



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: July 16, 2013

Agenda Item	8A
Approvals:	
City Manager	<i>PS</i>
Dept. Head	<i>JO</i>
Attorney	
Finance	<i>JV</i>

Department: Police Services
Prepared By: John Coppock, Chief of Police Services

Subject: DISCUSSION OF COMMERCIAL VEHICLE PARKING ORDINANCES – SAN CLEMENTE MUNICIPAL CODE §10.04.010 AND §10.28.230.

Fiscal Impact: None.

Summary: This report has been prepared at the direction of the City Manager to review the provisions of commercial vehicle parking ordinances – San Clemente Municipal Code §10.04.010 and §10.28.230. The purpose is to review the intent and provisions of the ordinances to discuss any need for revision.

Background: In 2009 the City Council enacted amendments to the commercial vehicle parking ordinance – San Clemente Municipal Code §10.04.010 and §10.28.230 due to community issues and complaints about oversized commercial vehicles and trailers parked in residential areas. The existing ordinance excluded “pick-up trucks” from being considered commercial vehicles; however, some of the complaints involved pick-up trucks that had been modified for use as commercial vehicles.

As a result, the City Council enacted amendments to the ordinances to address the issue of these vehicles. At that time language was added to §10.04.010 to include pick-up trucks as commercial vehicles given specific circumstances:

San Clemente Municipal Code §10.04.010

The following words and phrases when used in this title shall, for the purpose of this title, have the meanings respectively ascribed to them in this section.

1. “Commercial Vehicle” means any vehicle meeting the definition of “Commercial Vehicle” in section 260 of the California Vehicle Code, as that definition may be amended from time to time; provided, however, that for the purposes of this chapter no “pick- up truck,” as that term is defined in California Vehicle Code section 471, shall be considered a commercial vehicle unless: (1) goods, wares, or property of a commercial nature loaded thereon extend above the manufacturer’s box; or (2) the standard bed of the vehicle has been replaced with a utility or stake bed over eighty (80) inches in width; or (3) the vehicle has been modified to include a rack extending over the length of the vehicle’s bed which currently has goods or wares of a commercial nature stored thereon.

Discussion: The purpose for this report is to bring this matter to the attention of the City Council because some members of the community have expressed concern the previous amendment to San Clemente Municipal Code §10.04.010 penalized small business owners who utilize pick-up trucks as part of their business and livelihood. Additionally, it has been alleged the ordinance is unfair to these small business owners because there are other commercial vehicles, which are much larger than these smaller pick-up trucks, that are exempted from this ordinance because they are government or public utility vehicles used for urgent response purposes.

Recommended

Action: STAFF RECOMMENDS THAT the City Council discuss the ordinance to determine if any changes should be considered; and provide staff with direction on what type of changes, if any.

Attachments: This section includes applicable municipal code sections related to the parking of commercial or oversized vehicles:

- #1: §10.04.010 and §10.28.230 San Clemente Municipal Code.
- #2: §12.08.050 Dana Point Municipal Code.
- #3: §4-6.317 and §4-6.318 San Juan Capistrano Municipal Code.
- #4: §7-4-606 Laguna Niguel Municipal Code.
- #5: §12.08.060 Mission Viejo Municipal Code.
- #6: §10.13.010 Laguna Beach Municipal Code.
- #7: §12.40.055 Newport Beach Municipal Code.
- #8: §8.15.085 Seal Beach Municipal Code.

Notification: None.

EA-2

10.04.010 - Definitions. 2

ATTACHMENT #1

- A.Whenever any words or phrases used in this Title are not defined, but are defined in the Vehicle Code of the State of California and amendments thereto, such definitions shall apply.
- B.The following words and phrases when used in this title shall, for the purpose of this title, have the meanings respectively ascribed to them in this section.
1. "Commercial vehicle" means any vehicle meeting the definition of "Commercial Vehicle" in Section 260 of the California Vehicle Code, as that definition may be amended from time to time; provided, however, that for the purposes of this chapter no "Pick Up Truck," as that term is defined in California Vehicle Code Section 471, shall be considered a commercial vehicle unless: (1) goods, wares, or property of a commercial nature loaded thereon extend above the manufacturer's box; or (2) the standard bed of the vehicle has been replaced with a utility or stake bed over eighty (80) inches in width; or (3) the vehicle has been modified to include a rack extending over the length of the vehicle's bed which currently has goods or wares of a commercial nature stored thereon.
 2. "Coach" means any motor bus, motor coach, trackless trolley, or passenger stage used as a common carrier of passengers.
 3. "Council" means the Council of the City of San Clemente.
 4. "Curb" means the lateral boundary of the roadway, whether such curb is marked by curbing construction or not so marked; the word "curb" as used in this title shall not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracts or rights-of-way of public utility companies.
 5. "Divisional island" means a raised island located in the roadway and separating opposing or conflicting streams of traffic.
 6. Holidays. Within the meaning of this title, "holidays" means the first day of January, the twelfth day of February, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the first Monday in September, the ninth day of September, the twelfth day of October, the eleventh day of November, the twenty-fifth day of December, and Thanksgiving Day. If the first day of January, twelfth day of February, twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, the twelfth day of October, the eleventh day of November, or the twenty-fifth day of December falls on a Sunday, the Monday following is a holiday.
 7. "Loading zone" means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.
 8. Official Time Standard. Whenever certain hours are named in this title, they shall mean standard time or daylight saving time, as may be in current use in this City.
 9. "Parkway" means that portion of a street other than a roadway or a sidewalk.
 10. "Parking meter" means a mechanical device installed within or upon the curb or sidewalk area immediately adjacent to a parking space, for the purpose of controlling the period of time occupancy of such parking meter space by any vehicle.
 11. "Passenger loading zone" means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.
 12. "Pedestrian" means any person afoot.
 - 13.

"Police officer" means every officer of the Police Department of this City or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

- 14. "Stop," when required, means complete cessation of movement.
- 15. "Vehicle Code" means the vehicle code of the State of California.

(Prior code § 15-1)

(Ord. No. 1483, § 1, 4-21-2009)

10.28.230 - Parking time for commercial vehicles, recreational vehicles, trailers, and trailer-mounted boats on City streets and alleys.

- A. **Parking of Commercial Vehicles on City Streets.**Except as provided herein, no Commercial Vehicle, as that term is defined in Section 10.04.010 of this Code, shall remain parked on a City street or alley for over two (2) hours between the hours of 5:00 a.m. and midnight. The parking of Commercial Vehicles on any City street or alley is prohibited between the hours of midnight and 5:00 a.m. The foregoing restrictions shall not apply to either of the following: (i) any Commercial Vehicle then currently involved in the construction, reconstruction, maintenance, or repair of any street or alley upon which the Commercial Vehicle is parked or any development occurring on any adjacent property; or (ii) any Commercial Vehicle employed by any governmental entity or public utility which is used for urgent response purposes including, but not limited to, ambulances and utility repair vehicles.
- B. **Recreational Vehicles and Trailer Mounted Boats.**Except as provided herein, no Recreational Vehicle, as that term is defined in California Health and Safety Code Section 18010, and no trailer-mounted boat shall remain parked on a City street or alley for over five (5) hours; provided, that the five-hour time limit for Recreational Vehicles and trailer-mounted boats (collectively, "RVs") may be extended to a maximum of thirty-six (36) hours upon receipt of a City-issued RV parking extension. A maximum of six (6) round-trip RV parking extensions may be issued per residential address per calendar year. For the purposes of this subsection, a round-trip RV parking extension shall mean one (1) thirty-six-hour parking extension for the loading of the RV and one (1) thirty-six-hour parking extension for the unloading of the RV. An RV parking extension shall be issued free of charge and may be obtained from the Orange County Sheriff's Department dispatch at (949) 770-6011 by providing the following information: the date and time on-street parking for the purpose of loading the RV will commence; the date and time on-street parking for the purpose of unloading the RV will commence (if known; otherwise, this information can be provided upon return); the name and address of the person requesting the RV parking extension; the make, model, and license plate number of the RV; and the location where the RV will be parked. If the RV parking extension has been obtained, the RV may be parked on the City street or alley at the location and during the period of time authorized by the RV parking extension. At the expiration of the five-hour period or, if an RV parking extension has been obtained, at the expiration of the period authorized by the RV parking extension, the RV shall be moved so it is no longer parked on the City street or alley and the RV shall not be parked on City streets or alleys for the ensuing twenty-four (24) hours. No two (2) round-trip RV parking extensions shall be granted within a three-day period.
- C. **Trailers.**Except as provided in subsection "B" above, no vehicle with an attached Trailer, as that term is defined in California Vehicle Code Section 630, shall remain parked on a City street or alley for over five (5) hours. The parking of any Trailer which is not attached to a vehicle on any City street or alley is prohibited unless the Trailer is then currently involved in the construction, reconstruction, maintenance, or repair of any street or alley upon which the vehicle is parked or any development occurring on any adjacent property.

(Ord. 1202 § 1, 1998; Ord. 1175 § 1, 1996; prior code § 15-59)

(Ord. No. 1483, § 2, 4-21-2009)

Dana Point Municipal Code

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ATTACHMENT # 2
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Title 12 VEHICLES AND TRAFFIC

Chapter 12.08 PARKING RESTRICTIONS FOR CITY STREETS

12.08.050 Commercial, Wide Vehicle and Trailer Parking Restricted.

(a) Between the hours of 8:00 p.m. and 6:00 a.m., no person shall park any vehicle of a width in excess of eighty (80) inches (excluding mirrors) other than to make deliveries or repairs of an emergency nature on either the vehicle itself or to the adjacent properties, on any of the following described street locations:

(1) Any public street or cul-de-sac, which has a curb width of forty-four (44) feet or less.

(2) Any street on which a traffic lane line has been painted where the distance between the painted lane line or centerline and the nearest part of the vehicle or trailer is eleven (11) feet or less.

(b) No person shall park or leave standing any commercial vehicle between the hours of 2:00 a.m. and 6:00 a.m. on any street in the City except for the purpose of actively loading, unloading, or servicing adjacent property.

(c) No person shall park a commercial vehicle on a City street or alley for over two hours between the hours of 6:00 a.m. and 2:00 a.m. This Subsection shall not preclude a resident from parking one (1) commercial vehicle used for their business, directly in front of or adjacent to their property. However, this vehicle cannot violate Section 6.14.002(N) regulating oversize vehicles. Section 12.08.050(b) and (c) shall not apply to any of the following: (1) any commercial vehicle then currently involved in the construction, reconstruction, maintenance, or repair of any street or alley upon which the commercial vehicle is parked or any development occurring on any adjacent property; (2) any commercial vehicle employed by any governmental entity or public utility which is used for urgent response purposes including, but not limited to, ambulances and utility repair vehicles; or (3) any commercial vehicle parked on an arterial street directly adjacent to their commercial/retail zoned business property to which it is registered.

(d) No person shall park or leave standing any trailer, including but not limited to any camp trailer, trailer coach, or boat trailer, regardless of width on any street in the City except:

(1) An attached trailer, for the purpose of loading, unloading, servicing, or visiting the directly adjacent property, for a period not to exceed twenty-four (24) hours; or

(2) An attached trailer, parked directly in front of the property where the vehicle is registered, or for visiting that adjacent property, for a period not to exceed seventy-two (72) hours if City issued permit is obtained; or

(3) An unattached trailer, for any purpose, for a period not to exceed two (2) hours.

(e) No person shall park or leave standing any recreational vehicle (RV) or bus or any vehicle used for living purposes, regardless of width on any street in the City except:

(1) For the purpose of loading, unloading, visiting, or conducting business at the immediately adjacent property for a period not to exceed twenty-four (24) hours; or

(2) Directly in front of (adjacent to) the property where the vehicle is registered and when used for daily business activities, not to exceed seventy-two (72) hours; or

(3) When visiting the directly adjacent property not to exceed seventy-two (72) hours, if City issued permit is obtained.

(f) A maximum of six (6) RV (which term includes attached trailers capable of human habitation) seventy-two (72) hour parking permit extensions may be issued per residential address per calendar year. An RV parking permit extension shall be issued free of charge and may be obtained from the City of Dana Point. The following information must be provided: the date and time the on-street RV parking permit is needed; the name and address of the person requesting the RV parking extension; the make, model and license plate number of the RV; and the location where the RV will be parked. If the RV parking extension has been obtained, the RV may be parked on the City street at the location and during the period of time authorized by the RV parking extension. At the expiration of the initial twenty-four (24) hour period or at the end of any authorized parking permit extension, the RV shall be moved from any City street for the ensuing twenty-four (24) hour period. No two (2) consecutive RV parking extensions shall be granted within a six (6) day period.

(g) The following definitions shall govern this Section:

"Bus" shall have the meaning set forth in California Vehicle Code Section 235.

"Camp trailer" shall have the meaning set forth in California Vehicle Code Section 242.

"Commercial vehicle" means any vehicle meeting the definition of "commercial vehicle" in Section 260 of the California Vehicle Code, as that definition may be amended from time to time; provided, however, that for the purposes of this Chapter no "pick up truck," as that term is defined in California Vehicle Code Section 471, shall be considered a commercial vehicle unless: (1) goods, wares, or property of a commercial nature loaded thereon extend about the manufacturer's box; or (2) the standard bed of the vehicle has been replaced with a utility or stake bed over eighty (80) inches in width; or (3) the vehicle has been modified to include a rack extending over the length of the vehicle's bed which currently has goods or wares of a commercial nature stored thereon.

"House car" shall have the meaning set forth in California Vehicle Code Section 362.

"Recreational vehicle" (RV) shall have the meaning set forth in California Health and Safety Code Section 18010, and includes house cars and attached trailers.

"Trailer" shall have the meaning set forth in California Vehicle Code Section 630.

"Trailer coach" shall have the meaning set forth in California Vehicle Code Section 635.
(Amended by Ord. 97-10, 9/9/97; Ord. 11-01, 1/24/11)

Sec. 4-6.317. - Commercial vehicles: Restrictions.

- (a) It shall be unlawful for any person to stop, stand, or park any commercial vehicle, as defined in Section 260 of the Vehicle Code, for more than one hour on any street in the City.
- (b) It shall be unlawful for any person to stop, stand, or park any commercial vehicle, as defined in Section 260 of the Vehicle Code, and having a manufacturer's gross vehicle rating of 10,000 pounds or more, on any street, or portion thereof, in a residential area of the City.

(§ 3-10.01, Art. 3-10, Ch. 3, Ord. 295, as amended by § 1 C, Ord. 542, eff. July 4, 1985)

Sec. 4-6.318. - Commercial vehicles: Restrictions: Exceptions.

The provisions of subsections (a) and (b) of Section 4-6.317 of this article shall not apply to the following:

- (a) Pickup trucks, as defined by Section 471 of the California Vehicle Code, unless:
 - (1) Goods, wares, or property of a commercial nature are loaded thereon extending above the manufacturer's box (pickup bed); or
 - (2) Sideboards, stakes, above-cab racks, or other extensions used for the transportation of goods, wares, or property of a commercial nature are mounted or affixed to the manufacturer's box; this shall not include campers, camper shells, or mounted tool boxes; or
 - (3) The standard bed of the vehicle has been replaced with a utility or stake bed; or
 - (4) The vehicle has been modified to include a rack extending over the length of the manufacturer's box which currently has goods, wares, or property of a commercial nature stored; or
 - (5) Advertising, business logos, or other markings are affixed to the vehicle, not including the front driver and passenger's door, which are of a business or commercial nature.
- (b) Motor vehicles commonly referred to as "vans," meeting the definition of Section 260 of the California Vehicle Code and displaying a commercial license plate per Section 5000(b) of the California Vehicle Code unless:
 - (1) The vehicle has been modified to include a rack extending over the length of the vehicle's body which currently has goods, wares, or property of a commercial nature stored; or
 - (2) Advertising, business logos, or markings are affixed to the vehicle, not including the front driver and passenger's door, that are of a business or commercial nature.
- (c) Any commercial vehicle that is actively being loaded or unloaded, making pickups or deliveries of goods, wares, or merchandise from, or to, any building or structure or land may park for a period not to exceed two (2) hours in one day.
- (d) Any commercial vehicle parked on a public street, or highway; when used in an actual and bona fide repair, alteration, remodeling, or construction of any building or structure; or to perform repairs of an emergency nature on the motor vehicle itself, or when such vehicle is parked in connection with, or in aid of the performance of a service to or on a property in the block in which such vehicle is parked, may park for a

maximum of twelve (12) hours in one day, between the hours of 7:00 a.m. and 7:00 p.m.

- (e) Passenger buses under the jurisdiction of the Public Utilities Commission of the State.

*(§§ 3-10.02 and 3-10.03, Art. 3-10, Ch. 3, Ord. 295, as amended by § 1 D, Ord. 542, eff. July 4, 1985)
(Ord. No. 963, § 1, 12-1-2009)*

Sec. 7-4-606. - Oversized vehicle parking regulations.

ATTACHMENT # 4

- (a) Residence district, for purposes of this section, shall include those areas as defined in Vehicle Code § 515. All other terms used in this section, unless otherwise defined in the Municipal Code, shall have the same meaning as the term is defined to mean in the Vehicle Code.
- (b) No person shall park or leave standing upon any public street or highway in a residence district in the city any commercial vehicle, bus, motor truck, semitrailer, or tractor trailer of a width in excess of 80 inches as measured at the widest portion of the body of the vehicle not including mirrors or other extensions, or of a weight in excess of 10,000 pounds, or of a length in excess of 25 feet; or any item of farm machinery or special purpose machine. Prohibited vehicles may be parked on public residence district streets and highways:
- (1) While loading or unloading persons and/or property;
 - (2) When such vehicle is parked in connection with, or in aid of the performance of a service to or on a property in the block in which such vehicle is parked; or
 - (3) To perform repairs of an emergency nature on the vehicle itself.
- (c) No person shall park or leave standing upon any public street or highway in the city any commercial vehicle, bus, motor truck, semitrailer, or tractor trailer of a width in excess of 80 inches as measured at the widest portion of the body of the vehicle not including mirrors or other extensions, or of a weight in excess of 10,000 pounds, or of a length in excess of 25 feet between the hours of 2:00 a.m. and 6:00 a.m. Prohibited vehicles may be parked on public streets and highways:
- (1) While loading or unloading persons and/or property;
 - (2) When such vehicles are parked in connection with, or in aid of the performance of a service to or on a property in the block in which such vehicle is parked;
 - (3) To perform repairs of an emergency nature on the vehicle; or
 - (4) When such vehicles are parked in compliance with a preferential parking program adopted by resolution of the city council.
- (d) No person shall park or leave standing upon any public street any recreational vehicle, house car, trailer coach, trailer attached to a motor vehicle, or any other similar type of vehicle between the hours of 2:00 a.m. and 6:00 a.m. except as follows:
- (1) Upon a public street adjacent to property when the purpose of the vehicle being parked at that location is for the loading or unloading of persons and/or property, or when the vehicle is parked in connection with, or in aid of the performance of a service to or on the property, or the occupants of the vehicle are visiting the property. The duration of such parking shall not exceed three days or any portion thereof, out of any consecutive seven-day period.
 - (2) Such a vehicle or attached trailer may be parked upon a public street along any portion of the frontage of a property when the address of the property is stated on the registration for the vehicle or trailer. The duration of such parking shall not exceed three days, or any portion thereof, out of any consecutive seven-day period.

(Ord. No. 90-11, § 6, 3-6-90; Ord. No. 93-61, § 1, 4-6-93; Ord. No. 2012-170, § 2, 5-15-12; Ord. No. 2012-170, § 2, 5-15-12)

Sec. 12.08.060. - Oversized vehicle parking regulations.

ATTACHMENT #5

No person shall park and leave standing upon any public street or highway within the city limits of the City of Mission Viejo any motor vehicle of a length in excess of 25 feet or a weight in excess of 10,000 pounds; also prohibited from being parked on public streets and highways within the city limits of the City of Mission Viejo is any vehicle used or maintained for the transportation of persons for hire, compensation, or profit, and designed, and used, or maintained for the transportation of property, including buses, motor trucks, trailers, semitrailers, trailer coaches or truck tractors as defined in the Vehicle Code and similar vehicles of a width in excess of 90 inches as measured at the widest portion of the body not including mirrors or other extensions; or any item of farm machinery or special purpose machine. Prohibited vehicles may be parked on public streets and highways while loading or unloading persons and/or property; or when such vehicle is parked in connection with, or in aid of the performance of a service to or on a property in the block in which such vehicle is parked; or to perform repairs of an emergency nature on the motor vehicle itself, for a maximum of 72 consecutive hours. Loading and unloading as used in this section shall mean active loading or unloading, including the performance of those activities required to prepare the vehicle for either travel or storage, and shall also include a period of time not to exceed 12 hours during which the vehicle cannot reasonably be taken on the road or moved to a place of otherwise lawful storage.

(Ord. No. 88-12, § 5(6-4-606), 6-27-88; Ord. No. 95-150, § 1, 11-27-95; Ord. No. 95-154, § 1, 12-11-95)

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ATTACHMENT # 6

Title 10 TRAFFICChapter 10.13 COMMERCIAL, TRAILER AND RECREATIONAL VEHICLE PARKING RESTRICTIONS**10.13.010 Parking time.**

(a) Parking time for commercial vehicles, camp trailers, trailer coaches, house cars, trailer-mounted boats, recreational vehicles, and trailers (both attached and unattached) is limited to no more than five cumulative hours within a twenty-four consecutive hour period on all public streets, public alleys, public parking lots, and public parking structures. A vehicle listed in this section shall not be permitted to park up to five hours in one location and then move and park five hours in another location within a twenty-four consecutive hour period; the five cumulative-hour limit shall be inclusive of all parking in multiple locations listed in this section within a twenty-four consecutive hour period.

(b) Any vehicle parked in violation of this chapter may be removed and stored until such time as the vehicle is claimed by the registered owner or his/her designated representative. The cost of removing and storing the vehicle shall be borne by the registered owner.

(c) The city manager, or his/her designee, may at his/her sole discretion issue a temporary permit to allow a vehicle to park in excess of the maximum time limit imposed by this chapter. The permit shall state the additional days and time the vehicle may be parked. The city shall charge a reasonable fee for the issuance of such a permit, and no such permit shall be valid for a period longer than seventy-two consecutive hours. No more than two such permits shall be issued to any particular vehicle in a calendar year.

(d) The city manager may designate public parking lots or structures where vehicles listed in subsection (a) of this section may park in excess of the maximum time limit imposed by this chapter.

(e) Exceptions. The provisions of subsection (a) of this section shall not apply to the following vehicles:

(1) Any commercial vehicle parked for the purpose of making active pickups or deliveries of persons, goods, wares or merchandise from or to any building or structure, or for the purpose of actively delivering materials to be used in the bona fide repair, alteration, remodeling or construction of any building or structure for which a valid and current building permit has been issued;

(2) Any vehicle used by a municipality, public agency or public utility while necessarily used in the performance of their duties;

(3) Commercial pickup trucks or vans with a rated carrying capacity of one ton or less. (Ord. 1538 § 1, 2010; Ord. 1508 § 1, 2009; Ord. 1081 § 1 (part), 1985).

12.40.055 Parking of Certain Oversized Vehicles and Nonmotorized Vehicles in Residential Districts Prohibited.

- A. **Prohibition.** Subject to the exceptions set forth in subsection (G), no person shall, at any time, park or leave standing any large motor vehicle, heavy-duty commercial vehicle, or nonmotorized vehicle, as defined in this section, on any public street or alley within any residential district.
- B. **Large Motor Vehicle Defined.** For the purpose of this section, "large motor vehicle" shall mean any motor vehicle eighty-four (84) inches or more in width AND more than eighty-four (84) inches in height OR more than twenty-two (22) feet in length, with the exception of heavy-duty commercial vehicles and nonmotorized vehicles as defined below.
- C. **Heavy-Duty Commercial Vehicle Defined.** For the purpose of this section, "heavy-duty commercial vehicle" shall mean any commercial vehicle having more than two axles, or any single commercial vehicle or combination of said vehicles which exceed twenty (20) feet in length, any single commercial vehicle or combination of said vehicles eighty-four (84) inches or more in width, or any single commercial vehicle or combination of said vehicles having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more.
- D. **Nonmotorized Vehicle Defined.** For the purpose of this section, "nonmotorized vehicle" shall mean any trailer or any other device which is not self-propelled.
- E. **Residential District.** For the purpose of this section, the term "residential district" shall mean any area within the City which is zoned R-A, R-1, R-1.5, R-2, R-3, R-4, MFR, PRD (planned residential district), and those portions of planned community districts and specific plan districts which are specified for residential uses.
- F. **Measurements.** To determine the width or length of the vehicles defined in this section, any extension to the vehicle caused by mirrors, air conditioners, or similar attachments shall not be included.
- G. **Exceptions.** The prohibition set forth in subsection (A), shall not apply to the following:
1. Large motor vehicles, or nonmotorized vehicles which are attached to a motor vehicle, parked for less than twenty-four (24) consecutive hours if parked adjacent to the owner's residence for the purposes of loading, unloading, cleaning, battery-charging, or other activity preparatory or incidental to travel;

2. Large motor vehicles, or nonmotorized vehicles which are attached to a motor vehicle, parked adjacent to the owner's residence or at such other location approved by the Chief of Police, for no more than seventy-two (72) hours for the purposes of loading, unloading, cleaning, battery-charging, or other activity preparatory or incidental to travel, provided permission has been granted by the Chief of Police, or his or her designee;
3. Nonmotorized vehicles parked at the designated boat launching area at 18th Street and Bay Avenue;
4. To any motor vehicle or nonmotorized vehicle parked to make emergency repairs to such vehicle, repairs to adjacent property, or to make deliveries to adjacent property;
5. To any motor vehicle displaying authorized placards or license plates pursuant to the California Vehicle Code identifying the physically handicapped or disabled person.
6. Any motor vehicle or non-motorized vehicle, currently registered and licensed by the Department of Motor Vehicles, that is parked in the REQ (SP 7) district of Santa Ana Heights for the express purpose of loading/unloading or standing for a period not to exceed seventy-two (72) hours. This exemption is exclusively for vehicles involved with the transportation of horses and does not pertain to any commercial vehicle not involved with the movement and placement of horses. (Ord. 2005-2 § 1, 2005; Ord. 96-31, 1996; Ord. 95-68, 1996; Ord. 83-12 § 1, 1983; Ord. 82-7 § 1 (part), 1982; Ord. 1838 § 1, 1980; Ord. 1444 § 1, 1972)

SA-14

§ 8.15.085 Parking of Oversize Vehicles.

A. Definitions. For the purpose of this section, the following words and phrases shall mean:

1. Non-motorized vehicle: a trailer, camp trailer, semi-trailer or trailer coach as defined in the Vehicle Code.
2. Oversize vehicle: a vehicle or combination of vehicles that exceeds 20' in length or 90" in width exclusive of projecting lights or devices as allowed by Vehicle Code Sections 35109 and 35110. "Oversize vehicle" does not include a sedan or limousine manufactured expressly for carrying 10 or fewer passengers.

B. Prohibitions.

1. No person shall park or leave standing an oversize vehicle upon any street between 2:00 a.m. and 5:00 a.m.
2. No person shall park or leave standing upon any street a non-motorized vehicle that has been detached from its motor vehicle.

C. Exemptions.

1. Paragraph B does not apply to the following:
 - a. Commercial vehicles making pickups or deliveries of goods, wares or merchandise.
 - b. Vehicles displaying a valid permit issued by the chief of police.
2. Sub-paragraph 2 of paragraph B does not apply to vehicles being loaded or unloaded, or if emergency repairs are being made to the vehicle or to an adjacent property.

D. Permits. The chief of police may issue temporary permits for the overnight parking of an oversize vehicle or non-motorized vehicle upon making the following findings:

1. The proposed parking will not constitute a hazard.
2. The proposed parking is necessary due to special circumstances. For purposes of this provision, "special circumstances" includes without limitation:
 - a. The vehicle belongs to a house guest temporarily residing in the city. A permit issued based on this circumstance shall not be valid longer than 14 days.
 - b. The vehicle is newly purchased and a permanent parking place is being arranged. A permit issued based on this circumstance shall not be valid longer than 14 days.
 - c. The vehicle belongs to a new resident and a permanent parking place is being arranged. A permit issued based on this circumstance shall not be valid longer than 14 days.

d. The vehicle is used on a daily basis for work and on-premises parking is not reasonably possible. A permit issued based on this circumstance shall not be valid longer than 6 months.

e. The proposed parking is necessary for loading or unloading. A permit issued based on this circumstance shall not be valid longer than one day.

E. Appeals. Decisions involving the permit provided for in this section shall be subject to the administrative review procedure of chapter 1.20 of this code. The city manager shall be hearing officer for the purpose of such procedure.

§ 8.15.090 Truck Parking.

A. Prohibitions. No person shall park any commercial vehicle, truck, trailer or trucktrailer combination that exceeds a width of 80 inches on any street for a period longer than 2 hours.

B. Exemptions. Paragraph A does not apply to vehicles displaying a valid permit issued by the chief of police.

C. Permits. The chief of police may issue temporary permits for the parking on a street of a commercial vehicle, truck, trailer or truck-trailer combination that exceeds a width of 80 inches upon making the following findings:

1. The proposed parking will not adversely affect the subject neighborhood.

2. The proposed parking is necessary due to special circumstances. For purposes of this provision, "special circumstances" means either:

a. The vehicle is immobile due to accident or mechanical failure.

b. The vehicle is being loaded or unloaded and such work requires more than 2 hours to complete.

c. The vehicle is necessary for the performance of a service at an adjacent property and such work requires more than 2 hours to complete.

D. Appeals. Decisions involving the permit provided for in this section shall be subject to the administrative review procedure of chapter 1.20 of this code. The city manager shall be hearing officer for the purpose of such procedure.

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