

ORDINANCE NO. 24-0006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, RESTATING AND AMENDING MANHATTAN BEACH MUNICIPAL CODE CHAPTER 14.46 REGULATING AND REQUIRING A PARKING PERMIT FOR THE PARKING OF OVERSIZED VEHICLES AND TRAILERS

THE MANHATTAN BEACH CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Findings.

The City Council finds and determines as follows:

- A. After several public meetings with considerable study and public input, the Manhattan Beach City Council adopted Manhattan Beach Ordinance No. 2144 in 2011, amending the Manhattan Beach Municipal Code ("MBMC") to add Chapter 14.46 to regulate oversized vehicles and trailers.
- B. Ordinance No. 2144 authorized, *inter alia*: (1) The Police Chief to designate areas where the stopping, parking or standing of oversized vehicles/trailers is prohibited adjacent to schools, parks, and community centers, or in such locations where such parking or standing is hazardous to the public health, safety or welfare; and (2) The Traffic Engineer to designate areas where the stopping, parking or standing of oversized vehicles/trailers is prohibited based upon traffic safety and parking restrictions.
- C. Even outside the designated areas, a large number of streets in the City of Manhattan Beach are very narrow and steep.
- D. Oversized vehicles, such as recreational vehicles and trailers, create a safety hazard by reducing visibility and travel lane width when parked on City streets.
- E. Oversized vehicles also present a significant burden on limited parking availability on streets since an oversized vehicle uses more curb length than a standard passenger vehicle parking space.
- F. It is therefore necessary and in the interest of the health, safety and welfare to amend the Manhattan Beach Municipal Code to add to existing regulations in Chapter 14.46 and require a parking permit for oversized vehicles.

Section 2. The City Council hereby amends Manhattan Beach Municipal Code (MBMC") Chapter 14.46 to read as follows:

“Chapter 14.46

ON-STREET PARKING OF OVERSIZED VEHICLES

Sections:

- 14.46.010 Definitions
- 14.46.020 City Permit Required for the Parking of Oversized Vehicles
- 14.46.030 Permit Exceptions
- 14.46.040 Oversized Vehicles - General Requirements
- 14.46.050 Oversized Vehicle Parking Permits for Resident Owned Vehicles
- 14.46.060 Guest Oversized Vehicle Parking Permits
- 14.46.070 Oversized Vehicle Hook-Ups
- 14.46.080 Restricted Oversized Vehicle Parking Areas
- 14.46.090 Permit Denial and Revocation
- 14.46.100 Violation of Chapter
- 14.46.110 Application of Chapter
- 14.46.120 Rules and Regulations

14.46.010 Definitions.

As used in this Chapter, the following terms have the following meanings:

“**Oversized Vehicle**”: any vehicle, as defined by California Vehicle Code Section 670, trailer, semitrailer, camp trailer (including tent trailers), unmounted camper, trailer bus, or trailer coach, as defined in California Vehicle Code Sections 242, 243, 550, 630, 635, and 636, respectively, a fifth-wheel travel trailer as defined in Vehicle Code Section 324, which, either on its own or in aggregate with an attachment, exceeds 22 feet in length, seven feet in width, or eight feet in height, exclusive of projecting lights or devices allowed by California Vehicle Code Sections 35109 and 35110.

“**Oversized Vehicle Parking Permit**”: a validly issued permit issued by the City to a resident to park the resident’s Oversized Vehicle.

“**Guest Oversized Vehicle Parking Permit**”: a validly issued permit issued by the City to a resident to permit an Oversized Vehicle to park for up to 72 hours.

14.46.020 City Permit Required for Parking of Oversized Vehicles.

No person who owns, leases or has possession, custody or control of any Oversized Vehicle shall stop, stand, park or leave standing an Oversized Vehicle at any time upon any public street, alley or highway, in the City, without a validly issued Oversized Vehicle Parking Permit or Guest Oversized Vehicle Parking Permit pursuant to this Chapter, unless allowed pursuant to any exception set forth in Section 14.46.030.

14.46.030 Permit Exceptions.

The following oversized vehicles may stop, park, or stand without an Oversized Vehicle Permit:

- A. Oversized Vehicles for which a street use or temporary encroachment permit has been issued in accordance with MBMC Chapters 7.36 or 7.40.
- B. Oversized Vehicles stopped, parked or left standing as a result of a mechanical breakdown but only to allow the performance of emergency repairs on the vehicle or to arrange for emergency repairs to be made, provided that all repairs are completed within eight hours of the mechanical breakdown. Emergency repairs shall be limited to repairs necessitated by sudden unforeseen events, such as a flat tire. Emergency repairs shall not include routine or normal maintenance or extensive mechanical repairs.
- C. Oversized Vehicles stopped, parked or left standing on any public street, alley or highway in the Coastal Zone.
- D. Commercial vehicles making pickups or delivery of goods, wares or merchandise, or while actively providing residential, commercial or construction services, subject to applicable regulations set forth in MBMC Chapters 7.36 and 7.40.
- 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 as set forth in MBMC Section 14.08.080.
- G. Any public emergency vehicle.
- H. Oversized Vehicles belonging to federal, state or local authorities that are temporarily parked within the City while the operator of the vehicle is conducting official business.
- I. Any vehicle stopped to avoid immediate conflict with other traffic or to comply with the directions of a police officer or official traffic control device.

14.46.040 Oversized Vehicles - General Requirements.

Oversized Vehicles must comply with all federal, state and city regulations, including but not limited to the following requirements and restrictions:

- 1. Pursuant to MBMC Section 14.36.060, no person shall park an Oversized Vehicle in the same location on a public street, alley or highway for a period exceeding 72 consecutive hours.
- 2. No person shall stop, stand, park or leave standing an Oversized Vehicle in any location prohibited by signage, other markings, or where it presents a traffic or safety concern to pedestrians or other drivers, as determined by the Police Department.
- 3. No person shall stop, stand, park or leave standing an Oversized Vehicle in any location designated pursuant to MBMC Section 14.46.080.
- 4. Operators of Oversized Vehicles shall pay any applicable parking meter charges while occupying a metered parking space.
- 5. No person shall park an Oversized Vehicle in more than one marked parking space.
- 6. Permit holders shall comply with any posted street sweeping restrictions.

14.46.050 Oversized Vehicle Parking Permits for Resident Owned Vehicles.

- A. Each City resident seeking an Oversized Vehicle Parking Permit shall file with the City a completed application, containing the following:
 - 1. The name, address, phone number, and e-mail address of the registered owner of the oversized vehicle.
 - 2. The name, address, phone number, and e-mail address of the applicant for the permit, if different than the registered owner
 - 3. Proof that the applicant is a Manhattan Beach resident. Acceptable proof of residency must be current and must include either a California driver's license or California identification card and either a property tax bill, public utility bill, or a current residential rental or lease agreement.
 - 4. Proof of current vehicle registration from the California Department of Motor Vehicles, or equivalent agency in another state, for the oversized vehicle.
 - 5. The vehicle license number, license state, make, model, year, color, and vehicle length, width, and height.
 - 6. Payment of a permit fee, which shall be established by resolution of the City Council.
 - 7. Such other information as the City deems necessary for the administration or enforcement of this Chapter.
- B. The permit shall be displayed as required by the City so that it is clearly visible from the street.
- C. In no event will the City issue any household more than one Oversized Vehicle Parking Permit from October 1 – September 30 in any year.
- D. Oversized Vehicle Parking Permits issued by the City shall include the license plate number of the designated oversized vehicle, permit start date, permit expiration date and a designation that it is a resident permit.
- E. Oversized Vehicle Parking Permits will be valid for a maximum of one year, with an annual expiration date of September 30, and can be renewed annually.

14.46.060 Guest Oversized Vehicle Parking Permits.

- A. Each City resident seeking a Guest Parking Permit shall file with the City a completed application, containing the following:
 - 1. The name, address, phone number, and e-mail address of the Manhattan Beach resident that is hosting the guest (if applicable).
 - 2. The name, address, phone number, and e-mail address of the applicant for the permit.
 - 3. The name, address, phone number, and e-mail address of the registered owner or renter of the designated Oversized Vehicle.
 - 4. Proof that the applicant is a Manhattan Beach resident. Acceptable proof of residency must be current and must include either a California driver's license or California identification card and either a property tax bill, public utility bill, or a current residential rental or lease agreement.
 - 5. Proof of current vehicle registration from the California Department of Motor Vehicles, or equivalent agency in another state, for the oversized vehicle.

6. The vehicle license number, license state, make, model, year, color, and vehicle length, width, and height.
 7. The dates for which the permit is requested.
 8. Payment of a permit fee, which shall be established by resolution of the City Council.
 9. Such other information as the City deems necessary for the administration or enforcement of this Chapter.
- B. Guest Oversized Vehicle Parking Permits are valid for 72 hours.
 - C. In no event will the City issue any household more than four Guest Oversized Vehicle Parking Permits in any 12-month period.
 - D. Parking permits shall be displayed as required by the City so that it is clearly visible from the street.
 - E. Guest Oversized Vehicle Parking Permits issued by the City shall include the license plate number of the designated Oversized Vehicle, permit issuance date, permit expiration date, and a designation that it is a guest permit.

14.46.070 Oversized Vehicle Hook-Ups.

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

14.46.080 Restricted Oversized Vehicle Areas.

- A. The Police Chief or designee is authorized to designate areas where the stopping, parking or standing of an Oversized Vehicle is prohibited regardless of whether an Oversized Vehicle Parking Permit or Guest Oversized Vehicle Parking Permit is obtained as follows: (i) on any street, alley or highway adjacent to any private or public school, City park, or community center; or (ii) on any street, alley or highway where the stopping, parking or standing of an Oversized Vehicle would interfere with vehicular or pedestrian traffic or otherwise create a situation hazardous to the public health, safety or welfare.
- B. The Traffic Engineer or designee is authorized to designate areas where the stopping, parking or standing of an Oversized Vehicle is prohibited regardless of whether a permit is obtained as follows: (i) that portion of a city street within 25 feet of any intersection; or (ii) wherever the Traffic Engineer has caused lines or markings painted or otherwise designated upon the parkway, curb, sidewalk, roadway, driveway, parking lot, or street in such a manner as to identify individual parking spaces, if the parking of an Oversized Vehicle would cross any such line or marking, or occupy more than the single space designated by said markings.
- C. The Police Chief or Traffic Engineer, as applicable, shall place or cause to be placed signs on such streets, alleys or highways giving notice of the parking restriction as set forth in paragraphs A or B of this Section.
- D. When signs authorized by the provisions of this section are in place giving notice thereof, no person who owns, leases or has possession, custody or control of any Oversized Vehicle shall stop, stand, park or leave standing an Oversized Vehicle at any time upon any public street, alley or highway designated by the Chief of Police or

Traffic Engineer pursuant to paragraphs A and B of this Section regardless of whether a permit has been issued pursuant to Section 14.46.050 or Section 14.46.060 of this Chapter.

14.46.090 Permit Denial and Revocation.

The City may deny or revoke a permit or registration issued pursuant to this Chapter for any of the following:

- A. The applicant or the person whom the applicant is visiting is not a bona fide city resident;
- B. The out-of-town guest is not a guest of the resident;
- C. The applicant violates any provision of this Chapter or applicable state or federal law; or
- D. The information submitted by the applicant is materially false.

14.46.100 Violation of Chapter

- A. The violation of any of the provisions of this Chapter 14.46 is subject to a civil penalty, pursuant to California Vehicle Code Section 40200 *et seq.*, including exceptions thereunder, or unless otherwise indicated in this Section.
- B. It shall be unlawful for any person to: (1) forge, alter or counterfeit a permit issued pursuant to this Chapter; (2) display a fraudulent, forged, altered, or counterfeit permit issued pursuant to this Chapter; or (3) assign, transfer or use a permit issued pursuant to this Chapter for any consideration, monetary or otherwise. Violation of this subsection B is a misdemeanor, unless such violation is subsequently prosecuted as an infraction pursuant to MBMC Chapter 1.04.010.
- C. Pursuant to MBMC Chapter 1.06 the City may, *inter alia*, exercise the administrative remedy provided in that Chapter and issue an administrative citation for any violation of this Chapter.
- D. Oversized Vehicles stopped, parked or left standing on a public street, alley or highway in violation of this Chapter may be removed immediately pursuant to Vehicle Code Section 22651.

14.46.110 Application of Chapter

The regulations and restrictions on stopping, standing or parking in this Chapter will not relieve any person from the duty to observe other and more restrictive provisions of the California Vehicle Code or the MBMC prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

14.46.120 Rules and Regulations

The City Manager or designee is authorized and empowered to adopt rules and regulations to implement the provisions of this Chapter.”

Section 3. The City Council's adoption of a permitting program for oversized vehicles and trailers has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the common sense exemption (formerly the "general rule") that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question can have a significant effect on the environment, the activity is not subject to CEQA, as is the case with the adoption of this permitting program.

Section 4. INTERNAL CONSISTENCY. Any provisions of the Municipal Code, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance are hereby repealed, and the City Clerk shall make any necessary changes to the Municipal Code for internal consistency.


Section 5. SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or their application and, to this end, the provisions of this Ordinance are severable.

Section 6. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.


Section 7. The Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

ADOPTED on July 2, 2024.

AYES: Lesser, Napolitano, Montgomery, Howorth, and Mayor Franklin.
NOES: None.
ABSENT: None.
ABSTAIN: None.



JOE FRANKLIN
Mayor

ATTEST:


LIZA TAMURA
City Clerk