

ORDINANCE NO. 665

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING TITLE 10 OF THE CALISTOGA MUNICIPAL CODE (CMC) TO MODIFY CHAPTER 10.36 BY MODIFYING SECTION 10.36.080 AND REPEALING SECTION 10.36.100 AND ADDING SECTION 10.36.160; PERTAINING TO PARKING TIME LIMITS AND INTERFERENCE WITH PARKING ENFORCEMENT OFFICERS

The City Council of the City of Calistoga does hereby ordain as follows:

SECTION ONE:

WHEREAS, the City Council of the City of Calistoga at a regular meeting considered as one of its items of business, noticed in accordance with Government Code Section 65090, this ordinance to be adopted in accordance with Code Section 65850; and

WHEREAS, the City Council finds that the proposed text amendments pertaining to parking time limits and interference with parking enforcement officers meet the criteria established and required by the State of California; and

WHEREAS, the City Council finds that the proposed text amendments pertaining to parking time limits and interference with parking enforcement officers are consistent with the General Plan policies in support of public safety and quality of life; and

WHEREAS, the City Council finds that the proposed text amendments are not detrimental to the public health, safety and welfare.

SECTION TWO:

Title 10 of the Calistoga Municipal Code, entitled Vehicles and Traffic, is hereby modified as follows:

SECTION THREE:

That the following amendments to Title 10 (Vehicles and Traffic) are hereby adopted:

1. Modify Section 10.36, Section 10.36.080 to read as follows:

10.36.080 Time Limit Parking

A. The Council may, by resolution, designate certain areas of certain streets within the City as areas where parking or stopping is restricted to a certain time limit. Any areas so designated shall be marked by either a sign or painting on the curb, to the effect that parking is limited to a certain time. Any areas restricting parking to 30 minutes or less shall be marked by the use of both green paint on the curb and a sign. Such resolution shall if appropriate, also designate the hours of the day and the days of the week during which such restrictions are in effect, Upon any such resolution, after the areas have been duly marked as provided in this section, no operator of any vehicle shall stop, stand or park for a period of time longer than the specified time during the hours of the day designated and on the days designated by any such signs and curb markings.

B. The Chief of Police shall keep an account of and report the location at which any vehicle is parked in violation of the provisions of this section, the date and hour of such violation, the make and State license number of such vehicle and any other facts necessary to an understanding of the circumstances surrounding such violation. The Chief of Police shall attach to such vehicle a notice stating that it has been parked in violation of this section and instructing the owner or operator to report to the court having jurisdiction with respect to such violation.

2. Repeal Section 10.36.100 – Use of Streets for storage of vehicles prohibited.

3. Add Section 10.36.160 to read as follows:

10.36.160 Obstruction or Interference with Police or Authorized Officers.

No person shall interfere with or obstruct in any way any police officer or other officer or employee of the City of his enforcement of the provisions of the Municipal Code. The removal, obliteration, or concealment of any chalk mark or other distinguishing mark used by any police officer or other employee or officer of the City in connection with the enforcement of the parking regulations of the Code shall, if done for the purpose of evading the provisions of this Code, constitute such interference or obstruction.

SECTION FOUR:

If any section, or portion of this ordinance is for any reason held to be invalid and or unconstitutional by a court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION FIVE:

This ordinance shall take effect thirty (30) days after its passage. Before expiration of fifteen (15) days after its passage by the City Council, the City Clerk shall cause to be published a summary of this ordinance in a newspaper of general circulation within the City of Calistoga.

THIS ORDINANCE was introduced with the first reading waived at the City of Calistoga City Council meeting of **February 16, 2010** and was passed and adopted at a regular meeting of the Calistoga City Council **on March 2, 2010**, by the following vote:

AYES: Vice Mayor Dunsford, Councilmembers Garcia, Kraus, Slusser, and Mayor Gingles

NOES: None

ABSTAIN/ABSENT: None

ATTEST:


SUSAN SNEDDON, City Clerk


JACK GINGLES, Mayor