

ANALYSIS

This ordinance amends Title 15 - Vehicles and Traffic of the Los Angeles County Code, relating to restriction of parking of vehicles for the purpose of advertising or displaying such vehicles for sale upon certain major streets in the County.

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SJS:sh

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ORDINANCE NO. _____

An ordinance amending Title 15 – Vehicles and Traffic of the Los Angeles County Code, relating to restriction of parking of vehicles for the purpose of advertising or displaying such vehicles for sale upon certain major streets in the County.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 15.64.340 is hereby deleted in its entirety:

~~**15.64.340** **Parking vehicles for sale or rent.**~~

~~A person shall not park any vehicle or cause any vehicle to be parked on any highway for the purpose of displaying such vehicle or equipment on such vehicle for either sale or rent.~~

SECTION 2. Section 15.64.340 is hereby added to read as follows:

15.64.340 Legislative Findings.

A. The County of Los Angeles has experienced a proliferation of used vehicles being parked or left idle on public streets for the purpose of advertising or displaying such vehicles for sale, resulting in a negative impact on the County, its residents, and businesses.

B. The California courts have ruled that a city or county may reasonably regulate the time, place, and manner in which its public streets are used for the sale of vehicles.

C. The California legislature enacted Section 22651.9 of the California Vehicle Code ("CVC") authorizing cities and counties to remove and impound vehicles with "for sale" signs from designated streets or public lands.

D. Section 22651.9(a) of the CVC authorizes the removal and impoundment of vehicles when all of the following requirements are met:

1. Because of a sign or placard on the vehicle, it appears that the primary purpose of parking the vehicle at that location is to advertise to the public the private sale of that vehicle;

2. Within the past 30 days, the vehicle is known to have been previously issued a notice of parking violation, under local ordinance, which was accompanied by a notice containing all of the following:

a) A warning that an additional parking violation may result in the impoundment of the vehicle;

b) A warning that the vehicle may be impounded pursuant to Section 22651.9, even if moved to another street so long as the signs or placards offering the vehicle for sale remain on the vehicle;

c) A listing of the streets or public lands subject to the regulation or ordinance adopted pursuant to Section 22651.9(a)(4);

3. The notice of parking violation was issued at least 24 hours prior to the removal of the vehicle; and

4. The local authority of the city, county, or city and county has, by resolution or ordinance, authorized the removal of vehicles pursuant to Section 22651.9 from the street or public lands on which the vehicle is located.

E. The California Department of Motor Vehicles ("DMV") conducted a survey of its eight DMV Investigation Offices ("DMV Survey") throughout Los Angeles County in

August 2010 to document the issues its investigators were seeing in the field related to vehicles parked for purposes of sale on certain major streets in the County.

F. The DMV Survey noted significant health and safety issues, dangerous traffic conditions, and additional issues and concerns related to vehicles parked for purposes of sale on certain major streets in the County.

G. Based on the DMV Survey results, the Board of Supervisors seeks to impose reasonable restrictions by prohibiting the parking of vehicles for the primary purpose of advertising or displaying such vehicles for sale upon certain major streets within the unincorporated areas of the County.

H. The Board of Supervisors finds and determines that the restrictions imposed by this ordinance upon the parking of vehicles upon the designated major streets for the purpose of advertising or displaying such vehicles for sale are necessary to protect the general health, safety, and welfare of the community, and specifically finds:

1. The unrestricted parking of vehicles for such commercial purposes causes passing motorists to slow down or stop to obtain information on the signage on the parked vehicles, causes motorists to illegally "double park" next to such vehicles and get out of their cars to examine the vehicles thereby blocking traffic, and encourages jaywalking across streets for prospective buyers to inspect the vehicles, thereby creating dangerous traffic conditions for other motorists and pedestrians alike in the County;

2. The unrestricted parking of vehicles for such commercial purposes increases the potential for vehicle burglaries and other crimes, stolen vehicle sales, other unlicensed/uninsured/unregulated vehicle activities, attracts illegal street vendors, detrimentally impacts the image of the County, and creates an increased need for police service in the areas of the County in which the parking for sale occurs;

3. The unrestricted parking of vehicles for such commercial purposes has brought about health hazards to the community due to activities reported by the DMV such as drug and alcohol use, urination in public, and the dumping of trash in the surrounding community, which creates a health hazard and negatively impacts property values;

4. The unrestricted parking of vehicles for such commercial purposes adversely affects the public welfare as it attracts other illegal activity such as the sale of vehicles to innocent purchasers with mechanical and/or ownership document problems causing harm to the citizens of the County;

5. The unrestricted parking of vehicles for such commercial purposes detrimentally impacts existing businesses and residences by reducing and/or eliminating the number of parking spaces on public streets which are available to business patrons, residents, occupants, and guests in the vicinity of such parked vehicles;

6. The unrestricted parking of vehicles for such commercial purposes is being done by individuals who are conducting business without a state dealers'

license, thereby undercutting duly-licensed vehicle sales businesses that are in compliance with state law; and

7. The unrestricted parking of vehicles for such commercial purposes negatively impacts the County's infrastructure by requiring additional street maintenance and repair by the County Department of Public Works, as well as additional monitoring by the County Sheriff's Department without the receipt of any County revenue.

I. The aforementioned activities and consequential negative impacts as a result thereof have been identified to exist at certain locations within the County's unincorporated areas. The purpose of this ordinance is to narrowly restrict the activities identified at the locations set forth in Section 15.64.341, in order to protect the health and safety of the public in general, the interests of duly-licensed vehicle dealers, and the interests of businesses and residents located in the vicinity of these major streets.

SECTION 3. Section 15.64.341 is hereby added to read as follows:

15.64.341 Displaying Vehicle for Sale – Prohibited on Certain

County Streets.

No person shall park or leave standing any motor vehicle with a sign or placard on such vehicle at any of the locations listed below which makes it appear that the primary purpose for parking such vehicle at that location is to advertise to the public the private sale of such vehicle:

50th Street West (Quartz Hill):

- Both sides of 50th Street West between Avenue L and Avenue N.

83rd Street (Florence-Firestone):

- North side of 83rd Street between Croesus Avenue and Alameda Street;

and

- South side of 83rd Street between Lou Dillon Avenue and Alameda Street.

85th Street (Florence-Firestone):

- Both sides of 85th Street between Lou Dillon Avenue and Alameda Street.

90th Street East (Little Rock):

- Both sides of 90th Street East between Avenue Q and Avenue R.

92nd Street (Florence-Firestone):

- South side of 92nd Street between the City of Los Angeles boundary (first alley east of Central Avenue) and Success Avenue;

- North side of 92nd Street between the City of Los Angeles boundary (first alley east of Central Avenue) and Compton Avenue;

- South side of 92nd Street between Croesus Avenue and Alameda Street;

and

- North side of 92nd Street between Graham Avenue and Alameda Street.

120th Street (Athens – Westmont):

- Both sides of 120th Street between Budlong Avenue and Vermont Avenue.

170th Street East (Little Rock):

- Both sides of 170th Street East between Avenue M and Palmdale Boulevard.

Alameda Street (Florence-Firestone):

- West side of Alameda Street between Florence Avenue and 103rd Street.

Allen Avenue (Altadena):

- West side of Allen Avenue between Altadena Drive and the City of Pasadena boundary (at the first alley north of Washington Boulevard); and
- East side of Allen Avenue between Altadena Drive and the City of Pasadena boundary (305 feet north of the first alley north of Washington Boulevard).

Altadena Drive (Altadena):

- North side of Altadena Drive between Casitas Avenue and the City of Pasadena boundary (385 feet north of Roosevelt Avenue);
- South side of Altadena Drive between Casitas Avenue and the City of Pasadena boundary (180 feet south of Galbreth Road); and
- East side of Altadena Drive between the City of Pasadena boundary (380 feet north of New York Drive) and the first alley south of Washington Boulevard.

Amar Road (Valinda Corridor):

- North side of Amar Road between Willow Avenue and the City of La Puente boundary (270 feet west of Orange Avenue);
- North side of Amar Road between the City of La Puente boundary (180 feet east of Orange Avenue) and Sunset Avenue;
- Both sides of Amar Road between Sunset Avenue and the City of La Puente boundary (200 feet west of Unruh Avenue);
- North side of Amar Road between Aileron Avenue and Echelon Avenue;

- Both sides of Amar Road between Echelon Avenue and Valinda Avenue;
- South side of Amar Road between Valinda Avenue and Witzman Drive;
- North side of Amar Road between the City of Industry boundary (at the Southern Pacific Railroad right-of-way) and Puente Avenue; and
- South side of Amar Road between Vineland Avenue and Puente Avenue.

Atlantic Avenue (East Rancho Dominguez):

- Both sides of Atlantic Avenue between the City of Compton boundary (100 feet south of McMillan Street) and the City of Compton boundary (500 feet south of Pixley Street).

Atlantic Boulevard (East Los Angeles):

- Both sides of Atlantic Boulevard between Pomona Boulevard and Telegraph Road.

Avenue O (Little Rock):

- Both sides of Avenue O between 150th Street East and 190th Street East.

Avenue T (Little Rock):

- Both sides of Avenue T between 80th Street East and 106th Street East.

Batson Avenue (Rowland Heights):

- Both sides of Batson Avenue between Colima Road and Los Palacios Drive.

Broadway (Walnut Park):

- Both sides of Broadway between Santa Fe Avenue and Seville Avenue.

Burgess Avenue (South Whittier):

- Both sides of Burgess Avenue between Leffingwell Road and Imperial Highway.

Butler Avenue (East Rancho Dominguez):

- Both sides of Butler Avenue between Compton Boulevard and Myrrh Street.

Carmenita Road (South Whittier):

- Both sides of Carmenita Road between Mystic Street and the City of Santa Fe Springs boundary (271 feet south of Painter Avenue);
- Both sides of Carmenita Road between the City of Santa Fe Springs boundary (673 feet south of Painter Avenue) and Lanett Street;
- East side of Carmenita Road between Florence Avenue and the City of Santa Fe Springs boundary (481 feet south of Telegraph Road);
- Both sides of Carmenita Road between Florence Avenue and Lakeland Road;
- East side of Carmenita Road between Lakeland Road and Imperial Highway;
- West side of Carmenita Road between Meyer Road and Imperial Highway; and
- Both sides of Carmenita Road between Imperial Highway and Sunshine Avenue.

Castaic Road (Castaic):

- Both sides of Castaic Road between its northerly terminus and Ridge Route Road.

Cesar Chavez Avenue (East Los Angeles):

- Both sides of Cesar Chavez Avenue between Indiana Street and the City of Monterey Park boundary (1,340 feet east of Mednik Avenue).

Clark Avenue (Hacienda Heights):

- South side of Clark Avenue between 7th Avenue and Turnbull Canyon Road.

Colorado Boulevard (East Pasadena/East San Gabriel):

- South side of Colorado Boulevard between Northup Avenue and the City of Pasadena boundary (230 feet west of Madre Street);
- North side of Colorado Boulevard between the City of Pasadena boundary (161 feet west of Sycamore Avenue) and Michillinda Avenue; and
- South side of Colorado Boulevard between the City of Pasadena boundary (61 feet east of Halstead Street) and Michillinda Avenue.

Crown Valley Road (Acton):

- Both sides of Crown Valley Road between Sierra Highway and Sourdough Road.

Daisetta Street (Rowland Heights):

- Both sides of Daisetta Street between Nogales Street and its westerly terminus.

Del Mar Boulevard (East Pasadena/East San Gabriel):

- North side of Del Mar Boulevard between the City of Pasadena boundary (595 feet west of Madre Street) and Rosemead Boulevard; and
- South side of Del Mar Boulevard between Halstead Street and Rosemead Boulevard.

Fair Oaks Avenue (Altadena):

- Both sides of Fair Oaks Avenue between Altadena Drive and the City of Pasadena boundary (605 feet south of Woodbury Road).

Firestone Boulevard (Florence-Firestone):

- Both sides of Firestone Boulevard between Central Avenue and Alameda Street.

Florence Avenue (Florence-Firestone):

- North side of Florence Avenue between Central Avenue and Wilson Avenue; and
- South side of Florence Avenue between Central Avenue and Alameda Street.

Foothill Boulevard (La Crescenta/Montrose):

- Both sides of Foothill Boulevard between Pennsylvania Avenue and the City of La Canada-Flintridge boundary (104 feet east of Briggs Avenue).

Fullerton Road (Rowland Heights):

- Both sides of Fullerton Road east frontage road between Los Palacios Drive and its northerly terminus.

Gage Avenue (East Los Angeles):

- Both sides of Gage Avenue between Dozier Street and Cesar Chavez Avenue.

Gage Avenue (Florence-Firestone):

- South side of Gage Avenue between Compton Avenue and Wilmington Avenue.

Gale Avenue (Hacienda Heights):

- Both sides of Gale Avenue north frontage road between 250 feet west of Doverfield Avenue and Kinbrae Avenue;
- Both sides of Gale Avenue south frontage road between 260 feet west of Finegrove Avenue and 130 feet east of Latchford Avenue; and
- Both sides of Gale Avenue between Hacienda Boulevard and Falstone Avenue.

Hacienda Boulevard (La Habra Heights):

- Both sides of Hacienda Boulevard east frontage road between Villa Rita Drive and Janine Drive.

Hawthorne Boulevard (Lennox):

- Both sides of Hawthorne Boulevard between 104th Street and 111th Street.

Hooper Avenue (Florence-Firestone):

- Both sides of Hooper Avenue between Slauson Avenue and 94th Street.

Huntington Drive (East Pasadena/East San Gabriel):

- Both sides of Huntington Drive between San Gabriel Boulevard and the City of Arcadia boundary (1,300 feet east of Jackson Place).

Indiana Street (East Los Angeles):

- East side of Indiana Street between Cesar Chavez Avenue and Union Pacific Avenue.

Jellick Avenue (Rowland Heights):

- Both sides of Jellick Avenue between Colima Road and Los Manchos Drive.

Juniper Street (Florence-Firestone):

- Both sides of Juniper Street between Manchester Avenue and 97th Street.

La Crescenta Boulevard (La Crescenta/Montrose):

- West side of La Crescenta Boulevard between Foothill Boulevard and the City of Glendale boundary (366 feet south of Mayfield Avenue); and
- East side of La Crescenta Boulevard between Foothill Boulevard and Mayfield Avenue.

La Mirada Boulevard (South Whittier):

- Both sides of La Mirada Boulevard west frontage road between Hornell Street and its northerly terminus.

Lake Avenue (Altadena):

- Both sides of Lake Avenue between Loma Alta Drive and Woodbury Road.

Lake Manor Drive (Chatsworth):

- Both sides of Lake Manor Drive between the City of Los Angeles boundary (1,705 feet west of Thompson Avenue) and Valley Circle Boulevard.

Leffingwell Road – (South Whittier):

- Both sides of Leffingwell Road between Imperial Highway and Telegraph Road;
 - North side of Leffingwell Road between Telegraph Road and Stamy Road;
 - Both sides of Leffingwell Road between Stamy Road and Scott Avenue;
 - South side of Leffingwell Road between Scott Road and Lambert Road;
- and
- Both sides of Leffingwell Road between Valley View Avenue and Loma Drive.

Lennox Boulevard (Lennox):

- Both sides of Lennox Boulevard between La Cienega Boulevard and the City of Inglewood boundary (241 feet east of Osage Avenue).

Lincoln Avenue (Altadena):

- Both sides of Lincoln Avenue between Vermont Street and La Vina Lane.

Loma Alta Drive (Altadena):

- Both sides of Loma Alta Drive between Lincoln Avenue and Lake Avenue.

Marine Avenue (El Camino Village):

- Both sides of Marine Avenue south frontage road between Gerkin Avenue and the Dominguez Channel.

Mariposa Street (Altadena):

- Both sides of Mariposa Street between Fair Oaks Avenue and Lake Avenue.

Michillinda Avenue (East Pasadena/East San Gabriel):

- West side of Michillinda Avenue between Foothill Boulevard and the City of Arcadia boundary (264 feet north of Huntington Drive).

Mines Street (East Los Angeles):

- Both sides of Mines Street between Burger Avenue and Olympic Boulevard.

Montrose Avenue (La Crescenta/Montrose):

- North side of Montrose Avenue between Raymond Avenue and Rosemont Avenue; and
- Both sides of Montrose Avenue between Rosemont Avenue and the City of Glendale boundary (300 feet south of Waltonia Drive).

Nadeau Street (Florence-Firestone):

- Both sides of Nadeau Street between Central Avenue and Alameda Street.

Norwalk Boulevard (West Whittier):

- West side of Norwalk Boulevard between Whittier Boulevard and Washington Boulevard;
- East side of Norwalk Boulevard between the City of Whittier boundary (150 feet north of Bexley Drive) and Washington Boulevard;

- West side of Norwalk Boulevard between the City of Santa Fe Springs boundary (100 feet south of Boer Avenue) and the City of Santa Fe Springs boundary (100 feet south of Perkins Avenue);
- East side of Norwalk Boulevard between the City of Santa Fe Springs boundary (100 feet south of Boer Avenue) and Slauson Avenue; and
- East side of Norwalk Boulevard between the City of Santa Fe Springs boundary (230 feet south of Slauson Avenue) and the City of Santa Fe Springs boundary (100 feet south of Perkins Avenue).

Ocean View Boulevard (La Crescenta/Montrose):

- Both sides of Ocean View Boulevard between the City of La Canada-Flintridge boundary (200 feet south of Foothill Boulevard) and the City of Glendale boundary (1,240 feet south of Montrose Avenue).

Olympic Boulevard (East Los Angeles):

- Both sides of Olympic Boulevard between Indiana Street and Goodrich Boulevard; and
- Both sides of Olympic Boulevard between Simmons Avenue and the City of Montebello boundary (175 feet east of Concourse Avenue).

Pacific Boulevard (Walnut Park):

- Both sides of Pacific Boulevard between Florence Avenue and the City of South Gate boundary (161 feet south of Cudahy Street).

Painter Road (South Whittier):

- Both sides of Painter Road between the City of Whittier boundary (at the Southern Pacific Railroad right-of-way) and Mystic Street.

Palmdale Boulevard (Littlerock):

- Both sides of Palmdale Boulevard between 80th Street East and 110th Street East.

Parker Road (Castaic):

- Both sides of Parker Road between Sloan Canyon Road and Ridge Route Road.

Pennsylvania Avenue (La Crescenta/Montrose):

- East side of Pennsylvania Avenue between Foothill Boulevard and the City of Glendale boundary (680 feet south of Encinal Avenue).

Ridge Route Road (Castaic):

- Both sides of Ridge Route Road between Lake Hughes Road and Parker Road.

Rosecrans Avenue (East Rancho Dominguez):

- North side of Rosecrans Avenue between Atlantic Avenue and Frailey Avenue;
- South side of Rosecrans Avenue between Atlantic Avenue and the City of Compton boundary (60 feet east of Frailey Avenue); and
- Both sides of Rosecrans Avenue between the City of Compton boundary (150 feet east of Butler Avenue and Cookacre Street).

Rosemead Boulevard (East Pasadena/East San Gabriel):

- Both sides of Rosemead Boulevard between Foothill Boulevard and the City of Temple City boundary (566 feet south of Ardenale Avenue).

Rowan Avenue (East Los Angeles):

- Both sides of Rowan Avenue between Cesar Chavez Avenue and 1st Street.

Sadler Avenue (East Los Angeles):

- Both sides of Sadler Avenue between Hubbard Street and Whittier Boulevard.

Sierra Highway (Acton):

- North side of Sierra Highway between Red Rover Mine Road and Clanfield Street.

Sloan Canyon Road (Castaic):

- Both sides of Sloan Canyon Road between Quail Valley Road and The Old Road.

The Old Road (Valencia):

- Both sides of The Old Road between Red Oak Court and Magic Mountain Parkway.

Valley Circle Boulevard (Chatsworth):

- Both sides of Valley Circle Boulevard between Lake Manor Drive and the City of Los Angeles boundary (700 feet north of Valley Circle Boulevard).

Valley View Avenue – (South Whittier):

- Both sides of Valley View Avenue between Telegraph Road and Imperial Highway.

Vermont Avenue (Athens – Westmont):

- West side of Vermont Avenue between Imperial Highway and El Segundo Boulevard.

Vineland Avenue (Valinda Corridor):

- East side of Vineland Avenue between Nelson Avenue and Temple Avenue;
- West side of Vineland Avenue between Temple Avenue and Ector Street;
- East side of Vineland Avenue between Temple Avenue and Amar Road; and
- Both sides of Vineland Avenue between Amar Road and the City of Baldwin Park boundary (3,150 feet north of Amar Road).

Washington Boulevard (Altadena):

- Both sides of Washington Boulevard between Belford Avenue and Altadena Drive.

Washington Boulevard (West Whittier):

- Both sides of Washington Boulevard between the City of Pico Rivera boundary (at the Southern Pacific Railroad right-of-way) and Norwalk Boulevard; and
- North side of Washington Boulevard between Duchess Drive and the City of Whittier boundary (150 feet east of Crowndale Avenue).

Westman Avenue (West Whittier):

- Both sides of Westman Avenue between the City of Santa Fe Springs boundary (150 feet north of Lochinvar Street) and Waddell Street.

Whittier Boulevard (East Los Angeles):

- Both sides of Whittier Boulevard between Indiana Street and Via Clemente.

Windsor Avenue (Altadena):

- Both sides of Windsor Avenue between Ventura Street and the City of Pasadena boundary (235 feet south of Mountain View Street);
- West side of Windsor Avenue between Lehigh Street and the City of Pasadena boundary (180 feet south of Shelly Street);
- East side of Windsor Avenue between the City of Pasadena boundary (100 feet north of Neldome Street) and La Canada-Verdugo Street; and
- Both sides of Windsor Avenue between La Canada-Verdugo Street and the westbound I-210 (Foothill) Freeway On/Off Ramps.

Woodbury Road (Altadena):

- Both sides of Woodbury Road between Arroyo Boulevard and Canada Avenue;
- North side of Woodbury Road between Canada Avenue and Casitas Avenue;
- North side of Woodbury Road between Casitas Avenue and Lake Avenue; and

- South side of Woodbury Road between Casitas Avenue and the City of Pasadena boundary (150 feet east of Santa Anita Avenue).

SECTION 4. Section 15.64.342 is hereby added to read as follows:

15.64.342 Notice of Parking Violation/Authorization For Removal of a Vehicle Advertising the Private Sale of that Vehicle.

A vehicle found to be in violation of Section 15.64.341 shall be issued a notice of parking violation. Pursuant to Section 22651.9(a)(4) of the CVC, any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or any regularly employed and salaried employee, who is engaged in directing traffic or enforcing parking laws and regulations of the County, may remove a vehicle located within the unincorporated area of the County which is in violation of this section, if all of the following requirements are satisfied:

1. Because of a sign or placard on the vehicle, it appears that the primary purpose of parking the vehicle at that location listed in Section 15.64.341 is to advertise to the public the private sale of that vehicle;

2. Within the past 30 days, the vehicle is known to have been previously issued a notice of parking violation for violating Section 15.64.341, which was accompanied by a notice containing all of the following:

a) A warning that an additional parking violation may result in the impoundment of the vehicle;

b) A warning that the vehicle may be impounded pursuant to Section 22651.9 of the CVC, even if moved to another street listed in Section 15.64.341 so long as the signs or placards offering the vehicle for sale remain on the vehicle; and

c) A listing of the streets contained in Section 15.64.341;

3. The notice of parking violation was issued at least 24 hours prior to removal of the vehicle.

SECTION 5. Section 15.64.343 is hereby added to read as follows:

15.64.343 Post Storage Impound Hearing.

Section 22852 of the CVC applies to this section with respect to the removal of any vehicle in violation of Section 15.64.342. Section 22852 is incorporated by reference as if set forth in full herein and provides, in summary, that whenever an authorized member of a public agency directs the storage of a vehicle, the County shall direct the storage operator to provide the vehicle's registered and legal owner(s) of record, or their agent(s), with the opportunity for a post-storage hearing to determine the validity of the storage. Notice of the storage shall be mailed or personally delivered to the registered and legal owner(s) within 48 hours, excluding weekends, as specifically provided for under Section 22852 of the CVC. To receive a post-storage hearing, the owner(s) of record, or their agent(s), must request a hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice. The County may authorize its own officer or employee to conduct the hearing as long as the hearing officer is not the same person who directed the storage of the vehicle.

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