

ORDINANCE NO. 2023, FOURTH SERIES

AN ORDINANCE ESTABLISHING AND FIXING PARKING RATES AND CHARGES FOR USE OF MUNICIPAL OFF-STREET FACILITIES: PROVIDING A LIEN ON VEHICLES STORED BEYOND THE TIME LIMITS ESTABLISHED FOR WHICH RATES HAVE NOT BEEN PAID, AND PROVIDING FOR REMOVAL OF VEHICLES FROM LOTS FOR FAILURE TO PAY THE ESTABLISHED RATES AND REPEALING ORDINANCE NO. 1956, FOURTH SERIES, PASSED MARCH 1, 1956.

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

SECTION 1: That the City of Sacramento, a municipal corporation, is the owner and operator, as a public municipal facility, of the hereinafter designated off-street parking facilities, pursuant to the provisions of Sections 273, 274, and 275 of the municipal charter of the City of Sacramento, and also all of the provisions and covenants as set forth in those certain Resolutions of Issuance of the City of Sacramento Off-Street Parking Revenue Bonds Resolution No. 361, adopted by the City Council June 28, 1951 and Resolution No. 183, adopted by the City Council July 12, 1956.

That said Municipal Off-Street Parking Facilities, as above referred to, are all of those certain real properties situated and being in the City of Sacramento, County of Sacramento, State of California, particularly described as:

PARCEL 1: That certain block or square lying within and between 6th and 7th Street, "L" Street and Capitol Avenue, commonly referred to as Block "A", in said Resolution No. 361.

PARCEL 2: That certain block or square lying within and between 10th and 11th, "H" and "I" Streets, excluding the north one-quarter ($\frac{1}{4}$) of Lot 8, commonly referred to as Block "B" in said Resolution No. 361.

PARCEL 3: That certain block or square lying within the north half of the Block "H" and "I", 14th and 15th Streets, in the City of Sacramento, and for the purpose of this ordinance, shall be designated as Block "C".

PARCEL 4: That certain block or square lying within the east half of the Block "I" and "J", 12th and 13th Streets, including Lots 3, 4, 5, 6, 7, and the easterly eight feet of Lot 8, in the City of Sacramento, and for the purpose of this ordinance shall be designated as Block "E", and any additional municipal parking lots which may hereafter be acquired.

SECTION 2: That pursuant to the provisions of subdivision (c) of Subsection 5 of Section 275 of the Sacramento City Charter, the Council does hereby fix, establish and determine that the rates and charges for parking of vehicles upon the City of Sacramento Municipal Off-Street Parking Facilities, Blocks "A", "B", and "E" above referred to, are and shall be as follows:

WEEK-DAY RATES
(Except Sunday)
8:00 A.M. to 6:00 P.M.

Each hour or fraction.....15¢

SUNDAY RATE
8:00 A.M. to 6:00 P.M.

Each hour or fraction.....15¢
Maximum Day rate.....45¢

NIGHT RATES
(Including Sunday)
6:00 P.M. to 8:00 A.M.

Each 4 hour period or fraction.....25¢
Maximum night rate.....75¢

The Sunday rate shall be in force on all Sundays and the following enumerated holidays:

- | | |
|-----------------------|-------------------------------|
| New Year's Day | January 1 |
| Washington's Birthday | February 22 |
| Memorial Day | May 30 |
| Independence Day | July 4 |
| Labor Day | First Monday
in September |
| Thanksgiving Day | Third Thursday
in November |
| Christmas Day | December 25 |

A monthly rate for Monday through Saturday including Lots "A", "B", and "E", \$10.00

That the Director of Parking may set aside certain spaces on each lot for monthly parking, provided that such monthly parking does not utilize spaces required to meet the daily demand for short-time parking.

SECTION 3. That pursuant to the provisions of subdivision (c) of Subsection 5 of Section 275 of the Sacramento City Charter, the Council does hereby fix, establish and determine that the rates and charges for parking of vehicles upon the City of Sacramento Municipal Off-Street Parking Facilities, Block "C" above referred to, are and shall be as follows:

DAILY RATE
(Including Sunday)
8:00 A.M. to 6:00 P.M.

Each 5 hour period or fraction.....25¢

EVENING RATE

6:00 P.M. to Midnight.....35¢

ALL NIGHT RATE

6:00 P.M. to 8:00 A.M.....75¢

A monthly rate for Monday through Saturday, inclusive, from 8:00 A.M. to 6:00 P.M., \$9.00.

That the Director of Parking may set aside certain spaces for monthly parking provided that such monthly parking does not utilize spaces required to meet the daily demand for short-time parking.

SECTION 4: That the Director of Parking may establish regulations

for the operation of the parking lots as a means of effecting the provisions of this ordinance and the Off-Street Parking Bond Resolutions, Numbers 361 and 183.

SECTION 5: No vehicle shall be parked upon said off-street parking facilities at any time without payment of the established fees as hereinabove set forth, and such fees shall be collected from all persons, firms or corporations desiring to park vehicles on said facilities, including the officers and employees of the City, State of California, or the United States of America, or by any public or private firm or corporation, or by any municipal, state or federal agency, or any public district. All fees, rates and charges as above set forth for the use of the facilities shall be collected from the operator or person in charge of the vehicle desiring to park, in cash, lawful money of the United States of America, for each use, not exceeding 24 hours or in advance thereof.

SECTION 6: That the Municipal Off-Street Parking attendant or attendants in charge of said lots are authorized and directed to check the parking spaces on said lot where metered parking is in operation. That any vehicle found to be parked without depositing coins of lawful money in the meter according to the rates hereinabove fixed, for the time desired, shall be given a notice to pay. Said notice shall direct payment at a place to be specified. If the owner or operator of said vehicle does not pay the amount specified in the notice to pay within 10 days after its issuance, a written notice demanding payment within 10 days thereafter shall be sent by Registered Mail to the last known address of the operator or owner of said vehicle, and failure to pay after this notice shall be presumed to be a wilful and fraudulent intention on the part of the owner or operator to avoid payment of the lawful charges herein fixed. It shall be unlawful for any person to willfully or fraudulently fail or neglect to pay the rate charges for use of the Municipal Off-Street Parking Facilities after having been given the notice to pay above referred to.

SECTION 7: That no vehicle or vehicles shall be parked or stored by the owner, operator, or person in charge thereof, upon said off-street parking facility for a time longer than that upon which parking rates have been paid and discharged, and should the owner, operator, or person in charge of said vehicle, allow the same to be parked or stored longer than a period of 24 hours after the parking time paid thereon or contracted for has expired, the same shall be subject to removal from the premises by the Director of said Municipal Off-Street Parking Facilities, and shall be subject to a possessory and safekeeping lien in favor of the City, which shall attach to any vehicle or vehicles so parked.

Any vehicle or vehicles so removed for storage and safekeeping shall be impounded subject to a possessory lien in favor of the City, pursuant to the provisions of Section 425 of the Vehicle Code, for the following storage and removal charges and fees:

1. Accumulated unpaid parking charges to the time of removal.
2. Actual towing and storage charges.
3. Removal fee of \$2.00.

No vehicle will be allowed by the Director, or any of his attendants or employees, to be removed from the premises by the owner, operator, or person in charge, until all charges and fees have been paid and discharged.

Failure on the part of the owner, operator, or person in charge of any vehicle so removed from any of the municipal off-street parking facilities to redeem his vehicle or vehicles within the time and in the manner provided by law, shall be cause for the director to proceed to sell said vehicle to satisfy the lien and all charges and fees unpaid thereon, in the manner in such cases so provided.

SECTION 8: That the Director of the Municipal Parking Lot shall post in a conspicuous place, at the entrance to said Municipal Off-Street Parking Facilities, a schedule of current rates chargeable for parking vehicles on said lots; said notice shall be painted on signs of sufficient size to be read from vehicles by the owner or operators thereof desiring to park on said lots. That said posted notice shall also refer to this ordinance by number and title. The Director shall cause to be made available on request from patrons of the Municipal Off-Street Parking Facilities printed copies of schedules of current parking rates.

SECTION 9: Any person willfully or fraudulently violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not exceeding \$100.00 or by imprisonment in the City Jail of the City of Sacramento not exceeding 30 days, or by both such fine and imprisonment.

SECTION 10: SEPARABILITY. If any section, sub-section, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 11: Ordinance No. 1956, Fourth Series, passed March 1, 1956 is hereby repealed.

SECTION 12: This ordinance shall be published once within 10 days after passage in the official newspapers of said City of Sacramento.

PASSED: August 22, 1957

EFFECTIVE: October 15, 1957

Clarence L. Azevedo
CLARENCE L. AZEVEDO
Mayor.

ATTEST:

Paul H. Manby
PAUL H. MANBY
City Clerk

ORDINANCE No. 2023

AUG 22 1957