

**CITY OF ALBANY  
TRAFFIC AND SAFETY COMMISSION  
STAFF REPORT**

Agenda Date: 05/28/09

SUBJECT: Vehicle Parking Citywide

REPORT BY: Aleida Andrino-Chavez, Transportation Planner

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**STAFF RECOMMENDATION**

Review of existing City Ordinances regulating the parking of large commercial and recreational vehicles for recommendation to City Council regarding possible modification of current regulations. Review of existing City Ordinances regarding the parking of vehicles for sale on public roadways within the City.

**BACKGROUND**

City staff has received several complaints from the residents regarding parking of large commercial and recreational vehicles on both, residential and non-residential streets in Albany. These types of vehicles include: Trucks weighing 8,000 pounds or more, recreational vehicles (RVs), utility trailers (with or without loads), oversize vehicles in general. The issue is particularly prominent on Masonic Avenue, Key Route Boulevard, Dartmouth Street, Buchanan Street and Cleveland Street. Councilwoman Atkinson asked for a review of current ordinances and Albany Police staff researched ordinances in neighboring cities that addressed the issue of parking on residential and non-residential streets. The issue was considered by Council on September 16, 2008 and the issue was referred to the Traffic and Safety Commission.

In addition, the City has received complaints about the proliferation of parking of vehicles for sale on public roadways, particularly on Marin Avenue (See pictures attached).

**DISCUSSION**

The Albany Municipal Code, Section 9-10.21 controls overnight parking of vehicles weighing eight thousand (8,000) pounds or more in residential streets between the hours of 12:00 midnight and 8:00 AM. This ordinance does not control parking of large vehicles during the day, nor does it control parking of recreational vehicles or trailers weighing less than 8,000 pounds, which are also part of the issue under discussion.

APD Staff researched regulations prohibiting parking of oversized vehicles in neighboring cities, which are included as attachments to this report. After careful consideration, staff recommends making changes to the current language in the Albany Municipal Code for the implementation of the following measures to control parking of oversized vehicles in Albany public roadways:

- No overnight parking (midnight to 8:00 AM) as defined in attached City of San Ramon Municipal Code Section B8-31. Prohibitions). A temporary permit requested by the resident allows exceptions to this prohibition. See attached Section B8-32 “Exceptions” from the City of San Ramon
- No parking of oversize vehicles or utility trailers (including boat trailers with or without loads), within 100’ from any corner in a public street.
- Installation of T-Bars (only in designated spaces)
- Implement a four-hour limit parking restriction (compliant-driven)

In some areas, parking of large or oversize vehicles is just related to RVs and this occurs mostly on Masonic Avenue, Key Route Boulevard and Dartmouth Street. In other areas, the prevalent problem is the parking of commercial vehicles. This occurs on Cleveland Avenue and Buchanan Street. (See pictures attached).

These changes should applied to any public roadway in the City and staff recommends disseminating information about the changes to the Municipal Code through the City website, including information in the City newsletter and by the installation of temporary signs (perhaps for a month) in the areas where these problems have been observed. In addition, the APD could issue warrants to violators for up to six months.

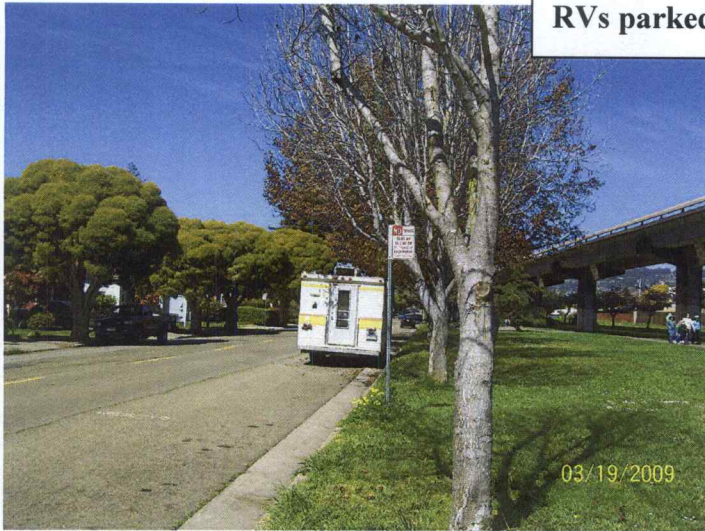
In regard to the issue of parking of vehicles for sale, it is prohibited by Albany Municipal Code Section 9-10.3 (See attached). However, there is case law that has determined it is unconstitutional for Police Departments to cite vehicles parked for sale and therefore APD does not cite.

### **FINANCIAL IMPACT**

The financial impact of this request is only the cost of the temporary signs, which is approximately \$50.00 per sign for approximately 20 signs, which would total \$ 1000.00 just for the signs. Installation will be conducted by the City’s Public Works Department.

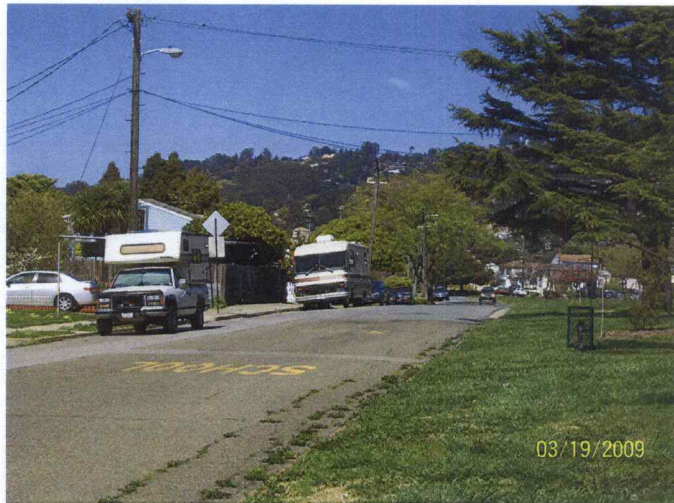
Attachments: Albany Municipal Code Sections 9-10.21, 9-10.23, and 9-10.3  
Copy of San Ramon Municipal Code, Section B8-31 and B8-32  
Pictures

**Agenda Item 6-2**  
**RVs parked on Masonic Ave. and Key Route Blvd.**



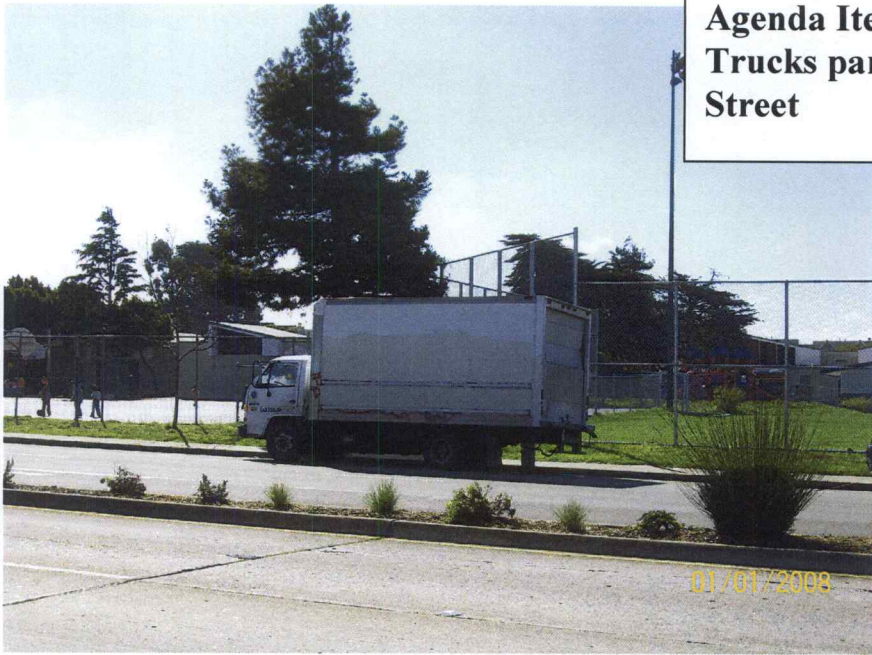
RV parked on Masonic Avenue  
near the southernmost Albany  
City Limits

RVs parked on Key Route  
Blvd. Near the El Cerrito City  
Limits

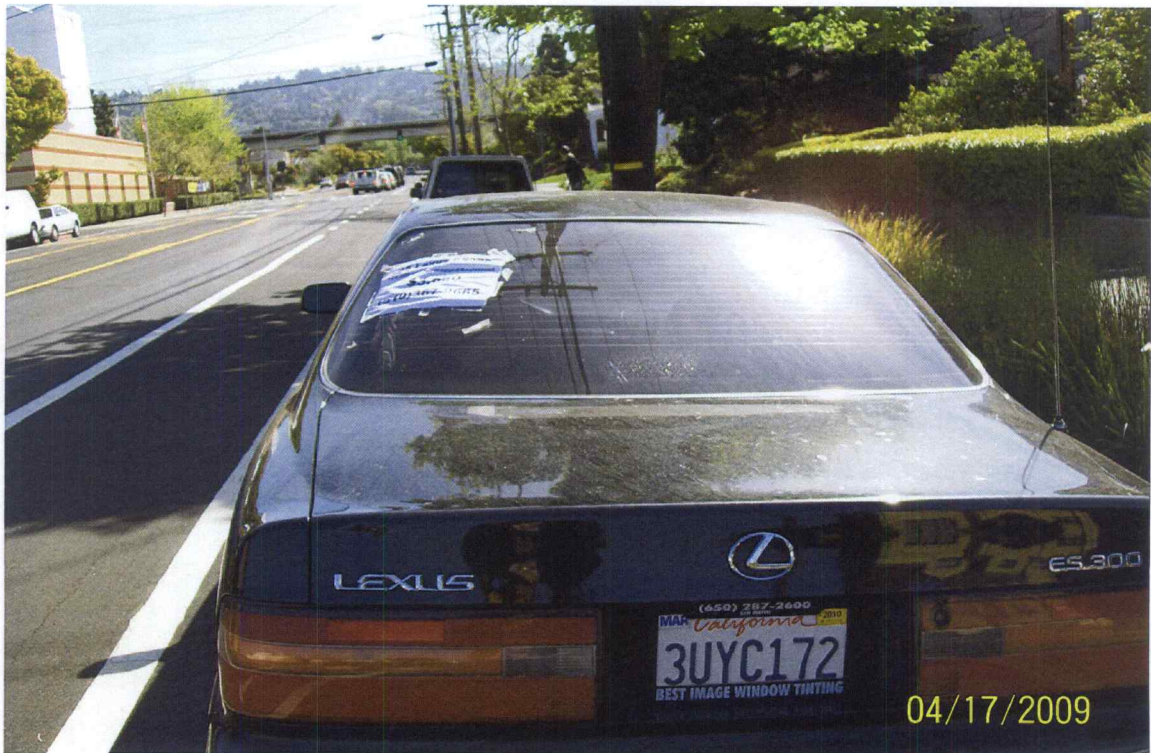


RV on Key Route Blvd. Near  
the intersection with  
Washington Avenue.

**Agenda Item 6-2  
Trucks parked on Buchanan  
Street**



6-2 CARS FOR SALE ON  
MADEN AVE.





City of Albany.

**9-10.21 Parking of Trucks Prohibited at Certain Times in Residential Areas.**

WEIGHT NOT ON US

No person shall park any vehicles with a vehicle gross weight of eight thousand (8,000) pounds or over in any residential district of the City between the hours of 12:00 midnight and 8:00 a.m.; except, that this subsection shall not apply to vehicles actively being used in repairs to public facilities. (Ord. #67-013, §1; Ord. #71-01, §1; 1958 Code §20.80A)

**9-10.23 Parking Prohibited Outside of Spaces.**

The operator of a motor vehicle shall park a vehicle entirely within the designated or lined pavement markings for diagonal or parallel parking spaces. Any person who fails to park within such designated spaces shall be subject to citation for a violation of this subsection. (Ord. #85-07; 1958 Code §20.81A)

**9-10.2 Standing in Parkways Prohibited.**

No person shall stop, stand or park a vehicle within any parkway. (Ord. #58-016, Art. 11, §2; 1958 Code §20.54)

**9-10.3 Parking for Certain Purposes Prohibited.**

No person shall park a vehicle upon any roadway for the principal purpose of:

- a. Displaying such vehicle for sale.
  - b. Greasing or repairing such vehicle, except repairs necessitated by an emergency.
- (Ord. #58-016, Art.11, §3; 1958 Code §20.55)

# City of San Ramon

## B8-31. Prohibitions.

No person shall park or leave standing at any time upon any public street or highway within the city, any oversized vehicle. Further, no dolly or trailer not connected in a manner approved by the Vehicle Code, to a towing vehicle shall at any time be parked or left standing on any public street or highway within the city. For the purpose of this article, the term "oversized vehicle" means any vehicle which has a manufacturer's gross weight rating of ten thousand pounds or more, or any vehicle or combination of vehicle and trailer or dolly the dimensions of which exceed eighteen feet in length, eighty inches in width, or eighty-two inches in height. (Prior code § B9-170(a))

REC.

## B8-32. Exceptions.

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This article shall not apply to:

- A. Any resident with a permit issued by the city whose oversized noncommercial vehicle or trailer is parked for a period not to exceed twenty-four consecutive hours in front of his or her residence for the purpose of loading or unloading before and after a trip. The term "trip" does not refer to daily use of the vehicle but instead refers to an extended overnight use of the vehicle which requires additional time to prepare the vehicle. The term loading or unloading means the packing of food, clothing and supplies and preparing the vehicle's refrigeration and unpacking the vehicle after the trip;
- B. Any bona fide guest of a resident who has secured a permit for the parking of an oversized noncommercial vehicle from the city. A permit not to exceed seven days will be issued if:
  1. The bona fide guest is not a resident of the city; and
  2. The vehicle is registered to an address not within the city.
- C. Any person who is actually engaged in the loading or unloading of any noncommercial oversize vehicle or is actually engaged in making emergency repairs thereon;
- D. Any commercial oversize vehicle making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on a public street or highway or delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon a street or highway for which a building permit has previously been obtained;
- E. Any oversized vehicle or trailer designed and used for the hauling of special purpose equipment while such equipment is being operated in an area immediately adjacent to the location of the parked oversized vehicle or trailer;
- F. The exceptions listed in this section shall not apply to any oversized vehicle or trailer parked:
  1. Within twenty-five feet from the street corner, as defined in Section 82-18.002 of the Contra Costa County Code which was adopted by reference; or
  2. In such a manner as to obstruct and prevent the free use of sidewalks. (Prior code § B9-170(b))



**B8-33. Safety devices.**

All oversize vehicles parked pursuant to Section B8-32 of this article shall, in addition to the requirements of Sections 24607 and 24608 of the Vehicle Code, be equipped with a supplemental reflecting safety device mounted no lower than thirty inches or higher than sixty inches and so maintained to be plainly visible at night from all distances from twenty-five to one hundred feet in front of lawful lower headlamp beams. (Prior code § B9-170(c))

**B8-34. Violation--Penalty.**

Violation of this article is deemed to be an infraction and is punishable according to the provisions of Section A1-32 of this code. Furthermore, pursuant to Section 22651 of the Vehicle Code, any oversized vehicle or unattached trailer or dolly parked or left standing on a public street or highway in violation of this section may be removed from the street or highway upon which vehicle is parked or left standing. (Prior code § B9-170(d))

## Recreational Vehicle and Trailer Parking Regulations

Section 16-57.1 of the City of La Palma Municipal Code prohibits oversized vehicle (recreational vehicles) and non-motorized vehicle (trailers) parking on any public street, any privately owned street, or any driveway in a residential zoning district, between the hours of 2:00 a.m. and 5:00 a.m., except with an exemption (permit).

Each residence will be granted fifty (50) exemptions in a calendar year for each affected vehicle they own. The 50 total exemptions are for the parking of restricted vehicle on public streets, private streets, or residential driveways. To accommodate guests, each household will be granted thirty (30) exemptions for non-resident vehicles parked on the public streets, private streets, or residential driveways.

La Palma residents must contact the La Palma Police Department, in advance and before midnight, to obtain an overnight parking permit. There is no charge for this permit. Residents will need to provide all of the following information to obtain an exemption/permit:

- Resident's name, address and phone number
- Vehicle make and model
- Location where the vehicle will be parked
- The vehicle license plate number

Permits can be obtained by calling (714) 690-3922 or by sending an email. Please remember you must provide all of the above information.

As a reminder, the overnight parking exemptions do not override any other parking laws, like: parking on a street in excess of 72 hours, parking oversized vehicles within 100 feet of an intersection, or parking on the street during street sweeping. If you have comments or concerns about an enforcement action, please contact the Police Department at (714) 690-3370.