

ORDINANCE NO. NS-1004.139

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CLARA
AMENDING DIVISION B12, CHAPTER III, ARTICLE 3
OF THE COUNTY OF SANTA CLARA ORDINANCE CODE RELATED TO
PARKING REGULATIONS ON COUNTY PROPERTY**

Summary

This ordinance amends the parking regulations in Division B12, Chapter III, Article 3 of the Santa Clara County Ordinance Code to delegate authority to impose certain parking regulations to the County Executive.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA
ORDAINS AS FOLLOWS:**

SECTION 1: Article 3, Chapter III, of Division B12 in Title B of the Ordinance Code of the County of Santa Clara is amended as follows:

ARTICLE 3. PARKING REGULATIONS ON COUNTY PROPERTY

Sec. B12-156. Regulations imposed; notice.

- (a) Parking regulations are hereby imposed upon the drives and parking areas of property owned, leased and managed by the County. Notice of the regulations is provided by the erection, placement or painting of signs on the property or by marking the property.
- (b) No vehicle shall be stopped, left standing or parked on County property except in conformance with these regulations and with the California Vehicle Code.
- (c) More than one regulation may be applicable to a parking area where a sign or marking provides notice of the regulations.
- (d) Parking regulations are applicable to parking areas at all times unless the days and hours when the regulations apply are specifically indicated.
- (e) Parking regulations which permit a vehicle to be parked or left standing do not restrict the period of time that the vehicle may be parked or left standing unless a period of time is specifically indicated.
- (f) For the purpose of this article, a regulation or restriction shall be "indicated" by a sign or marking.
- (g) For the purpose of this article, a parking "area" includes a parking space.

63535

Sec. B12-157. Parking regulations.

Parking regulations and the signs and markings which provide notice of the regulations are set forth below.

(a) *Designated parking:*

Sign or marking: The sign or marking shall designate the characteristic of the vehicle or conditions under which a vehicle may or may not be parked or left standing. Designated parking areas include but are not limited to loading zones, County permits, disabled parking, visitor/public parking, carpool parking, no parking, or time limit parking.

Regulations: No person shall park or leave standing in said area any vehicle, whether attended or unattended, that does not have the designated characteristic or meet the condition indicated, with the following exception: a vehicle bearing a state "Disabled Person" license plate or placard may park in visitor/public parking areas and without time restriction in time limit parking areas.

(b) *Reserved parking:*

Sign or marking: The sign or marking shall have the designation "Reserved Parking" and shall indicate by number, position of official, the department of the County, specific vehicle or classification of users to which said parking area is assigned.

Regulations: No person shall park or leave standing in a reserved parking area any vehicle, whether attended or unattended, other than a specifically eligible vehicle.

(c) *Disabled person parking:*

Sign or marking: The sign shall conform to the California Building code requirements at the time of installation of the sign and stall markings shall include a typical parking stall accessibility pavement symbol to designate the stall.

Regulations: No person shall park or leave standing in a disabled person parking area or space any vehicle, whether attended or unattended, other than a vehicle displaying a state "Disabled Person" license plate or placard.

No person shall park or leave standing a vehicle so as to significantly obstruct or block either the wheelchair ramp or the path to and from said area.

Sec. B12-157.1. Parking regulations at the Civic Center Parking Garage.

(a) Signs shall be posted at the entrances and exits of the Civic Center Parking Garage listing the schedule of fees, rates and charges established for the use of this facility by the Board of Supervisors.

(b) Unless otherwise specifically indicated, no person shall park or leave standing in the Civic Center parking garage any vehicle, whether attended or unattended, without paying the required fees, rates and charges.

Sec. B12-157.2. Electric vehicle (EV) charging stations.

No person shall park a non-electric vehicle at a charging station. Non-EVs parked at stations will receive citations and may be towed.

EV Charging Stations are intended for EVs that need to be charged. EVs not utilizing the service or parking for longer than is designated by signage are subject to citation.

Sec. B12-158. Parking permits.

(a) *County permits:* Regular, temporary and special County parking permits are issued to persons designated by the County Executive or designees in accordance with the Parking Administrative Guidelines.

(b) *Location of permit on vehicle:* In order for a permit to authorize the parking of a vehicle, the permit shall be placed or affixed to the vehicle according to the following:

- (1) All permits must be clearly visible and legible and placed in accordance with instructions at issuance and as referenced in the Administrative Guidelines.
- (2) It is the responsibility of the permit holder to ensure the permit is visible.

A permit shall be invalid if it is improperly placed or affixed on the vehicle, is defaced, is illegible, has been inappropriately removed and reappplied to another vehicle, has expired, is altered/counterfeit, or is improperly completed.

Sec. B12-159. Proper positioning of vehicles.

All vehicles parked or left standing on any County property shall be positioned so as to be entirely within a parking space. Backing into parking spaces is prohibited in County lots. Driving through a parking space in order to position the vehicle so that the nose of the vehicle is pointing towards the traffic aisle is prohibited. Owners of vehicles which are improperly parked or left standing may receive citations. Vehicles over 20 feet in length shall not be parked on County property without prior written approval of the County Executive or designee.

Sec. B12-160. Speed limit.

No person shall drive or operate any vehicle on or across any of the drives or parking areas on County-owned, leased or managed property at a speed in excess of 15 miles per hour, unless otherwise indicated.

Sec. B12-161. Obstruction of drive areas.

No person shall stop or leave standing any vehicle, attended or unattended, in any drive area

adjoining or leading to any County building so as to obstruct traffic.

Sec. B12-162. Non-responsibility of County for loss or damage to vehicles.

The County shall not be responsible for loss or damage to any vehicle which is parked or left standing on County property or to any personal property situated therein, by reason of fire, theft or any other cause. Persons who park or leave vehicles standing on County property do so at their own risk.

Sec. B12-163. Notice of regulations and administrative guidelines.

Vehicles shall not be parked or left standing on property owned, leased or managed by the County except in parking areas designated by signs or markings. Notice of the regulations and administrative guidelines that are applicable to parking areas shall be given by appropriate signs, which shall be erected at the entrance to such parking areas.

The County Executive or designee has the responsibility to maintain the County of Santa Clara Parking Administrative Guidelines (Admin Guidelines) regarding signage, time of day and designated parking areas (both vehicular and bicycle) in order to meet the objectives of efficient use of limited parking areas, ease of public and employee access to County facilities, and support of the County's environmental goals, including the support of alternative commuting and the reduction of greenhouse gas emissions.

Copies of parking regulations and the Admin Guidelines shall be available for examination by all interested persons at the offices of the Clerk of the Board of Supervisors, the Office of the County Executive, the Facilities and Fleet Department, the Department of Revenue, the Employee Services Agency, the Office of the Sheriff, and shall be posted on the official County website.

Sec. B12-164. Penalty.

The failure or refusal of any person to comply with any of the regulations set forth in this article shall constitute a violation of California Vehicle Code § 21113 and shall be punishable as provided in Vehicle Code § 42001. A late fee will be imposed for delinquent penalty payment, and further non-compliance may result in a lien hold placed against the vehicle registration by the Department of Motor Vehicles. In addition to the above-mentioned penalties, all vehicles improperly parked in any drive or parking area **may** be towed away, removed or disabled at the owner's expense, as provided in California Vehicle Code §§ 22519, 22651 and 21652.

Sec. B12-165. Paid parking areas.

The County Executive may, from time to time, convert permitted parking areas into pay for parking areas. The County Executive may also, from time to time, convert parking areas for pay into designated, reserved and/or permitted areas.

Sec. B12-166. Citations

The citation shall securely attach to the vehicle and shall set forth the violation, including: reference to the section violated; the date; the approximate time thereof; the location of where the violation occurred; a statement printed on the notice indicating the date of payment required and

the procedure for the registered owner, lessee, or rentee to deposit the parking penalty or appeal the parking citation.

Sec. B12-167. Citation nullification

Once the issuing officer has prepared the notice of parking violation and has attached it to the vehicle as provided in section B12-166, the officer shall file the notice with the processing agency. Any person, including the issuing officer and any member of the officer's department or agency who alters, conceals, modifies, nullifies, or destroys or causes to be altered, concealed, modified, nullified or destroyed for any reason before it is filed with the processing agency, is guilty of a misdemeanor, as provided in California Vehicle Code 40202.

Secs. B12-168 – B12-170. Reserved.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, this 11 day of September, 2012, by the following vote:

AYES: ~~CORTESE, KRISS~~, SHIRAKAWA, WASSERMAN, VEAGER

NOES: None

ABSENT: KRISS



GEORGE SHIRAKAWA,
President, Board of Supervisors

ATTEST:



LYNN REGADAN
Interim Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



TAMARA K. LOPEZ
Deputy County Counsel