



CITY OF POMONA COUNCIL REPORT

July 15, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Rene Guerrero, Interim Public Works Director

**SUBJECT: INTRODUCTION AND FIRST READING OF AN ORDINANCE
AMENDING POMONA CITY CODE SECTION 58-164 TO DISALLOW
TEMPORARY PARKING AT RED CURBS WHILE LOADING OR
UNLOADING MERCHANDISE OR PASSENGERS**

RECOMMENDATION: It is recommended that the City Council introduce and give first reading to the following ordinance:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
POMONA, CALIFORNIA, AMENDING SECTION 58-164 OF THE
POMONA CITY CODE PERTAINING TO EXCEPTIONS FOR
PARKING AND STOPPING AT RED CURB ZONES AND AREAS**

EXECUTIVE SUMMARY: As currently written, Pomona City Code (PCC) Section 58-164 allows an exception to no parking at red curbs “temporarily for the purpose of, and while actually engaged in, loading and unloading of merchandise or passengers ...” Under the California Vehicle Code (CVC) § 21458(a)(1), parking is prohibited when a curb is painted red. Said PCC Section 58-164 shall be amended to be consistent with State law.

FISCAL IMPACT: There is no fiscal impact with the proposed Code amendment. The Police Department may realize some increase in General Fund revenue with the elimination of exceptions for parking at red curbs.

PREVIOUS RELATED ACTION: On August 3, 2015, the City adopted Ordinance No. 4208, which primarily established a Downtown Parking Zone and modified time limit parking restrictions Downtown. The Ordinance also added language that allowed temporary parking at red curbs if actually engaged in loading or unloading of merchandise or passengers.

DISCUSSION: The language added to PCC Sec. 58-164 by Ordinance No. 4208 was intended to benefit certain business areas in the City that have limited loading areas, and require loading

and unloading access from curbs where no parking is allowed and the curbs are painted red. The added language to allow temporary parking while actually loading or unloading of merchandise or passengers inadvertently impacted the Police Department's ability to effectively use video enforcement for violations of red curb parking at school sites.

CVC Sec. 21458(a), et seq., sets forth the colors of paint to be used on curbs, whenever local agencies use painted curbs to enforce parking regulations, and what the specified colors regulate. CVC Sec. 21458(a)(1) states "Red indicates no stopping, standing, or parking, whether the vehicle is attended or unattended, except that a bus may stop in a red zone marked or signposted as a bus loading zone." CVC Sec. 21458 provides that a local ordinance may be adopted to specify the time allowed for loading or unloading passengers or freight (yellow curb), stopping to unload passengers or depositing mail (white curb), or time limit parking (green curb).

PCC Article IV, Stopping, Standing or Parking, Division 2, Loading Zones, sets forth the time restrictions for yellow, white and green curbs, as allowed under CVC Sec. 21458(a)(1),(2),(3) and (4). There is no parking deviation for blue curbs, which is limited exclusively to vehicles of disabled persons and disabled veterans.

CONCLUSION: The proposed ordinance will bring PCC Sec. 58-164 into conformance with State law regarding the use of painted curbs by a local agency for enforcement of parking violations. The ordinance will be brought back for a second reading and adoption at the next regularly scheduled City Council meeting. The provisions of the ordinance will become effective 30 days after its adoption. At that time, temporary parking at a painted red curb for the purpose of loading and unloading of passengers will be a citable offense under PCC Sec. 58-164(3).

Prepared by:

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ATTACHMENT:

Attachment No. 1 - Proposed Ordinance 4265