

BEFORE THE CITY COUNCIL OF THE CITY OF FORT BRAGG

AN ORDINANCE AMENDING CHAPTER 10.20 [STOPPING, STANDING, AND PARKING] OF TITLE 10 [VEHICLES AND TRAFFIC] OF THE FORT BRAGG MUNICIPAL CODE TO ADD SECTION 10.20.215 [ELECTRIC VEHICLE CHARGING STATION PARKING]

ORDINANCE NO. 936-2018

WHEREAS, the City Council of the City of Fort Bragg (“City Council”) directed staff at its November 14, 2016 meeting to proceed with the installation of two Electric Vehicle (EV) charging stations in City-owned parking lots; and

WHEREAS, four EV spaces have been installed, two spaces in the City Hall parking lot and two spaces in the Laurel St. parking lot; and

WHEREAS, City Council directed staff to limit the length of parking at the chargers to ensure sufficient turnover and allow for increased availability for users during peak hours; and

WHEREAS, Chapter 10.20 Stopping, Standing, and Parking of Title 10 of the Fort Bragg Municipal Code governs timed parking in the City limits; and

WHEREAS, City Council has determined that the following section should be added to regulate the timed parking of EV charging spaces.

NOW, THEREFORE, the City Council ordains as follows:

Section 1. Legislative Findings. The City Council hereby finds as follows:

1. The provisions of this ordinance imposing a time limit on standing or parking shall in no way relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code of the ordinances of this City prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.
2. The Chief of Police is hereby authorized to maintain, by appropriate signs or by markings upon the curb or pavement surface, all no stopping zones, no parking areas, and restricted parking areas, as defined and described in this ordinance.

When said curb markings or signs are in place no operator of any vehicle shall stop, stand or park such vehicle adjacent to any such legible curb or surface marking, or sign in violation of any of the provisions of this ordinance.

3. The adoption of this ordinance will not have a significant impact on the environment, and therefore, the adoption of this ordinance is exempt from the California Environmental Quality Act (“CEQA”), pursuant to Section 15061(b)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations).

Section 2. Section 10.20.215 entitled “Timed Parking for Electric Vehicle Charging Stations” is hereby added to the City Municipal Code to read:

10.20.215 TIMED PARKING FOR ELECTRIC VEHICLE CHARGING STATIONS

- A. For the purposes of this section, “electric vehicle charging station” means a public or private parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.
- B. No person shall stop, stand, or park a vehicle in any electric vehicle charging station provided on any public or private parking space if the vehicle is not connected to the charging equipment and where the electric vehicle charging station is indicated by signage identifying the station as an electric vehicle charging station and indicating that it is only for electric vehicle charging.
- C. When authorized signs, parking meters, or curb/pavement markings have been determined by the Traffic Committee to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand, or park the vehicle between the hours of 9:00 a.m. and 10:00 p.m. seven (7) days a week for a period of time longer than that designated on the accompanying signage, curb, and/or pavement markings.
- D. Violations of this section are subject to a parking citation for timed parking zones, in the amount set forth by resolution of the City Council.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section 4. Effective Date and Publication. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember Turner at a regular meeting of the City Council of the City of Fort Bragg held on January 8, 2018 and adopted at a regular meeting of the City of Fort Bragg held on January 22, 2018 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**
- RECUSED:**

Lindy Peters
Mayor

ATTEST:

June Lemos, CMC
City Clerk

PUBLISH: January 11, 2018 and February 1, 2018 (by summary).
EFFECTIVE DATE: February 21, 2018.