

ATTACHMENT A
CITY OF TORRANCE PROPOSED
ORDINANCE
AND SUMMARY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW ARTICLE 12 OF CHAPTER 1 OF DIVISION 6 RELATING TO OVERSIZED VEHICLES AND TRAILERS.

The City Council of the City of Torrance does ordain as follows:

SECTION 1

The City Council finds as follows:

- (a) Parking Oversized Vehicles and Trailers on residential streets interferes with the normal flow of vehicle traffic, especially on narrow streets.
- (b) Parking Oversized Vehicles and Trailers create visual obstacles and reduce the lines of sight for driveways, intersections, and traffic signage and thereby reduce sidewalk and street safety for motorists, pedestrians, and bicyclists.
- (c) Bicyclists are exposed to greater traffic dangers as they go around these larger parked vehicles.
- (d) Fire and Emergency access is reduced especially on narrow streets and cul-de-sacs.
- (e) Oversized Vehicles and Trailers, especially Recreational Vehicles, hold large quantities of gasoline and propane – a highly volatile fire hazard.
- (f) Oversized Vehicles and Trailers parked on residential streets negatively affect the aesthetics and livability of the community and residents. Noise levels are increased with generator and engine usage, and annoying odors are emitted from sewage holding tanks.
- (g) Detached Trailers parked on the street constitute a safety hazard as they do not have an independent braking system.
- (h) Current parking regulations are inadequate to address the problem of parking Oversized Vehicles and Trailers on residential streets.
- (i) Persons owning Oversized Vehicles and Trailers should have the opportunity to have limited use of streets for short periods of time.

SECTION 2

A new Article 12 of Chapter 1 of Division 6 of the Torrance Municipal Code is added to read in its entirety as follows:

“Article 12 – Oversized Vehicles and Trailers

Section 61.12.010	Definitions
Section 61.12.020	Parking of Oversized Vehicles and Trailers
Section 61.12.030	Exceptions

Section 61.12.040	Oversized Vehicle Parking Permits
Section 61.12.050	Oversized Vehicle Parking Permits – Issuance of Permits
Section 61.12.060	Oversized Vehicle Parking Permits – Duration
Section 61.12.070	Oversized Vehicle Parking on Public Streets
Section 61.12.080	Oversized Vehicle Parking Permits – Fees
Section 61.12.090	Oversized Vehicle Handicap Parking Permits
Section 61.12.100	Oversized Vehicle Handicap Parking Permits – Issuance of Permits
Section 61.12.110	Oversized Vehicle Handicap Parking Permits – Duration
Section 61.12.120	Oversized Vehicle Handicap Parking Permits – Fees
Section 61.12.130	Permit Denial
Section 61.12.140	Violation of Article
Section 61.12.150	State of Emergency
Section 61.12.160	Application of Regulations

Section 61.12.010 Definitions

The following definitions will govern the construction of the words and phrases used in this Article:

‘Oversized Vehicle’ shall mean any vehicle, as defined by Section 670 of the California Vehicle Code, or combination of vehicles, which exceeds twenty feet in length, seven feet in width, or eight feet in height, exclusive of projecting lights or devices allowed by Section 35109 or 35110 of the California Vehicle Code, as may be amended. Oversized Vehicle does not include pickup trucks or sport utility vehicles, which are less than twenty-five feet in length and eighty-two inches in height.

‘Trailer’ shall mean a trailer, semitrailer, camp trailer (including tent trailers), unmounted camper, or trailer coach as defined in Sections 242, 243, 550, 630, 635, and 636 of the California Vehicle Code, or fifth-wheel travel trailer, as defined in Section 324 of the Vehicle Code.

Section 61.12.020 Parking of Oversized Vehicles and Trailers

- (a) No person shall park or leave standing any Oversized Vehicle upon any public street or highway in the City.
- (b) No person shall park or leave standing any Trailer, regardless of length or width, upon any public street or highway in the City.

Section 61.12.030 Exceptions

The prohibitions contained in Section 61.12.020 shall not apply to any of the following:

- (a) Oversized Vehicles or Trailers for which an Oversized Vehicle Parking Permit has been issued for a resident or an out-of-town visitor, in accordance with Section 61.12.050;
- (b) Any Oversized Vehicle or Trailers displaying a valid Oversized Vehicle Handicap Parking Permit issued pursuant to Section 61.12.090;
- (c) Oversized Vehicles or Trailers parked or left standing as a result of a mechanical breakdown so as to allow the performance of emergency repairs on the vehicle for a period not to exceed seventy-two hours;
- (d) Commercial vehicles making pickups or delivery of goods, wares or merchandise, or while providing services to a residence, including, but not limited to yard maintenance, pool care and maintenance, repair and construction services;
- (e) Tow trucks and similar vehicles that are in the course of providing services;
- (f) Public or utility vehicles and trailers that are in the course of providing services;
- (g) Any public emergency vehicle.

Section 61.12.040 Oversized Vehicle Parking Permits

The purpose of authorizing the issuance of Oversized Vehicle Parking Permits is to give owners of Oversized Vehicles and Trailers the opportunity, for a limited time, to park the Oversized Vehicle or Trailer on a public street or highway adjacent to their residence, and to allow an out-of-town visitor who owns an Oversized Vehicle or Trailer to park on a public street or highway adjacent to the residence which the out-of-town visitor is visiting for a limited time period.

Section 61.12.050 Oversized Vehicle Parking Permits – Issuance of Permits

- (a) This subsection shall apply to Oversized Vehicles and Trailers that are owned by City of Torrance residents that are registered with the City of Torrance by 5:30 p.m. on December 28, 2006 (the City of Torrance will be closed on Friday, December 29, 2006, Saturday, December 30, 2006, Sunday, December, 31, 2006, and on Monday, January 1, 2007). The registration must be received by the City by 5:30 p.m. on December 28, 2006. A postmarked date does not count. Any registrations received after 5:30 p.m. on December 28, 2006 will be processed under subsection (b) below.
 - (1) Each person registering an Oversized Vehicle or Trailer with the City of Torrance must file with the City a completed application form containing the following:
 - (A) The name, address, and phone number of the registered owner of the Oversized Vehicle or Trailer

- (B) The license number, make, and model of the designated Oversized Vehicle or Trailer
- (C) Proof of residency
 - 1. Acceptable proof of residency must be current and must include the following:
 - a. California Driver's License or California Identification Card and one of the following:
 - b. Property Tax Bill or Public Utility Bill (telephone bills are not acceptable).
- (D) The registration for the Oversized Vehicle or Trailer that shows the Oversized Vehicle or Trailer is registered in the City of Torrance
- (E) The applicant must sign the application under penalty of perjury
- (F) Permits shall be displayed in the lower driver's side of the windshield or nearest window of the Oversized Vehicle for which it has been issued so that it is clearly visible from the exterior of the vehicle. Permits shall be displayed on the side of the Trailer for which it has been issued so that it is visible from the street, which is usually the left side of the Trailer.

(b) This subsection shall apply to Oversized Vehicles and Trailers that are registered with the City of Torrance on or after January 2, 2007.

- (1) The Police Chief or designee, is authorized to issue Oversized Vehicle Parking Permits, pursuant to the following:
- (2) Each person desiring an Oversized Vehicle Parking Permit shall file with the Torrance Police Department a completed City application form containing the following:
 - (A) The name, address, and phone number of the registered owner of designated Oversized Vehicle or Trailer;
 - (B) The name, address, and phone number of the applicant for the permit;
 - (C) Proof of residency
 - 1. Acceptable proof of residency must be current and must include the following:
 - a. California Driver's License or California Identification Card and one of the following:
 - b. Property Tax Bill or Public Utility Bill (telephone bills are not acceptable).
 - (D) The registration for the Oversized Vehicle or Trailer that shows the Oversized Vehicle or Trailer is registered in the City of Torrance;
 - (E) The license number, make, and model of designated Oversized Vehicle or Trailer;
 - (F) The dates for which the permit is requested;

- (G) The dates and duration of any and all Oversized Vehicle Parking Permits issued to the applicant within the immediately preceding ninety day period;
 - (H) Additional information the Police Department may require;
 - (I) The applicant must sign the application under penalty of perjury.
- (3) Oversized Vehicle Parking Permits issued and approved by the Police Department shall include the license plate number of the designated Oversized Vehicle or Trailer, the date of issuance, and the day of its expiration.
 - (4) Permits shall be displayed in the lower driver's side of the windshield or nearest window of the Oversized Vehicle for which it has been issued so that it is clearly visible from the exterior of the vehicle. Permits shall be displayed on the side of the Trailer for which it has been issued so that it is visible from the street, which is usually the left side of the Trailer.
 - (5) The Police Chief or his designee is authorized to set up an Oversized Vehicle Parking Permit call-in phone number or internet processing system.

(c) This subsection shall apply to Oversized Vehicles and Trailers that are not registered with the City (Out-of-Town Visitor Permits)

- (1) The Police Chief or designee, is authorized to issue Oversized Vehicle Parking Permits, pursuant to the following:
 - (2) Each person desiring an Oversized Vehicle Parking Permit shall file with the Torrance Police Department a completed City application form containing the following:
 - (A) The name, address, and phone number of the registered owner of designated Oversized Vehicle or Trailer;
 - (B) The name, address, and phone number of the applicant for the permit;
 - (C) The registration for the Oversized Vehicle or Trailer
 - (D) The name, address, and phone number of the resident that is being visited in the case of an out-of-town guest;
 - (E) The license number, make, and model of designated Oversized Vehicle or Trailer;
 - (F) The dates for which the permit is requested;
 - (G) The dates and duration of any and all Oversized Vehicle Parking Permits issued to the applicant during the current calendar year;
 - (H) The dates and duration of any and all Oversized Vehicle Parking Permits issued to the resident being visited during the current calendar year;
 - (I) Additional information the Police Department may require;
 - (J) The applicant must sign the application under penalty of perjury.
 - (K) Oversized Vehicle Parking Permits issued and approved by the Police Department shall include the license plate number of the designated Oversized Vehicle or Trailer, the date of issuance, and the day of its expiration.

- (6) Permits shall be displayed in the lower driver's side of the windshield or nearest window of the Oversized Vehicle for which it has been issued so that it is clearly visible from the exterior of the vehicle. Permits shall be displayed on the side of the Trailer for which it has been issued so that it is visible from the street, which is usually the left side of the Trailer.
- (7) The Police Chief or his designee is authorized to set up an Oversized Vehicle Parking Permit call-in phone number or internet processing system.

Section 61.12.060 Oversized Vehicle Parking Permits – Duration

- (a) For Oversized Vehicles and Trailers registered with the City by 5:30 p.m. on December 28, 2006:
 - (1). The Oversized Vehicle Parking Permit will be valid for as long as the owner is a resident of the City of Torrance.
 - (2) If an owner purchases a new Oversized Vehicle or Trailer in the future, the owner shall be allowed to replace an Oversized Vehicle or Trailer that was registered prior to 5:30 p.m. on December 28, 2006 on a one-for-one basis (e.g., replace a RV with a RV or a Trailer with a Trailer) in the future. If the owner adds additional Oversized Vehicles or Trailers beyond what was registered by December 28, 2006, then the owner will have to apply for permits under Section 61.12.050(b) for the additional Oversized Vehicles or Trailers.
- (b) For Oversized Vehicles and Trailers registered with the City on or after January 2, 2007:
 - (1) An Oversized Vehicle Parking Permit shall be valid for a period not to exceed 24 hours. Upon expiration of the permit, the applicant may apply for and be granted additional Oversized Vehicle Parking Permits if the applicant still qualifies under the conditions set forth in this Article. An applicant may request no more than 3 consecutive Oversized Vehicle Parking Permits (a total of 72 hours of parking to load and unload) at one time. In no event shall any person and/or designated Oversized Vehicle or Trailer be issued more than 24 Oversized Vehicle Parking Permits within any 90 day period.
- (c) For Oversized Vehicles and Trailers that are not registered with the City under subsection (a) or (b) above (Out-of-Town Visitor Permits)
 - (1) An Oversized Vehicle Parking Permit shall be valid for a period not to exceed 24 hours. Upon expiration of the permit, the applicant may apply for and be granted additional Oversized Vehicle Parking Permits if the applicant still qualifies under the conditions set forth in this Article. An applicant may request no more than 14 consecutive Oversized Vehicle Parking Permits at one time. In no event shall any person and/or designated Oversized Vehicle or Trailer be issued more than 30 Oversized Vehicle Parking Permits in any calendar year.

Section 61.12.070 Oversized Vehicle Parking on Public Streets

No person shall run electrical cords, extension cords, hoses, cables, or other items across, above or on the parkway or sidewalk from a residential or commercial property to an Oversized Vehicle or Trailer parked on a public street.

Section 61.12.080 Oversized Vehicle Parking Permits – Fees

Oversized Vehicle Parking Permits shall be issued without any fees.

Section 61.12.090 Oversized Vehicle Handicap Parking Permits

- (a) Purpose. The purpose of authorizing the issuance of Oversized Vehicle Handicap Parking Permits is to allow a handicapped person to park a designated oversized vehicle on a street/highway adjacent to their residence.
- (b) Requirements. In order to be eligible to receive an Oversized Vehicle Handicap Parking Permit, the following requirements must be met:
 - (1) The applicant must be entitled to receive a handicapped placard or license plate pursuant to the provisions of the California Vehicle Code;
 - (2) The oversized vehicle is the only vehicle owned by the resident and is required to meet the daily transportation needs of the resident.

Section 61.12.100 Oversized Vehicle Handicap Parking Permits – Issuance of Permits

- (a) The Police Chief or designee, is authorized to issue Oversized Vehicle Handicap Parking Permits, pursuant to the following:
 - (1) Each person desiring an Oversized Vehicle Handicap Parking Permit shall file with the Torrance Police Department a completed City application form containing the following:
 - (A) The name, address, and phone number of the registered owner and applicant of designated Oversized Vehicle;
 - (B) The license number, make, and model of designated oversized vehicle;
 - (C) The year for which the permit is requested;
 - (D) The years of any and all previous Oversized Vehicle Handicap Parking Permits issued to the applicant;
 - (E) Additional information the Police Department may require;
 - (F) The applicant must sign the application under penalty of perjury.
 - (2) Oversized Vehicle Handicap Parking Permits issued and approved by the Police Department shall include the license plate number of the designated Oversized Vehicle, the date of issuance and the day of its expiration.

- (3) Permits shall be displayed in the lower driver's side of the windshield or nearest window of the vehicle for which it has been issued so that it is clearly visible from the exterior of the vehicle.

Section 61.12.110 Oversized Vehicle Handicap Parking Permits - Duration

Oversized Vehicle Handicap Parking Permits shall be valid for a period of one year, so long as the holder thereof meets the requirements of this section relating to such permits. Permits may be renewed on an annual basis.

Section 61.12.120 Oversized Vehicle Handicap Parking Permits – Fees

Oversized Vehicle Handicap Permits shall be issued without any fees.

Section 61.12.130 Permit Denial

A permit must be denied if the Police Chief or designee finds that:

- (a) The applicant or the person the applicant is visiting is not a bona fide city resident;
- (b) The proposed location is not on a street adjacent to the residence of the applicant or the person the applicant is visiting;
- (c) The out-of-town visitor is not a guest of the resident;
- (d) Information submitted by the applicant is materially false; or
- (e) If the application is for an Oversized Vehicle Handicap Permit
 - 1. The applicant is not entitled to receive a handicap placard or license plate under the California Vehicle Code; or
 - 2. The Oversized Vehicle is not the applicant's primary mode of transportation.

Section 61.12.140 Violation of Article

- (a) Any person who violates any provision in this Article is guilty of an infraction and will be subject to citation, towing, or both.
- (b) Every person who displays a fraudulent, forged, altered, or counterfeit Oversized Vehicle Parking Permit or Permit number with the intent to avoid compliance with this Article is guilty of a misdemeanor.
- (c) Every person who displays a fraudulent, forged, altered, or counterfeit Oversized Vehicle Handicap Parking Permit or Permit number with the intent to avoid compliance with this Article is guilty of a misdemeanor

Section 61.12.150 State of Emergency

The prohibitions in this Article shall not apply to the parking of any oversized vehicle during the pendency of any state of emergency declared to exist within the City of Torrance by the City Council.

Section 61.12.160 Application of Regulations

- (a) The prohibitions in this Article will apply at all times, or at those times specified, except when it is necessary to stop a vehicle to avoid conflict with other traffic or to comply with the directions of a police officer or official traffic control device.
- (b) The time limitations on standing or parking in this Article will not relieve any person from the duty to observe other and more restrictive provisions of the California Vehicle Code or the Torrance Municipal Code prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.
- (c) Nothing in this Article will be construed to permit vehicle habitation on a public street as prohibited by Section 61.6.31 of the Torrance Municipal Code.”

SECTION 3

Any inconsistent provisions of the Torrance Municipal Code, or any other inconsistent ordinances of the City, are repealed, to the extent of the inconsistencies.

SECTION 4

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then the decision will not affect the validity of the remaining portion of the ordinance. The City Council declares that it would have passed this ordinance and each of its sections, subsections, sentences, clauses and phrases, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases might be declared invalid or unconstitutional.

SECTION 5

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED AND APPROVED this ____ day of _____, 2006.
ADOPTED and PASSED this ____ day of _____, 2006.

Mayor of the City of Torrance

ATTEST:

Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____
Ronald T. Pohl
Assistant City Attorney

ORDINANCE NO. _____

SUMMARY

On _____, 2006, the City Council On _____ 2003 City Council of the City of Torrance adopted Ordinance No. _____ adding Article 12 to Chapter 1 of Division 6 of the Torrance Municipal Code relating to Oversized Vehicles and Trailers.

The ordinance deals with the parking of oversized vehicles and trailers on public streets and highways in the City of Torrance. The purpose of the ordinance is to give owners of Oversized Vehicles and Trailers the opportunity, for a limited time, to park the Oversized Vehicle or Trailer on a public street or highway adjacent to their residence, and to allow an out-of-town visitor who owns an Oversized Vehicle or Trailer to park on a public street or highway adjacent to the residence which the out-of-town visitor is visiting for a limited time period.

The term Oversized Vehicle means any vehicle, as defined by Section 670 of the California Vehicle Code, or combination of vehicles, which exceeds twenty feet in length, seven feet in width, or eight feet in height, exclusive of projecting lights or devices allowed by Section 35109 or 35110 of the California Vehicle Code, as may be amended. Oversized Vehicle does not include pickup trucks or sport utility vehicles, which are less than twenty-five feet in length and eighty-two inches in height. The term Trailer means a trailer, semitrailer, camp trailer (including tent trailers), unmounted camper, or trailer coach as defined in Sections 242, 243, 550, 630, 635, and 636 of the California Vehicle Code, or fifth-wheel travel trailer, as defined in Section 324 of the Vehicle Code.

The ordinance provides that no person shall park an oversized vehicle or trailer on a public street or highway unless one of the following exceptions apply: (a) Oversized Vehicles or Trailers for which an Oversized Vehicle Parking Permit has been issued for a resident or an out-of-town visitor, in accordance with Section 61.12.050; (b) Oversized Vehicle or Trailers displaying a valid Oversized Vehicle Handicap Parking Permit issued pursuant to Section 61.12.090; (c) Oversized Vehicles or Trailers parked or left standing as a result of a mechanical breakdown so as to allow the performance of emergency repairs on the vehicle for a period not to exceed seventy-two hours; (d) Commercial vehicles making pickups or delivery of goods, wares or merchandise, or while providing services to a residence, including, but not limited to yard maintenance, pool care and maintenance, repair and construction services; (e) Tow trucks and similar vehicles that are in the course of providing services; (f) Public or utility vehicles and trailers that are in the course of providing services; (g) Any public emergency vehicle.

The ordinance provides for the issuance of Oversized Vehicle Parking Permits. The ordinance divides the permits into three different categories: (1) Torrance residents who register their Oversize Vehicle or Trailer with the City of Torrance by 5:30 p.m. on December 28, 2006, (2) Torrance residents who register their Oversized Vehicle or Trailer with the City of Torrance on or after January 2, 2007, and (3) out-of-town visitors.

Residents that fall within category one above, will receive an Oversized Vehicle Parking Permit upon completion of a City application, which requires proof of residency

and a copy of the DMV registration showing that the Oversized Vehicle is registered in the City of Torrance. There is no fee for the permit. The Oversized Vehicle Parking Permit will be valid for as long as the owner is a resident of the City of Torrance. If an owner purchases a new Oversized Vehicle or Trailer in the future, the owner shall be allowed to replace an Oversized Vehicle or Trailer that was previously registered with the City on a one-for-one basis (e.g., replace a RV with a RV or a Trailer with a Trailer) in the future. If the owner adds additional Oversized Vehicles or Trailers beyond what was registered previously registered, then the owner will have to apply for permits under Section 61.12.050(b) for the additional Oversized Vehicles or Trailers.

Residents that fall within category two above, also must complete a City application. After completing the application, the resident may obtain an Oversize Vehicle Parking Permit for no fee. Each permit is valid for 24 hours. The ordinance allows for 24 permits in a 90-day period, with no more than 3 consecutive Oversized Vehicle Parking Permits allowed. The ordinance allows for a maximum of 96 permits in a calendar year. The Police Chief or his designee is authorized to set up an Oversized Vehicle Parking call-in phone number or internet processing system.

Out of town visitors will be required to complete a City application that provides the location being visited, dates, and permission from the property owner. A visitor may request a maximum of 14 consecutive one-day permits at one time. In no event shall any person and/or designated Oversized Vehicle or Trailer be issued more than 30 Oversized Vehicle Parking Permits in any calendar year. There is no fee for the permit.

The ordinance also provides for the issuance of Oversized Vehicle Handicap Parking Permits if the applicant meets the eligibility requirements.

The ordinance provides that no person shall run electrical cords, extension cords, hoses, cables, or other items across, above or on the parkway or sidewalk from a residential or commercial property to an Oversized Vehicle or Trailer parked on a public street.

The ordinance provides grounds for denial of permits by the Police Chief. Any violation of this ordinance will subject the violator to citation, towing, or both. Every person who displays a fraudulent, forged, altered, or counterfeit Oversized Vehicle Parking Permit or Permit number with the intent to avoid compliance with this Article is guilty of a misdemeanor.

The time limitations on standing or parking in this ordinance will not relieve any person from the duty to observe other and more restrictive provisions of the California Vehicle Code or the Torrance Municipal Code prohibiting or limiting the standing or parking of vehicles in specified places or at specified times. Nothing in this ordinance will be construed to permit vehicle habitation on a public street as prohibited by Section 61.6.31 of the Torrance Municipal Code.

*****City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against.*****

ATTACHMENT B
PROOF OF PUBLICATION

