

ORDINANCE NO. 941

AN ORDINANCE OF THE CITY COUNCIL OF ROSEMEAD AMENDING CHAPTER 10 OF THE ROSEMEAD MUNICIPAL CODE RELATING TO REGULATIONS FOR THE OPERATION AND PARKING OF PRIVATE BUSES

WHEREAS, buses, as defined by California Vehicle Code Section 233, carrying passengers for consideration or compensation and subject to license for such use by the Public Utilities Code have been observed stopping or parking in the City of Rosemead (City) on public streets to load, unload or wait for passengers; and

WHEREAS, operators of private buses have from time to time been observed parking in a manner that obstructs access to and from businesses, occupying multiple on-street parking spaces or public transit bus zones, impairing sight distance for other motorists and pedestrians, and idling engines for significant periods of time; and

WHEREAS, the operation of private buses in this manner creates unnecessary traffic congestion, impairs traffic safety, creates noise and air pollution, and otherwise negatively impacts the welfare of nearby businesses and residences; and

WHEREAS, the City now desires to regulate the parking of private buses in order to promote the health, safety, and welfare of its residents and visitors to the City; and

WHEREAS, the City's Traffic Commission completed two (2) public review meetings on December 5, 2013 and April 3, 2014 to discuss the operation of private buses and recommendations to help improve traffic safety relative to private bus operations; and

WHEREAS, California Vehicle Code Section 21112 authorizes cities to regulate the location of stands on streets for use by public vehicles for hire; and

WHEREAS, California Vehicle Code Section 22507(a) authorizes cities to restrict the stopping or standing of vehicles on certain streets, or portions of streets; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSEMEAD DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Rosemead hereby adds new Chapter 10.24 to the City of Rosemead Municipal Code to read as follows:

Chapter 10.24 – REGULATIONS FOR THE OPERATION AND PARKING OF PRIVATE BUSES

10.24.010 Definitions

10.24.020 Parking in Off-Street Private Parking Facilities

10.24.030 Parking and Operating Vehicles on Private Property

12.24.040 Permission to Load and Unload

12.24.050 Public Transit Bus Zones

12.24.060 Operation of Private Buses on Public Streets

12.24.070 License

12.24.080 Signage

10.24.010 Definitions

As used in this chapter:

“Curb” means the lateral boundary of the roadway, whether such curb shall be constructed with curbing or be edge of pavement if not constructed with curbing.

“Loading Zone” means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

“Park” means to stand or leave standing any vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading of passengers or materials.

“Passenger Loading Zone” means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

“Pedestrian” means any person afoot.

“Private Bus” means any bus, as defined by in the California Vehicle Code, used or maintained by or for a charter party carrier of passengers for compensation or profit, a passenger stage corporation, or any highway carrier of passengers required to register with the California Public Utilities Commission.

“Public Transit Bus” means any bus owned or operated by a publicly owned or operated transit system, or operated under contract with a publicly with a publicly owned or operated transit system, and used to provide to the general public, regularly scheduled transportation for which a fare is charged.

“Stop or Stand” means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

“Vehicle Code” means the California Vehicle Code.

10.24.020 Parking in Off-Street Private Parking Facilities

When an appropriate sign is in place on any off-street private parking facility giving notice that such property is private property and limited to use as vehicle parking for customers, patients, clients, or other patrons of such named owner, it shall be unlawful for any person other than a customer, patient, client or patron of such owner to park a vehicle in the off-street private parking facility.

10.24.030 Parking and Operating Vehicles on Private Property

- A. No person shall operate or drive or leave any vehicle in, over or upon any private property without the express or implied permission of the owner thereof, or the person entitled to the possession thereof, for the time being, or the authorized agent of either, except that the provisions of this section shall not apply to private parking lots.
- B. Operators of private buses using private property to park, load or unload passengers shall first obtain a City business license in accordance with Chapter 5.04 of this code, and provide documentation to the City that the owner and tenants thereof approve of such use of the property.

10.24.040 Permission to Load or Unload

- A. Permission granted by the provisions of this chapter to stop or stand a vehicle for purposes of loading or unloading materials shall apply only to commercial vehicles, except private buses, and shall not extend beyond the time necessary therefore, and in no event for more than twenty minutes.
- B. The loading or unloading of materials shall apply only to commercial deliveries and to the delivery or pickup of express and parcel post packages and United States mail.
- C. Permission granted by the provisions of the chapter to stop or park for purposes of loading or unloading of personal baggage but shall not extend beyond the time necessary therefor, and in no event for more than three minutes.
- D. Within the total time limits specified by the provisions of this section, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges granted by the provisions of this section.
- E. Private buses are expressly prohibited from stopping, standing, parking, loading, or unloading passengers on all public streets or rights-of-way except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device or as otherwise excepted in this code.

10.24.050 Public Transit Bus Zones

- A. The Public Works Director is hereby authorized to establish bus zones adjacent to curb space for the loading and unloading of public transit buses and to determine the location thereof.

- B. Public Transit Bus zones shall normally be established on the far side of an intersection.

10.24.060 Operation of Private Buses on Public Streets

- A. Private buses shall only be operated on public streets for ingress to, egress from, and traveling through the City.
- B. Private buses shall be prohibited from stopping or standing adjacent to curbs or any other part of the public right-of-way within the City for any purpose including loading and unloading passengers with the following exceptions:
 - a. Emergencies.
 - b. For the purpose of loading and unloading passengers at hotels and motels where bus passengers are registered guests.
 - c. Transporting passengers to and from specific cultural or entertainment events with the City.
- C. The regulations imposed by this section shall not be effective until such time as signs giving notice of such restrictions are conspicuously posted on streets at the entrances to the City.
- D. Private bus operators violating this section shall be subject to a fine as set forth in the City of Rosemead Comprehensive Fee Schedule as adopted by the City Council, and amended from time to time by resolution.

Section 10.24.060 License

All Private Bus operators who load and unload passengers in the City shall have a business license issued by the City in accordance with Chapter 5.04 of this code.

Section 10.24.070 Signage

The Public Works Director is authorized to post conspicuous signs giving notice of the restrictions on using public streets by private buses.

PASSED, APPROVED, AND ADOPTED BY THE ROSEMEAD CITY COUNCIL THIS 10th DAY OF JUNE, 2014.

ATTEST:

Gloria Molleda, City Clerk

William Alarcon
Mayor

APPROVE AS TO FORM:

Rachel Richman, City Attorney