

ORDINANCE NO. ORD-06-0015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING CHAPTER 10.28 OF THE LONG BEACH MUNICIPAL CODE RELATING TO PARKING METERS

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 as follows:

10.28.010. Definitions.

A. "Alternate form of payment" means any lawful form of payment, including but not limited to, tokens, prepaid cards, debit cards, credit cards that a parking meter is equipped to accept as payment for occupying a parking space.

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

C. "Metered parking space" means a parking space within a parking meter zone or metered parking area or lot.

D. "Parking meter" means any device which, upon the deposit of payment, registers the time that a vehicle is parked in a metered parking space, or which generates proof of payment for parking in a metered parking space for a specified time period or for a specific number of

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

1 minutes. "Parking meter" includes a multi-space parking meter.

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

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

10
11 10.28.020. Installation of Metered Parking Spaces and Parking Meters.

12 A. Council may authorize the city traffic engineer to establish
13 metered parking spaces within parking meter zones and parking areas or
14 lots, each of which spaces shall be of sufficient size to permit the parking
15 or standing of one vehicle.

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

20 C. To regulate parking and collect parking revenues, the city traffic
21 engineer is further authorized to place a parking meter, as defined in this
22 chapter, which registers the time that a vehicle is parked in a metered
23 parking space or which generates proof of payment for parking in a
24 metered parking space for a specified time period or for a specific
25 number of minutes.

26 D. Nothing in this section is intended to limit the authority of the
27 city traffic engineer to establish green restricted-time parking zones or
28 yellow loading zones.

1 10.28.030 Operation of Parking Meters.

2 A. A parking meter may accept United States currency in the form
3 of coins or paper currency, or accept alternate forms of payment
4 including, but not limited to, prepaid cards, debit cards or credit cards. If
5 not located immediately adjacent to the parking space it regulates, it will
6 be marked or labeled to identify the space for which it accepts payment.
7 Parking meters will operate in one of two ways:

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

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

22
23 10.28.040 Parking method.

24 Except as required elsewhere in this code or by state law, any vehicle parked or
25 standing in any metered parking space shall be parked or stand within the lines
26 marked on the street or other area for such parking space as provided hereinafter, with
27 the front end of the car facing the direction of traffic in the adjacent driving lane. No
28 person shall park or stand any vehicle across any such line or mark or park the vehicle

1 in such way that it will not be within the area so designated by the signs, lines or
2 markings.

3 10.28.050 Payment for metered parking space.

4 A. No person shall park, stand, or stop any vehicle in any metered
5 parking space during a period for which a parking time limit is applicable
6 to the space without making payment for the use of such space as
7 posted. The provisions of this section shall not be applicable during
8 those hours when a parking time limitation is not imposed.

9 B. For the purposes of this chapter, payment is evidenced in one
10 of two ways either: 1) the parking meter which regulates the metered
11 parking space displays one or more minutes of paid time or 2) a proof of
12 payment ticket is attached to the vehicle as specified in Section
13 10.28.090 (C) with the expiration time and date readily visible from
14 outside the vehicle on the street side.

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

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

26
27 10.28.060. Unlawful to occupy a metered parking space without paying for
28 parking.

1 A. No person shall park a vehicle in any parking space without
2 paying for parking, except during such time immediately after the original
3 occupancy as is necessary as to deposit payment into a parking meter
4 and if purchasing a proof of payment ticket at a multi-space parking
5 meter, to return to the vehicle to display such ticket.

6 B. No person shall stop or park any vehicle in any parking meter
7 space beyond the time permitted by this chapter for the parking of
8 vehicles in the block or other area in which the parking meter space is
9 situated; provided, however, this section shall not apply within the hours
10 during which free parking is permitted in this chapter.

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

16
17 10.28.070 Unlawful to use or possess a proof of parking ticket purchased by
18 another.

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

22
23 10.28.075 Unlawful to extend time limits.

24 No person shall, by depositing additional payment in a parking meter, extend
25 the time for stopping, parking or standing any vehicle beyond the time permitted by this
26 chapter for parking vehicles within a metered parking space when the vehicle has
27 occupied that space for a consecutive number of minutes equal to or in excess of the
28 legal time 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 device
7 in, upon, or at a parking meter as a means to avoid, or in lieu of, making lawful
8 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 10.28.090 Evidence of payment.

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

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

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

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

1 of the vehicle adjacent to the vehicle identification number ("VIN").

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

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

6
7 10.28.100 Purpose of compensation.

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

16
17 10.28.110 Payment collection.

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

20
21 10.28.120 Demonstration program— Multi-space meters.

22 As a demonstration program, multi-space parking meters shall be
23 installed on Bay Street west of Pine Avenue and on Pine Avenue north of
24 Bay Street for a three-month trial period, to expire July 30, 2006. After
25 that date, parking meters in all parking meter zones may be either single-
26 space meters or multi-space meters, as designated by the city traffic
27 engineer.

28 Sec. 2. The City Clerk shall certify to the passage of this ordinance

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

by the City Council of the City of Long Beach and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2006, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor