

ORDINANCE NO. 4265

**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**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POMONA AS
FOLLOWS:**

SECTION 1. Findings.

A. California Vehicle Code Section 21458 sets forth the colors of paint local agencies must use on curbs when enacting local parking regulations.

B. As currently written, Pomona City Code Section 58-164 presents a potential conflict with Vehicle Code Section 21458 by allowing an exception for vehicles to stop or park at red curb areas.

C. Amending Pomona City Code Section 58-164 will help ensure that the Pomona City Code conforms with the requirements of state law.

SECTION 2. Article IV, Division 1, Sec. 58-164, of the Pomona City Code, entitled “Prohibited stopping, standing, or parking,” is hereby amended to read in its entirety as follows (with additions shown bold and underlined and deletions shown struck out):

(a) *Parking, park, stand or standing*, as used in this article (unless it is plainly evident from the context that a different meaning is intended) means to stop or leave standing any vehicle (whether occupied or not) other than:

- (1) In obedience to an official traffic control device;
- (2) By direction of a peace officer or other traffic control personnel;
- (3) ~~Temporarily for the purpose of, and while actually engaged in, loading and unloading of merchandise or passengers as allowed by this chapter; or~~
- ~~(4)~~**(3)** When necessary to avoid conflict with other traffic.

(b) No person shall stop, park, or leave standing any vehicle, whether attended or unattended, ~~except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device,~~ in any of the following places:

- (1) Within any divisional island, unless authorized and clearly indicated with appropriate signs or markings.

- (2) In any area where the city traffic engineer determines that, for the purpose of establishing left turn lanes, right turn lanes, vehicle maneuvering zones and sight clearance zones, such no stopping or no parking areas are needed.
- (3) In any area established by resolution of the council as a no parking area, when such area is indicated by appropriate signs or by red paint upon the curb surface.
- (4) Within any parkway.
- (5) Provided that signs giving notice of no parking are erected or placed at least 24 hours prior to the effective time of such no parking, on any street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair or construction of the street or highway or the installation of underground utilities; where the use of the street or highway or any portion thereof is authorized for a purpose other than the normal flow of traffic; where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles, or structures of unusual size and the parking of such vehicle would prohibit or interfere with such use or movement.
- (6) At any place when such place is indicated by appropriate signs or by red paint upon the curb surface, except that a bus may stop at a designated bus stop.

SECTION 3. Adoption and Effective Date.

The City Clerk shall attest to the passage and adoption of this ordinance, causing it to be posted as required by law, and it shall become effective 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2019.

ATTEST:

CITY OF POMONA:

Rosalia Butler, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Christi Hogin, Interim City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF POMONA)

I, ROSALIA BUTLER, CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was introduced for first reading at a regular meeting of the City Council of the City of Pomona held on _____, 2019, and was adopted at second reading at a regular meeting of the City Council of the City of Pomona held on _____, 2019, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

Rosalia Butler, City Clerk