

ORDINANCE NO. 1260

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY AMENDING TITLE 4, CHAPTER 9 BY ADDING A NEW ARTICLE 7 TO THE SIMI VALLEY MUNICIPAL CODE RELATING TO THE PARKING OF EMERGENCY VEHICLES AND THE AUTHORITY TO ESTABLISH PARKING RESTRICTIONS ON CITY OWNED OR CONTROLLED PARKING LOTS

WHEREAS, the City of Simi Valley parking ordinances contained in Simi Valley Municipal Code (SVMC) Chapter 9 of Title 4, et seq. do not currently contain provisions specifically exempting emergency vehicles while on duty and maintenance vehicles, and does not specifically authorize the establishment and posting of parking restrictions on City owned or controlled parking lots; and

WHEREAS, the City wishes to update the SVMC to exempt emergency and maintenance vehicles while on duty from the parking restrictions of Chapter 9, Title 4 of the SVMC, and to specify that the City Manager may establish and authorize the posting of parking restrictions on City owned or controlled parking lots.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIMI VALLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. Notwithstanding any prior ordinance of the City of Simi Valley, Chapter 9, Title 4 of the Simi Valley Municipal Code as specified and amended in Exhibit A attached hereto is hereby adopted.

SECTION 2. Severability. If any provision of this Ordinance is declared invalid by a court of competent jurisdiction, adjudicated to a final determination, the City Council finds that said voided part is severable, that the City Council would have adopted the remainder of this Ordinance without the severed and voided part, and that the remainder of this Ordinance shall remain in full force and effect.

SECTION 3. The City Clerk shall cause this ordinance or a summary hereof to be published in a newspaper of general circulation, published in the County of Ventura and circulated in the City, and if applicable, to be posted, in accordance with Section 36933 of the California Government Code; shall certify to the adoption of this ordinance and shall cause a certified copy of this ordinance, together with proof of publication, to be filed in the Office of the Clerk of this City.

SECTION 4. 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 and ADOPTED this 25th day of July 2016.

Attest:

/s/
Ky Spangler, Deputy Director/City Clerk

/s/
Robert O. Huber, Mayor of the City of
Simi Valley, California

Approved as to Form:

Approved as to Content:

/s/
Lonnie J. Eldridge, City Attorney

/s/
Eric J. Levitt, City Manager

**SIMI VALLEY MUNICIPAL CODE AMENDMENT
REGARDING THE PARKING OF EMERGENCY AND MAINTENANCE VEHICLES
AND AUTHORITY TO ESTABLISH PARKING RESTRICTIONS**

Article 7. Emergency Vehicle Parking and Restrictions on City Parking Lots.

4-9.701 Parking Exemption for Authorized Emergency Vehicles and Maintenance Vehicles.

The provisions of this Chapter 9 regulating the operation, parking and standing of vehicles shall not apply to Authorized Emergency Vehicles while on duty or vehicles authorized by the City Engineer or such other City official as may be authorized by the City Manager for construction, repair or maintenance of public or private property.

4-9.702 Definition of Authorized Emergency Vehicle.

For purposes of this Chapter, "Authorized Emergency Vehicle" has the meaning provided by Section 165 of the California Vehicle Code which states:

165. An authorized emergency vehicle is:

(a) Any publicly owned and operated ambulance, lifeguard, or lifesaving equipment or any privately owned or operated ambulance licensed by the Commissioner of the California Highway Patrol to operate in response to emergency calls.

(b) Any publicly owned vehicle operated by the following persons, agencies, or organizations:

(1) Any federal, state, or local agency, department, or district employing peace officers as that term is defined in Chapter 4.5 (commencing with Section 830) of Part 2 of Title 3 of the Penal Code, for use by those officers in the performance of their duties.

(2) Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code.

(c) Any vehicle owned by the state, or any bridge and highway district, and equipped and used either for fighting fires, or towing or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment.

(d) Any state-owned vehicle used in responding to emergency fire, rescue, or communications calls and operated either by the Office of Emergency Services or by any public agency or industrial fire department to which the Office of Emergency Services has assigned the vehicle.

(e) Any vehicle owned or operated by any department or agency of the United States government when the vehicle is used in responding to emergency fire, ambulance, or lifesaving calls or is actively engaged in law enforcement work.

(f) Any vehicle for which an authorized emergency vehicle permit has been issued by the Commissioner of the California Highway Patrol.

4-9.703 Parking Restrictions on City Owned or Controlled Parking Lots Authorized.

(a) The City Manager, in consultation with the City Engineer as the City Manager may deem necessary or advisable, may establish and cause to be posted with appropriate signage, parking, standing or stopping restrictions on City owned or controlled parking lots. These parking, standing or stopping restrictions are authorized under California Vehicle Code (CVC) 22511.8 and 22519. Such restrictions may include, without limitation, limits as to time, vehicle weight, vehicle type and other factors.

(b) A violation of Section 4-9.703(a) of this Chapter is subject to civil penalties, and may be prosecuted as an infraction or a misdemeanor. The amount of the civil penalty will be specified by the City Council through the parking fine resolution. Any vehicle in violation of Section 4-9.703(a) may be removed pursuant to CVC 22651 and 22652, and a post-impound hearing pursuant to CVC 22852 will be provided upon request according to the procedures set forth in SVMC 4-9.604.