

ORDINANCE NO. 3261

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 4-6.1020 TO ARTICLE 10 OF CHAPTER 6 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE PERTAINING TO OVERSIZED VEHICLE PARKING ON PUBLIC STREETS.

WHEREAS, California Vehicle Code Section 22507 authorizes the City of Ontario (“City”) to restrict or prohibit the stopping, parking, or standing of vehicles on local streets during all or certain hours of the day; and

WHEREAS, the general provisions governing stopping, standing, or parking for certain purposes or in certain places within the City are set forth in Article 10 of Chapter 6 of Title 4 of the Ontario Municipal Code; and

WHEREAS, on December 20, 2022, the City Council passed and adopted Ordinance No. 3231, adding Section 4-6.1020 to the Ontario Municipal Code to specifically address oversized vehicle parking on public streets; and

WHEREAS, the Police Department has found that the current regulations related to oversized vehicle parking have inadvertently made certain large family sized vehicles (e.g. Chevrolet Suburban, Ford Excursion, Toyota Sequoia, etc.) subject to the prohibitions and enforcement of Section 4-6.1020 of the Ontario Municipal Code; and

WHEREAS, the City wishes to amend Section 4-6.1020 of the Ontario Municipal Code to correct this unintended result.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The recitals above are true and correct and are hereby incorporated herein by this reference.

SECTION 2. Section 4-6.1020(b)(1) of the Ontario Municipal Code is hereby amended to state, in full, as follows:

“(1) **Oversized Vehicle:** Any vehicle, motorized or non-motorized, that exceeds 25 feet in length, or exceeds 8.5 feet in width, or exceeds 7 feet in height. Oversized vehicles shall include all buses, truck tractors, semitrailers, motor trucks, trailers, campers, camp trailers, house cars, trailer coaches, and other equipment or machinery, regardless of width, length, or height.

Notwithstanding the length, width, and height requirements for an oversized vehicle, the following vehicles shall also be considered oversized vehicles subject to the prohibitions contained in § 4-6.1020(a) of this article:

- (i) Buses as defined in the California Vehicle Code;
- (ii) Trailers, including boat trailers, and semitrailers, as these are defined in the California Vehicle Code, and standalone boats not connected to trailers;
- (iii) Trailer coaches as defined in the California Vehicle Code; and
- (iv) Recreational vehicles as defined in this article.”

SECTION 3. Posting of Notice. Pursuant to California Vehicle Code Section 22507, and relevant case law, the City Traffic Engineer is hereby directed to place, or cause to be placed appropriate signs and/or markings giving adequate notice of the parking restrictions contained within this Ordinance.

SECTION 4. If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5. This Ordinance shall become effective thirty (30) days after its adoption by the City Council.

SECTION 6. CEQA. The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Moreover, the City Council finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment).

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 17th day of October 2023.



PAUL S. LEON, MAYOR

ATTEST:


SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:


BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3261 was duly introduced at a regular meeting of the City Council of the City of Ontario held October 3, 2023 and adopted at the regular meeting held October 17, 2023 by the following roll call vote, to wit:

AYES: MAYOR/COUNCIL MEMBERS: LEON, DORST-PORADA, BOWMAN AND VALENCIA
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: WAPNER


SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3261 duly passed and adopted by the Ontario City Council at their regular meeting held October 17, 2023 and that Summaries of the Ordinance were published on October 10, 2023 and October 24, 2023, in the Inland Valley Daily Bulletin newspaper.


SHEILA MAUTZ, CITY CLERK

(SEAL)