

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

ORDINANCE NO. ORD-07-0003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING CHAPTER 10.28 AND SECTION 10.30.020; AND BY ADDING SECTION 10.38.140, EXEMPTING HOLDERS OF VETERAN'S LICENSE PLATES FROM CERTAIN PARKING FEES

WHEREAS, it is the intent of the City Council of the City of Long Beach to honor veterans by providing free parking at metered parking spaces and in city-owned and city-operated parking facilities to vehicles displaying certain veteran's license plates; and

WHEREAS, the City Council of Long Beach acknowledges the interest of the California Coastal Commission in providing access to the beach and beach-area attractions to all residents and visitors; and

WHEREAS, the City Council of the City of Long Beach pledges to work with the Coastal Commission to provide free parking in those facilities within the jurisdiction of the Coastal Commission for vehicles displaying certain veteran's license plates.

The City Council of the City of Long Beach ordains as follows:

Section 1. Chapter 10.28 of the Long Beach Municipal Code is amended to read as follows:

Chapter 10.28

10.28.010 Definitions.

A. "Alternate form of payment" means any lawful form of payment,

1 including but not limited to, tokens, prepaid cards, debit cards, credit
2 cards that a parking meter is equipped to accept as payment for
3 occupying a parking space.

4 B. "Metered parking space" means a parking space within a
5 parking meter zone or metered parking area or lot.

6 C. "Multi-space parking meter," also known as a pay station or
7 pay and display machine, means a device which records paid parking
8 time, or accepts payment and dispenses a proof of payment ticket for
9 more than one parking space. If not located immediately adjacent to the
10 parking space it regulates, a multi-space parking meter will be marked or
11 labeled to identify the spaces it regulates.

12 D. "Parking meter" means any device which, upon the deposit of
13 payment, registers the time that a vehicle is parked in a metered parking
14 space, or which generates proof of payment for parking in a metered
15 parking space for a specified time period or for a specific number of
16 minutes. "Parking meter" includes a multi-space parking meter.

17 E. "Proof of payment ticket" means a paper slip or ticket
18 dispensed from a multi-space parking meter for the sole purpose of being
19 displayed as proof of payment for the occupancy of a metered parking
20 space. For the purposes of this chapter, "proof of payment ticket" does
21 not include a credit card receipt or debit card receipt.

22 F. "Single-space parking meter" means a device located adjacent
23 to a metered parking space which device records paid parking time or
24 accepts payment for parking time for one parking space.

25 G. "Veteran's License Plate" means a currently-valid vehicle
26 license plate issued by the State of California to a person who is one of
27 the following: Medal of Honor recipient, Legion of Valor recipient, Pearl
28 Harbor survivor, Purple Heart recipient or former prisoners of war. The

1 term includes a license plate issued by another state indicating a similar
2 status.

3
4 10.28.020 Installation of metered parking spaces and parking meters.

5 A. Council may authorize the City Traffic Engineer to establish
6 metered parking spaces within parking meter zones and parking areas or
7 lots, each of which spaces shall be of sufficient size to permit the parking
8 or standing of one vehicle.

9 B. The City Traffic Engineer shall post signs, or place lines or
10 marks on the curb, street or other area about or alongside of each
11 parking meter to designate the parking space for which the meter is to be
12 used.

13 C. To regulate parking and collect parking revenues, the City
14 Traffic Engineer is further authorized to place a parking meter, as defined
15 in this chapter, which registers the time that a vehicle is parked in a
16 metered parking space or which generates proof of payment for parking
17 in a metered parking space for a specified time period or for a specific
18 number of minutes.

19 D. Nothing in this section is intended to limit the authority of the
20 City Traffic Engineer to establish green restricted-time parking zones or
21 yellow loading zones.

22
23 10.28.030 Operation of parking meters.

24 A. A parking meter may accept United States currency in the form
25 of coins or paper currency, or accept alternate forms of payment
26 including, but not limited to, prepaid cards, debit cards or credit cards. If
27 not located immediately adjacent to the parking space it regulates, it will
28 be marked or labeled to identify the space for which it accepts payment.

1 Parking meters will operate in one of two ways:

2 1. Measure, in minutes, the period of time during which the
3 vehicle may park in a parking meter space without violating the
4 provisions of this chapter or any ordinance regulating parking upon the
5 street or other area on which the parking meter is established. Such a
6 parking meter shall be constructed so that it will, upon the expiration of
7 the period of time, commencing with the deposit and acceptance of
8 payment, and ending with the expiration of the period of time that the
9 parking or standing of a vehicle in the space is permitted, display a flag
10 sign, alphanumeric display or other signal which will indicate that the
11 permitted time for the parking of the vehicle, has expired.

12 2. Dispense a proof of payment ticket. Such proof of
13 payment ticket must be attached to the driver's side front window with the
14 expiration time and date readily visible from outside the vehicle in order
15 to be valid.

16
17 10.28.040 Parking method.

18 Except as required elsewhere in this code or by state law, any
19 vehicle parked or standing in any metered parking space shall be parked
20 or stand within the lines marked on the street or other area for such
21 parking space as provided hereinafter, with the front end of the car facing
22 the direction of traffic in the adjacent driving lane. No person shall park
23 or stand any vehicle across any such line or mark or park the vehicle in
24 such way that it will not be within the area so designated by the signs,
25 lines or markings.

26
27 10.28.050 Payment for metered parking space.

28 A. No person shall park, stand, or stop any vehicle in any metered

1 parking space during a period for which a parking time limit is applicable
2 to the space without making payment for the use of such space as
3 posted. The provisions of this section shall not be applicable during
4 those hours when a parking time limitation is not imposed, nor shall it
5 apply to a vehicle displaying a valid Veteran's License Plate.

6 B. For the purposes of this chapter, payment is evidenced in one
7 of two ways either: 1) the parking meter which regulates the metered
8 parking space displays one or more minutes of paid time or 2) a proof of
9 payment ticket is attached to the vehicle as specified in Section
10 10.28.090 (C) with the expiration time and date readily visible from
11 outside the vehicle on the street side.

12 C. Where a single-space parking meter is installed, if the parking
13 meter is inoperable for any reason, the time limits posted shall be
14 enforced during the hours of operation for parking meters, as posted.

15 D. Where a multi-space parking meter is installed, if that multi-
16 space parking meter is inoperable for any reason, the person seeking to
17 purchase a proof of payment ticket must purchase proof of payment from
18 the next closest multi-space parking meter. If there is no other
19 operational multi-space meter within one block in any direction without
20 crossing a street, or no other operational multi-space meter within the
21 same parking lot, the time limits posted shall be enforced during the
22 hours of operation for parking meters, as posted.

23
24 10.28.060 Unlawful to occupy a metered parking space without paying for
25 parking.

26 A. No person shall park a vehicle in any parking space without
27 paying for parking, except during such time immediately after the original
28 occupancy as is necessary as to deposit payment into a parking meter

1 and if purchasing a proof of payment ticket at a multi-space parking
2 meter, to return to the vehicle to display such ticket.

3 B. No person shall stop or park any vehicle in any parking meter
4 space beyond the time permitted by this chapter for the parking of
5 vehicles in the block or other area in which the parking meter space is
6 situated; provided, however, this section shall not apply within the hours
7 during which free parking is permitted in this chapter nor shall it apply to
8 a vehicle displaying a valid Veteran's License Plate.

9 C. Unless stated otherwise on the parking meter and the proof of
10 parking ticket, nothing in this section is intended to prevent a person who
11 has purchased a proof of parking ticket from parking in more than one
12 location within the same parking meter zone, so long as the paid time, as
13 evidenced on the proof of parking ticket, has not been exceeded.

14
15 10.28.070 Unlawful to use or possess a proof of parking ticket purchased by
16 another.

17 When a person has purchased a proof of payment ticket and has
18 affixed that ticket to a vehicle, it is thereafter unlawful for any other
19 person to remove that ticket, to be in possession of that ticket, or to
20 display that ticket on another vehicle.

21
22 10.28.075 Unlawful to extend time limits.

23 No person shall, by depositing additional payment in a parking
24 meter, extend the time for stopping, parking or standing any vehicle
25 beyond the time permitted by this chapter for parking vehicles within a
26 metered parking space when the vehicle has occupied that space for a
27 consecutive number of minutes equal to or in excess of the legal time
28 parking limit.

1 10.28.080 Prohibited use of parking meter.

2 A. No person shall deposit in any parking meter any defaced or
3 bent coin, or any slug, device or substitute for the required coin or coins
4 or paper currency of the United States or acceptable alternate form of
5 payment.

6 B. No person shall direct or insert any card, object, substance or
7 device in, upon, or at a parking meter as a means to avoid, or in lieu of,
8 making lawful payment for parking as required by this chapter.

9 C. No person shall deface, injure, tamper with, open or willfully
10 break, destroy or impair the usefulness of any parking meter by any
11 means.

12
13 10.28.090 Evidence of payment.

14 A. Single-space meters. The parking or standing of any vehicle in
15 a parking space, at which space the parking meter displays a sign, flag,
16 alphanumeric display or signal indicating illegal or expired parking, during
17 hours in which parking meters are operational, shall constitute a prima
18 facie presumption that the vehicle has been parked or allowed to stand in
19 such space for a period longer than permitted by this chapter.

20 B. Multi-space meters. The parking or standing of any motor
21 vehicle in a metered parking space regulated by a multi-space parking
22 meter which vehicle does not display a proof of parking ticket attached
23 vehicle as set forth in subsection (C) below, shall constitute a prima facie
24 presumption that the vehicle has been parked or allowed to stand in such
25 a space for a period longer than permitted by this chapter.

26 C. Proof of payment shall be displayed as follows, with the
27 expiration time and date readily visible from outside the vehicle:

28 1. For vehicles without side windows, attached to the

1 dashboard of the vehicle adjacent to the vehicle identification number
2 (“VIN”).

3 2. For motorcycles, attached to the headlight and readily
4 visible from the adjacent driving lane.

5 3. For all other vehicles, attached to the inside of the front
6 side window of the vehicle on the side closest to the adjacent driving
7 lane.

8 D. The provisions of this section shall not apply to a vehicle
9 displaying a currently-valid Veteran’s License Plate.

10
11 10.28.100 Purpose of compensation.

12 The payment required to be made by depositing money or an
13 alternate form of payment into a parking meter as provided in this chapter
14 are declared to be necessary to compensate the city for the expense
15 incurred in furnishing facilities, equipment, supervision and regulation
16 required by such parking, and is found to be a reasonable fee for the
17 privilege, voluntarily exercised by owners, operators, managers or drivers
18 of vehicles, of parking the vehicles within the parking spaces, in
19 conformity with the provisions of this chapter.

20
21 10.28.110 Payment collection.

22 All payments made to or deposited in any parking meter shall be
23 collected regularly by a person designated by the city manager.

24
25 10.28.120 Demonstration program– multi-space meters.

26 As a demonstration program, multi-space parking meters shall be
27 installed on Bay Street west of Pine Avenue and on Pine Avenue north of
28 Bay Street for a three-month trial period, to expire July 30, 2006. After

1 that date, parking meters in all parking meter zones may be either single-
2 space meters or multi-space meters, as designated by the City Traffic
3 Engineer.

4
5 Sec. 2. Section 10.30.020 of the Long Beach Municipal Code is
6 amended to read as follows:

7
8 10.30.020 Parking fees – required; exceptions.

9 (A). No person shall park, stand, or stop any vehicle in any parking
10 space in a beach area parking lot during a period for which a parking time limit
11 is applicable to such space without paying the posted parking fee.

12 (B). Subsection (A) shall not apply to a vehicle displaying a currently-
13 valid Veteran’s License Plate, as defined in Section 10.28.010 of this code.

14
15 Sec. 3. Section 10.38.140 is added to the Long Beach Municipal Code
16 to read as follows:

17
18 10.38.140 Off-street parking – exemption from parking fee.

19 A driver of a vehicle displaying Veteran’s License Plates, as defined in
20 Section 10.28.010 (G), may park free of charge at any lot owned or operated by the
21 City, subject to restrictions imposed by the State of California.

22
23 Sec. 4. The City Clerk shall certify to the passage of this ordinance by
24 the City Council of the City of Long Beach and cause it to be posted in three
25 conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first
26 day after it is approved by the Mayor.

27 I hereby certify that the foregoing ordinance was adopted by the City

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1 Council of the City of Long Beach at its meeting of January 2, 2007, by
2 the following vote:

3

4 Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
5 Reyes Uranga, Gabelich, Lerch.

6

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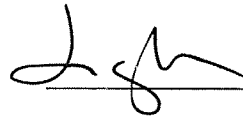
8 Noes: Councilmembers: None.

9

10 Absent: Councilmembers: O'Donnell, Schipske.

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City Clerk

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Approved: 1/4/07

(Date)

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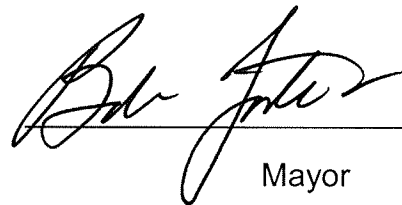
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Mayor