

**RESOLUTION NO.10-66
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FULLERTON, CALIFORNIA, AMENDING THE PROCEDURES
AND GUIDELINES FOR RESIDENTIAL PERMIT PARKING.**

**THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY
RESOLVES AS FOLLOWS:**

**1. That the Residential Permit Parking Procedures and Guidelines
be amended as follow:**

**CITY OF FULLERTON
RESIDENTIAL PERMIT PARKING
PROCEDURES AND GUIDELINES
FOR SELECT CITY STREETS**

INTRODUCTION

Permit parking in the City of Fullerton is available to regulate and manage residential on-street parking problems associated with student parking. Although the City recognizes it is desirable to allow residents to park legally on any public street, it also recognizes the inconvenience that repetitive and long-term parking has on the affected residents. The goal is to create fair and equitable usage of residential on-street parking areas.

The current Permit Parking Program was established in 1985 by City Ordinance No. 2539 as authorized by the California Vehicle Code (CVC) 22507. The following administrative guidelines provide procedural and supplemental information for the continued implementation and expansion of the program.

EXISTING PERMIT PARKING ZONES/STREETS

Existing permit parking areas (e.g. Amherst Ave., Andover Ave., Derek Dr., Shawn Lane, Sherwood Ave. and Teri Pl.) will remain in place unaffected by implementation of any new conditions to the Permit Parking Program for a period of 12-months following adoption of the new conditions. Two (2) months prior to the 1 year grace period, City staff will notify all property owners of the pending expiration. The residents must then proactively affirm to continue with the revised permit policy subject to requisite fees and in accordance with the procedures and guidelines contained herein.

**PROCEDURES FOR DESIGNATION OF PERMIT PARKING ON SELECT
STREETS**

Requests for Permit Parking and review of the requests shall conform to the following:

- 1) All requests shall be made by petition per the City's format (forms will be supplied by the City).

Each petition shall contain the signatures, printed names and addresses of property owners abutting the subject street indicating their support to the proposed parking restriction. All petitions shall be on a street by street basis.

Under certain circumstances, the City may group select streets together; i.e. a tract, due to similarity in restricted hours as well as continuity and effectiveness of enforcement.

- 2) The petition shall also include :
 - a. Name of street, including the limits (cross streets), to be considered for permit parking.
 - b. Identify the source of the parking problem; e.g. high school or college student parking, etc, that is interfering with the availability of parking to the residents.
 - c. To maintain continuity and effectiveness of enforcement, the City established a standard posted time restriction of 7:00 a.m. to 7:00 p.m., Monday through Friday. The following holidays are exempt for Residential Permit Parking; New Years Day, Martin Luther King Day, Lincoln's Birthday, Presidents Day, Washington's Birthday, Memorial Day, 4th of July, Labor Day, Veterans Day, Thanksgiving Day and the immediate Friday thereafter, Christmas Eve, Christmas Day, and New Years Eve, as well as General or Special Election days.

Certain individual situations may necessitate varying time and/or day restrictions. In such situations, the applicant may request to deviate from the City's standard. Petitioner must include such proposed revision(s) on the petition prior to review by City staff.

- 3) A minimum of sixty-five percent (65%) of the property owners indicating their support is required for the request to proceed to the City Council for their consideration. Each property shall be represented by one vote (multiple signatures for the same property shall count as one vote).
- 4) Completed petitions shall be delivered to: City of Fullerton, 303 W. Commonwealth Avenue, Fullerton, CA 92832, Attention: Traffic Engineering Division.
- 5) After the petition is received, the City will:
 - a. Verify that each petition contains the required number of signatures (65%) indicating their support for permit parking.
 - b. Obtain necessary traffic data such as parking patterns, field conditions, traffic counts, license plate studies, and any other relevant information as needed.
 - c. Provide written notice to the identified source of the parking problem to inform them of the issue and possible implementation of parking permits in the area.

- 6) Evaluate the effect of a permit policy on the source of the parking issues.
- 7) The conditions of the subject street will be reviewed by City staff. If staff determines that the request is not within the scope or the intentions of the permit program; i.e. regular impediment of on-street parking availability without relief, staff may administratively deny the request at the initial review level. Staff shall notify the applicant of their decision within 10 working days of receiving the petition. The applicant may appeal a staff denial to the City Council. The appeal will include notification to the Director of Engineering and submittal of the standard appeal fee.
- 8) Following review approval by staff, City Council will consider the request for subject street(s) and receive public comments. Should the City Council approve the request, a resolution shall be adopted to implement the permit parking restriction on subject street(s).
- 9) Written notice of the Council meeting shall be provided to the residents, businesses, school districts, and other property owners adjacent to the subject area.
- 10) The City Council will consider the proposal, together with the recommendation of staff. The decision of the Council will be final and conclusive in all cases.
- 11) The Director of Engineering will have the authority to submit a proposal for a permit parking zone. Any such proposal shall require the same review by the City Council.
- 12) Once the permit program is approved, written notification will be provided to the affected property owners based on property addresses, the latest available tax assessment roll and known homeowner's associations. The notice shall be sent a minimum of 30 (calendar) days before enforcement begins advising them of the restrictions and any required actions such as obtaining permits.
- 13) Consideration of any removal of permit parking on select streets will require the same petition format with sixty-five (65%) of the property owners in favor of the removal; or by City initiative with notices mailed to all affected residents and property owners per street address and the latest available tax assessment roll or records in lieu of a petition.
- 14) Removal of a permit parking zone is subject to the implementation process, petition, as well as review and approval by the City Council.

ADMINISTRATION OF PERMIT PARKING PROGRAM

Issuance of Permits

Once a residential permit parking area or street(s) have been approved, it is the responsibility of the affected residents to obtain their parking permit(s) from the City Treasurer's Office, as required and/or necessary. All permits must be renewed annually. Each applicant is required to provide the following information:

Full Name
Residential Address
Daytime and Evening Phone Number
Proof of residence (original current utility or telephone bill)

The parking permit will be a numbered "hanger" type placard purchased from the City. Permit must be in vehicle at all times when the vehicle is parked on a street within the permit parking area during the hours of restriction.

Each household will be issued the number of permits as authorized by the policy. Permits will not be recognized or approved for vehicles associated with a business operating from the residence. Commercial, recreational, inoperative, or unregistered vehicles are prohibited from acquiring and/or utilizing residential parking permit(s).

Each household will be eligible to apply for five (5) permits, as outlined in the fee schedule approved by Council resolution. Permits shall be non-transferable to others, except when used for guest's purposes at the intended address.

Replacement permits may be obtained for damaged permits, as outlined in the fee schedule approved by Council resolution. The City retains the right to refuse issuance for frequent requests.

Terms of Permits

Each parking permit shall be issued on a calendar year basis. Each permit shall expire on midnight on December 31st each year. Each applicant must sign the application agreeing to the terms of the permit.

Any person whose parking permits have been revoked shall not be issued new permits until expiration of a period of 1 year following the date of revocation and the person has made the required application and paid the required fees.

Fees

Residential Parking Permit fees are established by Council resolution. There will be an annual issuance fee per year to offset labor and material costs for each participating resident regardless of the number of permits issued. Issuance fees are not pro-rated regardless of the date of purchase(s). No fee's will be charged to residents who do not request permits.

Replacement permits are available for damaged permits upon exchange of damaged permit.

Posting of Signs

It is the responsibility of the City to ensure that all streets designated for permit parking areas have signs indicating that such streets are regulated and require permits to park. Such signs shall be placed at appropriate intervals on the streets as determined by the Director of Engineering. The signs will identify the parking restrictions which shall consist of the hours, days, and exemptions applicable to the area as established by Council resolution.

Enforcement and Administrative Regulations

The following information is intended to describe both the enforcement policies that have been adopted by the City as well as other necessary administrative regulations. While these policies and regulations may change as parking conditions change, the City recognizes the following:

1. Parking in parking permit zones by the public at large may be allowed during special events that require additional parking in accordance with Section 8.71 of the F.M.C. Special Events on Public Streets.
2. The City does not have a "forgiveness" clause in its enforcement policy. Should a resident or guest forget to display or improperly display the appropriate permit as required, a citation may be issued.
3. The provisions of the permit system notwithstanding, no vehicle shall be parked on the street in the zone continually over 72-hours or be exempted from any other established vehicular restrictions such as fire hydrants, street sweeping, or other parking regulations; including the "Early Morning Parking restriction between the hours of 2:00 a.m. and 5:00 a.m.".
4. The City may revoke permits if abuses are noted by the Police Department. The first occurrence may involve a warning letter from the City and/or the issuance of a citation. Should the abuse be noted a second time, all permits issued to the affected residence may be revoked. All revocation proceedings shall be handled by the Lieutenant in the Police Department's Traffic Division and/or his designee.

Typical examples of abuse include, but are not limited to: Parking with an illegible permit; allowing a permit to be used with a vehicle at an address other than the permit is assigned; and/or parking with counterfeit permits. A violation of the aforementioned shall result in an immediate revocation of all permits issued to the participating residency.

5. The City will attempt to recognize new arrivals in the area and should violations be noted, a courtesy warning may be issued. However, it is the responsibility of the property owner/tenant (new or old) to contact the City regarding any posted parking regulations on their street, and to obtain applicable permits.
6. For single-family (R1) rental properties, the property owner may submit the request for parking permits for his/her tenants; or provide said tenants with an authorization letter approved by the City. Property owners not living in the dwelling will be eligible for a permit only upon providing proof of ownership of the subject property.

The property owner is responsible for all permits assigned to tenants. Additional permits will not be issued as a result of tenant failure to return permit(s) to the property owner until the next annual renewal period.

7. These permit requirements do not apply to:
 - a. Repair, maintenance, refuses collection, utility, delivery, and service vehicles used in the course of business.
 - b. Vehicles owned or operated by the City, government agency, or contractor of a government agency, being used in the course of business.
 - c. Emergency life support and health care vehicles being used in the course of business.
 - d. The property owner/occupant may contact the Police Department Watch Commander to request a one day courtesy "no-cite" for a one time, or infrequent gathering, that requires the use of additional on-street parking. Such requests must be made no later than 24-hours prior to the gathering and no more than 72-hours.

ADOPTED BY THE FULLERTON CITY COUNCIL on August 20, 2013.