



COUNTY OF DEL NORTE

County Counsel
981 "H" Street, Suite 220
Crescent City, CA 95531
Phone (707) 464-7208

Memorandum

AGENDA DATE: March 24, 2020

TO: Del Norte County Board of Supervisors

FROM: County Counsel

SUBJECT: Updated Resolution Establishing Various Parking Regulations and Penalties

RECOMMENDATION FOR BOARD ACTION:

- 1.) Review Updated Resolution Establishing Various Parking Regulations and Penalties
- 2.) Set Board Agenda Date April 14, 2020 to Approve and Adopt the Updated Resolution Establishing Various Parking Regulations and Penalties

SUMMARY:

The Resolution for discussion updates Resolution 2009-087 and 2009-020 both setting parking regulations and establishing penalties and 2009-087 adding statutory surcharges to parking violations.

At a previous Board meeting in February, the Board of Supervisors directed County Counsel to work on a parking ordinance under California Vehicle Code §22651 (k). Through a comprehensive review of County parking regulations, it was found that the Resolutions implementing specific parking regulations as to specific areas of the county could use updating and could be combined into a single Resolution. The parking ordinance updates and the updated

resolution reflect overall updates.

California Vehicle Code Section 40203.5(a) by establishing, by resolution, a schedule of penalties for parking and related violations, late payment penalties, administration fees, and other related charges for parking and related violations. The previous resolution 2009-020 established 20 foot violations, fifty foot violations, road violations as to specific locations, and bus stop violations. The Resolution also established penalties consistent with California law. That Resolution is attached as Exhibit A.

Resolution 2009-047 reiterated the information in 2009-020 but added statutorily mandated surcharges to penalties under Gov't Code §§70732, 76000, and 76101 to the existing fine structure. That Resolution is attached as Exhibit B.

The current resolution contains some of the specific regulations that were previously found in the County code such as restrictions along Cooper (parking is not allowed 180 feet west of the intersection of Cooper Avenue with J Street). Rather than stating specific streets under which 20 or 50 foot intersection requirements exist, an intersection violation section is proposed under which County Engineering would be provided discretion to limit parking as follows:

- At an intersection with a functional classification of “interstate,” “other freeway or expressway,” “other principal arterial,” “minor arterial,” or “major collector” as defined by Caltrans’ California Road System (CRS) Maps, as the primary roadway the no parking distance may be up to 150 feet on the primary and secondary roadways.
- At intersections with a functional classification of “minor collector” or “local” roadway, as defined by Caltrans’ California Road System (CRS) Maps, as the primary roadway the no parking distance can be up to 100 feet on the primary and secondary roadways.

Boat ramp violations were combined from past Resolutions as well as the currently existing California Code. Bike lane violations were added. Penalties were not altered at this time.

Fiscal Impact:

No direct fiscal impact. Although due to the more clarity it is expected there could be a positive fiscal impact to the County.

ALTERNATIVE:

Do not adopt the Resolution in which case the current Resolutions will remain in effect. Direct staff to make changes to the Resolutions.

AGENCY(S) INVOLVEMENT: County Counsel, Community Development Department

SIGNATURE REQUIRED: Board Chair.

**COUNTY OF DEL NORTE
STATE OF CALIFORNIA
BOARD OF SUPERVISORS**

RESOLUTION NO. 2020-

**AN UPDATED RESOLUTION ESTABLISHING VARIOUS PARKING REGULATIONS
AND PENALTIES**

WHEREAS, California Vehicle Code sections 40200 through 40230 authorize the County of Del Norte to establish an administrative review process to adjudicate parking violations and the Board of Supervisors of Del Norte County have adopted such procedures by ordinance under chapter 10.12 of Title 10 of the Del Norte County Code; and

WHEREAS, the Board of Supervisors is authorized under Del Norte County Code section 10.12.020 to establish by resolution the penalties, fines, fees, and related charges for parking and standing violations; and

WHEREAS, the Board of Supervisors is authorized under Del Norte County Code section 10.12.70 to establish by resolution regulations governing parking violations and citations in the unincorporated area of Del Norte County; and

WHEREAS, the Board of Supervisors finds that approval of parking regulations, citations, fines, and related penalties is categorically exempt under the California Environmental Quality Act pursuant to 14 California Code of Regulations Section 15321(a), as an action related to the enforcement of parking laws administered by the County of Del Norte;

WHEREAS, California Government Code sections 70372, 76000, and 76101 impose various surcharges on parking violations for the funding of the construction of courthouses and criminal justice facilities;

WHEREAS, the Board of Supervisors may revise the parking fine schedule of the County in order to incorporate the surcharges imposed by Government Code sections 70372, 76000, and 76101;

WHEREAS, parking regulations were previously established via Resolutions 2009-020 and 2009-087;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors that:

The Board rescinds previous resolutions establishing various parking regulations governing violations, citations, and fines unless specifically stated herein; and

The parking regulations and penalties stated herein shall take effect thirty (30) days from the adoption of this resolution; and

The parking regulations and penalties shall be as follows:

A. Intersection Violations:

It is unlawful for any person to park or leave standing a vehicle, whether attended or unattended, at an intersection with parking restrictions. The County Engineer directs the installation of traffic control devices demarcating parking restrictions at intersections with County maintained roadways.

At an intersection with a functional classification of "interstate," "other freeway or expressway," "other principal arterial," "minor arterial," or "major collector" as defined by Caltrans' California Road System (CRS) Maps, as the primary roadway the no parking distance may be up to 150 feet on the primary and secondary roadways.

At intersections with a functional classification of "minor collector" or "local" roadway, as defined by Caltrans' California Road System (CRS) Maps, as the primary roadway the no parking distance can be up to 100 feet on the primary and secondary roadways.

Caltrans' California Road System (CRS) Maps show the current Functional Classification of roadways in Del Norte County. The no parking distance is measured from the center of the intersection down the center of each intersection leg. The Community Development Department shall maintain a record of all intersections with parking restrictions. All intersections with parking restrictions will be appropriately demarcated prior to enforcement.

B. Boat Ramp Violations

It is unlawful for any person to park or leave standing any vehicle, whether attended or unattended, at the following locations ("Park or leave standing" shall not apply to any vehicle while necessarily and actually engaged in loading or unloading boats or trailers):

1. Smith River angling access ramp. The ramp is located on the southeast side of the Smith River approximately one and one-half miles downstream from the Dr. Fine Memorial Bridge and adjacent to the Fred D. Haight Drive.
2. Old Townsite Boat Launch on the Klamath River accessed from Chapman Street
3. Roy Rook Boat Launch on the Klamath River accessed from Terwer Riffle Road
4. Saxton Boat Launch on the Smith River accessed from Fred Haight Drive

C. Road Violations

It is unlawful for any person to park or leave standing any vehicle, whether attended or unattended, at the following locations:

1. Upon what is known as Mouth of Klamath Road along both sides from Requa Road to the west terminus of Mouth of Klamath Road.
2. Along the east side of Northcrest Drive, 1,900 feet north of the intersection of Washington Boulevard with Northcrest Drive.
3. Along the north and south side of Cooper Avenue, 180 feet west of the intersection of Cooper Avenue with J Street.

4. Along the north of Indian Road, from the intersection of U.S. Highway 101 and the intersection of Indian Court.

It is unlawful for any person to park or leave standing a vehicle, whether attended or unattended, within five feet of a fog line at the following locations:

1. Glenn Street – east side of roadway from Small Avenue to Hamilton Avenue
2. Hamilton Avenue – Inyo Street to El Dorado Street
3. Pebble Beach Drive – Hemlock Avenue to City Limits (near West Condor Street)

D. Bus Stop Violations

It is unlawful for any person to park or leave standing any vehicle, whether attended or unattended, 60 feet before and 30 feet after a bus stop. The measurement shall be from bus stop sign.

E. Bike Lane Violations

It is unlawful for any person to park or leave standing a vehicle, whether attended or unattended, within a bike lane at the following locations (a bike lane is defined as five feet from a fog line if the bike lane is not delineated by traffic stripes on both sides):

1. El Dorado Street – Harding Avenue to Pacific Avenue
2. Elk Valley Road – Highway 101 to Howland Hill Road
3. Fred Haight Drive – north end of Highway 101 to First Street
4. Harding Avenue – El Dorado Street to City Limits (near Truman Court)
5. Howland Hill Road – Elk Valley Road to Bertsch Avenue
6. Humboldt Road – Howland Hill Road to Highway 101
7. Inyo Street – Washington Boulevard to Hamilton Avenue
8. Klamath Boulevard – east side of roadway from Ehler's Way to north end of Klamath Circle
9. Klamath Boulevard – north end of Klamath Circle to 1,950 feet south
10. Lake Earl Drive – Highway 101 to Northcrest Drive (near Blackwell Lane)
11. Northcrest Drive – Lake Earl Drive (near Blackwell Lane) to City Limits (near Harding Avenue)
12. Parkway Drive – Highway 199 to Highway 101
13. Pebble Beach Drive – Washington Boulevard to Hemlock Avenue
14. Railroad Avenue – Boulder Avenue to Parkway Drive
15. Washington Boulevard – Pebble Beach Drive to Parkway Drive

F. Penalties for Parking Infractions

Unless otherwise specified in this resolution, the penalty for an infraction identified in this resolution shall be \$40.00. The penalty for an infraction resulting from the violation of Vehicle Code section 22507.8, relating to disabled parking spaces, shall be \$275.00. The penalty for the late payment of a parking citation shall be \$25.00. Any non-conflicting penalties addressed in order resolutions and to the extent consistent with current local, state, and federal law, shall remain valid.

For every penalty imposed herein, there shall be added any and all surcharges required to be imposed on parking violations pursuant to Government Code sections 70732, 76000, and 76101.

G. Severability

This Resolution shall be interpreted compliant with California law. If any section, subsection, sentence, clause, or phrase of this Resolution or another Resolution related to parking and penalties is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of the Resolution.

Exhibit A

**BOARD OF SUPERVISORS
COUNTY OF DEL NORTE
STATE OF CALIFORNIA**

RESOLUTION NO. 2009- 020

**A RESOLUTION ESTABLISHING VARIOUS PARKING
REGULATIONS GOVERNING VIOLATIONS, CITATIONS, AND
FINES**

WHEREAS, California Vehicle Code sections 40200 through 40230 authorize the County of Del Norte to establish an administrative review process to adjudicate parking violations and the Board of Supervisors of Del Norte County have adopted such procedures by ordinance under chapter 10.14 of Title 10 of the Del Norte County Code; and

WHEREAS, the Board of Supervisors is authorized under Del Norte County Code section 10.14.010 to establish by resolution the penalties, fines, fees, and related charges for parking and standing violations; and

WHEREAS, the Board of Supervisors is authorized under Del Norte County Code section 10.12.120 to establish by resolution regulations governing parking violations and citations in the unincorporated area of Del Norte County; and

WHEREAS, the Board of Supervisors finds that approval of parking regulations, citations, fines, and related penalties is categorically exempt under the California Environmental Quality Act pursuant to 14 California Code of Regulations Section 15321(a), as an action related to the enforcement of parking laws administered by the County of Del Norte;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Del Norte, State of California, that the parking regulations set forth in Exhibit A, attached hereto and incorporated by reference, shall take effect thirty-one (31) days from the adoption of this resolution.

PASSED AND ADOPTED this 14 day of April, 2009, by the following vote of the Board of Supervisors of the County of Del Norte:

AYES: Supervisors McClure, McNamer, Sullivan, Finigan, Hemmingsen

NOES: None

ABSENT: None

ABSTAIN: None



Gerry Hemmingsen, Chair,
Del Norte County Board of Supervisors

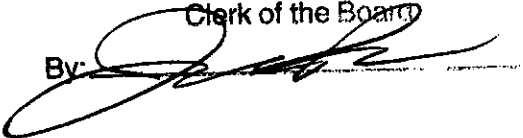
ATTEST:

Date: April 14, 2009

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.



JEREMI RUIZ, Clerk of the
Board of Supervisors, County of Del Norte

Clerk of the Board
By: 

APPROVED AS TO FORM:

DOHN HENION
County Counsel, County of Del Norte



John T. Seyman
Deputy County Counsel

**EXHIBIT A TO
RESOLUTION No. 2009-020**

I. Parking Violations

A. Twenty Feet Intersection Violations

It shall be unlawful for any person to park or leave standing any vehicle, whether attended or unattended, twenty feet from the end of the curb at the following intersections:

1. Inyo Street and Pacific Avenue in all directions.
2. Glenn Street and Pacific Avenue in all directions.
3. El Dorado Street and Pacific Avenue in all directions.
4. El Dorado Street and Cooper Avenue in all directions.
5. El Dorado Street and Hamilton Avenue in all directions.
6. Glenn Street and Hamilton Avenue in all directions.
7. Inyo Street and Hamilton Avenue in all directions.
8. Inyo Street and Cooper Avenue in all directions.
9. Glenn Street and Cooper Avenue in all directions.
10. Inyo Street and Murphy Avenue in all directions.

B. Fifty Feet Intersection Violations

It shall be unlawful for any person to park or leave standing any vehicle, whether attended or unattended, fifty feet from the end of the curb return and twenty feet from the end of the curb on the far side direction at the following intersections:

1. Washington Boulevard and Arlington Drive.
2. Washington Boulevard and Northcrest Drive.
3. Washington Boulevard and Summer Lane.

C. Road Violations

It is unlawful for any person to park or leave standing any vehicle, whether attended or unattended, at the following locations:

1. Upon what is known as Mouth of Klamath Road along both sides from Requa Road to the west terminus of Mouth of Klamath Road.
2. Along the east side of Northcrest Drive, 1,900 feet north of the intersection of Washington Boulevard with Northcrest Drive.

3. Along the north and south side of Cooper Avenue, 180 feet west of the intersection of Cooper Avenue with J Street.
4. Along the west side of El Dorado Street between Pacific Avenue and Hamilton Avenue.
5. Along the north of Indian Road, from the intersection of U.S. Highway 101 and the intersection of Indian Court.

D. Bus Stop Violations

It is unlawful for any person to park or leave standing any vehicle, whether attended or unattended, at those designated bus stops located at the following locations:

1. The north side of Washington Boulevard between Layfayette Way and Del Mar Road.
2. The west side of Inyo Street between Washington Boulevard and Small Avenue.
3. The west side of Inyo Street between Childs and Lauff Avenues.
4. The south side of Pacific Avenue between E and G Streets.

II. Infractions

Any violation of any provision set forth herein or set forth in the Del Norte County Code, Title 7, Chapter 28, Title 10, Chapters 12 and 14, and Title 12, Chapter 20, shall constitute an infraction and be subject to the civil penalties as set forth in this resolution. Any violation of any provision relating to parking violations arising under Chapter 9, Division 11 of the California Vehicle Code, sections 22500 through 22526, inclusive, shall constitute an infraction and be subject to the civil penalties as set forth in this resolution.

III. Penalties for Parking Infractions

Unless otherwise specified in this resolution, the penalty for an infraction identified in this resolution shall be \$35.00. The penalty for the following infractions shall be \$100.00: (1) the prohibition against overnight camping set forth in Del Norte County Code sections 12.20.020, 12.20.030, 12.20.040, 12.20.050; (2) the prohibition against vehicle abandonment set forth in Del Norte County Code section 7.28.250. The penalty for an infraction resulting from the violation of Vehicle Code section 22507.8, relating to disabled parking spaces, shall be \$275.00. The penalty for the late payment of a parking citation shall be \$25.00.

Exhibit B

**BOARD OF SUPERVISORS
COUNTY OF DEL NORTE
STATE OF CALIFORNIA**

RESOLUTION NO. 2009-087

**A RESOLUTION ADDING VARIOUS STATUTORY
SURCHARGES TO PARKING VIOLATIONS**

WHEREAS, California Vehicle Code sections 40200 through 40230 authorize the County of Del Norte to establish an administrative review process to adjudicate parking violations and the Board of Supervisors of Del Norte County have adopted such procedures by ordinance under chapter 10.14 of Title 10 of the Del Norte County Code; and

WHEREAS, the Board of Supervisors is authorized under Del Norte County Code section 10.14.010 to establish by resolution the penalties, fines, fees, and related charges for parking and standing violations; and

WHEREAS, the Board of Supervisors is authorized under Del Norte County Code section 10.12.120 to establish by resolution regulations governing parking violations and citations in the unincorporated area of Del Norte County; and

WHEREAS, the Board of Supervisors finds that approval of parking regulations, citations, fines, and related penalties is categorically exempt under the California Environmental Quality Act pursuant to 14 California Code of Regulations Section 15321(a), as an action related to the enforcement of parking laws administered by the County of Del Norte;

WHEREAS, California Government Code sections 70372, 76000, and 76101 impose various surcharges on parking violations for the funding of the construction of courthouses and criminal justice facilities;

WHEREAS, the Board of Supervisors may revise the parking fine schedule of the County in order to incorporate the surcharges imposed by Government Code sections 70372, 76000, and 76101;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Del Norte, State of California, that the parking regulations set forth in Exhibit A of Resolution 2009-__, are hereby amended to read as set forth in Exhibit I of this resolution for the purpose of adding to the

**EXHIBIT I TO
RESOLUTION No. 2009- 087**

I. Parking Violations

A. Twenty Feet Intersection Violations

It shall be unlawful for any person to park or leave standing any vehicle, whether attended or unattended, twenty feet from the end of the curb at the following intersections:

1. Inyo Street and Pacific Avenue in all directions.
2. Glenn Street and Pacific Avenue in all directions.
3. El Dorado Street and Pacific Avenue in all directions.
4. El Dorado Street and Cooper Avenue in all directions.
5. El Dorado Street and Hamilton Avenue in all directions.
6. Glenn Street and Hamilton Avenue in all directions.
7. Inyo Street and Hamilton Avenue in all directions.
8. Inyo Street and Cooper Avenue in all directions.
9. Glenn Street and Cooper Avenue in all directions.
10. Inyo Street and Murphy Avenue in all directions.

B. Fifty Feet Intersection Violations

It shall be unlawful for any person to park or leave standing any vehicle, whether attended or unattended, fifty feet from the end of the curb return and twenty feet from the end of the curb on the far side direction at the following intersections:

1. Washington Boulevard and Arlington Drive.
2. Washington Boulevard and Northcrest Drive.
3. Washington Boulevard and Summer Lane.

C. Road Violations

It is unlawful for any person to park or leave standing any vehicle, whether attended or unattended, at the following locations:

1. Upon what is known as Mouth of Klamath Road along both sides from Requa Road to the west terminus of Mouth of Klamath Road.
2. Along the east side of Northcrest Drive, 1,900 feet north of the intersection of Washington Boulevard with Northcrest Drive.

3. Along the north and south side of Cooper Avenue, 180 feet west of the intersection of Cooper Avenue with J Street.
4. Along the west side of El Dorado Street between Pacific Avenue and Hamilton Avenue.
5. Along the north of Indian Road, from the intersection of U.S. Highway 101 and the intersection of Indian Court.

D. Bus Stop Violations

It is unlawful for any person to park or leave standing any vehicle, whether attended or unattended, at those designated bus stops located at the following locations:

1. The north side of Washington Boulevard between Lafayette Way and Del Mar Road.
2. The west side of Inyo Street between Washington Boulevard and Small Avenue.
3. The west side of Inyo Street between Childs and Lauff Avenues.
4. The south side of Pacific Avenue between E and G Streets.

II. Infractions

Any violation of any provision set forth herein or set forth in the Del Norte County Code, Title 7, Chapter 28, Title 10, Chapters 12 and 14, and Title 12, Chapter 20, shall constitute an infraction and be subject to the civil penalties as set forth in this resolution. Any violation of any provision relating to parking violations arising under Chapter 9, Division 11 of the California Vehicle Code, sections 22500 through 22526, inclusive, shall constitute an infraction and be subject to the civil penalties as set forth in this resolution.

III. Penalties for Parking Infractions

- A. Unless otherwise specified in this resolution, the penalty for an infraction identified in this resolution shall be \$35.00. The penalty for the following infractions shall be \$100.00: (1) the prohibition against overnight camping set forth in Del Norte County Code sections 12.20.020, 12.20.030, 12.20.040, 12.20.050; (2) the prohibition against vehicle abandonment set forth in Del Norte County Code section 7.28.250. The penalty for an infraction resulting from the violation of Vehicle Code section 22507.8, relating to disabled parking spaces, shall be \$275.00. The penalty for the late payment of a parking citation shall be \$25.00.

B. For every penalty imposed under paragraph III A herein, there shall be added any and all surcharges required to be imposed on parking violations pursuant to Government Code sections 70732, 76000, and 76101.

fine schedule the parking violation surcharges imposed by Government Code sections 70372, 76100, and 76101.


PASSED AND ADOPTED this 23 day of June, 2009, by the following vote of the Board of Supervisors of the County of Del Norte:

AYES: Supervisors McClure, Sullivan, McNamer, Finigan, Hemmingsen


NOES: None

ABSENT: None

ABSTAIN: None

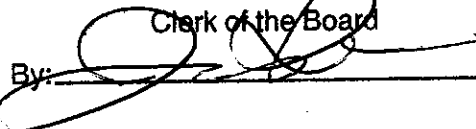

Gerry Hemmingsen, Chair,
Del Norte County Board of Supervisors

ATTEST:


JEREMI RUIZ, Clerk of the
Board of Supervisors, County of Del Norte


Date: 6-23-09

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

Clerk of the Board
By: 

APPROVED AS TO FORM:

DOHN HENION
County Counsel, County of Del Norte


John T. Seyman
Deputy County Counsel