

ORDINANCE O2024-__

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING NAPA MUNICIPAL CODE SECTION 10.36.090 RELATED TO PARKING EXCEEDING 72 HOURS AND DETERMIING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Napa's Municipal Code related to parking has not been updated since 1954; and

WHEREAS, changes in State law regarding the development of housing and the related concessions of on-site parking requirements have increased the demand for street parking; and

WHEREAS, the City of Napa has received an increasing number of complaints related to parking of vehicles for an extended amount of time on City streets, particularly in residential neighborhoods, where parking can be challenging; and

WHEREAS, California Vehicle Section 22651(k) authorizes cities to remove a vehicle located within its jurisdiction if a vehicle is parked or left standing for 72 or more consecutive hours in violation of a local ordinance authorizing removal; and

WHEREAS, the City of Napa's Municipal Code lacks a definition on what is considered to be a parking space and how far a vehicle needs to move to be considered relocated from one parking space to another; and

WHEREAS, staff is now recommending that the City Council consider proposed amendments to the Municipal Code to provide clarity on how far a vehicle needs to move to be considered in compliance with the law; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Napa as follows:

SECTION 1: Amendment. Napa Municipal Code section 10.36.090 is hereby amended to delete and replace in its entirety as follows:

10.36.090 Parking Exceeding 72 Hours

A.

Prohibited. No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a period of

72 consecutive hours.

B.

Any such vehicle is considered to be parked, left standing, or stored in violation of this section if it has not been moved more than one-quarter of a mile (1,320 feet) for the subsequent 72 hour period unless the vehicle is registered with the California Department of Motor Vehicles to an address on the street in which it is parked and therefore is considered to be parked, left standing, or stored in violation of this section if it has not moved more than 100 feet for the subsequent 72 hour period.

C.

Removal. Any vehicle in violation of this section may be removed by any member of the police department subject to the requirements of the United States and California Constitutions, and Division 11, Chapter 10 of the California Vehicle Code Sections 22650 et. Seq., and stored the same in any parking lot or storage yard or garage in compliance with all applicable laws.

SECTION 2: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Napa, a municipal corporation

MAYOR: _____

ATTEST: _____
CITY CLERK OF THE CITY OF NAPA

STATE OF CALIFORNIA }
COUNTY OF NAPA } SS:
CITY OF NAPA }

ATTACHMENT__

I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the 3rd day of December, 2024, and had its second reading and was adopted and passed during the public meeting of the City Council on the ___ day of ____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to Form:

Christopher Diaz
Interim City Attorney