

**ORDINANCE NO. 2925-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING SECTION 10.16.120 OF CHAPTER 10.16 (PARKING REGULATIONS) OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE SUNNYVALE MUNICIPAL CODE RELATING TO PARKING LIMITS**

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

SECTION 1. SECTION 10.16.120 AMENDED. Section 10.16.120 of Chapter 10.16 (Parking Regulations) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**10.16.120. Use of streets or public parking facilities for storage of vehicles prohibited.**

It is unlawful for any person who owns or has possession, custody or control of any vehicle, including a boat or trailer, to park or leave such vehicle upon any street, alley, or public parking facility for a period of seventy-two consecutive hours or more. The intent of this section is to limit parking of vehicles, boats and trailers to seventy-two consecutive hours. A vehicle or trailer shall be considered to have been parked or left standing for seventy-two or more consecutive hours if it has remained inoperable or has not been moved. An inoperable vehicle is a vehicle that cannot be moved under its own power or a vehicle which cannot operate legally and safely on the highways of the state. Pushing or moving a vehicle a short distance or attempting to rub away the tire marking will not be considered compliance with this section. Additionally, successive acts of parking shall be presumed to be a single act of parking within the meaning of this section when the vehicle is moved merely for the purpose of avoiding the parking limitations prescribed by this section.

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 September 28, 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