

# Attachment B

## ORDINANCE NO. 5443

### AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, TO ADD SECTION 12.28.013 TO THE MONTEREY COUNTY CODE TO PROHIBIT OVERSIZED VEHICLE PARKING AT ALL TIMES WITH TOW AWAY AUTHORIZATION ON RAILROAD AVENUE AND ALLISON ROAD

#### County Counsel Summary

*This is an ordinance for the protection of the public peace, health, and safety of Monterey County residents and visitors to prohibit oversized vehicle parking at all times along Railroad Avenue and Allison Road. This ordinance is necessary due to individuals parking oversized vehicles on Railroad Avenue and Allison Road in an unsafe manner creating obstruction of the travel lanes, and a danger to pedestrians and vehicles. This ordinance adds Section 12.28.013 to the Monterey County Code to prohibit oversized vehicle parking at all times with tow away authorization along Railroad Avenue on both sides from the centerline of Salinas Road easterly to its end, and Allison Road on both sides between Railroad Avenue and San Juan Road.*

The Board of Supervisors of the County of Monterey ordains as follows:

#### SECTION 1. PURPOSE AND FINDINGS.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey (“County”) may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. California Vehicle Code section 22507 authorizes the County to enact regulations by ordinance to prohibit or restrict the stopping, parking, or standing of vehicles on certain streets and highways, or portions thereof, during all or certain hours of the day. The parking of oversized vehicles can create public safety concerns. Oversized vehicles can obstruct access to rights-of-way, reduce sight distance, and reduce visibility at intersections and crosswalks. These obstructions can create increased hazardous traffic conditions and risks of collision, and endanger motorists, bicyclists, pedestrians, and other members of the public.

C. California Vehicle Code section 22650(b) provides that removal of a vehicle as provided in Vehicle Code section 22651 is only reasonable if necessary to achieve a community caretaking need such as ensuring the safe flow of traffic or protecting property from theft or vandalism.

D. California Vehicle Code section 22651 provides that a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or a regularly employed and salaried employee who is engaged in directing traffic or enforcing parking laws and regulations of a county in which a vehicle is located may remove a vehicle located within the territorial limits in which the officer or employee may act, under enumerated circumstances.

Specifically, here, subsection (k) provides: “If a vehicle is parked or left standing upon a highway for 72 or more consecutive hours in violation of a local ordinance authorizing removal.”

E. In response to community concerns, on September 16, 2025, Supervisorial District 2 prepared Board Referral No. 2025.11 (“Referral”) seeking to identify solutions to respond to the public peace, health and safety emergency concerns at Railroad Avenue in the Pajaro Community within the unincorporated area of North Monterey County.

F. Said Referral was made due to increased levels of parking of oversized vehicles resulting in traffic congestion, parking issues, blocked residential access and blocked emergency vehicle access at Railroad Avenue. The purpose of said Referral was for the Board of Supervisors to consider adoption of an ordinance to prohibit oversized vehicle parking on the entirety of Railroad Avenue in the unincorporated area of the County of Monterey and to establish a tow-away zone, authorizing removal of vehicles that violate this no-parking restriction to address the issue of individuals living in oversized vehicles along Railroad Avenue without appropriate services. These individuals park a variety of oversized vehicles, including motor homes, campers and trailers, to sleep and live in. The uncontrolled use of Railroad Avenue for these purposes has resulted in serious disruptions for residents and businesses as well as health and safety issues, including crime, blocking of travel lanes and dumping of trash and refuse.

G. On November 4, 2025, Public Works, Facilities and Parks (“PWFP”) staff provided the Board of Supervisors a preliminary analysis report in response to said Referral. The Board added Allison Road to the prohibition due to similar health and safety issues as described above for Railroad Avenue, coupled with food safety concerns for Allison Road due to its proximity to agricultural fields. In addition, the Board directed the exploration of a Safe Parking Program for North Monterey County.

H. Given all of the above, it is necessary and appropriate for the protection of the public peace, health, and safety of Monterey County residents and visitors to prohibit parking of oversized vehicles along Railroad Avenue at all times with tow away authorization on both sides from the centerline of Salinas Road easterly to its end, and along Allison Road on both sides between Railroad Avenue and San Juan Road.

I. The adoption of the ordinance is categorically exempt under the California Environmental Quality Act (“CEQA”) pursuant to sections 15301(c) and 15308 of the CEQA Guidelines because the action will involve negligible changes to the existing County regulations that govern the existing County highways and streets, and the action is for the protection of the environment.

**SECTION 2.** Section 12.28.013 of the Monterey County Code is hereby added to read as follows:

**12.28.013 – Prohibited at all times with tow-away authorization (oversized vehicles).**

For the purposes of this Section, “Oversized Vehicle” shall mean a motor vehicle under California Vehicle Code section 670, as may be amended from time to time, which also meets

one or more of the following criteria: exceeds seven (7) feet in height; or exceeds seven and a half (7 1/2') feet in width; or exceeds twenty-two (22') feet in length; or having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more. Removal of vehicles in violation of this prohibition shall be processed consistent with California Vehicle Code section 22651, *et seq.* as may be amended from time to time.

No person shall stop, park, or leave standing any Oversized Vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places at any time, and the Director of Transportation of the County of Monterey is directed to place and maintain appropriate signs or curb markings giving notice of this regulation and post signs providing for the removal of vehicles in violation of this prohibition at such places:

**Allison Road**, on both sides between Railroad Avenue and San Juan Road.

**Railroad Avenue**, on both sides from the centerline of Salinas Road easterly to its end, no person shall stop, park, or leave standing, any oversized vehicle, whether attended or unattended, except as provided in Section 12.28.010 of the Monterey County Code, as may be amended from time to time, when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device.

### **SECTION 3. OTHER ACTIONS.**

County staff are authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this ordinance including the posting of appropriate signage in and around the described locations.

### **SECTION 4. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

### **SECTION 5. EFFECTIVE DATE AND TERM.**

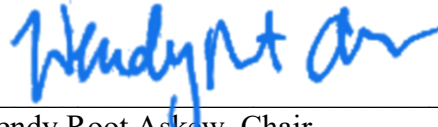
This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED this 10 day of March 2026, by the following vote:

AYES: Supervisors Alejo, Church, Lopez and Daniels

NOES: Supervisor Root Askew

ABSENT: None



Wendy Root Askew, Chair  
Monterey County Board of Supervisors

AT T E S T:

VALERIE RALPH  
Clerk of the Board

By:   
Deputy Margarita Hernandez

APPROVED AS TO FORM:



KELLY L. DONLON  
Chief Assistant County Counsel