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ORDINANCE NO. 2145

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING
THE MANHATTAN BEACH MUNICIPAL CODE TO PROHIBIT THE
PARKING OF DETACHED TRAILERS

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA DOES ORDAIN
AS FOLLOWS:

Section 1. Findings.

The City Council finds and determines as follows:

- A. Detached trailers and other non-motorized vehicles can, when parked on residential streets, create a safety hazard by reducing visibility.
- B. Detached trailers are not motorized and cannot be readily moved to provide emergency access on a public street if needed in the event of an emergency.
- C. It is therefore necessary and in the interest of the health, safety and welfare of the residents of Manhattan Beach to amend the Manhattan Beach Municipal Code to adopt restrictions regarding the parking of detached trailers.

Section 2. A new Section 14.36.180 is hereby added to Chapter 14.36 of Title 14 of the Manhattan Beach Municipal Code to read as follows:

"14.36.180 Parking of non-motorized vehicles and trailers prohibited on City streets

- A. No person who owns or has possession, custody or control of any non-motorized vehicle, trailer or semitrailer, shall park, stop or leave standing such non-motorized vehicle, trailer, or semitrailer upon any street, alley, public way or public place, unless such non-motorized vehicle, trailer or semitrailer is at all times attached to a motor vehicle capable of providing the motive power for moving the vehicle, trailer, or semitrailer upon the highway, street, alley, public right of way or public place.
- B. Exceptions. The prohibition contained in paragraph A above shall not apply to any of the following:
 - 1. The parking, stopping or standing of a non-motorized vehicle, trailer, or semitrailer in the process of being actively loaded or unloaded.
 - 2. The parking, stopping or standing of a non-motorized vehicle, trailer or semitrailer which is disabled in such a manner and to such an extent that it requires some vehicle or facility other than its normal means of motivation; provided, however, such disabled non-motorized vehicle, trailer, or semitrailer may remain so parked while unattached only for the time necessary for the provision of a vehicle or facility to remove the disabled non-motorized vehicle, trailer, or semitrailer, and in no event longer than eight (8) hours of the breakdown.
 - 3. The parking, stopping or standing of any construction-related equipment that is in compliance with Chapter 7.40, Construction Site Temporary Encroachment Permit, of the City's municipal Code.
- C. Any person who violates any provision in this Section is guilty of an infraction and the non-motorized vehicle, trailer or semitrailer may be subject to towing or a citation or both."

Section 3. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b) (3) of Title 14 of the California Code of Regulations.

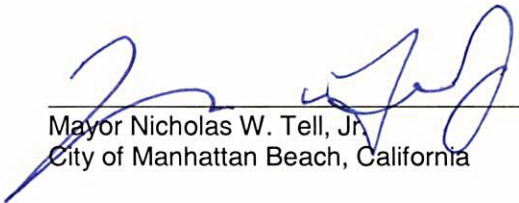
Section 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Chapter, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Chapter, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 5. The City Clerk shall cause this ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code, shall certify to the adoption of this ordinance.

Section 6. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED, APPROVED, and ADOPTED this 1st day of November, 2011.

Ayes: Lesser, Howorth, Montgomery, Powell and Mayor Tell.
Noes: None.
Absent: None.
Abstain: None.



Mayor Nicholas W. Tell, Jr.
City of Manhattan Beach, California

ATTEST:




City Clerk Liza Tamura

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) SS.
3 CITY OF MANHATTAN BEACH)

4 I, Liza Tamura, City Clerk of the City of Manhattan Beach,
5 California, do hereby certify that the whole number of members
6 of the City Council of said City is five; that the foregoing
7 Ordinance, being Ordinance No. 2145 was duly passed and adopted
8 by the said City Council, approved and signed by the Mayor, and
9 attested by the City Clerk, of said City, all at a regular
10 meeting of the said Council duly and regularly held on the 1st
11 day of November, 2011, and that the same was so passed and
12 adopted by the following vote, to wit:

13 Ayes: Lesser, Howorth, Montgomery, Powell and Mayor Tell.
14 Noes: None.
15 Absent: None.
16 Abstain: None.

17 IN WITNESS WHEREOF, I have hereunto subscribed my name and
18 affixed the official seal of said City this 3rd day of November,
19 2011.


20 
21 _____
22 City Clerk of the City of
23 Manhattan Beach, California

24 (SEAL)

25 CERTIFICATE OF PUBLICATION

26 STATE OF CALIFORNIA)
27 COUNTY OF LOS ANGELES) SS.
28 CITY OF MANHATTAN BEACH)

29 I, Liza Tamura, City Clerk of the City of Manhattan Beach,
30 California, do hereby certify that Ordinance No. 2145 has been
31 duly and regularly published according to law and the order of
32 the City Council of said City and that same was so published in
The Beach Reporter, a weekly newspaper of general circulation on
the following date, to wit November 10, 2011 in witness whereof,
I have hereunto subscribed my name this 3rd day of November,
2011.

33 
34 _____
35 City Clerk of the City of
36 Manhattan Beach, California