

ORDINANCE NO. 1065 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
AMENDING AND UPDATING TITLE 12 (VEHICLES AND TRAFFIC) AND TITLE 5 (BUSINESS
LICENSES) OF THE MUNICIPAL CODE AS PART OF A COMPREHENSIVE UPDATE

WHEREAS, the Municipal Code of the City of El Paso de Robles was published as a comprehensive document in 1963 and since that time has been regularly augmented with new ordinances expanding its volume and complexity; and

WHEREAS, the City requested that its code publisher, Municode, conduct a technical review of the City's Code with the purpose of identifying citation conflicts and inconsistencies with state law as well as obsolete provisions, and recommend amendatory actions; and

WHEREAS, staff has simultaneously undertaken a review of the Code to identify provisions that no longer reflect current practice or needs; and

WHEREAS, in response to the analysis and recommendations of Municode and staff, the City is amending its Code on an iterative basis; and

WHEREAS, the amendments contained in this Ordinance relating to Title 12 (Vehicles and Traffic) include but are not limited to, updated California Government Code citations, amended titles and job descriptions to comport with current practices, and amending provisions to bring into compliance with law.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows:

SECTION 1. Recitals. The above recitals are incorporated as though set forth in this section.

SECTION 2. Editorial guidance. The following non-substantive editorial style is used. Words that are underlined are additions, words with a ~~line through~~ are deleted; and words in [brackets] are editorial direction for the Code publisher and which instructions are not to be published in the City's Code. In addition, the Code publisher will insert definitions and other changes alphabetically to conform to the Code's current style and will, as needed, re-order numbering and lettering changes caused by these amendments. The Code publisher will also standardize capitalization and other usage.

SECTION 3. Chapter 12.32 (STOPPING, STANDING AND PARKING) of Title 12 (Vehicles and Traffic) is amended to read, as follows:

Chapter 12.32 - STOPPING, STANDING AND PARKING

[Sections 12.32.010 – 12.32.050 are unchanged]

12.32.060 - Storing vehicles on street.

- A. Time Limit. No person who owns or has possession, custody or control of any vehicle, trailer or trailer coach shall park such vehicle, trailer or trailer coach upon any street or alley for more than a consecutive period of ~~forty-eight~~ seventy-two hours.
- B. Removal. In the event a vehicle is parked or left standing upon a street or alley in excess of a consecutive period of ~~one hundred twenty~~ seventy-two hours, any member of the police department authorized by the chief of police may remove said vehicle from the street in the manner and subject to the requirements of Division 11, Chapter 10, Articles 1, and 2 ~~and 3~~ of the vehicle code of the state of California.

(Ord. 311 N.S. § 2 (part), 1970; Ord. 197 N.S. § 122, 1956)

12.32.070 - Parking for certain purposes prohibited.

No person shall park a vehicle upon any roadway for the principal purpose of:

- (a) Displaying such vehicle for sale;
- (b) Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

(Ord. 197 N.S. § 123, 1956)

12.32.080 - Angle parking—Signs—Obedience.

- A. Sign. Whenever any ordinance or resolution of this city designates and describes any street or portion thereof upon which angle parking shall be permitted, the city traffic engineer shall mark or sign such street

indicating the angle at which vehicles shall be parked. The City Manager or designee may designate any on- or off-street parking space as “front-in parking only”.

- B. Obedience. When signs or markings are in place indicating angle parking and/or front-in parking only as herein provided in this section, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings, and entirely within the limits of such space, with the front wheel nearest the curb within six inches of the curb.
- C. Permitted. Angle parking shall be permitted only upon the streets and parts of streets as may be designated by resolution of the city council of this city.

(Ord. 918 N.S. § 1, 2006; Ord. 323 N.S. § 1, 1971; Ord. 197 N.S. § 124, 1956)

[Sections 12.32.090 – 12.32.120 are unchanged]

12.32.130 - Stopping or parking prohibited—Signs or Markings required.

The city traffic engineer shall appropriately sign or mark the following places and when so signed or marked no person shall stop, stand or park a vehicle in any of said places.

- 1. Within twenty-five feet of the approach to any traffic signal, boulevard stop sign, or official electric flashing device.
- 2. At any place where the city traffic engineer determines that it is necessary in order to eliminate dangerous traffic hazards.

(Ord. 197 N.S. § 129, 1956)

12.32.140 - Unlawful parking—Peddlers, vendors.

- A. Request. Except as otherwise provided in this section no person shall stand or park any vehicle, wagon or push-cart from which goods, wares, merchandise, fruits, vegetables or food stuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this city, except that such vehicles, wagons or push-carts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten minutes at any one place. The provisions of this subsection shall not apply to persons delivering such articles upon order of, or by agreement with a customer from a store or other fixed place of business or distribution.
- B. Permit. No person shall park or stand on any street, any lunch wagon, eating cart or vehicle, or push-cart from which articles of food are sold or offered for sale without first obtaining a written permit to do so from the city, which shall designate the specific location in which such cart shall stand.
- C. For Hire Vehicle. No person shall park or stand any vehicle used or intended to be used in the transportation of property for hire on any street while awaiting patronage for such vehicle without first obtaining a written permit to do so from the city, which shall designate the specific location where such vehicle may stand.
- D. Revocation of Permit. Whenever any permit is granted under the provisions of this section and a particular location to park or stand is specified therein, no person shall park or stand any vehicle, wagon, or push-cart on any location other than as designated in such permit. In the event that the holder of any such permit is convicted in any court of competent jurisdiction for violating any of the provisions of this section, such permit shall be forthwith revoked by the city upon the filing of the record of such conviction with the legislative body, and no permit shall thereafter be issued to such person until six months have elapsed from the date of such revocation.

(Ord. 197 N.S. § 130, 1956)

[Sections 12.32.150 – 12.32.170 are unchanged]

Chapter 12.36 - LOADING AND UNLOADING

12.36.010 - Authority to establish loading zones.

- A. LOCATION. The city engineer is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:
 - 1. At any place in any business district.

2. Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.
- B. PROPORTION OF CURB. In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.
- C. ~~LOADING ZONE. Loading zones shall be indicated by a yellow paint line stenciled with black letters, LOADING ONLY, upon the top of all curbs within such zones.~~
- D. ~~PASSENGER LOADING. Passenger loading zones shall be indicated by a white line stenciled with black letters PASSENGER LOADING ONLY, upon the top of all curbs in said zones.~~

(Ord. 197 N.S. § 140, 1956)

12.36.020 - Curb markings to indicate no stopping and parking.

- A. AUTHORITY. The city traffic engineer is hereby authorized, subject to the provisions and limitations of this title to place, and when required herein shall place, the following signage and/or curb markings to indicate parking or standing regulations, ~~and said curb markings shall have the meanings as herein set forth.~~
1. When signs or RED curb markings are in place, the specified area shall mean prohibitno stopping, standing or parking at any time except as permitted by the vehicle code, and except that a bus may stop in a red zone marked or signed as a bus zone.
 2. When signs or YELLOW curb markings are in place, the specified area shall prohibit stopping, standing, or parking, except for the purpose of active loading or unloading freight from commercial vehicles, during any time in which parking is restricted or prohibited at that yellow zone. Non-commercial vehicles shall not be parked in a yellow zone in excess of a period of three minutes, during which the operator must be in attendance, under any circumstances during times when parking is restricted at a yellow zone. Yellow shall mean no stopping, standing or parking at any time between nine o'clock a.m. and six o'clock p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three minutes nor the loading or unloading of materials more than twenty minutes.
 3. When signs or WHITE curb markings are in place, the specified area shall prohibit stopping, standing, or parking, for any purpose other than loading or unloading passengers, and in no case for more than three (3) minutes. This restriction shall be in effect during all times unless limited to specified hours and/or days by posted signs. White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers which shall not exceed ten minutes and such restrictions shall apply between nine o'clock a.m. and six o'clock p.m. of any day except Sundays and holidays and except as follows:
 - (a) ~~When such zone is in front of a hotel or motel the restrictions shall apply at all times.~~
 - (b) ~~When such zone is in front of a theater the restrictions shall apply at all times except when such theater is closed.~~
 4. When signs or GREEN curb markings are in place, the specified area shall prohibit stopping, standing, or parking, for a period of time greater than the specified time limit and/or days by posted signs. Green shall mean no standing or parking for longer than twelve minutes at any time of any day except Sundays and holidays. By resolution of the city council the time of parking or standing in a green zone may be shortened or lengthened and the effective hours of each day may be determined.
 - (a) ~~When the city traffic engineer as authorized under this title has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.~~
 5. When signs or BLUE curb markings are in place, the specified area shall limit parking exclusively to the vehicles of physically handicapped persons, which vehicles display either a distinguishing license plate or a placard issued pursuant to California Vehicle Code Section 22511.5. Blue shall mean parking limited exclusively to the vehicles of physically handicapped persons. Blue curb These parking spaces shall be operative twenty-four hours a day, Sundays and holidays included.

(Ord. 450 N.S. § 1, 1980; Ord. 197 N.S. § 141, 1956)

12.36.030 - Effect of permission to load or unload.

- A. Commercial. Permission herein granted to stop or stand a vehicle for purposes of active loading or unloading of materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than twenty minutes. Commercial loading is permitted between 6:00am and 11:00am only, seven days per week.
- B. Mail. The loading or unloading of materials shall apply only to commercial deliveries, also the delivery or pickup of express and parcel post packages and United States mail. United States Mail carriers may stop in red zones, when such zones are marked in front of mailboxes.
- ~~C. Personal Baggage. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage but shall not extend beyond the time necessary therefore and in no event for more than three minutes.~~
- ~~CD.~~ Prevention of Abuse. Within the total time limits above specified, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

(Ord. 197 N.S. § 142, 1956)

~~12.36.040 - Standing for other purposes.~~

~~No person shall stop, stand or park a vehicle in any yellow loading zone for any purpose other than the loading or unloading of passengers or materials for such time as is specified in Section 12.36.030.~~

~~(Ord. 197 N.S. § 143, 1956)~~

12.36.050 - Standing in passenger loading zone.

No person shall stop, stand or park a vehicle in any passenger-loading zone for any purpose other than the loading or unloading of passengers for such time as is specified in Section 12.36.030.

(Ord. 197 N.S. § 144, 1956)

12.36.060 - Alley—Standing.

No person shall stop, stand or park a vehicle for any purpose other than the loading or unloading of persons or materials in any alley.

(Ord. 197 N.S. § 145, 1956)

12.36.070 - Bus zone—Established.

- A. Authority. The City traffic engineer is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses of common carriers of passengers and to determine the location thereof subject to the direction and limitations set forth herein.
- B. Definition. The word BUS as used in this section shall mean any motor bus, motor coach, or passenger stage used as a common carrier of passengers.
- C. Length. No bus zone shall exceed eighty feet in length, except that when satisfactory evidence has been presented to the City traffic engineer showing the necessity therefor, the City traffic engineer may extend bus zones not to exceed a total length of one hundred and twenty-five feet.
- D. Location. Bus zones shall normally be established on the far side of an intersection.
- E. ~~Signage or Painting~~ Curb ~~Markings~~. The City traffic engineer shall ~~post signage indicating a bus zone or paint a red curb with black letters with the words BUS ZONE upon the top or side of all curbs and places specified as a bus zone.~~
- F. Other Use. No person shall stop, stand or park any vehicle except a bus in a bus zone.

(Ord. 197 N.S. § 146, 1956)

12.36.080 - Taxicabs and Transportation Network Company (TNC) Vehicles.

- A. Transportation network companies (TNC) provide application dispatch services (technology that allows consumers to directly request dispatch of for-hire drivers for trips via the internet using mobile interfaces such as smartphone applications), to connect drivers with passengers for transportation services.

- B. No owner or driver of any taxicab or TNC vehicle shall park or stand the same upon any public highway or the street for any period of time longer than is necessary to discharge or receive passengers then occupying or then waiting for such taxicab or TNC vehicle. The City traffic engineer is authorized to install signage within commercial loading zone spaces permitting the active loading or unloading of passengers from taxicab and TNC vehicles during non-commercial loading zone hours. When appropriate signs are in place indicating such, the space may not be utilized for the stopping or standing of other vehicles.

(Ord. 197 N.S. § 171, 1956)

Chapter 12.37 – VALET

- A. PURPOSE. The purpose of this chapter is to set forth the criteria to be used by the City of Paso Robles for the installation, removal, and regulation of selected areas for valet parking, in the public right-of-way. This division is enacted in response to the need to supplement on-street parking. The intent is to provide the public with another parking option in parking impacted areas. Valet parking areas can create parking relief of on-street parking. For the reasons set forth in this chapter, a system of valet parking permits is enacted for the City of Paso Robles.

- B. DEFINITIONS. Unless the context otherwise requires, the terms used in this title shall have the following meanings:

1. “Valet Parking” means parking arrangements provided where patrons leave their cars at the street curb line and attendants park and retrieve them for a fee.
2. “Valet Parking Zone” means an area for a standard single passenger vehicle on the public right-of-way that has been set aside by the City Manager for valet parking.
3. “Valet Parking Permit” means a permit issued in accordance with this division for the approved use of valet parking in a valet parking zone.

- C. Designation of Valet Parking Zones.

1. The City Engineer shall consider the following in evaluating approval of valet parking zones:
 - i. safety and convenience for the people of the City of Paso Robles;
 - ii. actual number of passengers to be served by the zone;
 - iii. proximity of existing valet parking zones;
 - iv. existing demands for curb use such as the number and location of existing transit and taxi/TNC loading zones, and existing commercial loading zones in the general area of the requested zone;
 - v. overall determination of available on street parking for the area; and
 - vi. designation of the valet parking zone will cause no significant impact on the environment.
2. Valet parking zones may also be used for on-street public parking, or for loading and unloading of persons or property.

- D. Application for Permits

1. The City Engineer is authorized to issue, upon written application, a valet parking permit. Applications for valet parking shall be made upon application forms provided by the City Engineer and shall be accompanied by a filing fee. The fee for each permit application shall be paid at the time of application. The permit fees shall be based on the reasonable cost of application, plan review, study, and other services as required for permit approval. Other fees based on the cost of private usage of the public right-of-way will also be assessed per valet parking zone spaces. The fees shall be paid in accordance with the City’s master fee schedule.
2. The application shall include:
 - i. the business name and address of the corporation, partnership or other business entity seeking the permit;
 - ii. the identifying number of the applicant's Paso Robles business license; and

- iii. any other information consistent with this chapter that the City Manager deems necessary for persons applying for valet parking permits.

E. Duration of Permit.

1. Each valet parking permit issued by the City Manager shall be valid for not more than one year from date of issuance. Each application renewal of a valet parking permit will be subject to an annual valet parking zone inspection. The inspection fee shall be set forth in the rate book on file in the office of the City Clerk.
 - i. The valet parking permit shall authorize the permittee to provide valet parking in a designated valet parking zone.
 - ii. The permittee shall operate the valet parking zone in such a manner as to provide ample opportunities for its use by motorists who do not wish to utilize the valet parking service.
 - iii. The valet parking operator shall be the business owner, under contract to or employed by the business or businesses to be served.
 - iv. The permittee shall agree to provide and maintain portable pedestal signs as required. The pedestal signs shall be 24 inches wide and not more than four feet high. The sign pedestal must be located within 24 inches of the face of the curb and be placed in such a manner as not to create an impediment to pedestrians.
 - v. The permittee shall not allow the valet parking zone or any other public right-of-way to be used for the storing of valet parked cars.
 - vi. The applicant shall provide a map of the immediate area showing the location of the valet service and the off-street parking lot(s) to be used for the storage of vehicles. Any changes in this provision shall require the approval of the City Manager.
 - vii. The applicant shall provide a copy of the agreement between the valet operator and the off-street parking lot operator for the storage of vehicles.
 - viii. The applicant shall agree to indemnify the City of Paso Robles with an indemnification agreement satisfactory to the City Manager and City Attorney.
 - ix. The applicant shall maintain a policy of liability insurance in an amount satisfactory to the City Manager in order to protect the City of Paso Robles from any claims that may arise from the valet parking operation.
 - x. Nothing in this chapter is intended to authorize, or authorizes, the parking of motor vehicles by the applicant or valet parking operators in a manner contrary to applicable state laws or local parking and traffic regulations.
 - xi. The permittee shall have the required valet parking permit required in its possession at the place where it is conducting any valet parking activity under the permit(s), and shall exhibit the permit(s) in a place that is conspicuous to the public. The permits must be available for inspection on demand of any peace officer, enforcement official, or City Manager.

F. Permit Revocation

1. The permittee is responsible for the proper operation of the valet parking zone. Any violation of the conditions enumerated in this chapter shall be sufficient cause for revocation of the valet parking permit by the City Manager.
2. A valet parking permit may be temporarily suspended without a hearing if the City Manager determines that the continued operation is a hazard to public safety or is in violation of this chapter. The suspension will be effective for 60 days or until a hearing, whichever is less. Once a hearing has convened, the suspension will continue through its conclusion.
3. The City Manager shall revoke a valet parking permit if, after a hearing on the matter, the hearing officer finds that grounds exist which would have constituted just cause for refusal to issue the permit, or that the permittee has failed to comply with any requirements imposed by this chapter or conditions of the permit. Written notice of the revocation hearing, setting forth the time and place of hearing and a brief statement of the reason(s) for the proposed revocation, shall be served on or mailed to the permittee at the business address listed in the permit application no less than 10 days prior to the hearing.

G. Penalty Provisions

1. It is unlawful and a violation of this chapter for any person to operate, engage in, conduct, manage, or cause to be operated on any public street or right-of-way any valet parking without a valid valet parking permit issued by the City Manager.
2. It is unlawful and a violation of this chapter for a person to falsely represent himself as eligible for a valet parking permit or to furnish false information in an application for a valet parking permit.
3. It is unlawful and a violation of this chapter for a person holding a valet parking permit to permit the use or display of the permit for any purpose other than that for which the permit is issued.
4. It is unlawful and a violation of this chapter for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit valet parking permit without written authorization from the City Manager. It shall further be unlawful and a violation of this chapter for a person to transfer the beneficial ownership of or a continuous right to use a valet parking permit.
5. Any violations of the provisions of this chapter shall be punishable in accordance with this Code.

Chapter 12.38 - PARKING RESTRICTIONS

[Footnote: Parking in trailer camps—See Chapter 7.24 of this code.]

[Sections 12.38.010 – 12.38-035 are unchanged]

12.38.040 - Parking commercial vehicles and commercial equipment in residential, commercial and industrial zones.

- A. Definitions. Unless the context otherwise requires, the terms used in this title shall have the following meanings
1. Commercial Equipment. For the purposes of this section, the term "commercial equipment" includes, but is not limited to, backhoes, tractors, bucket loaders, air compressors, concrete mixers, road rollers, concrete pumps, pole and pipe dollies and similar transportable equipment.
 2. Commercial Motor Vehicle. A "commercial vehicle" is a vehicle of a type required to be registered under the State of California Vehicle Code used or maintained for transportation of persons for hire, compensation or profit, or designed to be used or maintained primarily for the transportation of property. Recreational vehicles (RV) are not considered commercial vehicles unless they are utilized for commercial purposes.
 3. Residential Zone. For the purpose of this section, the term "residential zone" includes all zones listed as R-A, R-1, R-2, R-3, R-4 and R-5 on the then current zoning map.
 4. Trailer. A "trailer" is a vehicle designed for carrying persons or property on its own structure and for being drawn by a motor vehicle, whether or not part of its weight rests upon or is carried by any other vehicle. As used in this section, "trailer" does not include a vehicle designed for human habitation or human occupancy.
- B. It is unlawful for any person to park or store any commercial motor vehicle having a manufacturer's gross vehicle weight rating eight thousand pounds or more, or trailer or commercial equipment irrespective of weight, upon a public street in the City within any residential zone, except:
1. While performing a service requiring the loading or unloading of goods and/or property to premises in the block in which such commercial motor vehicle, trailer and/or commercial equipment is parked until such work is completed;
 2. When such commercial motor vehicle, trailer and/or commercial equipment is parked in connection with, and in the aid of the performances of services to, or on a property in the block in which such commercial motor vehicle, trailer and/or commercial equipment is parked until such service is complete; or
 3. If the commercial motor vehicle, trailer and/or commercial equipment is immobile due to accident or mechanical breakdown. In such case, said commercial vehicle, trailer and/or commercial equipment may be legally parked for a period not to exceed twenty-four hours.
- C. It is unlawful for any person to park or store any commercial motor vehicle having a manufacturer's gross vehicle weight rating of eight thousand pounds or more, or trailer or commercial equipment irrespective of weight, for more than four hours on any public street in the City within the following zones, to wit: OP

Office Professional Zone, CP Neighborhood Commercial Zone, C-1 General Commercial Zone, C-2 Highway Commercial Zone, C-3 Commercial-Light Industrial Zone, PM Planned Manufacturing Zone, or M-PD Manufacturing Planned Development Zone. Further, on-street parking of commercial vehicles is prohibited between the hours of ten p.m. and six a.m. except:

1. If the commercial motor vehicle, trailer and/or commercial equipment is immobile due to accident or mechanical breakdown. In such cases, said commercial vehicle, trailer and/or commercial equipment may be legally parked for a period not to exceed twenty-four hours; or
2. If the nature of the particular service to be performed or material or equipment to be delivered require a longer period of time to complete than the time limit described in this section.

D. Commercial motor vehicles, trailers and/or commercial equipment, if parked on private property, shall be parked upon improved and designated parking areas. Such commercial vehicle parking areas may be approved by the planning commission pursuant to the provisions of Title 21, Chapter 23 of the Municipal Code (use permits, etc.). The use of such parking areas is limited to a period not to exceed four hours or such lesser period of time the vehicle operator is utilizing the services provided by the business use of the premise; unless that the commercial motor vehicle, trailer and/or commercial equipment is owned or operated by the commercial use on the private property upon which it is to be parked or that the commercial motor vehicle, trailer and/or commercial equipment is operated and parked by a registered transient guest of a motel or hotel and is parked within approved designated commercial vehicle parking areas upon the business premises or on a commercial or industrially zoned street within a three hundred foot radius of the business. Such commercial parking areas may be approved by the planning commission pursuant to the provisions of Title 21, Chapter 23 of the Municipal Code (use permits, etc.).

E. Whenever a commercial motor vehicle, trailer and/or commercial equipment is parked or left standing in violation of this section, such commercial motor vehicle, trailer and/or equipment may be removed and stored.

(Ord. 888 N.S. Exh. A (part), 2004; Ord. 552 N.S. § 1, 1988)

[Section 12.38.045 is unchanged]

12.38.050 - Limited time parking.

When appropriate signs are in place indicating limited time parking or paid parking are installed, no vehicle shall be parked for more time than specified on the appropriate signs, based upon the designated days and hours of operation. ~~between nine a.m. and five p.m., except Sunday and holidays, on any street or portion of a street as designated from time to time by resolution of the City Council.~~

(Ord. 438 N.S. § 2, 1979)

~~12.38.060 - Citation for violation - Procedures.~~

~~Any operator or owner of a vehicle to whom a citation has been issued for a parking violation as defined in Chapters 12.32, 12.36 and 12.38 may within forty-eight hours of the time of issuance of said violation, pay to the Police Department as a penalty for and in full satisfaction of such violation the sum of five dollars. The failure of such owner or operator to make such payment within forty-eight hours shall render such owner or operator subject to the penalties hereinafter provided for violations to the provisions to these chapters.~~

~~(Ord. 462 N.S. § 1, 1981; Ord. 365 N.S. § 1 (part), 1974)~~

12.38.070 - Civil Penalties for violations.

Any person violating any of the provision of the municipal code restricting the parking or standing of vehicles shall be assessed a civil penalty. The amounts of such penalties shall be specified on a schedule of civil penalties and may be established by ordinance, resolution or any other means approved by law.

~~Any person violating any provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine not exceeding five hundred dollars, or by imprisonment in the county jail of San Luis Obispo County for a period not exceeding six months or by both such fine and imprisonment.~~

(Ord. 365 N.S. § 1 (part), 1974)

12.38.071 - Penalty for delinquent payments.

If any person fails to make timely payment of a parking penalty as provided for by law and in the notice of citation, a separate delinquency penalty shall be assessed against that person for the late payment.

12.38.072 - Assessment of penalties.

Each person who is assessed a penalty shall be assessed a separate civil penalty for each and every commission of any parking violation and shall be liable accordingly.

12.38.073 - Additions to penalties made pursuant to state law.

Any surcharges or assessments to parking penalties that are mandated by State law shall be added to the civil penalty imposed for the violation. Additionally, when a hold on a vehicle registration renewal is imposed by the State Department of Motor Vehicles, the civil penalty shall be increased by the amount of the fee the State charges for the hold on registration.

12.38.074 - Fee for collection of delinquent penalty payments.

If the City incurs special collection costs in conjunction with the assignment of a parking penalty for collection, those costs shall be added to the penalty and the violator shall be liable to the City for both the civil penalties and the collection costs.

12.38.080 - Saving.

This chapter, so far consistent therewith, shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of prior or existing ordinances of this city, but shall be an additional provision for the regulation of traffic and parking provided for herein.

(Ord. 365 N.S. § 1 (part), 1974)

12.38.090 - Severability.

If any section, part of section, clause, or phrase of this chapter shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

(Ord. 365 N.S. § 1 (part), 1974)

Chapter 12.42 - PARKING MANAGEMENT METERS

12.42.010 - Definitions. Unless the context otherwise requires, the terms used in this chapter shall have the following meanings.

...

E. PARKING ZONE. A parking zone in this chapter is defined as a group of on-street parking spaces with time limits and/or paid parking, as indicated on posted signage.

(Ord. 152 N.S. § 1, 1950)

~~12.42.020 - Streets listed.~~ Parking Zones

Parking zones shall be established by the City Council by ordinance or resolution, which may include the establishment of time limits and/or parking rates for such zones.

~~The following portions of streets within the city are hereby established as parking meter zones:~~

- ~~(1) — North side of Tenth Street from Park Street to Spring Street.~~
- ~~(2) — South side of Eleventh Street from Park Street to Spring Street.~~
- ~~(3) — Both sides of Twelfth Street from Railroad Street to the Alley immediately East of Vine Street.~~
- ~~(4) — Both sides of Thirteenth Street from Railroad Street to Oak Street.~~
- ~~(5) — Both sides of Fourteenth Street from Pine Street to Spring Street.~~
- ~~(6) — Both sides of Pine Street from Eleventh Street to Fourteenth Street.~~
- ~~(7) — West side of Park Street from Tenth Street to Eleventh Street and both sides of Park Street from Twelfth Street to Fifteenth Street.~~
- ~~(8) — East side of Spring Street from Tenth Street to Eleventh Street and both sides of Spring Street from Twelfth Street to Fifteenth Street.~~

(Ord. 152 N.S. § 2, as amended by Ord. 196 N.S., 1955)

12.42.030 - ~~Engineer~~ Authority to ~~install~~ implement time limits.

~~The city engineer~~ Within parameters set by the City Council, the City Manager or designee is hereby authorized and directed to ~~install or have installed under his supervision~~ implement time limits in all established parking ~~meter zones hereby established or hereafter created by the city council~~ for the purpose of and in such numbers and at such places as in his judgment may be necessary to the regulation, control and inspection of the parking of vehicles therein.

(Ord. 152 N.S. § 3, 1950)

12.42.040 - Signs—Authority of engineer.

The city engineer is authorized to cause signs that fulfill the requirements of the ordinances and resolutions of the city pertaining thereto to be placed in the various parts of such zones to so indicate.

(Ord. 152 N.S. § 4, 1950)

12.42.050 - Markings—Painting—Parking within.

The city engineer ~~shall~~ may have lines or markings painted or placed upon the curb or street adjacent to ~~each parking meter designating the~~ individual parking spaces, ~~for which said meter is to be used, and each vehicle parked adjacent or next to any parking meter shall park within the lines or markings so established.~~ It shall be unlawful to park any vehicle across any such line or marking or to park a vehicle in such a position that the same shall not be entirely within the space designated by such lines or markings.

(Ord. 152 N.S. § 5, 1950)

12.42.060 - Overparking.

It shall be unlawful for any person ~~between, except outside of the designated parking zone hours and days of operation, the hours of nine a.m. and six p.m. of any day~~ to cause, allow, permit, or suffer any vehicle registered in his/her name or operated or controlled by him/her to be parked in any parking space upon any street within a parking ~~meter zone or within a parking lot adjacent to which a parking meter is established for more than the times~~ as indicated by proper signs placed in such parking meter or zone or lot indicating the maximum parking time allowed in such parking space, or any time during which the meter is displaying a signal indicating that the space is illegally in use, except during the time necessary to set the said meter to show legal parking, and excepting also during the time from six p.m. to nine a.m., and on Sunday and on legal holidays. ~~A vehicle will be deemed to have been parked longer than the posted time limit, if it has not been moved at least "out of the parking zone" or parking lot after the expiration of the maximum time limitation indicated on the posted signage. A parking zone is defined as the parking zone indicated on posted signage. A vehicle may not return to the initial parking zone or parking lot sooner than two hours following the expiration of the initial time period. Within parameters set by the City Council, the City Manager or their designee may set and adjust the parking zones, posted time limits, and/or period of operation of paid parking between the hours of 7:00am and 10:00pm on any day, with the intent of achieving the target utilization rate of 85 percent.~~

(Ord. 152 N.S. § 6, 1950)

12.42.070 - ~~Coins listed for certain time limits~~ Parking zone regulations – Authority.

- A. It is the intent of the City Council to establish a target occupancy rate of 85 percent for all parking zone spaces within the City of Paso Robles. Occupancy rate refers to the percentage of parking zone spaces that are occupied by vehicles. The establishment of the target occupancy rate of 85 percent is based on well-accepted planning studies as well as the example of other municipalities. The City Council finds that the establishment of the target occupancy rate of 85 percent is an effective strategy for managing on-street parking and congestion.
- B. All parking zone time limits and/or paid parking rates heretofore established shall be and remain in effect, unless otherwise set or adjusted by the City Council. The City Council establishes a range of time limits from 15 minutes to 10 hours. The City Manager, or their designee, shall set the time limit of each parking zone, consistent with achieving the 85 percent target utilization rate, based upon parking occupancy data and community input.

~~Parking meters, when installed, shall be so adjusted as either to show legal parking during a period of twelve minutes upon and after the deposit of a United States one cent coin therein, or twenty four minutes upon and after the deposit of two United States one cent coins therein, or thirty six minutes upon and after the deposit of three United States one cent coins therein, or forty eight minutes upon and after the deposit of four~~

~~United States one cent coins therein, or sixty minutes upon and after the deposit of five United States one cent coins or one United States five cent coin therein, or one hundred twenty minutes in such zones as may be designated by the city engineer upon and after the deposit of ten United States one cent coins or two United States five cent coins therein. Payment of the aforesaid amounts for the aforesaid periods shall be made for parking in the areas set forth above.~~

(Ord. 152 N.S. § 7, 1950)

12.42.080 - ~~Coin deposit~~Payment required.

~~When any vehicle shall be is parked in any space alongside of or next to which within a paid parking meter zone, during the established payment hours, is located in accordance with the provisions of this chapter the operator of said vehicle upon so parking shall, and it shall be unlawful to fail to, deposit immediately one or more one cent coins or one or more five cent coins of the United States in such parking meter initiate a paid parking session through a designated and City-approved payment method.~~

(Ord. 152 N.S. § 8, 1950)

12.42.090 - Substitutes—Slugs.

It shall be unlawful to deposit or cause to be deposited in any paid parking device, any slug, device or metallic substitute for ~~one cent or five cent coins of the United States~~lawful payment.

(Ord. 152 N.S. § 9, 1950)

12.42.100 - Tampering—Destroying.

It shall be unlawful for any person to deface, injure, tamper with, open, or willfully break, destroy, or impair the usefulness of any parking signage, or other paid parking device installed pursuant to this chapter.

(Ord. 152 N.S. § 10, 1950)

12.42.110 - Citation for violation—Procedure.

It shall be the duty of each police officer or designee to take the number of any meter or parking zone at which any vehicle is over-parked, as provided in this chapter; the state vehicle license of such vehicle; the time and date of such over-parking, and the make of such vehicle; and issue, in writing and attach to such vehicle a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the state of California applicable to the traffic violations within this city.

~~Any operator or owner of a vehicle to whom a citation has been issued may, within forty eight hours of the time of the issuance of said citation, pay to the police judge of the city court of this city as a penalty for and in full satisfaction of such violation the sum of one dollar. The failure of such owner or operator to make such payment within forty eight hours shall render such owner or operator subject to the penalties hereinafter provided for violation of the provisions of this chapter.~~

(Ord. 152 N.S. § 11, 1950)

12.42.120 - Parking Ambassadors

- A. The Chief of Police is hereby authorized to designate regularly employed and salaried employees of the City or of a parking benefit district as Parking Ambassadors.
- B. Civilian employees of the City of Paso Robles or a parking benefit district, as well as special contractors designated by the Chief of Police, shall enforce provisions of this title and the California Vehicle Code relating to the standing or parking of vehicles that legally may be enforced by persons other than peace officers.
- C. Parking Ambassadors shall enforce the provisions relating to regulation of traffic and to stopping, standing and parking of vehicles contained in the Paso Robles Municipal Code, the Paso Robles Traffic Code and in the Vehicle Code of the State of California.

12.42.130 - Electric Vehicle Parking Regulations

- A. Definitions. Unless the context otherwise requires, the terms used in this title shall have the following meanings.

1. “Electric vehicle” means either a battery electric vehicle or a plug-in hybrid electric vehicle.
 2. “Battery electric vehicle” means a vehicle fueled entirely by electricity stored in the onboard battery. This type of vehicle is often referred to as a zero emission vehicle.
 3. “Plug-in hybrid electric vehicle” means a vehicle that is fueled by both a battery and another fuel source, such as a gasoline-powered internal combustion engine. This type of vehicle runs on electricity from the onboard battery until the battery is exhausted and then switches to an alternate power source.
 4. “Charger” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries or other energy storage devices within electric vehicles.
 5. “Actively charging” means the time during which the connector from the charger at a charging station is inserted into the inlet and electrical power is being transferred for the purpose of recharging the electric vehicle’s on-board batteries.
 6. “Electric vehicle charging station” means a parking space that is served by a charger.
 7. “Electric vehicle charging station zone” means a dedicated parking zone for electric vehicles to park and actively connect to chargers.
 8. “Connector” means a device inserted into the inlet for an electric vehicle that establishes an electrical connection from the charger to the electric vehicle for the purpose of charging and exchanging information.
 9. “Inlet” means the device on the electric vehicle into which the connector is inserted for charging and information exchange.
- B. Only plug-in electric vehicles that are actively charging, as indicated by the electric vehicle charging station monitor display, may be parked at electric vehicle charging stations or in electric vehicle charging station zones located on any street or any parking facility owned, leased, or operated by the City of Paso Robles.
- C. No person shall park or cause to be parked or allow to remain standing any vehicle at an electric vehicle charging station or in an electric vehicle charging station zone located on any street or in any parking facility owned, leased, or operated by the City of Paso Robles, unless the vehicle is an electric vehicle, is actively charging, and has not exceeded any applicable parking time limit.

Chapter 12.43 – RESIDENTIAL PARKING PERMITS

12.43.010 – Purpose

Public streets in neighborhoods in the City have parking accessible to residents in those neighborhoods. Parking by non-residents causes inaccessibility to parking and congestion on neighborhood streets. Such parking by non-residents threatens the health, safety and welfare of all residents of Paso Robles. In order to protect and promote the integrity of these neighborhoods, it is necessary to enact parking regulations restricting unlimited parking by non-residents, while providing the opportunity for residents to park near their homes.

12.43.020 – Definitions. Unless the context otherwise requires, the terms used in this title shall have the following meanings.

1. “Designated residential parking permit area” means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this Article.
2. “Non-residential vehicle” means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this Article, for the specific area in which it is parked.
3. “Visitor permit” means a parking permit issued pursuant to this Article or an ordinance enacted pursuant to the authority granted herein, which shall exempt the vehicle from parking time restrictions established pursuant to this chapter for a period defined by the City Manager or designee, beginning upon the date authorized.

12.43.030 – Residential Permit Exemption

- A. A motor vehicle that has been assigned a valid residential parking permit as provided for herein shall be permitted to stand or be parked in the residential parking permit area for which the permit has been issued without being limited by time restrictions established pursuant to this Chapter or any resolution

hereunder. Any vehicle that has not been issued a valid parking permit shall be subject to the residential parking permit regulation and consequent penalties in effect for such area.

- B. A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential parking permit area.
- C. This Chapter shall not be interpreted or applied in a manner that shall abridge or alter regulations established by authority other than this Chapter.

12.43.040 – Designation of a Residential Parking Permit Area

- A. The City Manager or designee shall consider whether a residential parking permit (RPP) area within a designated area, would promote certain benefits or would result in adverse impacts.
- B. Benefits that may lead to establishing an RPP area include, but are not limited to: increased access for area residents, reduced traffic congestion, increased traffic or pedestrian safety, reduced air or noise pollution, reduced commuter parking in neighborhoods, prevention of blighted areas, and promoting the use of alternative modes of transportation.
 - 1. Adverse impacts that may prevent establishing an RPP area include, but are not limited to: transferring a parking problem to a different area, inability to effectively enforce program restrictions, lack of alternative transportation modes, and availability of simpler, cheaper or more effective solutions.
 - 2. There shall be two (2) alternative processes by which the City Council can consider any area for designation as a residential parking permit area:
 - i. Resident’s Petition. The City Council shall consider for designation as a residential parking permit area any proposed area for which a petition has been submitted that meets and satisfies both requirements and any administrative guidelines adopted by the City Council.
 - ii. The City Council or City Manager shall consider for designation as a residential parking permit area a location that satisfies both requirements and any administrative guidelines adopted by the City Council.
 - 3. The City Council or City Manager shall initiate the process for establishing the area as a residential parking permit area. A notice of intent to establish permit parking shall be sent to all addresses within the proposed residential parking permit area.
- C. Upon receipt by the City Council of a resident’s petition with at least 75% of the residential addresses within the designated area or upon City Council or City Manager initiation as described above, the City traffic engineer shall do the following:
 - 1. Undertake or cause to be undertaken any surveys or studies which it deems necessary;
 - 2. Present to the City Council for consideration a resolution that would establish a residential parking permit area based upon the aforementioned proposal and studies, including all regulations and time restrictions determined by the City Council to be reasonable and necessary in such area.
- D. The City Council may, by resolution, modify a designated residential parking permit area in any manner consistent with this Chapter.

12.43.050 – Issuance of Permits

- A. Residential parking permits shall be issued by the City in accordance with requirements set forth in this Chapter. Each such permit shall be designed to state or reflect thereon the identification of Permits will be valid in the particular residential parking permit area for which it is issued.
- B. The City is authorized to issue such rules and regulations necessary to implement this Chapter that are consistent with it.

12.43.060 – Residential Parking Permit

- A. The City Manager, or his or her designee, shall issue residential parking permits with a term not to exceed one year to residents that comply with the requirements set forth in this Chapter.
- B. A residential parking permit may be issued only to an applicant who can demonstrate that he or she is currently a resident of the area for which the permit is to be issued.

- C. Proof of motor vehicle ownership or vehicle use and control and valid registration shall be demonstrated in a manner determined by the City Manager or his or her designee. Permits are not valid for non-motorized vehicles (i.e. trailers).
- D. The City Council may, by resolution, limit the number of permits issued to any resident or dwelling unit if such limitation would further the goals of the residential permit parking program.

12.43.070 – Visitor Permits

- A. A visitor parking permit may be used on resident or nonresident vehicles. The City Council may, by resolution, authorize the issuance of visitor parking permits in any residential permit parking area. When authorized, visitor parking permits may be issued under the following conditions:
 - 1. The applicant for a visitor parking permit has not reached the limits, if any, set by the City Council.
 - 2. Such other conditions and restrictions that the City Council by resolution imposes or that the City Manager, or his or her designee, deems appropriate.
- B. Visitor permits must be registered with the City and comply with permit regulations to be valid in A visitor permit shall clearly display the date upon which it becomes effective, the name of the permit holder, the signature of the permit holder, and shall designate the particular residential parking permit area for which it applies.
- C. A visitor permit shall, for the period determined by the City Manager or designee, commencing upon the date indicated upon purchase of said permit authorized, exempt the applicable vehicle from parking time restrictions established pursuant to this Chapter.

12.43.080 – Posting of Residential Parking Permit Area

Upon adoption by the City Council of a resolution designating a residential parking permit area and after at least sixty percent (60%) of the households have purchased permits, the City traffic engineer, or designee, shall cause appropriate signs to be erected in the area, indicating prominently thereon the area prohibition or time limitation, period of its application, and conditions under which permit parking shall be exempt therefrom.

12.43.090 – Parking Permit Fees

The annual fee and renewal fee for residential parking permits and for visitor permits, or any other parking permit designated by the City Council, shall be established by City Council resolution.

12.43.100 – Penalties, Liability and Enforcement

The following acts shall constitute fraudulent use of a permit punishable by a fine to be prescribed by City Council resolution and/or revocation of any permit currently held. Violations of this Chapter shall include, but are not limited to, the following:

- A. Falsely representing oneself as eligible for a parking permit or furnishing false information in an application therefor.
- B. Copying, reproducing, or otherwise bringing into existence counterfeit parking permit or permits without written authorization from the Finance Director.
- C. Knowingly using or displaying a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a residential parking permit area.
- D. Changing dates on a visitor parking permit without written authorization from the Finance Director.
- E. Knowingly committing any act that is prohibited by the terms of this Chapter or any ordinance or resolution enacted by authority granted by this Chapter.

12.43.110 – Revocation of Residential Parking Permit Area

- A. A residential parking area may be revoked by resolution of the City Council after following the same procedures for establishing a residential parking permit area as set forth in this Chapter.
- B. If sixty percent (60%) of the households in a residential parking area fail to purchase permits after being duly noticed, the City Manager may revoke the residential parking area upon notice to the residents without further action of the City Council.

12.43.120 – Administrative Regulations

The City is empowered to issue rules and regulations consistent with this Chapter.

Chapter 12.44 – EMPLOYEE PARKING PERMITS

- A. The City Manager or designee may issue downtown employee parking permits with a term not to exceed one year subject to the requirements set forth in this subsection of this chapter and in administrative rules and regulations issued pursuant to this chapter.
- B. A vehicle with a valid downtown employee parking permit shall be permitted to stand or be parked in an employee permit parking zone for which the permit has been issued. Any vehicle that has not been issued a valid parking permit shall be subject to the requirements and restrictions related to parking within the parking zones.
- C. A downtown employee parking permit or any other permit as designated by the City Manager shall not guarantee or reserve to the holder thereof a specific parking space within the designated permit parking zone.
- D. This chapter shall not be interpreted or applied in a manner that shall abridge or alter regulations established by authority other than this chapter.

Chapter 12.45 – PARKING BENEFIT DISTRICT

12.45.010 – Generally

The City Council may establish a Parking Benefit District or Districts (PBD) to manage public parking supply and demand within the established district boundaries as well as improve transportation and parking related facilities and programs. The City Council shall establish the PBD along with the geographic boundaries by resolution.

12.45.020 – Use of Revenue

- A. All paid parking and permit revenue collected from within the PBD shall be placed in a special fund, which fund shall be used exclusively for activities benefiting the PBD. The specific authorized use of revenues shall be as follows:
 - 1. For purchasing, leasing, installing, repairing, maintaining, operating, removing, regulating and policing of parking zones and for the payment of any and all expenses relating thereto.
 - 2. For purchasing, leasing, acquiring, improving, operating and maintaining on- or off-street parking facilities.
 - 3. For installation and maintenance of alternative mode programs, landscaping, pedestrian linkages, sidewalk cleaning, street furniture, wayfinding systems, and traffic-control devices and signals.
 - 4. For the painting and marking of streets and curbs required for the direction of traffic and parking of motor vehicles.
 - 5. For proper security within the district.
 - 6. For the proper regulation, control, enforcement and inspection of parking and traffic upon the public streets and off-street parking facilities.
 - 7. To be pledged as security for the payment of principal of and interest on financing mechanisms used by the city to meet any of the purposes authorized by this section.
 - 8. For transportation and parking planning, marketing and education programs related to the Downtown Parking District.
 - 9. For construction and maintenance of public restrooms that enhance parking facilities.
 - 10. Revenues from residential parking permits may, in addition to the foregoing, be used for sidewalk, landscaping and other transportation, pedestrian or bicycle enhancements on streets where the residential permit parking is provided.

21.16E.320 - Off-street parking, driveways and vehicle storage.

- A. All uses shall provide off-street parking spaces and facilities as required by Chapter 21.22. The number and location of all driveways shall be subject to approval of the city engineer.

- B. Driveways parallel to a street (such as circular driveways and hammerhead turnarounds) shall be designed to provide a minimum ten-foot-wide maintained landscaped setback between the street right-of-way and the parallel edge of the driveway closest to the street right-of-way.
- C. No automobile, truck, motorcycle, recreational vehicle, boat, camper, trailer, farm equipment or similar vehicle, materials or equipment shall be parked or stored between a dwelling and the street except on paved driveways. Except for lots with circular drives, pavement of the front yard shall be limited to fifty percent of the front yard. On corner lots, pavement of the street side yard shall be limited to ten percent of the street side yard unless the garage/carport is accessed via the side street. In such a case, pavement of the street side yard may be increased to provide direct access to the garage/carport. Pavement in front and street side yard areas shall not exceed what is necessary to access off-street parking facilities. The balance of all areas between the main building and each street frontage shall be landscaped and maintained in a neat and orderly manner.
- D. Relatively flat (five percent or less) off-street parking spaces shall be created in front of each garage door except that the planning commission/development review committee may consider parking spaces on slopes of up to fifteen percent where the creation of the parking spaces would necessitate extensive grading.

(Ord. 797 N.S. § 1 (part), 2000; Ord. 572 N.S. § 2 Exh. A(F)(13), 1989)

SECTION 4. Chapter 5.02 (Parking and Business Improvement Area) of Title 5 (Business Licenses) is amended to read, as follows:

Chapter 5.02 - PARKING AND BUSINESS IMPROVEMENT AREA

5.02.010 - Generally.

Pursuant to Resolution No. 1686, a resolution of intention to establish a parking and business improvement area, adopted on October 24, 1972, and pursuant to a public hearing held on said date at the council chambers, City Hall, city of El Paso de Robles it was resolved that a parking and business improvement area should be formed.

(Ord. 337 N.S. § 1, 1972)

5.02.020 - Established—Area described.

A parking and business improvement district is established pursuant to Streets and Highways Code Section 36020 et seq. within the following described area:

That area bounded by 12th Street from Pine Street to the alley easterly of Vine Street; Pine Street from 12th Street to 14th Street; 14th Street from Pine Street to Spring Street; Spring Street from 14th Street to 12th Street; in the city of El Paso de Robles, all of Lot 5, Block 23 and all of Lots 3, 4, 5 and 6, Block 44. For the purposes of this chapter, said area includes all businesses and occupations, whether within a building or not, on both sides and within the above-named streets. Said area is more particularly described on a map entitled "El Paso de Robles Parking and Business Improvement Area" marked Exhibit "A" and on file in the office of the city clerk.

(Ord. 419 N.S. § 1, 1979; Ord. 337 N.S. § 2, 1972)

5.02.030 - Additional tax required.

The business in the area described in Section 5.02.020 shall be subject to an additional business license tax provided for by Section 5.02.050.

(Ord. 337 N.S. § 3, 1972)

5.02.040 - Uses of revenue.

Revenue received pursuant to the formation of the parking and business improvement area shall be placed into a special revenue fund No. 351 and referred to as "special revenue for downtown parking and business improvement area fund No. 351," and the revenues shall be used for:

- (a) The acquisition, construction or maintenance of parking facilities for the benefit of the area;
- (b) Decoration of any public place in the area;
- (c) The promotion of public events ~~which~~ that are to take place on or in public places in the area;
- (d) Furnishing of music in any public place in the area;

(e) The general promotion of retail trade activities in the area.

~~The specific use of such money in the fund shall be established by a recommendation to the city council from the board/committee representing the downtown parking and business improvement area. Said board or committee selection shall be by resolution. Membership on the board/committee shall be exclusive to participants in the parking and business improvement area as defined in Municipal Code Section 5.02.020.~~

The downtown parking and business improvement area shall operate on the same fiscal-year basis as the city's general operating funds. The budget for the fiscal year shall be approved by the city council based in part from the recommendation of the board/committee and shall be in the form of an appropriating resolution.

(Ord. 517 N.S., 1986; Ord. 337 N.S. § 4, 1972)

5.02.050 - Tax increase designated—Assessment for exempt businesses.

A fifty percent increase in the business license shall be assessed, and in addition each business operating within the area established under Section 5.02.020 which is exempt from the general business license tax will be assessed a levy of one hundred thirty-five dollars per each year, in an amount to be determined from time to time by the Council and included in the master fee schedule.

(Ord. 415 N.S. § 1, 1978; Ord. 337 N.S. § 5, 1972)

5.02.060 Manner in which parking requirements may be reduced.

As specified in Section ~~21.224.050(f)~~ of this code, parking requirements for business subject to fees under this chapter may be reduced; provided, that for each parking space not provided pursuant to the normal parking space requirements as set forth in Section ~~21.224.050~~ of the city code, a fee shall be charged. The city council shall, from time to time by resolution, establish the fee to be charged in the City's master fee schedule, and said fee shall be collected as established by resolution. All fees accumulated pursuant to this section shall be used to create off-street parking facilities benefiting the parking and business improvement area as it now or in the future exists.

(Ord. 432 N.S. § 1, 1979)

SECTION 5. California Environmental Quality Act (CEQA). This ordinance is not a “project” pursuant to Section 21065 of the Public Resource Code because it does not change the existing regulatory scheme.

SECTION 6. Severability. If any provision, clause, sentence or paragraph of this chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this chapter ~~which that~~ can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are declared to be severable.

SECTION 7. Effective Date. The City Clerk shall certify to the adoption of this ordinance and shall cause a summary thereof to be published in a newspaper of general circulation at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the City Clerk, and within fifteen (15) days of its adoption, shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted ordinance in the office of the City Clerk, in accordance with California Government Code Section 36933.

INTRODUCED on the 16th day of October 2018, and **PASSED AND ADOPTED** by the City Council of the City of El Paso de Robles on this 6th day of November 2018, by the following vote:

AYES: Gregory, Hamon, Reed, Martin
NOES:
ABSTAIN:
ABSENT: Strong



Steven W. Martin, Mayor

ATTEST:



Kristen L. Buxkemper, Deputy City Clerk