DATE: APRIL 7, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MIKE KUDRON, DIRECTOR OF PARKS AND RECREATION

SUBJECT: RESOLUTION 2020-5650 REVISING THE UNIFORM PARKING BAIL SCHEDULE AND FIRST READING OF ORDINANCE 2020-1076 AMENDING CHAPTER 10.72 OF YORBA LINDA MUNICIPAL CODE TO INCLUDE FINES FOR ELECTRIC VEHICLE CHARGING VIOLATIONS

RECOMMENDATION

It is recommended that the City Council adopt Resolution 2020-5650, revising the City’s Uniform Parking Bail Schedule and introduce the first reading of Ordinance No. 2020-1076, amending Chapter 10.72 of the Yorba Linda Municipal Code to include parking fines for electric vehicle charging violations in accordance with the Uniform Parking Bail Schedule.

BACKGROUND

In 2009, the City Council adopted Resolution No. 2009-2004 to update the City’s Uniform Parking Bail Schedule for the City of Yorba Linda. The revision included increases to bring Yorba Linda’s bail schedule more in line with County averages as well as account for an increase imposed by the State of California as part of the Legislature’s enactment of SB 1407. The City’s Uniform Parking Bail Schedule was revised again in 2010 to account for SB 857, which increased the amount each city must transmit to the state per parking violation.

DISCUSSION

Fee increases to the City’s Uniform Parking Bail Schedule are not being proposed at this time. However, the bail schedule lacks a fine for electric vehicle charging violations. The current enforcement method is to tow vehicles, which was established by the electric vehicle parking ordinance (2018-1053) that was approved by City Council on August 8, 2018. To account for adding a fine to the bail schedule for these violations, a revised Ordinance is being proposed to amend Yorba Linda Municipal Code 10.72. The revisions are in Section C as denoted below with strikethrough and bold text highlighting the changes.
10.72.040 Parking of vehicles in stalls for electric charging purposes.

A. Pursuant to California Vehicle Code Section 22511, the City hereby designates certain stalls and spaces in City-owned off-street parking facilities to be for the exclusive purpose of parking and charging a vehicle that is connected for electric charging purposes.

B. The City Traffic Engineer, or City Director of Public Works, are authorized to post signs in accordance with California Vehicle Code Section 22511(d)(1) at certain stalls and spaces in City-owned off-street parking facilities that require vehicles parked in such stalls and spaces to be connected for electric charging purposes.

C. In accordance with California Vehicle Code Section 22511(c)(1), the City may cause the removal and towing of or issue fines for electric vehicle charging violations in accordance with the Uniform Parking Bail Schedule for a vehicle parked in a space or stall that is posted for electric charging purposes that is not connected for electric charging purposes.

D. This section does not interfere with other or existing laws allowing the City to regulate parking in City-owned off-street parking facilities within the City. (Ord. 2018-1053 § 2)

To date, there has not been a significant problem with non-electric vehicles parking in electric vehicle charging spaces. However, the change to the ordinance would allow for the Orange County Sherriff's Department to have an alternative to towing a car.

FISCAL IMPACT

The proposed fine for electric vehicle charging violations is $43.00, which is similar to fines charged by Orange County cities that have implemented these types of fees. Adopting the revised parking bail schedule will have a nominal fiscal impact to the City of Yorba Linda.

ALTERNATIVES

The City Council may choose to not adopt the revised parking bail schedule and enforce electric vehicle charging violations through towing of vehicles.

ATTACHMENTS

A. Resolution No. 2020-5650
B. Ordinance No. 2020-1076, amending Chapter 10.72 of the Yorba Linda Municipal Code
RESOLUTION 2020-5650 REVISING THE UNIFORM PARKING BAIL SCHEDULE AND
FIRST READING OF ORDINANCE 2020-1076 AMENDING CHAPTER 10.72 OF YORBA
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