

ORDINANCE NO. 3173

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING CHAPTER 8.44.230 TO TITLE 8 (TRAFFIC) OF THE FULLERTON MUNICIPAL CODE PERTAINING TO RESIDENTIAL PERMIT PARKING

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES AS FOLLOWS:

1. That Section 8.44.230 of the Fullerton Municipal Code pertaining to Residential Permit Parking in the City of Fullerton, is hereby amended as follows:

Section 8.44.230 Resident Permit Parking on Designated Streets

A. Parking by Permit Only.

Except as otherwise provided in this section, it shall be unlawful for any person to stand or park any vehicle on any street or portion thereof so restricted by resolution of the City Council to permit parking only during all or certain portions of the day provided signs giving notice of said restriction have been posted, unless a parking permit issued by the City is displayed on the vehicle as provided for in this section.

This restriction shall not apply to any authorized emergency vehicle, City or Government vehicle, public utility vehicle or service vehicle when used for official business or performing a private service on said permitted street, or to any vehicle used for the collection or delivery of United States Mail.

B. Issuance of Permits.

The City Treasurer, or such other person as authorized by the City Council, shall, upon application and payment of the designated fee established by resolution of the City Council, issue a parking permit for any non-commercial passenger vehicle or pick-up truck owned and registered to any resident of a single-family property adjacent to any street restricted to permit parking. The applicant shall be issued parking permits in accordance with Council approved Residential Permit Parking Procedures and Guidelines for Selected Streets. Commercial, recreational, inoperative, or unregistered vehicles are prohibited from acquiring and/or utilizing Residential Parking Permit(s).

C. Application for Permit.

To obtain a residential parking permit, the applicant shall furnish their full name, home address, day & evening phone numbers, and proof of residence.

Parking permits may be issued online or through the City's Utility Services Division for first year applicants and/or renewals as permitted.

D. Display of Permits.

1. Parking permits shall be a "hanger" type placard supplied by the City and hung from the rear view mirror at all times when the guest's vehicle is parked on a street within the permit parking area.
2. In the event there is no rear view mirror, the hanger shall be placed within view behind front windshield on the driver's side of the vehicle.

E. Duration of Permits.

All parking permits issued by the City pursuant to this section shall be valid for the one year period from January 1st through December 31st of each year. Permits for the following year shall be issued in December of each year.

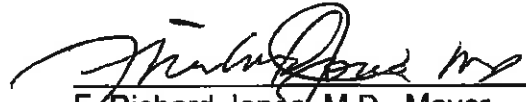
F. Violations.

1. Parking a vehicle in violation of this section shall be an infraction. All persons designated by the Chief of Police are authorized and empowered to remove or cause to be removed all vehicles parked on a street contrary to the provisions of this section, and to tow and store the vehicles. The owner or operator of any such vehicle shall be liable for reasonable towing and storage charges.
2. It shall be a violation of this section for any person falsely to represent himself as eligible for a resident parking permit or to furnish false information in an application therefore; to do so is sufficient grounds for revocation of all permits issued to the associated address.
3. It shall be a violation of this section for any person holding a resident parking permit issued pursuant to this section to allow the use of or display of such permit on a vehicle other than that for which the permit was issued. Any person who so uses or displays a resident parking permit on a vehicle other than that for which it was issued is likewise guilty of a violation of the section. In such a situation, the permit shall be considered invalid and the owner of said vehicle subject to a citation.

4. It shall be a violation of this section for any person to copy, produce, or otherwise bring into existence a facsimile or counterfeit resident parking permit or guest parking permit. Any person who knowingly uses or displays a facsimile or counterfeit parking permit, with intent to evade prohibitions or limitations on parking in a designated permit parking area is likewise guilty of a violation of this section and an infraction. In such a situation, the City shall revoke the resident's privilege to obtain parking permit(s) in the future.


Nothing contained in this section shall be deemed to authorize vehicle parking contrary to Section 8.44.080 of this code pertaining to "Early Morning Parking" or at any other location or at any time otherwise prohibited by any other provision of law.

ADOPTED BY THE FULLERTON CITY COUNCIL on November 15,
2011.



F. Richard Jones, M.D., Mayor

ATTEST:



Lucinda Williams, City Clerk

November 21, 2011
Date


City of Fullerton
ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

ORDINANCE NO. 3173

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certifies that the whole number of the members of the City Council of the City of Fullerton is five; and that the above and foregoing **Ordinance No. 3173** had first reading by title only and introduction at the **November 1, 2011** regular City Council meeting and adopted at the **November 15, 2011** regular City Council meeting by the following vote:

COUNCIL MEMBER AYES:	Jones, Bankhead, Quirk-Silva, McKinley
COUNCIL MEMBER NOES:	Whitaker
COUNCIL MEMBER ABSTAINED:	None
COUNCIL MEMBER ABSENT:	None



Lucinda Williams, MMC
City Clerk



Resident Permit Parking Conditions as they pertain to Section 8.44.230 of the Fullerton Municipal Code

Issuance of Permits.

Permits are issued for non-commercial passenger vehicles or pick-up trucks owned and registered to approved single-family properties. Commercial, recreational, inoperative, or unregistered vehicles are prohibited from acquiring and/or utilizing Residential Parking Permits. Property owners are responsible for all permits assigned to their residency, including those to tenants. Additional resident permits will not be issued as a result of tenant failure to return permit(s) to the property owner until the next annual renewal period. All parking permits issued by the City pursuant to this section shall be valid for the one year period from January 1st through December 31st of each year. Permits for the following year shall be issued in December of each year.

Display of Permits.

Parking permits shall be a "hanger" type placard supplied by the City and hung from the rear view mirror at all times when the guest's vehicle is parked on a street within the permit parking area. In the event there is no rear view mirror, the hanger shall be placed within view behind front windshield on the driver's side of the vehicle. The City does not have a "forgiveness" clause in its enforcement policy. Should a resident or guest forget to display or improperly display the appropriate resident or guest permit as required, a citation may be issued.

Enforcement and Administrative Regulations

Parking a vehicle in violation of the following shall be an infraction. **It shall be a violation of this section for any person to allow the use of said permit(s) for parking on other approved streets not associated with the intended use at assigned address.** It shall be a violation of this section for any person falsely to represent himself as eligible for a resident parking permit or to furnish false information in an application therefore. It shall be a violation of this section for any person holding a resident parking permit issued pursuant to this section to sell said permit. In such a situation, the permit shall be considered invalid and the owner of said vehicle subject to a citation. It shall be a violation of this section for any person to copy, produce, or otherwise bring into existence a facsimile or counterfeit resident parking permit. Any person who knowingly uses or displays a facsimile or counterfeit parking permit, with intent to evade prohibitions or limitations on parking in a designated permit parking area is likewise guilty of a violation of this section and an infraction. In any such situation, the City may revoke the resident's privilege to obtain parking permit(s) in the future. It should also be noted that the Chief of Police, or authorized and empowered, may remove or cause to be removed all vehicles parked on a street contrary to the provisions of this section, and to tow and store the vehicles. The owner or operator of any such vehicle shall be liable for reasonable towing and storage charges.

I _____ who reside at _____ herby
(Applicant's Printed Name) (Address)

state that I understand and agree to the conditions listed above in the use of City
parking permits.

(Applicant Signature)

(Date)



CITY OF FULLERTON

"Resident Only Permit Parking"

Name of Property Owner: _____ Date: _____
(Please Print)

Address: _____ Primary Residence: Rental:

Proof of Residence (Tax Bill, Water Bill, Drivers License, Vehicle Registration):

Daytime Phone # _____

Evening Phone # _____

Annual Issuance Fee: **\$ 10.00**

Parking Permits Issued: x \$2.00 = \$ _____
(Max. 5 per year)

Total = \$ _____

Official Use Only	
Permit No.	
1.	_____
2.	_____
3.	_____
4.	_____
5.	_____

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Do Not Write Below Line – Official City Use Only