

ORDINANCE ESTABLISHING OVERNIGHT PARKING PROGRAM

(a) Definitions: For the purpose of this section, the following words and phrases are defined and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:

1. Dwelling Unit shall mean one or more rooms containing a kitchen, located in a building, and designed for occupancy by one family for living and sleeping purposes.

2. Resident shall mean a person who lives in a Dwelling Unit located in an Overnight Parking District.

3. Visitor shall mean a person who is visiting a Resident in an Overnight Parking District.

4. Guest shall mean a person who, for one night, is visiting a Resident in the Resident's Dwelling Unit located in an Overnight Parking District.

5. Overnight Parking District shall mean an area with boundaries designated by a City Council resolution wherein the parking or standing of vehicles on certain streets or highways, or portions thereof, is prohibited or restricted between the hours of 2 a.m. and 6 a.m.

6. Overnight Parking Permit shall mean a permit issued by the Department, which exempts vehicles displaying a valid permit from parking restrictions established pursuant to this section.

(b) Designation of Overnight Parking District: The Council may establish, by resolution, Overnight Parking Districts with appropriate boundaries and authorize parking restrictions to be in effect on the streets thereof between 2 a.m. and 6 a.m. The resolution establishing an Overnight Parking District shall state the maximum number and type of Overnight Parking Permits that may be issued to any one Dwelling. The resolution shall also establish the fee charged for each type of Overnight Parking Permit.

(c) Types of Overnight Parking Permits: The Council may authorize, by resolution, the Department of Transportation to issue Resident Permits, and/or Visitor Permits and/or Guest Permits for an Overnight Parking District if such proposed district is a residential area lacking adequate off-street parking facilities. Motor vehicles properly displaying a valid Resident, Visitor or Guest

Permit may be parked exempt from the parking restrictions established pursuant to this section in the Overnight Parking District for which the permit is issued.

1. Resident Permit:

a. Shall be issued only to a vehicle whose registration lists the resident as the owner and the vehicle's registered address as the resident's address in the Overnight Parking District;

b. Shall be valid on any street in the Overnight Parking District;

c. Shall be valid for a maximum period of 12 months; and

d. May be renewed annually.

2. Visitor Permit:

a. Shall be issued to a Resident of the area to be used on any vehicle owned or leased by the Resident or his/her Visitor;

b. Shall be valid on any street in the Overnight Parking District;

c. Shall be valid for four (4) months; and

d. May be renewed every four (4) months.

3. Guest Permit:

a. Shall be issued to a Resident of the area to be used on any vehicle owned or leased by the Resident or his/her Guest;

b. Shall be valid on any street in the Overnight Parking District; and

c. Shall be valid only for the date specified on the permit.

(d) Issuance of Permits: Parking permits for Overnight Parking Districts shall be issued by the Department of Transportation or its authorized agent.

1. Overnight Parking Permits shall be issued only to Residents of the Overnight Parking District, except that the resolution establishing an Overnight Parking District may authorize the Department to issue Visitor Permit(s) to absentee landlords for their personal use or for the use of their authorized property managers.

2. Each Resident Permit shall state or reflect thereon the particular Overnight Parking District, the license number of the vehicle for which the permit is issued, and the date on which the permit shall expire.

3. Each Visitor Permit shall state or reflect thereon the particular Overnight Parking District and the date on which the permit shall expire.

4. Each Guest Permit shall state or reflect thereon the particular Overnight Parking District and the date on which the permit is valid.

5. Applicants for Overnight Parking Permits will be required to pay all amounts owed to the City of Los Angeles for any outstanding delinquent parking citations prior to the issuance of any Resident, Visitor or Guest Permits.

(e) Posting of Overnight Parking District: Upon designation of an Overnight Parking District, the Department of Transportation shall cause appropriate signs to be erected in such district in accordance with procedures set forth in the establishing Council resolution, indicating prominently thereon the parking limitation and the period of the day for its application. Such signs shall also state that motor vehicles with valid permits shall be exempt from the restrictions. Overnight parking restriction signs may be posted on school and church frontages located within the district.

(f) Permit Parking Exemption:

1. A motor vehicle on which is properly displayed a valid Resident, Visitor or Guest Permit shall be permitted to be parked on any block within the Overnight Parking District for which it is issued, despite the parking restrictions established pursuant to this section. Except as provided below, all other motor vehicles parked within an Overnight Parking District shall be subject to the parking restrictions adopted pursuant to this section, as well as to the penalties herein provided.

2. An Overnight Parking Permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated Overnight Parking District.

3. The following vehicles shall be exempt from parking restrictions established pursuant to this section:

a. A motor vehicle, identified as owned by or operated under contract to a utility, whether privately, municipally or publicly owned, when used in the construction, operation, removal, or repair of utility property or facilities or engaged in authorized work in the designated Overnight Parking District.

b. A motor vehicle identified as owned by or operated under contract to a governmental agency, when used in the course of official government business.

(g) Rules and Regulations: The Department shall have authority to promulgate and administer rules to implement and enforce the program and to implement the issuance of Overnight Parking Permits as well as the collection and deposit of fees for these permits, consistent with this section and the direction of the Council through the resolution establishing each Overnight Parking District.

(h) Penalty Provisions:

1. Unless exempted pursuant to this section, no person shall stand or park a motor vehicle in violation of any parking restrictions established pursuant to this section.

2. No person shall falsely represent himself or herself as eligible for an Overnight Parking Permit or furnish false information in an application for an Overnight Parking Permit to the Department.

3. No permit issued pursuant to this section shall thereafter be assigned, transferred or used for any consideration, monetary or otherwise.

4. No person shall copy, produce or create a facsimile or counterfeit Overnight Parking Permit; nor shall any person use or display a facsimile or counterfeit Overnight Parking Permit.

5. The Overnight Parking Permit or Permits of any Resident who, after a hearing, has been found by the Department to have violated any of the provisions of this ordinance, shall be revoked by the Department and no new Overnight Parking Permits shall be issued to that Resident or household for a period of one year. Such Resident, upon written notification of such revocation, shall surrender the permit or permits to the Department within 15 days.