

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE MUNICIPAL CODE BY ADDING SECTION 10.44.153 REGARDING PENALTIES FOR VEHICLE PARKING OVER 72 HOURS UPON MUNICIPALLY-OWNED PARKING LOTS, AND AMENDING SECTION 10.44.152 PERTAINING TO REGULATION OF PARKING UPON MUNICIPALLY-OWNED AND/OR -OPERATED PARKING LOTS

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 10.44 of Title 10 of the Santa Barbara Municipal Code is amended by adding Section 10.44.153 to read as follows:

10.44.153 Penalties for Vehicle Parking Over 72 Hours in Parking Lots,

A. PENALTIES FOR VEHICLE PARKING OVER 72 HOURS, OR PARKING OF INOPERABLE VEHICLES, UPON MUNICIPALLY OWNED PARKING LOTS. In the event a vehicle is parked, stopped or left standing in any of the municipally owned parking lots, except as permitted per Section 10.44.152 (h), in excess of a period of seventy-two (72) consecutive hours, the vehicle may be cited and the vehicle may be removed from the municipally owned parking lots by any member of the Police Department authorized by the Chief of Police in the manner and consistent with the requirements of the California Vehicle Code.

SECTION 2. Section 10.44.152 of Chapter 10.44 of Title 10 of the Santa Barbara Municipal Code is amended to read as follows:

10.44.152 Regulation of Parking Upon Municipally Owned and/or Operated Parking Lots.

(a) No person shall park a motor vehicle in a municipally owned and/or operated parking lot and fail to pay the parking fee established by resolution and posted for the use of said lot. Said fee shall be paid no later than time of departure from the lot, except that a person departing a lot with no parking attendant present shall deposit said fee or mail said fee in accordance with the instructions on the envelope securely attached to the vehicle by the parking attendant before his departure from the lot; said fee to be mailed or delivered within three (3) days.

(b) It shall be unlawful for any person to use or permit or cause to be used a monthly parking permit by a person not authorized in the permit agreement.

(c) Any person removing a vehicle from the lot and re-entering a lot for the sole purpose of avoiding payment of parking fees shall pay a parking fee as if said vehicle had not departed the lot.

(d) It shall be unlawful to present a subsequent, counterfeit, or other substitute evidence of entry into any municipally owned and/or operated parking lot for the purpose of reducing or avoiding the parking fee established for the use of said lot.

(e) In an action for violation of this section, proof that a person was the registered owner of a motor vehicle at the time the vehicle was parked unattended in a municipally owned and/or operated lot is prima facie evidence that the registered owner was the person who parked the vehicle. The registered owner shall be given written notice of the violation and an opportunity to respond as provided in Section

40202 of the Vehicle Code of the State of California as it exists today and may be amended in the future.

(f) In addition to the penalties provided for violation of this code, the use of a municipally owned and/or operated parking lot in violation of this Municipal Code, the regulations established by the Transportation Engineer, or the applicable fee requirements, shall be subject to use fees that are twice the fees for proper use.

(g) The Transportation Engineer shall make provision to mark, chalk, photograph, record or otherwise identify such use of municipally owned and/or operated parking lots as may be required for the reasonable enforcement of this Chapter. (Ord. 5061, 1998; Ord. 4760, 1992; Ord. 3864, 1976.)

(h) No person who owns, or has possession, custody or control of any vehicle shall park, stop or leave the vehicle in excess of a period of seventy-two (72) consecutive hours in a municipally owned parking lot.(i) Notwithstanding (h), the Public Works Director may issue a permit allowing for parking in excess of seventy-two (72) consecutive hours in a municipally owned parking lot.