

TO: Tom Frutchey, City Manager

FROM: Robert Burton, Chief of Police

**SUBJECT: Amendment to Title 12 of Municipal Code (Vehicles and Traffic)
to Add New Section 12.38.035 – Regulation of On-Street Parking of Recreational
Vehicles, Utility Trailers and Campers**

**MEETING
DATE: April 19, 2016**

NEEDS: For the City Council to consider amending Title 12 of the Paso Robles Municipal Code (Vehicles and Traffic) to add new Section 12.38.035 – Regulation of On-Street Parking of Recreational Vehicles, Utility Trailers and Campers.

FACTS:

1. The Police Department receives frequent complaints regarding on-street parking of recreational vehicles (RVs), utility trailers, and campers. The complaints are primarily centered on the long term parking of these vehicles that create visual pollution and unsafe roadway conditions.
2. During its September 15, 2015 meeting, the City Council asked that the regulation of on-street parking for recreational vehicles be brought forward as a discussion item.
3. The existing State and local codes do not specifically address or regulate on-street parking of recreational vehicles, utility trailers or campers. These codes merely limit the length of time a “vehicle” can be left parked or left standing on a roadway. This prohibits City staff from addressing the above-mentioned complaints, as vehicles can easily be moved a short distance to avoid violating the codes.
4. A permit process for the above-mentioned vehicles would allow owners to temporarily park their recreational vehicles, utility trailers, and campers on City streets. The permits would be free to the owners and would allow up to 12 temporary 3-day parking permits per year.
5. Adequate options on private property, including RV storage facilities, to ensure that owners of such vehicles have suitable and affordable alternatives.
6. In order to give owners of recreational vehicles, utility trailers and campers sufficient notice of the new requirements and time to locate permanent parking locations if necessary, the ordinance is proposed to take effect three months after adoption.

ANALYSIS

AND

CONCLUSION: The Police Department receives frequent complaints from residents throughout Paso Robles that cite RV, trailers and campers parked along city streets as creating visual pollution and unsafe roadway conditions. Currently, Paso Robles has lenient RV parking restrictions, allowing owners to leave them parked on city streets indefinitely, as long as they are moved to different locations every 72 hours. These laws can be easily circumvented; an owner merely has to move an RV a few feet every 72 hours to avoid violating any laws. In addition, the lack of a formal parking permit procedure creates complicated and ineffective enforcement of the restrictions. In addition, these vehicles create eyesores when left indefinitely on city streets; they also jeopardize pedestrian and motorist safety by obscuring sight distance and creating blind spots.

As noted above, the City does not currently have the authority to effectively regulate the on-street parking of recreational vehicles, utility trailers or campers. The proposed ordinance would

provide the City with specific enforcement authority while also allowing owners of recreational vehicles to park short term on City streets.

POLICY

REFERENCE: None.

FISCAL

IMPACT: The primary fiscal impact include the costs incurred for signs that will identify the parking restrictions at all major entrances to the City. Staff estimates these will cost a total of about \$1,000; they will be funded with existing departmental budgets.

OPTIONS:

- a.** Introduce for the first reading of Ordinance No. XXX to amend Title 12 of the Paso Robles Municipal Code to add new Chapter 12.38.035 to address and regulate on-street parking of recreational vehicles, and set May 3, 2016, as the date for adoption of said ordinance.
- b.** Amend, modify, or reject the above option.

Attachments:

- 1. Ordinance No. XXX
- 2. Notice and Summary

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
ADDING SECTION 12.38.035 TO THE MUNICIPAL CODE
REGARDING ON-STREET PARKING OF RECREATIONAL VEHICLES, UTILITY
TRAILERS AND CAMPERS**

WHEREAS, the City Council of the City of El Paso de Robles (City) finds that the parking of recreational vehicles, utility trailers and campers on public streets can, unless controlled, create neighborhood blight, contribute to the deterioration of property values, impair visibility, and be injurious to the public health, safety and general welfare; and

WHEREAS, California Vehicle Code section 22507 broadly empowers cities to regulate parking within their jurisdictions; and

WHEREAS, the City wishes to prevent the negative effects of recreational vehicles, utility trailers and campers parked for extended periods on City streets, but also wishes to permit City residents and their guests to temporarily park recreational vehicles, utility trailers and campers when needed; and

WHEREAS, the City Council believes that both goals may be accomplished by establishing a permit system that would allow for short-term parking of recreational vehicles, utility trailers and campers on City streets; and

WHEREAS, the City wishes to delay the effective date of the parking restrictions to allow for information regarding the new requirements to be disseminated to the public;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The recitals set forth above are true and correct and are incorporated as though fully set forth herein.

Section 2. Section 12.38.035 is hereby added to the El Paso de Robles Municipal Code to read in full as follows:

“Section 12.38.035 – Regulation of on-street parking of recreational vehicles, utility trailers and campers.

A. Definitions

The words, terms, phrases, and their derivations set forth in this section have the meanings set forth below.

1. “Camper” means a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes.

2. “Recreational Vehicle” means a vehicle or trailer which is capable of human habitation or designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle, or any structure inspected, approved and designed as a recreational vehicle by and bearing the insignia of the state of California or any other state or federal agency having the authority to approve recreational vehicles. “Recreational Vehicle” includes, without limitation, any of the following: (i) camp trailer, as defined by California

Vehicle Code section 242; (ii) fifth-wheel travel trailer, as defined by California Vehicle Code section 324; (iii) house car, as defined by California Vehicle Code section 362; (iv) trailer coach, as defined by California Vehicle Code section 635; (v) mobile home, as defined by California Vehicle Code section 396; (vi) boats, watercraft, off-road vehicles and/or a trailer for a boats, watercraft or off-road vehicles; (vii) trailers designed to carry persons, property or animals on its own structure and to be drawn by a motor vehicle; and (viii) recreational vehicles, as defined by California Health and Safety Code section 18010.

3. "Utility Trailer" means a non-motorized vehicle designed to carry persons, property, animals, waste, materials, or any other items on its own structure and to be drawn by another motor vehicle which is not designed for recreational purposes.

B. On-Street Parking Prohibition.

1. No person shall park or leave standing any recreational vehicle, utility trailer, or camper upon any public street or highway at any time within city limits.

2. This subsection B shall not apply to any person who is actually engaged in the loading or unloading of any recreational vehicle, utility trailer, or camper or is actually engaged in making emergency repairs thereto. Further, this subsection B shall not apply to any commercial vehicle making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on a public street or highway within the city or delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure within the city for which a building permit has been previously obtained.

3. Violation of this section is hereby deemed to be an infraction and is punishable pursuant to chapter 1.02.010 of this code. Furthermore, pursuant to section 22651 of the California Vehicle Code, any recreational vehicle, utility trailer or camper parked or left standing on a public street or highway within the city in violation of this section may be removed from the street or highway.

C. Temporary Parking Permit.

Notwithstanding subsection B, a recreational vehicle, trailer, or camper may be parked in the city if a 72-hour parking permit is issued pursuant to this section. The purpose of the parking permit is to allow users of recreational vehicles, utility trailers and campers to park adjacent to their residences or businesses to load and unload and to allow out-of-town visitors to park in front of the resident which they are visiting for a limited time period. The provisions of this section shall not supersede any covenants, conditions and restrictions of other private agreements. The terms of the parking permits shall be as follows:

1. Issuance of Permit. Parking permits shall be issued by the Police Department upon receipt of an application on a form the Police Chief shall establish for that purpose. Any resident of the city may obtain a parking permit authorizing him or her to park such a vehicle in front of his or her residence or place of business. Any out-of-town visitor of a residence may obtain a parking permit authorizing the visitor to park such vehicle in front of such residence, but may not reside in that vehicle overnight while it is so parked, or run water, waste or power lines to the vehicle over a public right of way. For purposes of this section, "out of town visitor" means any person who does not reside in the city.

2. Description of Permit; Display. The parking permit shall include the license number of the vehicle authorized to be parked, the date of issuance, and the date through which the

parking permit is valid. Such permit shall be placed in the vehicle in such a manner as to be clearly visible to traffic enforcement officers.

3. Duration and Renewal. The parking permit shall be valid for 72 hours. Upon expiration of a parking permit issued under this section, the applicant may apply for and be granted another parking permit if the applicant meets the conditions set forth in the following sentence. In no event shall more than one (1) parking permit be issued to an applicant within a thirty-day period.

D. Posting Notice

The City shall cause appropriate signs or markings giving notice of the restrictions provided for in this section to be placed on City streets. Notice that a vehicle is subject to removal for violation of this section shall also be provided."

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall take effect on August 3, 2016.

Section 5. Publication. The City Clerk will certify to the passage of this Ordinance by the City Council of the City of El Paso de Robles, California and cause a summary to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Government Code section 36933.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this _____ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Kristin L. Buxkemper, Deputy City Clerk

APPROVED AS TO FORM:

Iris P. Yang, City Attorney

[TO BE PUBLISHED AT LEAST 5 DAYS PRIOR TO ADOPTION]

**NOTICE AND SUMMARY OF PROPOSED ORDINANCE
ADDING SECTION 12.38.035 TO THE MUNICIPAL CODE REGULATING
ON-STREET PARKING OF RECREATIONAL VEHICLES, UTILITY
TRAILERS AND CAMPERS**

Notice is hereby given that at 6:30 p.m. on May 3, 2016, at the City Council Chamber located at 1000 Spring Street, Paso Robles, California 93446, the City Council of the City of El Paso de Robles will consider the adoption of an Ordinance, which if adopted, will add Section 12.38.035 to the Paso Robles Municipal Code to regulate on-street parking of recreational vehicles, utility trailers and campers.

If adopted, beginning on November 3, 2016, Section 12.38.035 will prohibit the parking of recreational vehicles, utility trailers and campers on city streets without a permit. The prohibition does not apply to any person loading or unloading a vehicle, or commercial vehicles making pickups or deliveries. Owners of recreational vehicles, utility trailers and campers may apply for free temporary parking permits allowing them to park their vehicles in front of their residences or places of business for 72 hours. Guests of city residents also may apply for free temporary parking permits allowing them to park their recreational vehicles, utility trailers or campers in front of the residences they are visiting for 72 hours. No more than one temporary parking permit may be issued to an individual in any 30-day period.

The above summary constitutes the major highlights of the proposed Ordinance. A reading of the entire ordinance may be necessary to obtain a full understanding of the Ordinance. A copy of the full text of the proposed Ordinance is posted and is available at the City Clerk's office located at 1000 Spring Street, Paso Robles, California 93446.

[TO BE PUBLISHED WITHIN 15 DAYS AFTER ADOPTION]

**NOTICE AND SUMMARY OF ORDINANCE NO. XXX
ADDING SECTION 12.38.035 TO THE MUNICIPAL CODE REGULATING
ON-STREET PARKING OF RECREATIONAL VEHICLES, UTILITY TRAILERS AND
CAMPERS**

On May 3, 2016, the Paso Robles City Council adopted Ordinance Number [REDACTED], which adds Section 12.38.035 to the City of El Paso de Robles Municipal Code which regulates on-street parking of recreational vehicles, utility trailers and campers. The Ordinance makes the following amendments to the Municipal Code:

Section 12.38.035 prohibits the parking of recreational vehicles, utility trailers and campers on city streets without a permit. The prohibition does not apply to any person loading or unloading a vehicle, or commercial vehicles making pickups or deliveries. Owners of recreational vehicles, utility trailers and campers may apply for free temporary parking permits allowing them to park their vehicles in front of their residences or places of business for 72 hours. Guests of city residents may apply for free temporary parking permits allowing them to park their recreational vehicles, utility trailers or campers in front of the residences they are visiting for 72 hours. No more than one temporary parking permit may be issued to an individual in any 30-day period.

The Ordinance will take effect on November 3, 2016.

The above summary constitutes the major highlights of the proposed Ordinance. A reading of the entire ordinance may be necessary to obtain a full understanding of the Ordinance. A copy of the full text of the Ordinance is posted and is available at the City Clerk's office located at 1000 Spring Street, Paso Robles, California 93446.

Ordinance No. [REDACTED] was introduced at a regular meeting of the Paso Robles City Council held on April 19, 2016, and was adopted at a regular meeting of the Paso Robles City Council on May 3, 2016, by the following vote:

Ayes:

Nos:

Absent: