

ATTACHMENT 6

ORDINANCE NO. 4148

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING HUNTINGTON BEACH MUNICIPAL CODE CHAPTERS 10.04, 10.52, 10.56, 10.60 AND 10.68, AND ADDING CHAPTER 10.50 TO THE CODE, BOTH RELATING TO ON-STREET PARKING METER ZONES AND OFF-STREET CITY PARKING LOTS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. The following Sections and Definitions are added to Chapter 10.04 of the Municipal Code:

“10.04.021 Attendant

“Attendant” shall mean any person collecting parking charges for parking in City Off-Street Parking lots.

10.04.055 Director of Community Services

The Director of Community Services shall be responsible for administering the On-Street Parking Meter Zones and the Off-Street City Parking Lots.

10.04.081 Off-Street City Pay Parking Lots

“Off-Street City Pay Parking Lots” shall mean any leased parking lot, structure, facility or area located outside of the public right-of-way that the City operates pursuant to Chapter 10.50 for paid parking of vehicles, regardless of the method of payment, including but not limited to parking attendants, meters, or otherwise.

10.04.082 Off-Street City Non-Pay Parking Lots

“Off-Street City Non-Pay Parking Lots” shall mean any City owned or leased parking lot, structure, facility or area located outside of the public right-of-way, and maintained or operated by the City for non-pay parking of vehicles. The non-pay parking lots the City owns are typically associated with City owned buildings, included but not limited to: City Hall, the Public Works Yard, the Central, Main Street and Banning Street Libraries, the Water Department, and all the City Parks, with the exception of Huntington Central Park Sports Complex.

10.04.083 Off-Street City Parking Lots

“Off-Street City Parking Lots” shall mean and include both Off-Street City Pay Parking Lots and Off-Street City Non-Pay Parking Lots.

10.04.085 On-Street Parking Meter Zones

“On-Street Parking Meter Zones” shall mean the On-Street Parking Meter Zones established at Chapter 10.60 of this Code.”

SECTION 2. The definition of “Parking Meter” at Section 10.04.090 of the Municipal Code, is amended to read as follows:

“10.04.090 Parking Meter

“Parking Meter” shall mean any single-space parking meter, multiple space parking meter, pay station, or any other equipment installed by the Director of Community Services for the collection of payment to park in any designated metered parking space either in any Off-Street City Pay Parking Lot or any On-Street Parking Meter Zone.”

SECTION 3. Chapter 10.50 is added to the Municipal Code to read as follows:

“Chapter 10.50 Off-Street City Pay Parking Lots

10.50.010 Establishment of Off-Street City Pay Parking Lots.

The City owns and operates the following Off-Street City Pay Parking Lots:

- A. Main-Promenade Parking Structure, located at 200 Main Street.
- B. The Parking Lots on the ocean side of Pacific Coast Highway from Goldenwest Street to a point which is 6,100 feet north-westerly of said Goldenwest Street, commonly known as “Dog Beach Lot” and “Blufftop Lot.”
- C. The Parking Lots adjacent to the public launching ramps on Warner Avenue, commonly known as “Warner Lot.”
- D. The Parking Lots located on the ocean side of Pacific Coast Highway between First and Seventh Streets, commonly known as the “Pier Plaza Parking Lots.”
- E. The Parking Lot within the boundaries of the Huntington Central Park Sports Complex.
- F. The Parking Lot on the southwest corner of First Street and Atlanta Avenue.

G. The Parking Lot located at 101 Walnut Avenue, commonly known as “First/Walnut Lot.”

H. The Parking Lots on the Ocean side of Pacific Coast Highway from Beach Boulevard to First Street, commonly known as the “South Beach Lots.”

10.50.020 - Payment of Charges Required.

A. The City Council shall establish by Resolution the fees, rates and charges for vehicle parking at all Off-Street City Pay Parking Lots. Parking Meters or Attendants may collect the fees, rates, and charges.

B. No person shall park or leave standing any vehicle upon any Off-Street City Pay Parking Lot at any time without payment of the fees, rates and charges established for the use of the Lot by Resolution of the City Council.

C. All fees, rates and charges for parking at any Off-Street City Pay Parking Lot shall be paid in advance in money of the United States of America, except as otherwise provided by validation agreement.

D. The payment of fees to a parking meter or pay station does not exempt a person or vehicle from receiving a citation for violation of the posted curfew.

10.50.030 - Validation Agreement - Authorization.

A. The City Manager or the Director of Community Services may enter into written agreements with any person or legal entity to provide for validation of parking in any Off-Street City Pay Parking Lot.

B. The charges such person or legal entity pays shall be in accordance with the schedule of fees, rates and charges for non-validated parking established by Resolution of the City Council.

10.50.040 - Vehicles Subject to Removal - Storage lien.

A. Shall any owner or operator of a vehicle park it in an Off-Street City Pay Parking Lot for a time in excess of twenty-four hours after the parking rates paid have expired, then the City or its duly authorized representatives may remove the vehicle from the Lot. Pursuant to Vehicle Code Section 22851, the vehicle shall be subject to a possessory lien in favor of the City, for the storage and removal charges and fees, including all accumulated unpaid parking charges at the time of removal, and the actual towing and storage charges.

B. Any Attendant or employee of the City on duty at or upon an Off-Street City Pay Parking Lot shall not permit or allow the removal from the premises of any vehicle by the owner, operator or person in charge unless and until all charges and fees have been paid and discharged.

C. Failure on the part of any owner, operator or person in charge of any vehicle so removed from any Off-Street City Pay Parking Lot to redeem his vehicle or vehicles within the time and within the manner provided by law shall be cause for the City to proceed to sell the said vehicle to satisfy the lien and all charges and fees unpaid thereon in the manner as provided by law.”

SECTION 4. Chapter 10.52 of the Municipal Code is amended to read as follows:

“Chapter 10.52 OFF-STREET CITY PARKING LOT

10.52.010 Regulations Regarding Off-Street City Parking Lots.

The following Regulations shall apply to Off-Street City Parking Lots:

- A. The driver of a motor vehicle shall be permitted to park within designated spaces only.
- B. No person shall obstruct the flow of traffic in any Off-Street City Parking Lot.
- C. No person driving, in control of, or in charge of, a motor vehicle shall obstruct any entrance or any right-of-way in any Off-Street City Parking Lot.
- D. When signs or curb markings regulating parking have been determined by the Director of Community Services to be necessary and are in place giving notice

thereof, no operator of any vehicle shall stop, stand, or park said vehicle in violation thereof.

E. The Director of Community Services shall have the authority to designate reserved parking areas in Off-Street City Parking Lots.

F. No unauthorized vehicle shall park in a reserved parking area where signs are posted giving notice of such reserved parking.

G. In the event that a vehicle is parked in violation of this Chapter, any regularly employed and salaried city peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the California Penal Code, or any regularly employed and salaried employee of the City who is engaged in directing traffic or enforcing parking laws and regulations, may remove the vehicle in the manner and subject to the requirements of the California Vehicle Code.

H. No unauthorized vehicle shall park in a stall or space designated for exclusive use by physically-handicapped persons whose vehicles display either one of the distinguishing placards issued to disabled person or veteran pursuant to Section 22511.55 of the California Vehicle Code or to disabled veterans, as specified in Section 9105 of the California Vehicle Code. Such stalls or spaces are designated by a blue painted curb and/or by a sign consisting of a profile view of a wheelchair with occupant in white on a blue background posted immediately adjacent to, or visible from, each stall or space.

10.52.020 – Additional Off-Street City Parking Lot Regulations.

A. The Director of Community Services is authorized to establish additional regulations regarding the time, place and manner of parking or stopping of vehicles on any Off-Street City Parking Lot.

B. The Director of Community Services shall not enforce any regulation established pursuant to this Chapter in any Off-Street City Parking Lot until he or she has posted adequate notice of such regulations in the Off-Street Parking Lot.

C. No person shall park or stop a vehicle in any Off-Street City Parking Lot in violation of any properly posted Regulation established by the Director of Community Services pursuant to this Section.

10.52.030 Violation—Penalty

Any person violating any provision of this Chapter shall, upon conviction thereof, be guilty of an infraction, and punishable by a fine not to exceed \$100.00.”

SECTION 5. The definition of “Parking Meter Zones” at Section 10.56.010 is deleted from the Municipal Code.

SECTION 6. Section 10.56.060 of the Municipal Code regarding Use of Parking Meter Proceeds in On-Street Parking Meter Zones is amended to read as follows:

“10.56.060 Use of Proceeds

The money paid to Parking Meters in the On-Street Parking Meter Zones is levied and assessed as a fee to provide for the proper regulation, control and inspection of traffic upon the public streets, and to cover the cost of supervising, regulating and inspecting the parking of vehicles in the Zones, the cost of placing and maintaining lines or markings, designating parking spaces in the Zones, the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the Parking Meters installed hereunder, and the acquisition by purchase or lease, improvement, operation, maintenance, repair and replacement of all parking facilities on streets; and the special fund in which such fees shall be placed shall be devoted exclusively to those purposes.”

SECTION 7. The Title of Chapter 10.60 of the Municipal Code, and Section 10.60.010 are amended to read as follows:

“Chapter 10.60 ON-STREET PARKING METER ZONES

10.60.010 Establishment of On-Street Parking Meters Zones

Pursuant to Section 22508 of the California Vehicle Code, On-Street Parking Meter Zones are hereby established within the public right-of-way of the following streets and highways:

A. **Business Zones.** The boundaries of the business zones shall be as follows:

1. Within Main Street right-of-way from Pacific Coast Highway to Palm Avenue, excluding the west side of Main Street from Acacia to Palm Avenue.

2. Within Walnut Avenue right-of-way from Third to Fifth Streets.
3. Within Olive Avenue right-of-way from Third to Fifth Streets.
4. Within Walnut Avenue right-of-way between Fifth and Sixth Streets.

B. **Residential Zones.** The boundaries of the residential zones shall be as follows:

1. Within First Street right-of-way from Pacific Coast Highway to Atlanta Avenue.
2. Within Second Street right-of-way from Pacific Coast Highway to Orange Avenue.
3. Within Third Street right-of-way from Walnut to Orange Avenues.
4. Within Walnut Avenue right-of-way from First to Third Streets.
5. Within Olive Avenue right-of-way from First to Third Streets.
6. Within Fifth Street right-of-way from Pacific Coast Highway to Orange Avenue.
7. Within 22nd Street right-of-way from Pacific Coast Highway to Walnut Avenue.
8. Within Walnut Avenue right-of-way from 22nd to Goldenwest Streets.
9. Within Southside Orange Avenue right-of-way from Fifth to Main Street.
10. Within Orange Avenue right-of-way from First to Second Street.

C. **Recreational Zones.** The boundaries of the recreational zones shall be as follows:

1. ZONE A: On the ocean side of Pacific Coast Highway right-of-way from Beach Boulevard to Goldenwest Street.
2. ZONE B: On the inland (north) side of Pacific Coast Highway right-of-way from Beach Boulevard to Third Street and from Sixth to Goldenwest Streets.
3. Zone C: Within Beach Boulevard right-of-way from Pacific Coast Highway to Sunrise Street, including the frontage road from east of Beach Boulevard.

4. Zone D: Within Pacific View Avenue right-of-way between First Street & Twin Dolphin Drive.”

SECTION 8. Section 10.60.020 of the Huntington Beach Municipal Code is hereby amended to read as follows:

“10.60.020 Times and Coins or Payment Deposited Prescribed

The parking time and fees will be affixed to the parking meters, as follows:

A. Business Zones.

Parking meters with one hundred twenty (120) minute parking limits may be installed in the Business Zones, in locations determined by the Director of Community Services. The fee for parking shall be \$2.00 per hour.

1. Parking meters with twenty-four (24) minute parking limits may be installed in the Business Zone in locations determined by the Director of Community Services. Parking in these parking locations will be limited to 6:00 a.m. to 12:00 a.m. daily, including Saturdays, Sundays, and holidays.
2. The Director of Community Services may determine that certain Recreational Zone parking hours may be limited or extended. Notice of limited or extended parking limits shall be posted for the public.

B. Residential Zones.

1. Parking meters with sixty (60) minutes, one hundred twenty (120) minutes and twelve (12) hour parking limits may be installed in the Residential Zones in locations determined by the Director of Community Services. The fee for parking shall \$2.00 per hour.
2. Parking meters with sixty (60) minutes, one hundred twenty (120) minutes, and twelve (12) hour parking limits may be installed within the Residential Zone in locations to be determined by the Director of Community Services. These parking locations will be limited to 6:00 a.m. through 12:00 a.m. daily, including Saturdays, Sundays, and holidays.

C. Recreational Zones.

1. Parking meters with twelve (12) hour parking limits may be installed within Zones A, B, C, and D in locations determined by the Director of Community Services. The fee for parking shall be \$2.00 per hour.

2. Parking meters or pay stations with thirty (30) minutes, sixty (60) minutes, one hundred twenty (120) minutes, and twelve (12) hour parking limits may be installed within Recreational Zones in locations to be determined by the Director of Community Services. These locations will be limited to parking from 6:00 a.m. through 12:00 a.m. daily, including Saturdays, Sundays, and holidays.

3. The Director of Community Services may determine that certain Recreational Zone parking hours may be limited or extended. Notice of limited or extended parking limits shall be posted for the public.”

SECTION 9. Section 10.60.050 is added to the Municipal Code to read as follows:

“10.60.050 Curfew

In all meter zones, the payment of fees to a parking meter or pay station does not exempt a person or vehicle from receiving a citation for violation of the posted curfew.”

SECTION 10. Section 10.64.010 of the Municipal Code, is amended to read as follows:

“10.64.010 Parking Meters

When directed by the City Council, the Director of Community Services shall cause to be installed upon such streets or portions thereof within the On-Street Parking Meter Zones, adjacent to each designated parking space, such parking meters as shall have been approved by the Council.”

SECTION 11. Sections 10.68.100, entitled “Public Launching Ramps—Meter Zones Established,” and Section 10.68.110, entitled “10.68.110 Central Library—Meter Zone Established” are hereby deleted from the Municipal Code.

SECTION 12. This Ordinance shall become effective 30 days after its adoption.

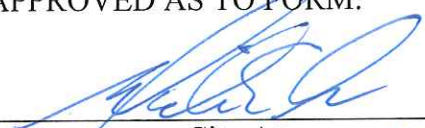
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2018.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk




City Attorney NW

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Manager



Director of Community Services