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August 9, 1990

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Law and Legislation Committee
Sacramento, California

**SUBJECT: Ordinances Regulating Parking of Commercial Vehicles
Weighing 10,000 pounds or More on Private Property Zoned
Residential or Neighborhood Commercial and on Streets
Fronting Schools and Hospitals**

Honorable Members in Session:

SUMMARY

This report presents for Committee review two ordinances prepared by the City Attorney's Office at the request of Councilmembers Terry Kastanis and Lynn Robie relating to the parking of commercial vehicles weighing 10,000 pounds or more in residential areas. The first ordinance would expand the residential areas where on-street parking is prohibited to include street frontages contiguous to schools, colleges, universities and hospitals. The second ordinance would prohibit the parking of such vehicles upon private property zoned residential or neighborhood commercial.

BACKGROUND

Section 25.111 of the City Code presently prohibits the parking of commercial vehicles weighing 10,000 pounds or more in residential areas based on zoning classification. Schools, colleges, universities and hospitals are not always located on residentially zoned property. The first ordinance would prohibit parking of such vehicles on street frontages contiguous to schools, colleges, universities and hospitals, irrespective of their zoning classification.

Although City Code Section 25.150 requires that vehicles parked on residential properties be located on a paved surface, currently no provision limits the size of a commercial vehicle which may be parked on private residential or neighborhood commercial property.

**Re: Ordinances Regulating Parking of Commercial
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Private Property Zoned Residential or Neighborhood
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The second ordinance would limit such parking to commercial vehicles under 10,000 pounds.

The combined effect of these two ordinances would be to prohibit the parking of commercial vehicles weighing 10,000 pounds or more in residential areas altogether, whether on the public right-of-way or on private property. The ordinances have no effect on the parking of commercial vehicles under 10,000 pounds.

Notice that a public hearing on this item will be held at the Law and Legislation Committee's August 16, 1990, meeting has been published in a newspaper of general circulation, as required by Vehicle Code Section 22507.5.

FINANCIAL DATA

None

POLICY CONSIDERATIONS

None

MBE/WBE

None

RECOMMENDATION

It is recommended that the Law and Legislation Committee review the proposed ordinances and make its recommendation to the City Council.

Respectfully submitted,

JAMES P. JACKSON, City Attorney



DIANE B. BALTER

Deputy City Attorney

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Contact Person to
Answer Questions:

Diane B. Balter
Deputy City Attorney
449-5346

Law and Legislation
August 16, 1990
All Districts

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE ADDING SECTION 25.150-1 TO THE SACRAMENTO CITY CODE RELATING TO PARKING OF COMMERCIAL VEHICLES WEIGHING 10,000 POUNDS OR MORE ON RESIDENTIAL PROPERTY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 25.150-1 is hereby added to the Sacramento City Code to read as follows:

SECTION 25.150-1 Parking Commercial Vehicles on Private Residential Property

It shall be unlawful for any person to park or permit to be parked any commercial vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more upon any private property which falls within one of the following zoning classifications: RE, R-1, R-1A, R-1B, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-5, R-0 and C-1.

A citation may be issued to the registered owner of any vehicle found to be in violation of this section.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING SECTION 25.111 OF THE SACRAMENTO CITY CODE, RELATING TO PARKING COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICT

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

Section 25.111 of the Sacramento City Code is hereby amended to read as follows:

§ 25.111 Parking Commercial Vehicles in Residential District.

- (a) No person shall park any commercial vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more including any motor truck (excepting therefrom any truck commonly known as and referred to as a "pickup truck"), trailer, semi-trailer, trailer coach, truck tractor or commercial vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more on any street within a residential district.
- (b) This section shall not apply to the parking of a commercial vehicle in a residential district where such vehicle is making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted streets or highways or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon the restricted streets or highways for which a building permit has previously been obtained.
- (c) For the purpose of this section, "residential district" is defined to include all areas to which any one of the following zoning classifications is applicable: RE, R-1, R-1A, R-1B, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-5, R-0, C-1, all street frontages

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contiguous to schools, colleges, universities and hospitals, and all areas which satisfy the definition of "residence district" set forth in California Vehicle Code §515. (Ord. No. 3917 §1; Ord. No 86-030, §1; Ord. No. 86-090, §1; Ord. No. 88-049, §1)

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