

RESOLUTION NO. 19-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE APPROVING THE PROPOSED INSTALLATION OF “NO OVERNIGHT PARKING” AND “NO DWELLING” SIGNS ALONG DESIGNATED HIGHLY IMPACTED STREETS

WHEREAS, the City of Commerce (City) has experienced a systemic increase in the number of vehicles parked for an excessive period of time along numerous streets throughout Commerce; and

WHEREAS, the City is experiencing numerous vehicles parked overnight within the public rights-of-way, often causing parking shortages for residents and businesses, creating unsanitary conditions, increasing noise levels, growing incidences of vehicular graffiti and crime, and creating visual obstacles that obstruct sight distance for vehicles and pedestrians; and

WHEREAS, in some instances the vehicles parking overnight in the City are used for human habitation resulting in the improper disposal of trash and waste, and in which this excess trash and waste have been frequently found around these vehicles, posing both a public nuisance and public health hazard; and

WHEREAS, the City Council has elected to take action by installing parking restriction and no dwelling signs at along selected highly impacted streets within the City; and

WHEREAS, on July 3, 2018, the City Council passed Resolution No. 18-94, approving the proposed “NO OVERNIGHT PARKING” sign installations along an enumerated list of streets in the City of Commerce, in order to eliminate public safety issues due to excessive overnight parking; and

WHEREAS, subsequent to the passage of Resolution No. 18-94, City staff identified additional selected streets in the City of Commerce experiencing an increased number of vehicles parking for an excessive period of time, and therefore creating additional public safety and public nuisance concerns; and

WHEREAS, pursuant to Commerce Municipal Code Section 10.44.030, the City Manager has the power and duty to place and maintain, or cause to be placed and maintained, parking and traffic signs when and as required to make effective the provisions of the Commerce Municipal Code, including Chapter 10.44, which regulates the installation and maintenance of such signs; and

WHEREAS, pursuant to Commerce Municipal Code sections 10.44.140 and 10.44.190(a), the City is authorized to install signs indicating no dwelling and also to establish time limit parking restrictions. Both NO DWELLING and NO OVERNIGHT PARKING (between the hours of 2:00 A.M. and 6:00 A.M.) signs are to be installed on the following designated streets:

1. Telegraph Rd. (from Washington Blvd. to Garfield Ave.)
2. Garfield Ave. (from north City limit to Randolph St.)
3. Bandini Blvd. (from Garfield Ave. to Greenwood Ave.) *[south side only]*
4. Slauson Ave. (from Los Angeles River to Telegraph Rd.)
5. Zambrano St. (from Slauson Ave. to Rickenbacker Rd.)
6. Rickenbacker Rd. (from Eastern Ave. to Zambrano St.)
7. Alexander St. (from Slauson Ave. to Rickenbacker Rd.)
8. Ferguson Dr. (from Westside Dr. to Saybrook Ave.)
9. Sydney Dr. (from Triggs St. to Noakes St.)
10. Herbert Ave. (from Noakes St. to City limit)

WHEREAS, pursuant to Commerce Municipal Code sections 10.44.140, the City is authorized to install signs indicating no dwelling, and only NO DWELLING signs are to be installed on the following designated streets in order to allow for overnight parking for residents:

1. Harbor St. (from Eastern Ave. to Commerce Way)
2. Strong Ave. (from Jillson St. to Harbor St.)
3. Triggs St. (from Sydney Dr. to Duncan Ave.) *[underneath I -710 bridge]*

WHEREAS, California Vehicle Code Sections 22507 and 22507.5, and case law such as *Homes on Wheels v. City of Santa Barbara* (2004) 119 Cal.App.4th 1173, confirm the City's authority to restrict the parking of vehicles on certain streets, during all or certain hours of the day, including but not limited to, between the hours of 2 a.m. and 6 a.m.; and

WHEREAS, signs are to be installed properly and conform to all rules and regulations pertaining to the California Manual on Uniform Traffic Devices (CA MUTCD), the California Vehicle Code (CVC), and the Commerce Municipal Code (CMC); and

WHEREAS, per CMC section 10.44.030, the City Manager is authorized to place parking control signs when deemed necessary; and

WHEREAS, the estimated cost of \$160,000 for the sign installations will be secured by appropriating funds from Measure AA, which has adequate funds to cover these costs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The recitals set forth hereinabove are incorporated herein and by this reference are made part of the findings.

Section 2. City Council approves the proposed no dwelling and no overnight parking sign installations along the aforementioned streets and their time limit parking prohibitions, consistent with sections 10.44.140 and 10.44.190(a) of the Commerce Municipal Code.

Section 3. Funds will be appropriated in the estimated amount of \$160,000 from Measure AA in order to defray the costs of fabricating and installing said overnight parking restriction signs.

PASSED, APPROVED and ADOPTED this 5th day of August 2019.

John Soria, Mayor

ATTEST:

Lena Shumway, City Clerk