

**ORDINANCE NO. \_\_\_\_\_**

**AN URGENCY ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, PROVIDING FOR NO PARKING ZONES ALONG POTRERO ROAD IN THE UNINCORPORATED AREA**

**County Counsel Summary**

*This ordinance is an urgency ordinance for the immediate preservation of the public peace, health and safety of the County of Monterey due to persons parking vehicles in an unsafe manner along certain portions of Potrero Road in the unincorporated area in the Moss Landing community, creating a danger to pedestrians and the community. This ordinance would create "no overnight parking" along portions of Potrero Road.*

WHEREAS, 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;

WHEREAS, California Vehicle Code section 22507 authorizes the County of Monterey to enact regulations by ordinance to prohibit or restrict parking of vehicles on certain streets and highways;

WHEREAS, residents of the area have reported that vehicles park and create public health and safety concerns regarding fire safety and dumping of waste along Potrero Road in the Moss Landing community;

WHEREAS, the County has received multiple requests from residents advocating the establishment of a No Overnight Parking along Potrero Road;

WHEREAS, the County Board of Supervisors prepared and assigned Board Referral No. 2021.22 in response to the community concerns; and

WHEREAS, it is necessary and appropriate for the immediate protection of the public peace, health, safety and welfare of the County to create "no overnight parking" zones along Potrero Road in the area described above.

NOW, THEREFORE, the Board of Supervisors of the County of Monterey ordains as follows:

**SECTION 1. PURPOSE AND FINDINGS.**

Pursuant to Article XI, section 7 of the California Constitution the County of Monterey 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.

SECTION 2. ESTABLISHMENT OF NO OVERNIGHT PARKING.

The following street locations are subject to the no parking restrictions and provisions of Section 12.28.021 of the Monterey County Code, as depicted on Exhibit A to the ordinance:

**Potrero Road**, on the south side, from State Route 1, westerly to its terminus at the Salinas River State Beach parking lot;

**Potrero Road**, on the north side, from the centerline of Laguna Place, westerly to its terminus at the Salinas River State Beach parking lot.

SECTION 3. INOPERATIVE PROVISIONS OF THE MONTEREY COUNTY CODE.

For so long as this urgency ordinance is operative, the provisions of Section 12.28.010 of the Monterey County Code shall be inoperative as they pertain to the following street locations:

**Potrero Road**, Bridge C167 along the south side of the road, easterly to Highway 1; 0.3 mile.

SECTION 4. 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 above described locations.

SECTION 5. 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 6. EFFECTIVE DATE AND TERM.

This ordinance shall take effect immediately as an urgency ordinance based on the finding of the Board of Supervisors that this ordinance is adopted in compliance with Government Code section 25123, that it is necessary for the immediate protection of the public peace, health, and safety, and shall remain in effect until it is terminated or superseded.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:


ABSENT:

\_\_\_\_\_  
Mary Adams, Chair,  
Monterey County Board of Supervisors

A T T E S T :

VALERIE RALPH  
Clerk of the Board

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
  
KELLY L. DONLON  
Chief Deputy County Counsel