

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

WHEREAS, California Vehicle Code section 22507 broadly empowers cities to regulate parking within their jurisdictions; and

WHEREAS, the City of Colton finds it necessary and reasonable to incorporate certain parking restrictions for oversized vehicles on City streets to protect the public health, safety and welfare.

SECTION 1. Incorporation of Recitals. The City Council hereby finds that all of the foregoing recitals presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council.

“Section 10.04.105 of the Colton Municipal Code is hereby amended to read as follows:

Section 10.9. "Stopping, standing or parking restricted or prohibited in certain zones" is added to Article X as follows:

(a) Parking a trailer, or truck tractor with a trailer or semitrailer attached, or a truck with a load capacity of over one ton on a public street or the parking or standing, on any street, or portion thereof, of commercial vehicles having a manufacturer's gross vehicle weight rating of 10,000 pounds or more, including buses and recreational vehicles used for commercial purposes as defined in Section 260 of the California

1 Vehicle Code or non-commercial recreational vehicles, in any nonresidential zone is
2 prohibited.

3 (b) Parking a trailer, or truck tractor with a trailer or semitrailer attached, or a
4 truck with a load capacity of over one ton on a public street or the parking or standing,
5 on any street, or portion thereof, of commercial vehicles having a manufacturer's gross
6 vehicle weight rating of 10,000 pounds or more, including buses and recreational
7 vehicles used for commercial purposes as defined in Section 260 of the California
Vehicle Code or non-commercial recreational vehicles, in a residential zone is
prohibited.

8 (c) Notwithstanding subsection (b), the following shall be permitted in
9 residential zones:

10 1. Any vehicle making pickups or deliveries of goods, wares or merchandise
11 from or to any building or structure located on a restricted street, or for the purpose of
12 delivering materials to be used in the actual bona fide repair, alteration, remodeling or
13 construction of any building or structure upon restricted streets for which a building
14 permit has been previously obtained.

15 2. Any vehicle owned by a public utility while necessarily in use in the
16 construction, installation or repair of any public utility.

17 3. Any vehicle owned by the City, County or State or a licensed contractor on
18 their behalf, engaged in the installation, maintenance or repair of any public property,
19 utility or highway.

20 4. Any authorized emergency vehicle as defined by the California Vehicle
21 Code.

22 (d) For purposes of this section, a commercial vehicle is defined as in Section
23 260 of the California Vehicle Code as a "motor vehicle of a type required to be
24 registered under the vehicle code used or maintained for the transportation of persons
25 for hire, compensation, or profit or designed, used, or maintained primarily for the
26 transportation of property." Section 260 further provides "passenger vehicles and
27 house cars that are not used for the transportation of persons for hire, compensation,
28 or profit are not a commercial vehicle." Moreover, Section 260 provides "any vanpool
vehicle is not a commercial vehicle."

(e) For purposes of this section, non-commercial recreational vehicles shall be
defined as a motorhome, travel trailer, truck camper, camping trailer, or other vehicle
or trailer, with or without motive power, designed or altered for human habitation for
recreational, emergency, or other human occupancy. "Recreational vehicle"
specifically includes, but is not limited to: a "recreational vehicle" as defined by

1 California Health and Safety Code Section 18010; a "truck camper" as defined by
2 Health and Safety Code Section 18013.4; a "camp trailer" as defined in California
3 Vehicle Code Section 242; a "camper" as defined in California Vehicle Code Section
4 243; a "fifth-wheel travel trailer" as defined in California Vehicle Code Section 324; a
"house car" as defined by California Vehicle Code Section 362; a "trailer coach" as
defined in California Vehicle Code Section 635; a van camper; or a van conversion."

5 **SECTION 3. Compliance with California Environmental Quality Act.** Based
6 on the entire record before the City Council, and all written and oral evidence
7 presented to the City Council, the City Council hereby finds that this ordinance is
8 exempt from review under the California Environmental Quality Act ("CEQA"),
9 pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably
10 foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is
11 not a project as defined in Section 15378) of the CEQA Guidelines, California Code of
Regulations, Title 14, Article 3, because it has no potential for resulting in physical
change to the environment, directly or indirectly.

12 **SECTION 4. Severability.** If any section, subsection, subdivision, sentence,
13 clause, phrase, or portion of this Ordinance for any reason is held to be invalid or
14 unconstitutional by the decision of any court of competent jurisdiction, such decision
15 shall not affect the validity of the remaining portions of this Ordinance. The City
16 Council hereby declares that it would have adopted this Ordinance, and each section,
17 subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the
18 fact that any one or more sections, subsections, subdivisions, sentences, clauses,
phrases, or portions thereof be declared invalid or unconstitutional.

19 **SECTION 5. Effective Date.** This Ordinance shall become effective thirty (30)
20 days after its adoption.

21 **SECTION 6. Publication.** The City Clerk shall certify the passage of this
22 Ordinance and shall cause the same to be entered in the book of original ordinances of
23 said City; shall make a minute passage and adoption thereof in the records of the
24 meeting at which time the same is passed and adopted; and shall, within fifteen (15)
25 days after the passage and adoption thereof, cause the same to be published as
26 required by law, in a local newspaper of general circulation and which is hereby
designated for that purpose.

27 //

28 //

1 PASSED, APPROVED AND ADOPTED this 5th day of February, 2019.

2
3
4
5 
6 Frank Navarro, Mayor
7

8
9 ATTEST:

10 
11 Carolina R. Padilla, City Clerk
12

13 APPROVED AS TO FORM:

14
15 
16 Best Best & Krieger LLP
17 City Attorney
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF COLTON)

CERTIFICATION

I, **CAROLINA R. PADILLA**, City Clerk for the City of Colton, California, do hereby certify that the foregoing is a full, true and correct copy of **ORDINANCE NO. O-01-19**, duly adopted by the City Council of said City, and approved by the Mayor of said City, at its Regular Meeting of said City Council held on the **5th day of February 2019**, and that it was adopted by the following vote, to wit:

AYES:	COUNCILMEMBER	Cisneros, Koperski, González, Woods, Suchil, Mayor Navarro
NOES:	COUNCILMEMBER	None
ABSTAIN:	COUNCILMEMBER	None
ABSENT:	COUNCILMEMBER	Toro

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Colton, California, this ____ day of _____, ____.

CAROLINA R. PADILLA
City Clerk
City of Colton

(SEAL)