City of Huntington Beach

2000 Main Street,
Huntington Beach, CA 92648

Legislation Details (With Text)

File #:	19-1128		
Type:	Ordinances for Introduction	**Status:**	Passed
File created:	11/1/2019	**In control:**	City Council/Public Financing Authority
On agenda:	11/18/2019	**Final action:**	11/18/2019
Title:	Approve for introduction Ordinance No. 4192, which establishes Municipal Code Section 10.40.265 prohibiting misuse of disabled person placards or license plates, and adopt Resolution No. 2019-75, which establishes a bail amount for the new Municipal Code section and adds it to the Uniform Bail Schedule for Parking Violations		
Attachments:	1. Att #1 - Ordinance 4192.pdf, 2. Att #2 - Resolution 2019-75.pdf		

Date	Ver.	Action By	Action	Result
11/18/2019	3	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Robert Handy, Chief of Police

Subject:

Approve for introduction Ordinance No. 4192, which establishes Municipal Code Section 10.40.265 prohibiting misuse of disabled person placards or license plates, and adopt Resolution No. 2019-75, which establishes a bail amount for the new Municipal Code section and adds it to the Uniform Bail Schedule for Parking Violations

Statement of Issue:

As more California residents obtain temporary or permanent disabled placards/license plates, there is an increased potential for their misuse and abuse. While conducting enforcement, Parking Control Officers (PCO's) often see indicators of misuse or abuse and people taking advantage of loopholes in the State law, which prohibits proper enforcement. Because of these abuses, disabled spaces are not fully available to legitimately disabled persons with valid disabled placards/plates.

To help curtail the issue with these violations, a local authority may enact an ordinance that allows for the enforcement of invalid, fraudulent, altered, unauthorized, and/or counterfeit disabled placard/plates.

The proposed ordinance and resolution will ensure enforcement is applicable to the parking or standing of a vehicle on streets or highways, or in a parking stall or space in a privately or publicly owned or operated off-street parking facility, within our jurisdiction.

Financial Impact:
There is no cost associated with this proposed action. Any increase to revenue is unknown at this time.

Recommended Action:
A) Approve for Introduction Ordinance No. 4192, "An Ordinance of the City of Huntington Beach adding Section 10.40.265 to Chapter 10.60 of the Huntington Beach Municipal Code Relating to Disabled Parking Placards and License Plates;" and,

B) Adopt Resolution No. 2019-75, "A Resolution of the City Council of the City of Huntington Beach Adopting an Amended Uniform Bail Schedule for Parking Violations."

Alternative Action(s):
Do not approve the proposed Ordinance and/or Resolution and direct staff accordingly.

Analysis:
Under current law, the City is missing some ability to hold violators accountable, deter criminal activity, and allow for sufficient disabled parking. California Vehicle Code section 22507.8 allows a person to park in a marked handicapped stall if they have a placard. The language in this section does not address the validity of the placard/plate, who the placard/plate is specifically intended for or if it is altered/counterfeit.

With the Ordinance and Resolution in place, the City of Huntington Beach will be able to:

- Increase the availability of parking for legitimately disabled drivers, allowing them access to reserved parking spaces close to their destinations.
- Help to eliminate some measure of placard abuse through the deterrent effect of enforcement and fine penalties, potentially increasing parking revenue collections in the City.
- Encourage non-disabled drivers to use other available legal parking in off-street pay parking lots, metered parking areas, permit parking areas or other lawfully available spaces.
- Prohibit illegal users of disabled placards to occupy high-demand parking spots at parking meters or in private parking lots open to the public for free all day with no incentive to limit their stay.
- Aid merchants and promote shopping in business districts by increasing turnover of needed disabled parking spaces in front of stores or on the same blocks in these districts.
- Improve the quality of life for the physically disabled placard holders and residents of the City.
- Minimize the hardship on a disabled person whose physical disability prevents them from walking for more than a short distance or safely maneuvering a mobility device onto a sidewalk or other surface reserved for public ingress and egress.

Environmental Status:
Not applicable

Strategic Plan Goal:

Enhance and modernize public safety service delivery

Attachment(s):

1. Ordinance No. 4192
2. Resolution No. 2019-75