

ORDINANCE NO. 1219-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVALON, CALIFORNIA AMENDING CHAPTER 4-4.1102 OF THE AVALON MUNICIPAL CODE REGARDING CURB MARKINGS AND ADOPTION OF EXEMPTION FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, pursuant to the authority granted to the City of Avalon (“City”) by Article XI, Section 7 of the California Constitution, the City has the police power to regulate the use of land and property within the City in a manner designed to promote public convenience and general prosperity, as well as public health, welfare, and safety; and

WHEREAS, the Avalon Municipal Code authorizes the Traffic Engineer to determine and marking loading zones and passenger loading zones; and

WHEREAS, when necessary to the safety and orderly movement of traffic, the Traffic Engineer shall place curb markings to indicate parking or standing regulations; and

WHEREAS, the consistent use of these markings is essential so as not to create confusion for users or enforcement; and

WHEREAS, on July 2, 2024, the City Council held a duly-noticed public meeting and considered the staff report, recommendations by staff, and any public testimony concerning this ordinance; and

WHEREAS, all legal prerequisites to the adoption of this ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AVALON DOES ORDAIN AS FOLLOWS:

Section 1. Incorporation of Recitals. The recitals set forth above true, correct, incorporated herein, and are adopted as the findings of the City Council in connection with the adoption of this Ordinance.

Section 2. Code Amendment. Chapter 4-4.1102 of the Avalon Municipal Code is hereby amended to the Avalon Municipal Code to read as follows:

§ 4-4.1102 Curb Markings.

[§ 141, Ord. 452, as amended by Ord. 494, eff. May 6, 1967; and § 3, Ord. 552, eff. May 31, 1972; § 3, Ord. 833, eff. October 6, 1988; § 2, Ord. 1052-07, eff. May 17, 2007; § 2, Ord. 1069-08, eff. June 19, 2008; § 1, Ord. 1074-08, eff. September 18, 2008]

(a)

(1) No stopping, standing or parking at any time except as permitted by the California Vehicle Code shall be designated by red paint upon the entire curb surface. Additionally, no vehicle shall:

- (i) Stop within 15 feet of a fire hydrant;
 - (ii) Stop within a fire lane;
 - (iii) Stop within 15 feet of an intersection; and,
 - (iv) Block any handicapped pedestrian walkway, alley, parking entrance, driveway or crosswalk;
- (2) Loading zones shall be designated by yellow paint upon the entire curb surface. No person shall stop, stand or park a vehicle in a loading zone at any time, for any purpose other than the loading or unloading of passengers or materials. The Traffic Engineer shall designate the maximum time limits applicable to each loading zone within the City. Such time limits shall be stated on the curb surface of each loading zone in prominent black lettering of not less than four inches in height and one inch in width.
- (3) Passenger loading zones shall be designated by white paint upon the entire curb surface. No person shall stop, stand, or park a vehicle in a passenger loading zone for any purpose other than the loading or unloading of passengers or for the purpose of depositing mail in an adjacent mail box. The Traffic Engineer shall designate the maximum time limits applicable to each passenger loading zone within the City. Such time limits shall be stated on the curb surface of each passenger loading zone in black lettering of not less than four inches in height and one inch in width.
- (4) Short term parking zones shall be designated by green paint upon the entire curb surface. The Traffic Engineer shall designate the maximum time limits applicable to each short term parking zone within the City not to exceed one hour. The time limit for each such short-term parking zone shall be displayed in white lettering of not less than four inches in height and one inch in width. Such short-term time limits shall not be effective until signs have been erected by the Traffic Engineer giving notice thereof. No person shall stand or park a vehicle in excess of the designated time limit between the hours of 7:00 a.m. and 6:00 p.m. of any day in front of any curb which has been so designated.
- (5) A taxicab stand shall be designated by white paint upon the entire curb surface and marked "Taxi" in black lettering of not less than four inches in height and one inch in width. It shall be unlawful for the operator of any vehicle other than a taxicab or automobile for hire to stop, stand or park such vehicle in such taxicab stand.
- (6) Autoette and motorcycle parking zones shall be established by the Traffic Engineer and shall be designated by white lines on the surface of the roadway and by black lettering on the curb surface of not less than four inches in height and one inch in width or by posting of signs giving notice of such autoette and parking zones.
- (7) Handicap parking zones shall be designated by blue paint upon the entire curb surface and marked "Handicapped Parking Only" in white lettering of not less than four inches in height and one inch in width. It shall be unlawful for any person to park any vehicle except one which bears the distinguishing license plate or placard for

handicapped persons pursuant to Sections 9105 or 22511.5 of the California Vehicle Code. For purposes of enforcement a handicap zone shall include any area of the pavement adjacent to a parking stall or space designated for a handicapped or disabled person that is marked by crosshatched lines and thereby designated for the loading and unloading of vehicles parked in the stall or space.

- (b) Except as otherwise authorized by this article, when the Traffic Engineer has caused such curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.
- (1) Building service contractors that provide electrical, plumbing, appliance/refrigeration or fire safety related services that have a current business license permit for such business, may apply for and be issued a permit, which permit when displayed shall enable the vehicle to remain in any parking area other than a red zone, fire lane or handicapped zone but only for so long as the service work is being performed in the downtown area. As used herein, the downtown area shall mean the area bounded by Clarissa to the east, Beacon to the south and Metropole to west.

Section 3. Severability. If any section, subsection, subdivision, sentence, clause, or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, void, or invalid, such decisions shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional, void, or invalid.

Section 4. CEQA Exemptions. The City Council finds that adoption of this Ordinance is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15378 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Additionally, this Ordinance is exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance. None of the exceptions to the exemptions found in State CEQA Guidelines section 15300.2 apply. Staff is hereby directed to prepare, execute and file with the Los Angeles County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

Section 5. Certification. The City Clerk of the City of Avalon shall certify the passage and adoption of this Ordinance and shall cause the same, or a summary thereof, to be published and/or posted in the manner required by law.

Section 6. Effective Date. This Ordinance shall become effective thirty days from its adoption.

INTRODUCED AND WAIVED at a regular meeting of the City Council of the City of Avalon on the 2nd day of July, 2024, by the following vote:

AYES: Mayor Marshall, Councilmembers De La Rosa, Lavelle and Ponce.

NAYS: Councilmember Schickling.

ABSENT: None.

ABSTAIN: None.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Avalon on this 16th day of July, 2024, by the following vote:

AYES: Mayor Marshall, Councilmembers De La Rosa and Ponce.

NAYS: None.

ABSENT: Councilmember Lavelle and Schickling.

ABSTAIN: None.

Ann H. Marshall, Mayor

ATTEST:

Gabrielle Morones, Deputy City Clerk

APPROVED AS TO FORM:

Scott Campbell
Best Best & Krieger, LLP