

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN RAFAEL AMENDING SAN RAFAEL MUNICIPAL CODE SECTION 5.40.080 REGULATING PARKING ON NARROW, HILLY CITY STREETS

WHEREAS, the City Council wishes to preserve the safety and attractiveness of the City's streets and the functionality for residents and businesses using those streets; and

WHEREAS, areas in the City of San Rafael with narrow and hilly roads or in territory where access is otherwise difficult are particularly vulnerable to wildfire; and

WHEREAS, the regular parking of vehicles on streets with narrow widths or in territory difficult to access often creates hazards to vehicular and pedestrian travel; and

WHEREAS, the width of said roads cannot always safely accommodate the passage of City fire or emergency medical apparatus when vehicles are parked on roadsides; and

WHEREAS, San Rafael Municipal Code Section 5.48.010 authorizes the City Traffic Engineer to regulate, restrict, or prohibit parking upon specified streets and during specified hours; and

WHEREAS, the amendments to the San Rafael Municipal Code adopted herein will allow the City Traffic Engineer to place signs or markings to designate limited areas where parking on narrow streets may be allowed without obstructing safe passage of vehicles and pedestrians, and will facilitate the City's ability to effectively enforce its parking restrictions on narrow hilly roadways, thus facilitating emergency access and evacuation, and protecting the public health, safety and welfare; and

WHEREAS, the City Council finds that adoption of this ordinance would provide limitations on the use of public streets for parking, and is therefore categorically exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15301 concerning the operation or minor alteration of existing public facilities involving negligible or no expansion of use;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES HEREBY ORDAIN AS FOLLOWS:

DIVISION 1: AMENDMENT.

Section 5.40.080 of the San Rafael Municipal Code, entitled "Parking prohibited on narrow streets" is hereby amended to read in its entirety as follows:

- (a) The city traffic engineer is authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty feet (20'), or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty feet (30');
- (b) When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking;
- (c) Parking of vehicles upon any city street is prohibited unless an unobstructed distance of not less than six feet (6') is maintained to the centerline or to the center of the improved or main traveled portion of the street;
- (d) Notwithstanding any other provision of this Code, when the stopping or parking of vehicles on a narrow hilly street constitutes a hazard to traffic, life or property, or an obstruction to the adequate access by fire, police, health, sanitation and public utility vehicles, the traffic engineer may install signs or markings, including parking boxes, upon the street or portions thereof giving notice that no person shall stop or park or leave standing any vehicle, except as designated by such signs or markings, and that vehicles parked in violation of such signs or markings may be cited and immediately removed.

DIVISION 2: SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

DIVISION 3: PUBLICATION; EFFECTIVE DATE.

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which it is adopted.

This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of the Councilmembers voting for or against same, in the Marin Independent Journal, a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for and against the Ordinance.

KATE COLIN, Mayor

ATTEST:

LINDSAY LARA, City Clerk

The foregoing Ordinance No. _____ was introduced at a regular meeting of the City Council of the City of San Rafael on _____, and was ordered passed to print by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

and will come up for adoption as an Ordinance of the City of San Rafael at a Regular Meeting of the Council to be held on the_____.

LINDSAY LARA, City Clerk