

ORDINANCE NO. 2914-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING SECTION 10.16.030 OF CHAPTER 10.16 (PARKING REGULATIONS) OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE SUNNYVALE MUNICIPAL CODE RELATING TO EMERGENCY OR SPECIAL EVENT PARKING SIGNS

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

SECTION 1. SECTION 10.16.130 AMENDED. Section 10.16.030 of Chapter 10.16 (Parking Regulations) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

10.16.030. Emergency and special event parking signs—Signs indicating street repairs or cleaning.

(a) Whenever the traffic engineer shall determine that any traffic congestion is likely to result from the holding of public or private assemblages, special events, gatherings or functions, or for other reasons, the traffic engineer shall have power and authority to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys as the traffic engineer shall direct during the time such temporary signs are in place. The traffic engineer shall also have power and authority to suspend or modify existing parking restrictions, consistent with applicable traffic safety considerations, by erecting temporary signs or modifying existing signs for the duration of the event. Signs shall remain in place only during the existence of the special event, and the traffic engineer shall cause such signs to be removed promptly thereafter, unless a traffic safety consideration exists.

(b) The power and authority of the traffic engineer to administratively suspend parking restrictions for special events shall not apply to full-time and time-of-day parking restrictions that have been instituted for traffic safety reasons.

(c) In the event of an emergency, signs shall remain in place only during the existence of the emergency and the traffic engineer shall cause such signs to be removed promptly thereafter.

(d) Whenever the traffic engineer shall determine that it is necessary for the cleaning, repair or construction of any street or alley that the operation, parking or standing of vehicles be prohibited thereon, the traffic engineer shall have the power and authority to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys as the traffic engineer shall direct during the time such temporary signs are in place. Signs shall be erected or placed at least twenty-four hours prior to the time during which operation, parking or standing of such vehicles is to be prohibited, and the traffic engineer shall cause such signs to be removed promptly after the time during which such operation, parking or standing is to be prohibited has expired.

(e) Where signs are in place giving notice of the restrictions authorized under this section, it is unlawful for any person to operate, park or stand any vehicle contrary to the directions or provisions of such signs.

SECTION 2. CEQA EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), 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.

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 or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby 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 of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, 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 February 9, 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