



CITY OF **BIG BEAR LAKE** *California*

ORDINANCE NO. 2023-517

**ORDINANCE OF THE CITY COUNCIL AMENDING CHAPTER
10.12 (PARKING DURING SNOW CONDITIONS—GENERALLY)
OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE BIG BEAR
LAKE MUNICIPAL CODE RELATED TO PARKING
REGULATIONS IN MOUNTAIN AREAS**

WHEREAS, California Vehicle Code Section 22510 authorizes local authorities, such as the City, to prohibit or restrict by ordinance or resolution the parking or standing of vehicles on designated streets or highways within their jurisdiction, or portions thereof, for the purpose of snow removal; and

WHEREAS, the City of Big Bear Lake sees frequent heavy snowfall, often on a yearly basis and in particular between October 15 of a given year and April 15 of the following year; and

WHEREAS, the accumulation of snow on certain roadways can contribute to road closures, increased accident rates, injuries, and fatalities; and

WHEREAS, City streets often require snow removal services, whereby specialized snow removal vehicles clear snow from the street; and

WHEREAS, vehicles left parked or standing on City streets subject to snow removal can interfere with, delay, or prevent the efficient operation of a snow removal vehicle; and

WHEREAS, the City Council of the City of Big Bear Lake desires to amend its existing Municipal Code provisions related to parking during snow conditions to more fully exercise its legislative authority to prohibit the standing or parking of vehicles on designated streets or highways in the City marked for purposes of snow removal.

NOW, THEREFORE, the City Council of the City of Big Bear Lake, California, does ordain as follows:

Section 1: The above recitals are true and correct and are incorporated in full herein by this reference.

Section 2: Chapter 10.12 (Parking During Snow Conditions—Generally) of the Big Bear Lake Municipal Code is hereby amended to read in its entirety as follows:

“Chapter 10.12 – Parking During Snow Conditions—Generally

10.12.010 – Purpose.

The purpose of this chapter is to safeguard the public health, safety and general welfare by prohibiting the parking of vehicles on state and city streets in certain areas of Big

Bear Lake, to promote effective and speedy removal of snow by the city and the State Department of Transportation and other persons engaged, hired, contracted or otherwise authorized to remove snow from the streets, and to prevent hazardous traffic conditions on the streets.

10.12.020 - Definitions.

When used in this chapter, the words and phrased contained in this section shall, for the purposes of this chapter, have the following meanings:

- A. Generally, whenever any words or phrases are used in this chapter, they are to be used as defined in the California Vehicle Code or in decisions of California courts.
- B. "Emergency vehicle" means any vehicle as defined in Section 165 or Section 165.5 of the California Vehicle Code.
- C. "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purposes of and while actually engaged in loading or unloading merchandise or passengers.
- D. "Person" means and includes a natural person, firm, partnership, association or corporation.
- E. "Snow removal equipment" means rotary plows, graders and loaders with V-plow and/or wing-plow attachments, and such other machinery or equipment as may be engaged in snow removal, and all supporting vehicles of the city and State Department of Transportation or other persons engaged, hired, contracted or otherwise authorized to remove snow from the state or city streets or roads.
- F. "Street" means any street, avenue, highway or other public way in the city, and shall include the entire right-of-way thereof.
- G. "Unattended vehicle" means a vehicle where the licensed driver responsible for the vehicle is not within an audible distance and immediately available for moving the vehicle.
- H. "Vehicle" means a device by which any person or property may be propelled, moved or drawn upon a street or highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

10.12.030 – Parking and Unattended Vehicles Prohibited—Violation.

From October 15 of each calendar year until April 15 of the following calendar year, vehicles shall not be left stopped, parked, abandoned, or otherwise left unattended on any street in the City during snow conditions. The same is hereby declared to be an obstruction of the public streets and shall constitute a nuisance. This section does not prohibit the stopping of passenger or commercial vehicles for periods of time sufficient to load or discharge passengers and materials from vehicles, provided such activity does not interfere with or delay the operation of snow removal equipment. This section does not prohibit stopping or parking vehicles when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic or peace officer. This section does not apply to any City

street that has not been posted with warning sign(s) substantially in the form provided in this chapter.

10.12.040 – Seasonal Declaration of Snow Conditions.

Consistent with the requirements of San Bernardino County Code Sections 53.0301-53.0308 and California Vehicle Code section 22510(a) (which restrict parking on streets, highways, and roads in such a way as to interfere with snow removal activity by snow removal equipment) the City Council hereby declares that “snow conditions” exist from October 15 of each calendar year until April 15 of the following calendar year, such that snow removal activity may be reasonably required with little to no advance notice during that time.

10.12.050 – Reserved.

Reserved.

10.12.060 – Removal of Vehicles.

(a) Any vehicle which is in violation of this chapter may be moved or caused to be moved by those regularly employed and salaried City or state highway employees designated by the City Council or the California Highway Patrol.

(b) Charges for vehicle removal, tow away and storage, shall be assessed against the vehicle in accordance with applicable City agreement regarding tow services in place at the time of removal of the vehicle.

10.12.070 – Notice to Owner of Removal.

Within twenty-four hours after the removal of such vehicle parked in violation of the provisions of this chapter, the police chief shall notify, in writing, the person known to be the owner of such vehicle by the registration thereof, of the following facts:

- A. A general description of the vehicle, together with the license number;
- B. The approximate time and the reason for removal of the vehicle and the place to which the vehicle was removed.

10.12.080 – Warning Signs.

- A. Signs giving notice of the provisions of this chapter shall be erected at each entrance to the city. Such signs shall be at least 17 inches by 22 inches in size with lettering not less than one inch in height, and shall be worded substantially as follows:

WARNING

No parking on City streets between October 15 and April 15.

City Ordinance No. 2023-xxx

VEHICLES PARKED IN VIOLATION WILL BE TOWED AWAY
AND VEHICLE OWNER SUBJECT TO FINE

- B. No vehicles shall be removed pursuant to the provisions of this chapter unless the signs required by this section have been erected at least twenty-four hours prior to the removal.

10.12.090 – Additional Warning Signs.

Additional signs, smaller in size but containing substantially the same wording, may be erected at such places within the City as the director of public works deems appropriate.

10.12.100 – Destruction of Signs.

It is unlawful for any person to tear down, remove, mutilate, destroy or otherwise tamper with any signs erected in furtherance of this chapter.

10.12.110 – Emergency Vehicles.

This chapter shall not apply to emergency vehicles.

10.12.120 – Violation an Infraction.

A violation of this chapter is expressly declared to be an infraction and punishable by a fine of four hundred dollars (\$400.00).

Section 3: In accordance with Vehicle Code section 22510(b), the City Clerk of the City of Big Bear Lake is authorized and directed to transmit a certified copy of this Ordinance to the Department of Transportation for submission and approval.

Section 4: If any section, subsection, sentence, clause, phase, or word of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision 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 and every section, subsection, sentence, clause, or phase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 5: The City Clerk shall certify to the adoption of this Ordinance and shall either: (a) have this Ordinance published in a newspaper of general circulation within 15 days after its adoption or (b) have a summary of this Ordinance published twice in a newspaper of general circulation, once five days before its adoption and again within 15 days after its adoption.

Section 6: This Ordinance shall be effective thirty (30) days after its adoption. Notwithstanding the foregoing, and pursuant to Vehicle Code section 22510(b), the application of this Ordinance to a state highway within the City shall only be effective upon approval of this Ordinance by the Department of Transportation.

PASSED, APPROVED AND ADOPTED this 8th day of November 2023.



Randall Putz, Mayor

ATTEST:



Erica Stephenson, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF BIG BEAR LAKE)

I, Erica Stephenson, City Clerk of the City of Big Bear Lake, California, do hereby certify that the whole number of the City Council of the said City is five; that the foregoing Ordinance No. 2023-517 is a full, true and correct original of Ordinance No. 2023-517 of the City of Big Bear Lake entitled:

**ORDINANCE OF THE CITY COUNCIL AMENDING CHAPTER 10.12
(PARKING DURING SNOW CONDITIONS—GENERALLY) OF TITLE 10
(VEHICLES AND TRAFFIC) OF THE BIG BEAR LAKE CODE
RELATED TO PARKING REGULATIONS IN MOUNTAIN AREAS**

was duly passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the Clerk of said City, all at a regular meeting of the said Council on the 8th day of November, 2023, and that the same was so passed and adopted by the following vote:

AYES: Herrick, Mote, Segovia, Melnick, Putz
NOES: None
ABSTAIN: None
ABSENT: None

I do hereby further certify that pursuant to the provisions of Section 36933 of the Government Code of the State of California that the foregoing Ordinance No. 2023-517 was duly and regularly published according to law and the order of the City Council and circulated within the said City.



Erica Stephenson, City Clerk