vehicle" shall include, but is not limited to, the following:
1. Camp trailers (California Vehicle Code Section 242);
 2. Fifth-wheel travel trailers (California Vehicle Code Section 324);
 3. House cars (California Vehicle Code Section 362);
 4. Trailer coaches (California Vehicle Code Section 635);
 5. Mobilehomes (California Vehicle Code Section 396);
 6. Boats and/or trailers, including jet skis and/or jet ski trailers;
 7. Dune buggies and off-road or all-terrain vehicles and/or trailers;
 8. Trailers used for the transportation of equipment, vehicles or animals;
 9. Recreational vehicles (California Health & Safety Code Section 18010);
 10. Folding camper trailers;
 11. Any other motorized or towed vehicle designed, maintained or used primarily for recreational purposes.

- C. The City Manager has authority to adopt procedural rules and regulations governing the permit process and to issue a parking permit for the parking of a recreational vehicle on a public street or public place to any Chula Vista resident, for the resident's use or for the use of a resident's guest, if (1) a written application is made to the City Manager including the address of the resident; and (2) the appropriate fees as described below are paid.
1. A permit will be issued upon payment of a fee and will be available for purchase at City facilities designated by the City Manager, or may be available through the City's website, if determined feasible by the City Manager. The permit fee shall be as set forth in the Master Fee Schedule of the City adopted by resolution of the City Council. The City Manager shall from time to time recommend such fees to the Council that reflect an amount to equal but not to exceed the reasonable costs of administration of the program and sign installation and maintenance.
 2. The permit shall state the address of the resident and the permit shall be valid only within the same block of the resident's address, or upon a street adjacent to the resident's address, on either side of the street.
 3. The permit shall be displayed on the recreational vehicle in a manner determined by the City Manager.
 4. The duration of the permit shall not exceed 24 hours.
 5. No more than 3 consecutive permits may be issued to any one address for any 72-hour period.
 6. No more than 72 permits may be issued relating to any one address in any one calendar year.
 7. Proof of residency or tenancy and proof of recreational vehicle ownership or recreational vehicle use or control shall be demonstrated in a manner determined by the City Manager.
 8. The permitted recreational vehicle shall be subject to all applicable parking restrictions in the Chula Vista Municipal Code and the California Vehicle Code.
- D. A violation of any provision of this Section is an infraction and punishable with a court citation and a minimum \$100 fine, pursuant to Section 1.20.010.B of the Chula Vista Municipal Code.
- E. As an alternative to Subsection D, at the sole discretion of the City Manager, a violation of any provision of this Section may be punishable with an administrative citation pursuant to Section 1.41.100 of the Chula Vista Municipal Code.

Section II. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section III. Construction

The City Council of the City of Chula Vista 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.

Section IV. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section V. Publication

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by



Richard A. Hopkins
Director of Public Works

Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 15th day of December 2015, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, McCann, and Salas

NAYS: Councilmembers: None

ABSENT: Councilmembers: Miesen

[Redacted Signature]

Mary Salas, Mayor

ATTEST:

[Redacted Signature]

Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3358 had its first reading at a regular meeting held on the 8th day of December 2015 and its second reading and adoption at a regular meeting of said City Council held on the 15th day of December 2015; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

December 29, 2015

Dated

[Redacted Signature]

Donna R. Norris, CMC, City Clerk