

ORDINANCE NO. 2007-17

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING SECTIONS 9.64.010, 9.64.020, 9.64.030 AND 9.64.040 OF THE SANTA CRUZ MUNICIPAL CODE PERTAINING TO USE OF AND TRESPASSING UPON DOWNTOWN CITY PARKING LOTS AND GARAGES

BE IT ORDAINED By The City Of Santa Cruz As Follows:

SECTION 1. Section 9.64.010 of the Santa Cruz Municipal Code is hereby added to the Santa Cruz Municipal Code to read as follows:

9.64.010 USE OF DOWNTOWN CITY PARKING GARAGES AND PARKING LOTS.

Parking garages and parking lots owned or operated by the City of Santa Cruz in or adjacent to the Downtown Parking District (Parking District No. 1) shall be used by members of the public only for the purpose of parking and retrieving motor vehicles and bicycles and for no other purpose. Parking lots may also be used by pedestrians to walk from one sidewalk to another or to walk to buildings that border the parking lot. The parking lots herein referenced currently include parking lot numbers 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16, 17, 20a, 22, 23, 26 and 27 and will include any parking lots which, in the future, are made part of the Downtown Parking District.

SECTION 2. Section 9.64.020 of the Santa Cruz Municipal Code is hereby amended to read as follows:

9.64.020 PARKING OR RETRIEVING MOTOR VEHICLES OR BICYCLES – TIME LIMITATION.

(a) Except as set forth in subsection (b), when parking a motor vehicle or bicycle in, or retrieving a motor vehicle or bicycle from, a parking garage or parking lot referenced in Section 9.64.010, no member of the public, whether driver or passenger, shall remain on the parking lot or garage premises for more than fifteen minutes.

(b) The fifteen-minute time period prescribed in subsection (a) shall be extended to thirty minutes for disabled persons driving and parking vehicles that display disability placards issued by the California Department of Motor Vehicles or any other governmental agency legally authorized to issue such placards.

SECTION 3. Section 9.64.030 of the Santa Cruz Municipal Code is hereby amended to read as follows:

9.64.030 TRESPASS.

Any person who uses a City of Santa Cruz parking garage or parking lot referenced in Section 9.64.010 for purposes other than motor vehicle or bicycle parking or retrieval or pedestrian purposes in violation of Section 9.64.010 or who remains on such City of Santa Cruz parking garage or parking lot premises for longer than fifteen minutes in violation of Section 9.64.020(a) or thirty minutes in violation of Section 9.64.020(b) shall be guilty of trespassing, which offense shall be punishable as an infraction.

SECTION 4. Section 9.64.040 of the Santa Cruz Municipal Code is hereby amended to read as follows:

9.64.040 EXCEPTIONS.

(a) This chapter shall not apply to any person or group of persons using a parking garage or parking lot owned or operated by the City of Santa Cruz for purposes other than motor vehicle or bicycle parking or retrieval when that person or group of persons is using the parking lot or garage pursuant to a permit issued by the city in accordance with another provision of the Santa Cruz Municipal Code.

(b) This chapter shall not apply to city employees engaged in the performance of city business or the maintenance of city parking lots or garages.

(c) This chapter shall not apply in areas of city parking garages and parking lots where there is posted permission to occupy those areas for the purpose of engaging in speech-related conduct and persons so occupying those posted areas are doing so in accordance with the posted permission. SECTION 5. This ordinance shall take effect and be in force and take effect thirty (30) days after its final adoption.

INTRODUCED FOR PUBLICATION this 9th day of October, 2007, by the following vote:

AYES: Councilmembers, Robinson, Mathews, Madrigal, Vice Mayor Coonerty;
Mayor Reilly.

NOES: Councilmembers Porter, Rotkin.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: ss/Emily Reilly, Mayor ATTEST: ss/Leslie Cook, City Clerk

This Ordinance is scheduled for further consideration at the Council meeting of October 23, 2007.