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[Proposed Policy Language]
Blue Curb Procedures

The City of Albany Municipal Code Section 9-10.17 defines curb markings to indicate restrictions or prohibition to park at designated areas. Number 5 of this section states:

"5. Blue. Shall mean disabled persons' parking only; the locations and time restrictions shall be set forth by resolution of the City Council. No person shall park or stand any vehicle in a disabled persons' parking zone, (blue curb), unless the vehicle bears a special license or displays a special placard, issued under the provision of Section 9105 or Section 22511.5 of the California Vehicle Code."

Following are the City of Albany's procedures to apply for an ADA blue curb and sign in front of your property. Blue curbs are reserved for vehicles displaying Disabled placards or Disabled persons license plate from any state. Fines for vehicles parking at a Disabled parking place without a placard are set by the State of California.

Blue Curb Policy in Residential Areas

1. Requests for painting a blue curb shall be submitted in writing to the Community Development Department for consideration. Supporting documentation and an application fee per the City's Master Fee Schedule must be submitted with the written request.
2. The written request will be reviewed by Community Development staff for approval. In evaluating the request, Community Development staff will consider whether the applicant has demonstrated a need for the parking space that outweighs preservation of such space for public use. Criteria for determining such a need or impact shall include:
 - a. Documentation of applicant's permit to park in an accessible parking space and vehicle registration
 - b. Inadequate on-site parking at disabled person's residence;
 - c. Lack of reasonable parking alternatives;
 - d. Available space for blue curb adjacent to applicant's residence; and
 - e. Any other information deemed necessary by Community Development staff.
3. A notice of the Community Development staff decision regarding the request will be sent to the applicant and property owners and residents on both sides

of the street within 150 feet of the subject property. In addition, a notice shall also be posted on or near the subject property. A request to appeal the staff decision can be made within 10 days of posting and mailing notice of the staff decision, otherwise the decision becomes final.

4. If appealed or if staff otherwise determines that the application should be reviewed by the Traffic and Safety Commission, the application will be placed on the agenda of an upcoming Commission meeting. Notice of the public meeting will be sent to property owners and residents on both sides of the street within 150 feet of the subject property. In addition, a notice shall also be posted on or near the subject property. The notice shall be sent and posted at least 10 days prior to the meeting and shall describe the request and provide the date, time and location of the Traffic and Safety Commission meeting.
5. If the request is approved, the following conditions shall be required:
 - a. Applicant must bear the cost of painting and repainting the parking space per the City's Master Fee Schedule.
 - b. Applicant must demonstrate a continued need for the blue curb by providing documentation of applicant's permit to park in an accessible parking space and vehicle registration when requested by City staff. Failure to demonstrate a continued need may result in the removal of the blue curb.
6. The City shall maintain a list of disabled persons' parking approvals and the date on which it was granted to facilitate periodic review of continued need for blue curb designations.

[Red Line Changes] **Blue Curb Procedures**

The City of Albany Municipal Code Section 9-10.17 defines curb markings to indicate restrictions or prohibition to park at designated areas. Number 5 of this section states:

"5. Blue. Shall mean disabled persons' parking only; the locations and time restrictions shall be set forth by resolution of the City Council. No person shall park or stand any vehicle in a disabled persons' parking zone, (blue curb), unless the vehicle bears a special license or displays a special placard, issued under the provision of Section 9105 or Section 22511.5 of the California Vehicle Code."

Following are the City of Albany's procedures to apply for an ADA blue curb and sign in front of your property. Blue curbs are reserved for vehicles displaying Disabled placards or Disabled persons license plate from any state. Fines for vehicles parking at a Disabled parking place without a placard are set by the State of California ~~and begin at \$307.~~

Blue Curb Policy in Residential Areas

1. Requests for painting a blue curb shall be submitted in writing to **the Community Development Department** ~~Traffic and Safety Commission~~ for consideration. **Supporting documentation and an application fee per the City's Master Fee Schedule must be submitted with the written request.**

~~2. Such request will be placed on the agenda of an upcoming Traffic and Safety Commission meeting. Notice of the public meeting will be sent to property owners and residents on both sides of the street within 150 feet of the subject property. In addition, a notice shall also be posted on the subject property. The notice shall be sent and posted at least 10 days prior to the meeting and shall describe the request and provide the date, time and location of the Traffic and Safety Commission meeting.~~

2. 3. The written request will be reviewed by Community Development staff for approval. In evaluating the request, ~~Traffic and Safety Commission~~ **Community Development staff will** ~~should~~ consider whether the applicant has demonstrated a need for the parking space that outweighs preservation of such space for public use. Criteria for determining such a need or impact shall include:

~~a. Proof of disabled persons' parking permit (i.e., copy of DMV disabled persons' parking placard and vehicle registration document to ensure linkage between disabled individual and the registered vehicle);~~

a. Documentation of applicant's permit to park in an accessible parking space and vehicle registration

- b. Inadequate on-site parking at disabled person's residence;
- c. Lack of reasonable parking alternatives;
- d. **Available space for blue curb adjacent to applicant's residence**
~~Current parking conditions within the neighborhood (e.g., parking survey or photos taken during various days and times);~~ and
- e. Any other information deemed necessary by ~~the Commission~~
Community Development staff.

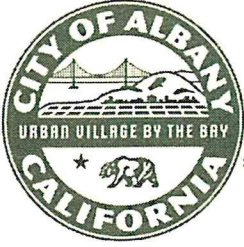
3. A notice of the Community Development staff decision regarding the request will be sent to the applicant and property owners and residents on both sides of the street within 150 feet of the subject property. In addition, a notice shall also be posted on or near the subject property. A request to appeal the staff decision can be made within 10 days of posting and mailing notice of the staff decision, otherwise the decision becomes final.

4. If appealed or if staff otherwise determines that the application should be reviewed by the Traffic and Safety Commission, the application will be placed on the agenda of an upcoming Commission meeting. Notice of the public meeting will be sent to property owners and residents on both sides of the street within 150 feet of the subject property. In addition, a notice shall also be posted on or near the subject property. The notice shall be sent and posted at least 10 days prior to the meeting and shall describe the request and provide the date, time and location of the Traffic and Safety Commission meeting.

~~5. 4. If the Traffic and Safety Commission finds that such a blue curb is appropriate, they shall require the following conditions~~ **If the request is approved, the following conditions shall be required:**

- a. Applicant must bear the cost of painting and repainting the parking space per the City's Master Fee Schedule.
- b. Applicant must demonstrate a continued need for the blue curb ~~on an annual basis~~ by providing **documentation of applicant's permit to park in an accessible parking space and vehicle registration when requested by** City staff ~~with a copy of the current DMV placard. Failure to demonstrate a continued need may result in the removal of the blue curb by City staff. If the applicant is no longer eligible for a DMV disabled persons' parking placard, the permit shall lapse and the blue curb will be painted out by City Staff at the applicant's expense.~~

~~6. 5.~~ **The City shall maintain a list of disabled persons' parking approvals and the date on which it was granted to help ensure the annual renewal process. facilitate periodic review of continued need for blue curb designations.**



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2019-32

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 6th day of May, 2019, by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, Pilch and Mayor Nason

NOES: None

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

7th Day of May, 2019.

Eileen Harrington
DEPUTY CITY CLERK