

ORDINANCE NO. 6-17 N. S.

**AN ORDINANCE OF THE CITY OF RICHMOND ADDING CHAPTER
14.46 TO THE MUNICIPAL CODE OF THE CITY OF RICHMOND
ESTABLISHING PARKING REGULATIONS FOR CERTAIN PARKING
ZONES AND ESTABLISHING A PARKING AUTHORITY ENTERPRISE
FUND TO FUND PARKING IMPROVEMENTS AND PARKING
AUTHORITY ACTIVITIES**

The Council of the City of Richmond do ordain as follows:

Section I. Amendment of Article XIV.

Article XIV of the Municipal Code of the City of Richmond is hereby amended by adding a Chapter 14.46 to read as follows:

Chapter 14.46

NEIGHBORHOOD PARKING REGULATIONS

Sections:

- 14.46.010 Neighborhood Parking Zones**
- 14.46.020 Installation and Maintenance of Parking Revenue Equipment**
- 14.46.030 Parking Time Limits**
- 14.46.040 Curbs, Street Lines, Markings and Parklets**
- 14.46.050 Unlawful Parking in On-Street Parking Spaces**
- 14.46.060 Parking Holidays**
- 14.46.070 Unlawful Parking in Off-Street Parking Spaces**
- 14.46.080 Overnight Parking Prohibited; No Parking Times**
- 14.46.090 Exclusive Use of Parking Spaces**
- 14.46.100 Rates Charged for Use of Parking Spaces**
- 14.46.110 Deposit of Payment Required**
- 14.46.120 Improper Use of Parking Revenue Equipment**
- 14.46.130 Notice of Parking Violations**
- 14.46.140 Disposition and Use of Revenue**
- 14.46.010 Neighborhood Parking Zones**

The City streets located within the following areas are established as neighborhood parking zones:

- A. Downtown
- B. Point Richmond
- C. Civic Center
- D. Contra Costa College Area
- E. 23rd Street Corridor
- F. Other areas as approved by Council resolution

14.46.020 Installation and Maintenance of Parking Revenue

Equipment

The City parking services manager is authorized and directed to install, maintain and operate the necessary parking revenue equipment along streets located in the designated neighborhood parking zones, subject to such exceptions as may be approved by City Council resolution, and in such off-street parking facilities operated by the City as shall be specified by City Council resolution, for the purpose of, and in such numbers, and at such places, and for such days and hours, as to provide for the efficient control and regulation of the parking of vehicles therein.

14.46.030 Parking Time Limits

The City parking services manager is authorized and directed to establish maximum time limits for both fee and non-fee parking spaces located within the neighborhood parking zones in order to facilitate long and short-term visitor access to destinations within the neighborhood parking zones. The maximum time limit, days and hours of operation, parking rate, and payments accepted by parking revenue equipment shall be indicated on said parking revenue equipment.

14.46.040 Curbs or Street Lines or Markings and Parklets

Within the neighborhood parking zones, the City engineer, or the City Manager's designee, shall have lines or markings painted or placed upon curbs and streets to designate parking spaces or Parklets where fees will be collected by parking revenue equipment or where parking or staging duration will be restricted by a permit or maximum time limit. The City parking services manager shall have lines or markings painted or placed in off-street parking locations. Each vehicle parked in areas lined and marked in said fashion shall park within the lines or markings so established. It is unlawful to park a vehicle of such size or in such a position that the same shall not be entirely within the space designated by such lines or markings.

14.46.050 Unlawful Parking in On-Street Parking Spaces

It is unlawful for any person between the hours of eight a.m. (8:00 a.m.) and six p.m. (6:00 p.m.) of any day to cause or permit any vehicle registered in his name or operated by him to be parked continuously in any parking space equipped with parking revenue equipment within the neighborhood parking zone, for more than the maximum period of time indicated on said parking revenue equipment, or any time during which the parking revenue equipment indicates that the space is illegally in use, except during the time necessary to make payment at the parking revenue equipment, and excepting also during the time from six p.m. (6:00 p.m.) to eight a.m. (8:00 a.m.), and on Sundays and parking holidays.

14.46.060 Parking Holidays

Parking fees will not be due or collected on the following holidays as designated by the City Council: New Year's Day, Martin Luther King's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Admission Day, Indigenous People's Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving, and Christmas Day.

14.46.070 Unlawful Parking in Off-Street Parking Spaces

- A. It is unlawful for any person to cause or permit any vehicle registered in said person's name or operated by said person to be parked continuously in any fee parking space within any un-gated off-street parking facility operated by the city during the posted days and hours of operation of that facility without having paid parking fees as posted within said facility during posted days and hours of facility operation except for time necessary to make payment at the parking revenue equipment.
- B. It is unlawful for any person to circumvent, displace, break, or overcome control mechanisms in any off-street parking facility operated by the city in order to avoid payment of parking fees. The issuance and review of notices of parking violation and delinquent parking violation, and the liability for and payment and collection of parking violation penalties, shall be governed by Sections 40200 et seq. of the California Vehicle Code.
- C. It is unlawful for any person to cause or permit any vehicle registered in said person's name or operated by said person to be removed from any gated off-street parking facility operated by the City until all fees, rates and charges have been paid and discharged, except as provided in subsections 1 and 2 below:
 - 1. In the event that the person operating a vehicle parked in any gated off-street parking facility operated by the City attempts to remove the vehicle from the facility but is unable to pay all fees, rates and charges due at such time, such person shall, prior to removing such vehicle from the facility, be required to sign an agreement to pay any unpaid fees, rates and charges. A copy of such agreement shall be given to the person signing the agreement. Such agreement shall set forth the location of the facility, the date and approximate time that the vehicle is removed, the name of such person, the vehicle license number, the registration expiration date, if visible, the last four digits of the vehicle identification number, if available, the color of the vehicle, and, if possible, the make of the vehicle. Such agreement shall require payment to the City of all unpaid fees, rates and charges, plus a processing fee in an amount established by City Council resolution, no later than seven (7) days after the agreement is signed, and shall indicate the address to which payment may be delivered or sent. If full payment is not made within such seven (7) day period, the parking services manager shall mail a notice of late payment to the vehicle's registered owner. Such notice shall require payment to the city of the unpaid fees, rates and charges, and processing fee, plus a late payment fee in an amount established by City Council resolution, no later than seven (7) days after the date of such notice. In the event that such amount is not fully paid within such seven (7) day period, a notice of parking violation, requiring payment of a penalty in an amount established by City Council resolution, shall be mailed to the vehicle's registered owner. The above agreement shall include a reference to this section.
 - 2. When any vehicle remains parked in a gated off-street parking facility operated by the City at the close of such lot's hours of operation, the facility attendant or enforcement officer shall record the location of the facility, the date and approximate time, the

vehicle license number, the registration expiration date and the last four (4) digits of the vehicle identification number, if visible, the color of the vehicle, and, if possible, the make of the vehicle. A numbered notice shall be attached to the vehicle requesting that all fees, rates and charges that have accrued and are due be paid at a parking revenue machine before the vehicle is removed from the facility. The notice shall also require that the operator of the vehicle record the notice number and vehicle license plate number on the parking facility ticket issued to the vehicle operator at the time the vehicle entered the parking facility. In the event that full payment is not deposited and collected on the next day of facility operation, the parking services manager shall mail a notice of late payment to the vehicle's registered owner. Such notice shall require payment to the city of the unpaid fees, rates and charges, and add a late payment fee in an amount established by City Council resolution. In the event that such amount is not fully paid within such seven (7) day period, a notice of parking violation, requiring payment of a penalty in an amount established by City Council resolution, shall be mailed to the vehicle's registered owner. The notice attached to the vehicle shall include a reference to this section.

- D. By entering an off-street parking facility operated by the City and parking a vehicle in such facility, the owner, operator or person in charge of such vehicle shall be deemed to have consented to the provisions of subsections (C)(1) and (C)(2) above. Any notices required to be mailed under this section, shall be deemed served on the day that they are deposited in the United States mail, first class, postage prepaid. The issuance and review of notices of parking violation and delinquent parking violation, and the liability for and payment and collection of parking violation penalties, shall be governed by Sections 40200 et seq. of the California Vehicle Code.

14.46.080 Overnight Parking Prohibited; No Parking Times

- A. It is unlawful for any person to cause or permit any vehicle registered in said person's name or operated by said person to be parked in any parking space in an off-street parking facility operated by the City in excess of twenty-four (24) consecutive hours without that person having obtained from the parking services manager an overnight parking permit. In the event a vehicle is left parked or standing in a City parking facility for twenty-four (24) or more consecutive hours, any member of the police department of the City of Richmond, or any City employee assigned to the enforcement of parking laws and regulations, may remove the vehicle from the parking facility in the manner and subject to the requirements of the California Vehicle Code.
- B. The parking services manager is authorized and directed to designate times when no parking shall be allowed in off-street parking facilities operated by the City. It is unlawful for any person to cause or permit any vehicle registered in said person's name or operated by said person to be parked in a parking space in an off-street parking facility operated by the City at times when no parking has been so designated for such facility.

14.46.090 Exclusive Use of Parking Spaces

Temporary utilization of parking spaces located in the neighborhood parking zones or off-street parking facilities operated by the City, without the deposit of

payment or for a period of time longer than the maximum time limit of said parking space, may be granted by the City upon application for such permission. The application shall be submitted in writing to the parking services division and shall provide substantial need for temporarily closing off these spaces for a stated duration of time. The applicant for temporary utilization of parking spaces in the neighborhood parking zones shall pay the city for use of those parking spaces at a rate established by City Council resolution. The applicant for temporary utilization of parking spaces in off-street parking facilities operated by the City shall make payments to the City as established by City Council resolution. Upon receipt of these payments, official bags shall be placed or signs posted on said parking spaces. This provision shall not permit anyone other than the applicant to occupy a parking space during a posted no-parking period.

14.46.100 Rates Charged for Use of Parking Spaces

The rates for use of parking spaces located within the neighborhood parking zones and in off-street parking facilities operated by the City shall be set forth by a City Council resolution.

14.46.110 Deposit of Payment Required

When any vehicle is parked in any parking space for use of which a fee is required as provided in accordance with the provisions of this chapter, the operator of the vehicle upon parking shall, and it is unlawful to fail to, deposit immediately United States coins, currency, or other such payment that is available and/or operational for parking spaces located within the neighborhood parking zones and in off-street parking facilities operated by the city.

14.46.120 Improper Use of Parking Revenue Equipment

It is unlawful to deposit or cause to be deposited in any parking revenue equipment, any slug, device or non-accepted payment material, or to deface, injure, tamper with, open, willfully break, remove, destroy, circumvent, or impair the usefulness of any parking revenue equipment installed pursuant to this chapter.

14.46.130 Notice of Parking Violation

It shall be the duty of each police officer or employee of the police department as designated by the police chief, and any City employee assigned to enforce parking laws and regulations, to observe any vehicles that are parked in violation of this chapter or the California Vehicle Code, and to issue and attach to such vehicles a notice of parking violation as provided by law.

14.46.140 Disposition and Use of Revenue

The depositing of payment in parking revenue equipment as provided in this chapter is levied and assessed as fees for the purposes provided in this section. All receipts accruing to the City from the operation of parking revenue equipment shall be deposited in a Parking Authority Enterprise Fund and shall only be expended for the acquisition, installation, operation, maintenance, repair and replacement of parking revenue machines; parking revenue equipment collection and enforcement and expenses incidental thereto; the acquisition by purchase, condemnation or lease, installation, improvement, operation, maintenance, repair and replacement of off-street parking facilities and expenses incidental thereto, including costs and expenses incurred in condemnation proceedings whether successfully concluded or abandoned; and expenses incurred in connection with proposals or proceedings for acquisition of off-street parking facilities, whether such proposals or proceedings are carried out

or abandoned. Excess revenue not expended for the foregoing purposes shall be kept as reserves in the City's Parking Authority Enterprise Fund.

Section II. Severability.

The provisions of this Ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this Ordinance, or the validity of its application to other persons or circumstances.

Section III. Effective Date.

This Ordinance shall take effect thirty (30) days after its final passage and adoption by the City Council.

First read at a regular meeting of the Council of the City of Richmond held March 21, 2017, and finally passed and adopted at a regular meeting thereof held April 4, 2017, by the following vote:

AYES:	Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, Vice Mayor Beckles, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 6-17 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on April 4, 2017.



Pamela Christian, City Clerk of the City of Richmond