

BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

IN THE MATTER OF:

An Ordinance of the City Council of the City of)
Lafayette Amending Title 8, Chapter 8-8, Article 15)
the Lafayette Municipal Code Relating to Parking) Ordinance No. 651
Meters and Lock Boxes)

WHEREAS, the City of Lafayette, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, California Vehicle Code Section 22508 authorizes cities to establish parking meter zones within a city; and

WHEREAS, in May, 2016 the Parking Committee made a series of recommendations to the City Council regarding changes to the City's parking regulations; and

WHEREAS, the City Council desires to amend the Parking Meters and Lock Boxes Ordinance to amend existing parking meter zones and establish new parking meter zones within the City of Lafayette and to make certain other changes to strengthen enforcement of parking meter time limits.

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

Section 1. Incorporation of Recitals. The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

Section 2. Amendment to Lafayette Municipal Code, Title 8, Chapter 8-8, Article 15. Lafayette Municipal Code, Title 8, Chapter 8-8, Article 15 ("Parking Meters and Lock Boxes ") is hereby amended and restated as provided in Exhibit "A," attached hereto and incorporated herein by this reference.

Section 3. CEQA. The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(3) because this activity is not a project as defined by Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, and pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that it will not have a significant effect or physical change to the environment.

Section 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 5. Publication. The City Clerk shall either (a) have this Ordinance published in a newspaper of general circulation once within fifteen (15) days after its adoption, or (b) have a summary of this Ordinance published twice in a newspaper of general circulation, once five (5) days before its adoption and again within fifteen (15) days after adoption.

The foregoing Ordinance was introduced at a meeting of the City Council of the City of Lafayette held on October 11, 2016, and adopted and ordered published at a meeting of the City Council held on October 24, 2016, by the following vote:

AYES: **Mitchell, B. Andersson and Tatzin**


NOES: **None**

ABSTAIN: **None**

ABSENT: **M. Anderson and Reilly**

ATTEST:

APPROVED:


Joanne Robbins, City Clerk


Mark Mitchell, Mayor

Exhibit "A"

Article 15. - Parking Meters and Lock Boxes

8-8161 - Metered parking zones- Defined.

The streets, portions of streets or parking lots hereinafter described in Section 8-8161.1 are defined and established as parking meter zones within which the parking of vehicles shall be controlled, regulated and inspected with the aid of parking meters or lock boxes/coin boxes or permit parking as provided in this article. The use of parking meters or lock boxes/coin boxes, or any combination thereof, in any parking zone shall be determined by the City Manager or his or her designee.

8-8161.1 - Metered parking zones - Established.

The following portions of streets and city-owned parking lots are declared to be parking meter zones as authorized by Vehicle Code Section 22508:

- (a) The portions of the following streets which are bordered on the north by Deer Hill Road and on the south by Mt. Diablo Boulevard:
 - (1) both sides of Brown Avenue,
 - (2) both sides of Happy Valley Road,
 - (3) the east side of Oak Hill Road, and
 - (4) both sides of First Street.
- (b) Both sides of Mt. Diablo Boulevard which is bordered on the west by Risa Road and on the east by Second Street.
- (c) The south side of Plaza Way which is bordered on the west by Moraga Road and on the east by Golden Gate Way.
- (d) Both sides of Moraga Road which is bordered on the north by Mt. Diablo Boulevard and on the south by Moraga Boulevard.
- (e) The city-owned parking lot at 949 Moraga Road.
- (f) The city-owned parking lot on the southeast corner of the intersection of Golden Gate Way and Mt. Diablo Boulevard (commonly referred to as the "Gazebo Parking Lot").
- (g) Both sides of Dolores Drive north of Mount Diablo Boulevard and south of Via Roble.
- (h) The city-owned parking lot at 3305 Mt. Diablo Boulevard (commonly referred to as the "Old East Bay MUD Pumping Plant" Lot).
- (i) The city-owned parking lot at the intersection of Oak Hill Road and Mt. Diablo Boulevard (commonly referred to as the "Uncle Yu's" Lot).
- (j) Both sides of Lafayette Circle (east), from Mt. Diablo Boulevard to Hough Avenue.
- (k) The city-owned parking lot at the south-west corner of Golden Gate Way and First Street (commonly referred to as the "Oak Bridge" Lot).
- (l) Both sides of Golden Gate Way west of First Street and East of Mount Diablo Boulevard.

8-8162 – Manner of installation.

- (a) The parking meters shall be installed upon the curb immediately adjacent to the individual parking space. Each meter shall be constructed to signal that the space adjacent to which it is installed is or is not legally in use.
- (b) At least one parking lock box shall be installed at the north end of each of the affected streets. Each parking lock box shall contain multiple numbered slots for the insertion of parking fees corresponding to a numbered place on that street.

8-8163 - Parking within spaces.

- (a) The director of public works shall have lines and markings painted upon the curb or street adjacent to each parking meter designating the parking space for which the meter is to be used. Each vehicle parked adjacent to any parking meter shall be parked within the designated parking space. It is unlawful to park a vehicle except entirely within the parking space.
- (b) The director of public works shall have lines, markings and numbers upon the curb or street designating each parking space corresponding with the numbered slot on the parking lock box. Each vehicle parked in a numbered space shall be parked within the designated parking space. It is unlawful to park a vehicle except entirely within such parking space.

8-8164 - Time of operation.

When parking meters or coin boxes/lock boxes are installed pursuant to Section 8-8161.1, parking fees shall be in effect between the hours of 9 a.m. to 6 p.m., Monday through Saturday. Parking fees will not be in effect on Sundays and holidays. It is unlawful for a person to cause or permit a vehicle registered in his or her name or operated by him or her to be parked in a parking meter space or lock box space during the hours of operation without first having deposited the requisite payment in the parking meter or lock box.

8-8165 - Parking fees.

The following parking fees are established for parking meters zones within the City of Lafayette:

- (a) All parking meters that accept credit card transactions require a minimum charge of one dollar.
- (b) The parking meters included within the following parking meter zones will be programmed with a daily rate of five dollars:
 - (1) Happy Valley Road (bordered on the north by Deer Hill Road and on the south by Mt. Diablo Boulevard).
 - (2) The east side of Oak Hill Road (bordered on the north by Deer Hill Road and on the south by Mt. Diablo Boulevard).
 - (3) First Street (bordered on the north by Deer Hill Road and on the south by Mt. Diablo Boulevard).
 - (4) Dolores Drive (north of Mount Diablo Boulevard and south of Via Roble).
- (c) The city-owned parking lot located at 949 Moraga Road will have a daily rate of two dollars.
- (d) All other parking meters will have an hourly rate of one dollar per hour.

8-8166 - Maximum parking time.

A metered parking space may be lawfully occupied by a vehicle during the period of time corresponding to the amount of parking fees deposited. No vehicle shall remain in a metered space when its corresponding parking meter displays a sign or signal indicating either illegal use of the metered space or that the lawful parking period for the metered space has expired. The indication showing illegal or expired parking during the hours of operation for any parking meter while a vehicle is parked in a metered space adjacent to the parking meter shall be prima facie evidence that the motor vehicle has been parked in violation of this article.

8-8167 - Use of slugs prohibited.

It is unlawful to deposit in a parking meter a slug, device, bent coin, or substitute for a coin of the United States.

8-8168 - Unlawful use.

- (a) It is unlawful for a person to deface, injure, tamper with, open or wilfully break, destroy or impair the usefulness of a parking meter or parking lock box.
- (b) It is unlawful for a person to attach anything to or allow a bicycle, newsrack or any other thing to lean against a parking meter, parking lock box, or parking meter or lock box standard.

8-8169 - Exemption for disabled person and veteran.

Under the authority of Vehicle Code Section 22511.5, a disabled person or veteran is exempt from the application of Sections 8-8164, 8-8165 and 8-8166 of this article; provided that the person's vehicle bears a special license or displays a special placard issued under Vehicle Code Section 9105 or 22511.5.

8-8170 - Collection and disposition of fees.

The city manager is responsible for the collection of all coins and currency deposited in the parking meters and parking lock boxes respectively. All of the coins and currency shall be delivered to the treasurer of the city who shall deposit the moneys in a special fund designated the city "parking fund."

8-8171 - Repealed by Ordinance 424.

8-8172 Preferential Resident Metered Parking.

The city council may, by resolution, allow for preferential parking by residents of the City of Lafayette in parking meter zones.

8-8173 - Citation for parking meter violations.

Each police officer or parking enforcement officer shall take the number of any parking meter space at which any vehicle is illegally parked. The citation will include, as provided in the registration, the state vehicle license number of the vehicle and the time and date of the illegal parking. The police officer or parking enforcement officer shall then issue, in writing, a citation for illegal parking in the form and subject to the procedure provided for by law and the city code applicable to parking violations within the city.

Contra Costa Times

175 Lennon Lane, Suite 100
Walnut Creek, CA 94598
925-943-8019

2010502

LAFAYETTE, CITY OF
ATTN: ACCOUNTS PAYABLE
3675 MT. DIABLO BLVD., #210
LAFAYETTE, CA 94549-3793

PROOF OF PUBLICATION

FILE NO. Joanne Robbins Ord 651 Meters

In the matter of

Contra Costa Times

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.


I declare that the Contra Costa Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated October 22, 1934, Case Number 19764. Said decree states that the Contra Costa Times is adjudged to be a newspaper of general circulation for the City of Walnut Creek, County of Contra Costa and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

10/19/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 19th day of October, 2016.



Signature

Legal No. **0005835883**

**NOTICE AND SUMMARY OF
PROPOSED ORDINANCE NO. 651**

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LAFAYETTE AMENDING TITLE 8,
CHAPTER 8-8, ARTICLE 15 OF THE
LAFAYETTE MUNICIPAL CODE ENTITLED
"PARKING METERS AND LOCK BOXES"**

Notice is hereby given that on October 24, 2016, the City Council of the City of Lafayette will consider the adoption of Ordinance No. 651 amending Article 15 of Title 8, Chapter 8-8 of the Lafayette Municipal Code. This hearing will take place at 7pm in the Lafayette Library and Learning Center Community Hall (3491 Mt Diablo Blvd, Lafayette, CA 94549). The following is a summary of the proposed Ordinance:

This ordinance amends existing parking meter zones and establishes new parking meter zones within the City of Lafayette. The ordinance amends the time of operation and parking fees, authorizes preferential resident metered parking if approved by city council resolution, and clarifies the citation process for parking meter violations.

Note: The above is a simply a summary of the Ordinance. To obtain a full understanding of the Ordinance it should be read in its entirety. A certified copy of the full text of the Ordinance is posted in the City Clerk's office at 3675 Mount Diablo Blvd., Suite 210, Lafayette, California 94549. A copy may be obtained from that office upon payment of the fee based on the City's actual cost of copying of the document.

Date: October 13, 2016
Joanne Robbins, City Clerk
CCT #5835883; Oct. 19, 2016

Contra Costa Times

175 Lennon Lane, Suite 100
Walnut Creek, CA 94598
925-943-8019

2010502

LAFAYETTE, CITY OF
ATTN: ACCOUNTS PAYABLE
3675 MT. DIABLO BLVD., #210
LAFAYETTE, CA 94549-3793

PROOF OF PUBLICATION

FILE NO. Joanne Robbins Ord 651

In the matter of

Contra Costa Times

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.


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I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/03/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 7th day of November, 2016.

Signature 

Legal No. 0005847634

NOTICE AND SUMMARY OF ORDINANCE NO. 651

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE AMENDING TITLE 8, CHAPTER 8-8, ARTICLE 15 OF THE LAFAYETTE MUNI- CIPAL CODE ENTITLED "PARKING METERS AND LOCK BOXES"

Notice is hereby given that on October 24, 2016, the City Council of the City of Lafayette adopted Ordinance No. 651 amending Article 15 of Title 8, Chapter 8-8 of the Lafayette Municipal Code. The following is a summary of the Ordinance:

This ordinance amends existing parking meter zones and establishes new parking meter zones within the City of Lafayette. The ordinance amends the time of operation and parking fees, authorizes preferential resident metered parking if approved by city council resolution, and clarifies the citation process for parking meter violations. The Ordinance was adopted by the City Council by the following vote:

For: Mitchell, B. Andersson and Tatzin
Against: None
Abstain: None
Absent: M. Anderson and Reilly

Note: The above is a simply a summary of the Ordinance. To obtain a full understanding of the Ordinance it should be read in its entirety. A certified copy of the full text of the Ordinance is posted in the City Clerk's office at 3675 Mount Diablo Blvd., Suite 210, Lafayette, California 94549. A copy may be obtained from that office upon payment of the fee based on the City's actual cost of copying of the document.

Publish date: November 3, 2016
Joanne Robbins, City Clerk
CCT# 5847634 Nov. 3, 2016