

ORDINANCE NO. 21-995

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR, CALIFORNIA AMENDING SECTION 8.36.090 OF CHAPTER 8.36 OF THE MONTCLAIR MUNICIPAL CODE TO PROHIBIT COMMERCIAL VEHICLE PARKING ON BROOKS STREET AND PALO VERDE STREET

WHEREAS, Chapter 8.36 of the Montclair Municipal Code currently sets forth regulations concerning stopping, standing and parking on City streets and other property in the City; and

WHEREAS, paragraphs A.4. and A.5. of Section 8.36.090 of the Montclair Municipal Code currently allow commercial vehicles having a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds or more to park on certain areas of Brooks Street and Palo Verde Street; and

WHEREAS, it is determined to be in the best interests of the City and its residents to amend Section 8.36.090 of the Montclair Municipal Code to prohibit the parking of commercial vehicles having a GVWR of 10,000 pounds or more on Brooks Street and Palo Verde Street.

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

**SECTION I. Deletion of paragraphs A.4. and A.5. from Section 8.36.090.**

Section 8.36.090 of Title 8 of the Montclair Municipal Code is hereby amended by deleting paragraphs A.4. and A.5.

**SECTION II. Severability.**

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

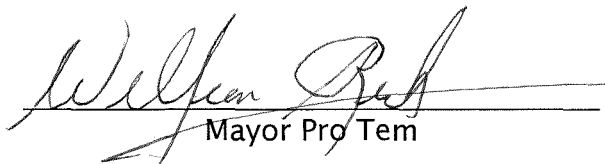
**SECTION III. Effective Date.**

This Ordinance shall be in full force and effect thirty (30) days after passage.

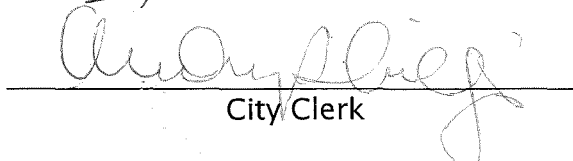
**SECTION IV. Posting.**

The City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933.

APPROVED AND ADOPTED this 19th day of April, 2021.

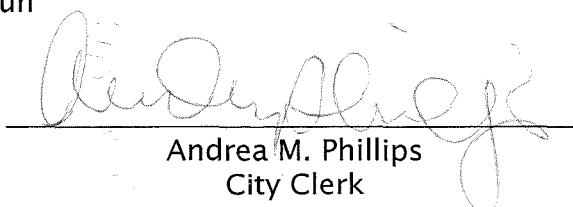
  
\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 21-995 of said City, which was introduced at a regular meeting of the City Council held on the 5th day of April, 2021, and finally passed not less than five (5) days thereafter on the 19th day of April, 2021, by the following vote, to-wit:

- AYES: Lopez, Martinez, Johnson, Ruh
- NOES: None
- ABSTAIN: None
- ABSENT: Dutrey

  
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Andrea M. Phillips  
City Clerk