



Legislation Details (With Board Report)

File #: ORD 17-012 **Name:** Introduce Ordinance Lapis Rd
Type: Ordinance **Status:** Consent Agenda
File created: 10/4/2017 **In control:** Board of Supervisors
On agenda: 10/17/2017 **Final action:** 10/17/2017

Title: Introduce, waive reading, and set October 24, 2017 at 10:30 a.m. to consider adoption of an ordinance adding Section 12.28.011 of the Monterey County Code to authorize the County to prohibit parking at any time on certain County streets and highways and to tow away vehicles that violate the prohibition. This ordinance also applies this restriction specifically to the entirety of Lapis Road near the community of Marina in the unincorporated area of the County of Monterey, effective December 1, 2017.

Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment 1 - Ordinance, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
10/17/2017	1	Board of Supervisors	approved	Pass

Introduce, waive reading, and set October 24, 2017 at 10:30 a.m. to consider adoption of an ordinance adding Section 12.28.011 of the Monterey County Code to authorize the County to prohibit parking at any time on certain County streets and highways and to tow away vehicles that violate the prohibition. This ordinance also applies this restriction specifically to the entirety of Lapis Road near the community of Marina in the unincorporated area of the County of Monterey, effective December 1, 2017.

RECOMMENDATION:

It is recommended that the Board of Supervisors introduce, waive reading, and set October 24, 2017 at 10:30 a.m. to consider adoption of an ordinance adding Section 12.28.011 of the Monterey County Code to authorize the County to prohibit parking at any time on certain County streets and highways and to tow away vehicles that violate the prohibition. This ordinance also applies this restriction specifically to the entirety of Lapis Road near the community of Marina in the unincorporated area of the County of Monterey, effective December 1, 2017.

SUMMARY:

On September 19, 2017, the Board adopted an urgency ordinance to prohibit parking of vehicles between 10:00 a.m. and 6:00 p.m. on Lapis Road. The urgency ordinance expires on November 30, 2017. This new ordinance would become operative on December 1, 2017 and would extend the parking prohibition from a temporary daytime restriction to a permanent restriction prohibiting parking at any time along Lapis Road. The ordinance also would authorize the County to tow vehicles that violate the restriction, provided the County posts signs providing for the removal of vehicles.

DISCUSSION:

Lapis Road has become a location where homeless individuals were living in vehicles for extended periods of time. On August 29, 2017, the Board of Supervisors adopted a resolution granting permission, for purposes of enforcement pertaining to certain sections of the Penal Code, for parking of certain types of vehicles along the shoulder of and within the right-of-way for Lapis Road between the hours of 6:00 p.m. and 10:00 a.m., until the

earlier of 10:00 a.m. on November 30, 2017 or the operational date of a Safe Parking Program by Monterey County.

On September 19, 2017, the Board adopted an urgency ordinance to prohibit parking on Lapis Road from 10:00 a.m. to 6:00 p.m. through November 30, 2017 in order to implement the Board's temporary grant of permission for nighttime only parking of vehicles along Lapis Road.

This proposed ordinance would extend the no-parking prohibition along Lapis Road to all day, every day. If adopted, the ordinance would go into effect on the thirty-first day after adoption, and by its terms, the restriction would become operative on December 1, 2017.

This ordinance also more broadly establishes a section of Chapter 12.28 of Title 12 of the County Code to authorize the County Director of Transportation to post signs indicating vehicles that violate the no-parking prohibition will be subject to towing and specifically applies this provision to Lapis Road. Accordingly, if this ordinance is adopted by October 24, 2017, vehicles will not be allowed to park along Lapis Road beginning December 1, 2017, and vehicles that violate this prohibition would be subject to removal.

OTHER AGENCY INVOLVEMENT:

This ordinance was developed in coordination with the Office of County Counsel. County Counsel has approved this ordinance as to form.

FINANCING:

Sufficient funds are available in the Road Fund 002, Unit 8195 to finance the approximately \$5,000 cost to install signs indicating the parking restrictions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

By minimizing public nuisance, this item supports the Board's efforts to enhance public safety.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Donald D. Searle, RMA Deputy Director for Public Works & Facilities

Approved by: Carl P. Holm, AICP, RMA Director

The following attachment is on file with the Clerk of the Board:
Attachment 1 - Ordinance