



Council Meeting: October 26, 2010

SUBJECT: Adoption of Ordinance Amending Section 10.26.050 of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code to Make Minor Modifications to Address Administrative and Community Concerns

BACKGROUND

Title 10 of the Sunnyvale Municipal Code contains provisions allowing for the creation and administration of preferential parking programs on residential streets. The Code section identifies responsibilities and procedures for issuance of permits under section 10.26.050. The Code currently calls for permits to be in the form of stickers to be placed on the left hand portion of a subject vehicle's bumper.

The City enacted its first residential permit parking programs in 2009. Experience with the program and feedback from some community members indicates that the ability to use rear view mirror hang tags can achieve some operational savings and would be viewed favorably by some permit holders.

DISCUSSION

Staff is requesting the repeal of text requiring that residential preferential parking permits be in the form of a sticker. Staff received some negative feedback from community members during the initial roll out of permit programs regarding the requirement to place a sticker on the subject vehicle. Use of hang tags will also reduce some administrative costs, as hang tags can be produced in house at approximately 50% of the cost of stickers. Parking enforcement staff indicates that enforcement of hang tags versus stickers is not an issue. Vehicle license information would be included on the hang tag, which would allow for enforcement should a permit be transferred from one vehicle to another.

RECOMMENDATION

City staff recommends that the City Council approve the Ordinance Amending Section 10.26.050 of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code to make minor modifications to address administrative and community concerns.

Reviewed by:

Marvin A. Rose, Director, Public Works
Prepared by: Jack Witthaus, Transportation and Traffic Manager

Approved by:

Gary M. Luebbers, City Manager

Attachment

A. Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO AMEND SECTION 10.26.050 (ISSUANCE OF PERMITS) OF CHAPTER 10.26 (PREFERENTIAL PARKING ON RESIDENTIAL STREETS) OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE SUNNYVALE MUNICIPAL CODE

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

SECTION 1. SECTION 10.26.050 AMENDED. Section 10.26.050 of Chapter 10.26 (Preferential Parking on Residential Streets) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

10.26.050. Issuance of permits.

(a) The department of public works shall be responsible for the issuance of permits pursuant to this chapter. Applicants for such permits shall present such proof, as may be required by said department, of residence adjacent to the area designated as a preferential parking zone and of the number of vehicles registered at said residence regularly used by the applicant. Not more than one permit shall be issued for each such motor vehicle. Not more than three permits shall be issued for each qualified dwelling unit to any qualified applicant or applicants. Applicants requesting more than three permits for any dwelling unit may be granted additional permits by the department of public works upon a showing that there are more than three vehicles registered at the address of such dwelling unit or regularly used by residents thereof and that insufficient off-street parking is available to the applicant during the effective hours of the preferential parking zone. The department of public works shall prescribe appropriate application forms and procedures with respect to such permits. The form of the permit shall be prescribed by the department of public works ~~and shall be affixed in a visible location on the left hand portion of the subject vehicle's rear bumper.~~ The department of public works may also issue to qualified applicants one or more temporary guest permits upon a showing of need therefore and in such form as may be prescribed by the department of public works. Such temporary permits shall be valid only for the date shown on the face of such permits.

(b) - (c) [Text unchanged.]

SECTION 2. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Sections 15061(b)(3) and 15307, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment and is a regulatory action as authorized by state law.

SECTION 3. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of

ATTACHMENT A

this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared invalid.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in *The Sun*, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, 2010, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2010, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney