



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Police

MEETING DATE: September 18, 2018

PREPARED BY: Alan Sanvictores, Chief of Police

AGENDA LOCATION: AR-1

TITLE: Amendment to Chapter 10 of the Monrovia Municipal Code Relating to Vehicles and Traffic Adding Chapter 10.14 Relating to Permit and License Requirements for Overnight Parking of Recreational Vehicles on City Right of Way; Amendment to the Schedule of Fees and Charges for City Services; and Update to Parking Regulations for Certain Designated City Streets; Resolution Nos. 2018-48 and 2018-54, and Introduction and First Reading of Ordinance No. 2018-10

OBJECTIVE: To update regulations governing overnight parking on City streets for Recreational Vehicles (RVs), and removing permit parking requirements from certain designated City streets

BACKGROUND: As the community continues to evolve, our parking regulations require updating from time to time. Based on a thorough review coordinated by staff, two separate parking-related adjustments have been identified for City Council consideration. The first relates to the imposition of overnight parking permit requirements for RVs, while the second relates to the removal of permit parking requirements in certain areas of the City.

RV Parking Permit Program

The Monrovia Municipal Code (MMC) does not currently regulate overnight RV parking on City streets, and during the past few years, staff has observed an increased level of calls for service related to RV-related issues. The concerns that have been raised range from parking issues to traffic hazards, and the increase in call volume has been noticeable. In Fiscal Year 2016-2017, the City had 103 RV related calls for service in total. Comparatively speaking, in Fiscal Year 2017-2018, there were 223 RV related calls for service, which represents a 117% increase in RV-related call activity.

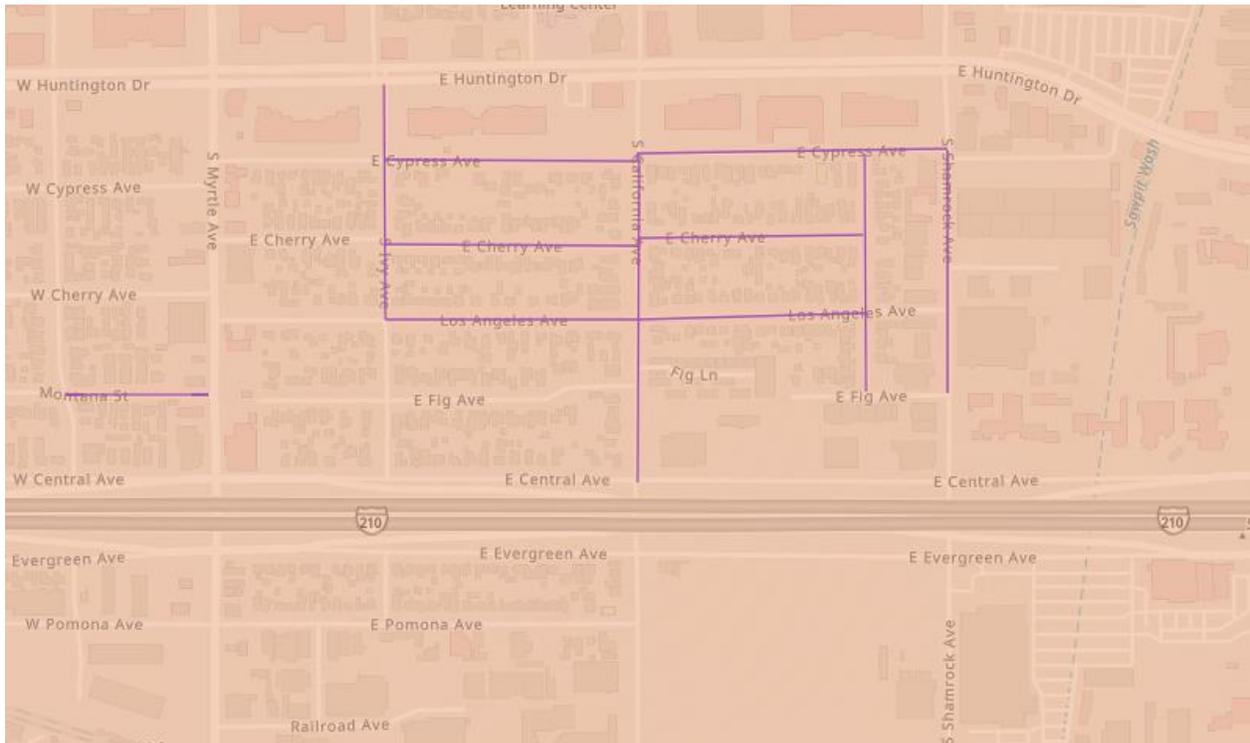
In an effort to proactively address this situation, staff conducted research to determine how other jurisdictions manage RV related concerns. Our analysis identified that nearly all cities have some type of overnight RV permit requirement, where RV owners may purchase parking permits to allow for the temporary parking of RV on city streets overnight. After further review, staff believes that this type of regulatory framework would help to address the issues that have been identified here in Monrovia.

To that end, staff has developed Ordinance No. 2018-10, which if approved by the City Council would institute new overnight RV parking requirements. The proposed regulation would allow for individuals to park their RVs overnight on City streets, but only after obtaining an Overnight RV Parking Permit from the City. Pursuant to the program that has been developed, the registered owner of an RV who is a resident of Monrovia can obtain an RV Permit, while non-residents of the City can obtain a RV Guest Permit. In addition, the proposed cost of the permit would be \$5 per day, as outlined in Resolution No. 2018-48.

AR-1

Removal of Existing Permit Parking Requirements

On June 30, 2018, during a City-coordinated block party on Ivy Avenue to discuss the proposed “ACTV Monrovia” bike-lane project, staff received feedback regarding current overnight residential permit parking requirements in the area of the City located south of Huntington Drive, north of the I-210 Freeway, and between Primrose Avenue and Shamrock Avenue. The streets in that section of town where residents are currently required to obtain an overnight parking permit are highlighted in the map below.



Historically, the City instituted permit parking requirements in the areas outlined above as part of an overall plan to address illicit criminal activity back in the 1990s. The overnight parking permit requirements were developed in an effort to enable residents to park their vehicles on the street overnight, while restricting the ability of non-residents to be parked in the area after dark.

However, given positive developments in the area during the past 20 years, which have been driven primarily by collaborative programs such as the Monrovia Area Partnership, Community Activist Policing, and Neighborhood Watch, the community has been able to take back this portion of our City, with the end result being an increased quality of life for our residents.

Given these successes, coupled with the feedback received from area residents, staff believes that it would be prudent to eliminate the need for Overnight Parking Permits in the identified area.

ANALYSIS: Given the assessment conducted by staff, it is recommended that the City Council consider adopting new overnight RV permit parking requirements, while eliminating current overnight residential permit parking requirements in the area south of Huntington Drive, north of the I-210 Freeway, and between Primrose Avenue and Shamrock Avenue.

Overnight RV Permit Parking Program Overview

Pursuant to the guidelines incorporated in Ordinance No. 2018-10, the proposed regulations would allow the City to regulate overnight RV parking on City streets by requiring a permit. An overview of the guidelines that have been proposed include the following:

- The ordinance will require that anyone who purchases a “RV Permit” be the registered owner of the RV and a Monrovia resident. In addition, non-residents would be eligible to obtain a “RV Guest Permit.”
- The “RV Permit” will be available for purchase for \$5.00 per day. The permit would remain valid for up to a 3 day period. To file an application for a RV permit, the resident or entity who owns the RV would be required to provide the appropriate vehicle information and a signature agreeing to all terms and conditions of the permit, including limiting one RV permit for each residential address in the city.
- Visitors may purchase a “RV Guest Permit” for \$5.00 per day. The permit would remain valid for 3 days, and “RV Guest Permits” would be issued for a residential address for no more than six total calendar days in a one-month period, provided that all conditions set forth in the ordinance are met. A RV guest permit requires the same vehicle information, along with the signature of the city resident / property owner who agrees to the terms and conditions of the RV guest permit on their guests’ behalf. The permits allow the RV guest owner to park along the curb within the same block as the residence / property listed on the application for which the permit was issued.
- As a matter of public safety and MMC, the permit does not exempt the RV owner from parking in unauthorized locations or manner that is otherwise prohibited by this code or by the California Vehicle Code, including street sweeping days. Permittees must also abide by the list of activities prohibited, such as utilizing cords, hoses, and cables that cross a parkway, street, or sidewalk; using external power sources without limitation; or connecting to the public sewer system. If the Permittee does not follow the guidelines, parking citations may be issued pursuant to Chapter 10.17 “Parking Citation Processing” of the MMC. If the Permittee receives three parking citations, the Chief of Police or his designee may revoke their permit.
- Other circumstances where the Chief of Police or his designee has the authority to revoke RV permits and RV guest permits are if the Permittee’s RV becomes inoperable, falls into a state of disrepair, or violates Chapter 10 of the Monrovia Municipal Code.

Residential Overnight Permit Parking Program Modification

Based on feedback received from area residents, coupled with staff analysis of the overall situation, it is recommended that the City Council adopt Resolution No. 2018-54, which would remove the requirement that permits be obtained by residents in order to park overnight in the area located south of Huntington Drive, north of the I-210 Freeway, and between Primrose Avenue and Shamrock Avenue.

If approved, Resolution No. 2018-54 would eliminate overnight permit parking requirements on the following streets:

- Monrovista Avenue, between Shamrock Avenue and California Avenue.
- The north side of Hurstview Avenue, between Shamrock Avenue and California Avenue.
- Cypress Avenue, between Myrtle Avenue and Shamrock Avenue.
- Cherry Avenue, between Myrtle Avenue and Sherman Avenue.
- Los Angeles Avenue, between Myrtle Avenue and Shamrock Avenue.
- Ivy Avenue, between Huntington Drive and Los Angeles Avenue.
- California Avenue, between Huntington Drive and Los Angeles Avenue.
- Sherman Avenue, between Cypress Avenue and Los Angeles Avenue.
- Montana Avenue between Myrtle Avenue and Primrose Avenue.
- East Cypress Avenue, between California Avenue and Shamrock Avenue.

FISCAL IMPACT: Instituting overnight RV permit parking requirements, while removing residential permit parking permit regulations in one section of town, would have a de minimus fiscal impact on the City. In addition, the proposed cost for an RV parking permit would be established at \$5 per night, pursuant to Resolution No. 2018-48.

ENVIRONMENTAL IMPACT: None.

OPTIONS: The following options are presented for City Council consideration:

1. Adopt Resolution No. 2018-48 and introduce Ordinance No. 2018-10, thereby establishing permit and license requirements and fees for parking RVs in the City's Right of Way, and adopt Resolution No. 2018-54, thereby removing parking permit requirements for certain designated City streets.
2. Do not adopt Resolution No. 2018-48 and Resolution No. 2018-54 and do not introduce Ordinance No. 2018-10 and provide staff with additional direction.

RECOMMENDATION: Staff recommends that the City Council select Option 1.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to adopt Resolution Nos. 2018-48 and 2018-54, and introduce, waive further reading, and read by title only Ordinance No. 2018-10.

ORDINANCE NO. 2018-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, ADDING A NEW CHAPTER 10.14 TO THE MONROVIA MUNICIPAL CODE RELATING TO PERMIT AND LICENSE REQUIREMENTS FOR OVERNIGHT PARKING OF RECREATIONAL VEHICLES ON CITY RIGHT OF WAY

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 10.14 (“Recreational Vehicles”) is hereby added to the Monrovia Municipal Code to read as follows:

“Chapter 10.14 Recreational Vehicles

Sections:

- 10.14.010 Definitions.
- 10.14.020 Permit required.
- 10.14.030 Issuance.
- 10.14.040 Prohibited Activities.
- 10.14.050 Violations.
- 10.14.060 Revocation.

§ 10.14.010 Definitions

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter.

“**OVERNIGHT**” means between the hours of 10:00 p.m. and 6:00 a.m.

“**RECREATIONAL VEHICLE**” or “**RV**” means any vehicle or trailer that is capable of human habitation or designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle, or any structure inspected, approved and designated as a recreational vehicle by and bearing the insignia of any state or federal agency having the authority to approve recreational vehicles. “Recreational vehicle” includes, without limitation, any of the following: a “camp trailer,” as defined by California Vehicle Code Section 242; a “fifth-wheel travel trailer,” as defined by California Vehicle Code Section 324; a “house car,” as defined in California Vehicle Code Section 362; a “trailer” as defined in California Vehicle Code Section 630; a “trailer coach,” as defined in California Vehicle Code Section 635; a boat, watercraft, and or/or trailer for a boat or water craft; a “recreational vehicle” as defined in California Health & Safety Code Section 18010; and a “slide-in camper,” as defined in California Health & Safety Code Section 18012.4.

“RV GUEST PERMIT” means a limited duration parking permit for a recreational vehicle belonging to a person or persons who do not reside in the city and who is or are temporarily visiting a resident of the city.

“RV PERMIT” means a limited duration parking permit for a recreational vehicle belonging to a resident of the city.

§ 10.14.020 Permit Required

(A) No person who owns or has possession, custody or control of a recreational vehicle shall park or leave such vehicle standing upon any street or alley or other public right of way between the hours of 10:00 p.m. and 6:00 a.m. without a valid RV permit or RV guest permit conspicuously displayed in the lower driver’s side of the windshield or nearest window such that all the permit’s information is visible.

1. The Chief of Police, or designee, has the authority to issue RV permits and RV guest permits and to revoke such permits in accordance with the provisions of this chapter
2. The City may charge a fee to issue the RV permit and/or the RV guest permit, as established by resolution of the City Council.

(B) *RV permit application.* An application for a RV permit shall be filed with the Police Department in advance of parking an RV overnight on any public right of way on an application form which shall contain:

1. The name, valid address and telephone number of the resident or entity who owns the RV;
2. RV Registration information: make, model, year, color, license plate and VIN.
3. The signature of the owner of the RV agreeing to all terms and conditions of the permit to be issued by the City.

(C) *RV guest permit application.* An application for a RV guest permit shall be filed with the Police Department in advance of parking an RV overnight on any public right of way. The application shall be completed by a city resident, the owner of private property located in the city, or the owner of the RV for which a RV guest permit is to be issued. Such application form shall contain:

1. The name, valid street address and telephone number of the person or entity who owns the RV;

2. The name, valid street address and telephone number of the city resident / property owner for whom the permittee is visiting;
 3. RV Registration information: make, model, year, color, license plate and VIN.
 4. The signature of the city resident / property owner on behalf of their guest or the owner of the RV agreeing to all terms and conditions of the RV guest permit to be issued by the City.
- (D) Persons holding a valid RV permit or RV guest permit issued pursuant to this chapter may park the recreational vehicle for which the permit was issued on a city street provided the recreational vehicle is parked along the curb line within the same block as the residence / property ownership listed in the application for which the permit is issued. If the residence / property is located on a corner, then the permit holder may park along the curb line of either of the streets on the block on which the residence is located.
- (E) RV permits shall remain valid for up to three consecutive days and shall expire at 6:00 a.m. on the fourth day. Upon the expiration of the RV permit, the permittee may then apply for a new RV permit, without any limitation on the number of successive permits which may be issued provided that all conditions set forth in this chapter continue to be met. No more than one RV permit shall be issued for each residential address in the city; this does not include a RV guest permit.
- (F) RV guest permits shall remain valid for up to three consecutive days and shall expire at 6:00 a.m. on the fourth day. Upon the expiration of the RV guest permit, the permittee may apply for a new RV guest permit, however, no RV guest permit will be issued for a residential address for more than a total of six days in any calendar month period. No more than one RV guest permit shall be issued for each residential address in the city; this does not include a RV permit.
- (G) Notwithstanding the provisions of this section, a permittee may apply for a successive permit up to one day prior to the expiration of a valid permit if the number of permits issued does not exceed the maximum number allowed for the permit type.
- (H) Except as expressly provided in this chapter, a RV permit or a RV guest permit does not authorize any vehicle to park in a location or manner that is otherwise prohibited by this code or by the California Vehicle Code or any other applicable regulation, including but not limited to parking restrictions on street sweeping days.

§ 10.14.030 Issuance

(A) *RV Permit.* The Chief of Police or designee shall issue a RV permit unless one of the following findings is made:

1. The applicant is not a city resident;
2. The resident is not the registered owner of the recreational vehicle or does not have authorization to use such vehicle;
3. A valid RV permit has already been issued for a resident at the listed address.
4. There are public safety concerns, as determined by the Chief of Police, relating to the parking of the recreational vehicle on the street on which the parking would be provided, including but not limited to a street being too narrow to safely accommodate the recreational vehicle;
5. The street on which parking would be provided prohibits parking of all vehicles.
6. The applicant provided information that was materially false.
7. The applicant has unpaid parking citations issued by the City of Monrovia.

(B) *RV Guest Permit.* The Chief of Police or designee shall issue a RV guest permit unless one of the following findings is made:

1. The guest is not visiting the resident listed in the application;
2. The guest is not the registered owner of the recreational vehicle or does not have authorization to use such vehicle;
3. The address associated with the resident has already exceeded the monthly maximum of 6 days allowed for a RV permit in any given month;
4. There are public safety concerns relating to the parking of the recreational vehicle on the street on which the parking would be provided, including but not limited to a street being too narrow to safely accommodate the recreational vehicle;
5. The street on which parking would be provided prohibits parking of all vehicles;
6. The applicant provided information that was materially false;

7. The applicant has unpaid parking citations issued by the City of Monrovia.

§ 10.14.040 Prohibited Activities

Regardless of whether a person has a valid RV permit or RV guest permit, no person shall:

- (A) Utilize electrical cords, extension cords, water or drainage hoses, cables, or other items that cross, above, or on the parkway, street, or sidewalk from any property to a recreational vehicle parked on a public street at any time.
- (B) Connect a recreational vehicle to the public sewer system or dump waste onto public or private land or into streets, gutters or storm drains, other than lawfully at a designated, licensed and permitted recreational vehicle sanitary wastewater dump station.
- (C) Use the recreational vehicle for human habitation or conduct business in the RV while parked on public right of way.
- (D) Use slide outs/pop outs or other appurtenances that encroach on the roadway, parkway and/or sidewalk thereby interfering with the path of safe travel of vehicles and pedestrians.
- (E) Use external power sources without limitation.
- (F) Cause any noise to be emitted in violation of Noise Ordinance MMC §9.44.030(A).

§ 10.14.050 Violations

Unless otherwise specified, all violations of this chapter shall be an infraction and persons who commit a violation shall be subject to citation, towing or both, and revocation of permits as specified in this Chapter. Parking citations are issued subject to and may be appealed pursuant to Chapter 10.17 "Parking Citation Processing." Notwithstanding the foregoing, any violation of Section 10.14.040 may be prosecuted as a misdemeanor in the discretion of the City Prosecutor.

§ 10.14.060 Revocation

- (A) The Chief of Police or designee shall have the authority to revoke a RV permit or RV guest permit if any one of the following findings is made:

1. Grounds exist which would have justified denial of the permit in the first instance;
2. The recreational vehicle has fallen into a state of disrepair and has become a public nuisance, or a danger to pedestrians or other vehicles;
3. The recreational vehicle has become inoperable;
4. There have been at least 3 parking citations issued for the recreational vehicle associated with the RV guest permit; or
5. There has been a violation of this Chapter.

(B) The Chief of Police shall issue a notice of revocation in writing to the permittee specifying the effective date of the revocation, which date shall be at least two days after the date of the notice of revocation. Mailed notice shall be deemed served three days after deposit in the United States mail.

(C) The permittee shall have the right to appeal the notice of revocation in accordance with the procedures of Chapter 1.17 "Administrative Fines - Citations." During the appeal process, the permittee will not be allowed to continue parking the RV on the city right of way.

Section 2. If any section, subdivision, paragraph, sentence, clause or phrase, or portion of this Ordinance or the application thereof to any person, place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council of the City of Monrovia hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 3. CEQA Findings. This ordinance is considered a "project" pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (14 CCR §15000 et. seq.) and the City's CEQA Guidelines. The project is considered exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project to require RV parking permits on public right of way will have a significant effect on the environment. The project is also eligible for a class 1 categorical exemption for minor alterations of existing facilities involving negligible or no expansion of use. Since the scope of the project is limited to the imposition of the requirement of a permit to park a recreational vehicle on public right of way, it will not result in a change of use or intensity of use of public right of way and will not have a significant environmental impact. The project is therefore exempt from the

environmental review requirements of CEQA pursuant to Section 15301 of Title 14 of the California Code of Regulations. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Los Angeles in accordance with CEQA Guidelines.

Section 4. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published as required by law.

INTRODUCED this 18th day of September, 2018.

PASSED, APPROVED, AND ADOPTED this 2nd day of October, 2018.

Tom Adams, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, CMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia

RESOLUTION NO. 2018-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES RELATING TO PERMIT AND LICENSE REQUIREMENTS FOR PARKING RECREATIONAL VEHICLES IN THE CITY'S RIGHT OF WAY

THE CITY COUNCIL OF THE CITY OF MONROVIA DOES hereby resolve as follows:

WHEREAS, the City Council adopted Resolution No. 2018-36 on June 19, 2018, establishing a schedule of fees and charges for City services for the fiscal year 2018-2019; and,

WHEREAS, the City has established a policy of recovering the full costs reasonably borne of providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and

WHEREAS, The City Council introduced Ordinance No. 2018-10 on September 18, 2018, to amend the Monrovia Municipal Code by adding Chapter 10.14 relating to permit and license requirements for parking recreational vehicles in the City's right of way; and

WHEREAS, section 10.14.020 (A) 2 of the Recreational Vehicles (RV) ordinance states that the City may charge a fee to issue the RV permit and/or the RV guest permit, as established by resolution of the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROVIA DOES hereby resolve, determine, and order as follows:

SECTION 1. FEE SCHEDULE AMENDMENT. The schedule of fees and charges (on file with the City Clerk's office) is hereby amended to add the following:

Parking Permits:

RV Parking Permit	\$5.00 per day
RV Guest Parking Permit	\$5.00 per day

SECTION 2. BASIS OF CHARGES. The City Council finds and determines that the charges imposed by this resolution are necessary to cover the costs of providing the specified services, and that such charges do not exceed the reasonable costs of providing said services.

PASSED, APPROVED AND ADOPTED this 18th day of September, 2018.

Tom Adams, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, CMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia