

ORDINANCE NO. 2006-

AN ORDINANCE OF THE CITY OF CULVER CITY,
CALIFORNIA, AMENDING CHAPTER 7.03 OF THE CULVER
CITY MUNICIPAL CODE TO ADD SUBCHAPTER 7.03.700, *et*
seq. RELATING TO SPECIFIED VETERANS PARKING
EXEMPTIONS.

WHEREAS, the City Council of the City of Culver City acknowledges and
appreciates all veterans of the United States Armed Forces; and

WHEREAS, in further appreciation of those veterans of the United States
Armed Forces whom have been recognized for specified distinguished and/or meritorious
service, the City Council, at its duly noticed public meeting of October 10, 2005, considered
possible exemptions for these individuals from municipal parking fees; and

WHEREAS, on October 10, 2005, after giving the public an opportunity to be
heard and considering all information before it, the City Council decided to allow for an
exemption from municipal parking fees to specified veterans, who have been issued a
special interest license plate per California Vehicle Code Sections 5101.3 (Pearl Harbor
Survivor), 5101.4 (Legion of Valor), 5101.5 (Former American Prisoner of War), 5101.6
(Congressional Medal of Honor) or 5101.8 (Purple Heart Recipient).

NOW THEREFORE, the City Council of the City of Culver City, California,
DOES HEREBY ORDAIN as follows:

SECTION 1. Chapter 7.03 of the Culver City Municipal Code is hereby
amended to add subchapter 7.03.700, *et seq.* as follows:

SPECIFIED VETERANS PARKING EXEMPTIONS

- § 7.03.700 Definitions
- § 7.03.705 Privileges of Specified Veterans Parking Exemptions
- § 7.03.710 Compliance with Other Parking Restrictions.

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§ 7.03.700 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Motor vehicle means an automobile, truck, motorcycle or other motor-driven form of transportation not in excess of 6,000 pounds gross weight.

Veterans License Plate means a valid license plate issued by the California Department of Motor vehicles pursuant to California Vehicle Code Sections 5101.3, 5101.4, 5101.5, 5101.6, and 5101.8, or such other statutes as later enacted which provide for the issuance of license plates to Medal of Honor recipients, Legion of Valor recipients, Purple Heart recipients, Pearl Harbor Survivors, and Former American Prisoners of War, and such other plates issued by another state which indicate a similar status.

Controlled parking space means a parking space in a City-owned lot where parking is subject to a fee, or a metered space. "Controlled parking space" does not mean a space assigned to a City employee, or a space dedicated to a disabled person.

§ 7.03.705 PRIVILEGES OF SPECIFIED VETERANS PARKING EXEMPTION.

A person may park a motor vehicle upon which a Veterans License Plate is displayed in any controlled parking space without charge.

§ 7.03.710 COMPLIANCE WITH OTHER PARKING RESTRICTIONS.

The provisions set forth in this subchapter do not exempt a vehicle, which displays a Veterans License Plate, from compliance with any and all other parking regulations set forth in this Code, including, but not limited to, vehicle height restriction, parking time limitation, street sweeping, and no parking restrictions.

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SECTION 2. Pursuant to Section 514 of the City Charter, this Ordinance shall take effect thirty (30) days after the date of its adoption. Pursuant to Sections 512 and 517 of the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City News and shall post this Ordinance or a summary thereof in at least three places within the City.

SECTION 3. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED AND ADOPTED this _____ day of _____, 2006.

ALBERT M. VERA, Mayor
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

CHRISTOPHER ARMENTA, City Clerk

CAROL A. SCHWAB, City Attorney



**California Vehicle Code Division 3 - Registration of
Vehicles and Certificates of Title**

5101.3 Pearl Harbor Survivor Plates

5101.3. (a) Any person otherwise eligible under this article who qualifies under subdivision (b) may apply for special license plates that shall run in a separate numerical series and shall contain the words "Pearl Harbor Survivor." The plates may be issued for any vehicle, except a vehicle used for transportation for hire, compensation, or profit, or a motorcycle, which is owned or co-owned by the person.

(b) To qualify for issuance of the special plates, the applicant by satisfactory proof shall show all of the following:

(1) The applicant was a member of the United States Armed Forces on December 7, 1941, and received an honorable discharge from military service.

(2) The applicant was on station at Pearl Harbor, the Island of Oahu, or offshore within a distance of three miles, on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m., Hawaii time, as certified by a California chapter of the Pearl Harbor Survivors Association.

(c) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(d) Sections 5106 and 5108 do not apply to this section.

Amended Sec. 2, Ch. 114, Stats. 1997. Effective January 1, 1998.

Amended Sec. 1, Ch. 612, Stats. 1999. Effective January 1, 2000.

5101.4 Legion of Valor License Plates

5101.4. (a) Any person otherwise eligible under this article who is a recipient of the Army Medal of Honor, Navy Medal of Honor, Air Force Medal of Honor, Army Distinguished Service Cross, Navy Cross, or Air Force Cross may apply for special license plates for the vehicle under this article.

(b) The applicant, by conclusive evidence, shall show that the applicant is a recipient of one of the nation's highest decorations for valor, as specified in subdivision (a).

(c) The special license plates issued under this section shall contain the words "Legion of Valor" and shall run in a regular numerical series. An adhesive sticker denoting which of the nation's highest decorations for valor, as specified in subdivision (a), is held by the applicant shall be affixed in a recess provided for it on the license plates.

(d) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained, special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(e) Sections 5106 and 5108 do not apply to this section.

Added Ch. 358, Stats. 1991. Effective January 1, 1992.
Amended Ch. 392, Stats. 1993. Effective January 1, 1994.
Amended Sec. 2, Ch. 612, Stats. 1999. Effective January 1, 2000.

5101.5 Special License Plates: Former American Prisoners of War

5101.5. (a) Any person otherwise eligible under this article who is a former American prisoner of war may apply for special license plates for the vehicle under this article. The special plates assigned to the vehicle shall run in a separate numerical series and contain a replica design of the American Prisoner of War Medal followed by the letters "POW" and four numbers. The special license plates issued under this subdivision also shall contain the following words: "Ex-Prisoner of War." The department shall, pursuant to this article, reserve and issue the license plates provided for by this section only to persons who show by satisfactory proof his or her former prisoner of war status. Any person otherwise issued license plates within this series pursuant to this article prior to January 1, 1982, may retain them.

(b) Special license plates may be issued pursuant to subdivision (a) only for a vehicle owned or co-owned by a former American prisoner of war.

(c) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(d) Any vehicle exempted from fees by Section 9105 and by Section 10783 of the Revenue and Taxation Code shall lose the exemption upon the death of the former American prisoner of war.

(e) Sections 5106 and 5108 do not apply to this section.

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(f) The department shall recall all former prisoner-of-war license plates issued pursuant to this section prior to January 1, 1999, and shall issue to the holder of those plates, without charge, the revised plates authorized by this section.

(g) This section shall become operative on July 1, 1999.

Added Sec. 4, Ch. 563, Stats. 1998. Effective January 1, 1999. Operative July 1, 1999.

5101.6. Congressional Medal of Honor

5101.6. (a) Any person otherwise eligible under this article who is a Congressional Medal of Honor recipient may apply for special license plates for the vehicle under this article. The special license plates assigned to the vehicle shall run in a separate numerical series and shall have inscribed on the license plate the words "Congressional Medal of Honor" or "Medal of Honor." The department shall reserve and issue the special license plates to all applicants providing the proof required by subdivision (b).

(b) The applicant shall, by satisfactory proof, show that the applicant is a Congressional Medal of Honor recipient.

(c) Special license plates may be issued pursuant to subdivision (a) only for a vehicle owned or co-owned by a Congressional Medal of Honor recipient.

(d) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained, special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(e) Any vehicle exempted from fees by Section 9105 and by Section 10783 of the Revenue and Taxation Code shall lose the exemption upon the death of the Congressional Medal of Honor recipient.

(f) Sections 5106 and 5108 do not apply to this section.

Amended Ch. 392, Stats. 1993. Effective January 1, 1994.

5101.8 Purple Heart Recipient Plates

5101.8. (a) Any person otherwise eligible under this ()¹ *article* who is a Purple Heart recipient may apply for special license plates for vehicles that are not used for transportation for hire, compensation, or profit, under this article. The special plates assigned to the vehicle shall run in a separate numerical series, shall have inscribed on the plate the Purple Heart insignia, and shall contain the words "Combat Wounded" and "Purple Heart" or at least the letters "PH" as part of the numerical series. The

department shall reserve and issue the special plates to all applicants providing the proof required by subdivision (b).

(b) The applicant, by satisfactory proof, shall show that the applicant is a Purple Heart recipient.

(c) Special plates may be issued pursuant to subdivision (a) only for a vehicle owned or co-owned by a Purple Heart recipient. ()²

(d) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained, special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(e) When an applicant for the Purple Heart license plate qualifies as a disabled veteran, as specified in subdivision (b) of Section 22511.55, the applicant may also apply for a distinguishing placard described in subdivision (a) of Section 22511.55 to be used in conjunction with the Purple Heart license plate for the purpose of allowing special parking privileges pursuant to subdivision (a) of Section 22511.5. ()³

(f) Sections 5106 and 5108 do not apply to this section .

Amended Sec. 171, Ch. 91, Stats. 1995. Effective January 1, 1996.

Amended Sec. 3, Ch. 612, Stats. 1999. Effective January 1, 2000. Amended Sec. 1, Ch. 201, Stats. 2004. Effective January 1, 2005.

The 2004 amendment added the italicized material, and at the point(s) indicated, deleted the following:

1. "Article"
2. "and may not be transferred to any other person, including the co-owner of the vehicle. The special plates shall be surrendered to the department upon the death of the Purple Heart recipient"
3. "(e)"