

**ORDINANCE NO. 1989**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN RAFAEL AMENDING SAN RAFAEL MUNICIPAL CODE SECTION 5.40.080 REGULATING PARKING ON NARROW, HILLY CITY STREETS**

**WHEREAS**, the City Council wishes to preserve the safety and attractiveness of the City's streets and the functionality for residents and businesses using those streets; and

**WHEREAS**, areas in the City of San Rafael with narrow and hilly roads or in territory where access is otherwise difficult are particularly vulnerable to wildfire; and

**WHEREAS**, the regular parking of vehicles on streets with narrow widths or in territory difficult to access often creates hazards to vehicular and pedestrian travel; and

**WHEREAS**, the width of said roads cannot always safely accommodate the passage of City fire or emergency medical apparatus when vehicles are parked on roadsides; and

**WHEREAS**, San Rafael Municipal Code Section 5.48.010 authorizes the City Traffic Engineer to regulate, restrict, or prohibit parking upon specified streets and during specified hours; and

**WHEREAS**, the amendments to the San Rafael Municipal Code adopted herein will allow the City Traffic Engineer to place signs or markings to designate limited areas where parking on narrow streets may be allowed without obstructing safe passage of vehicles and pedestrians, and will facilitate the City's ability to effectively enforce its parking restrictions on narrow hilly roadways, thus facilitating emergency access and evacuation, and protecting the public health, safety and welfare; and

**WHEREAS**, the City Council finds that adoption of this ordinance would provide limitations on the use of public streets for parking, and is therefore categorically exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15301 concerning the operation or minor alteration of existing public facilities involving negligible or no expansion of use;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES HEREBY ORDAIN AS FOLLOWS:**

**DIVISION 1: AMENDMENT.**

Section 5.40.080 of the San Rafael Municipal Code, entitled "Parking prohibited on narrow streets" is hereby amended to read in its entirety as follows:

- (a) The city traffic engineer is authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty feet (20'), or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty feet (30');
- (b) When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking;
- (c) Parking of vehicles upon any city street is prohibited unless an unobstructed distance of not less than six feet (6') is maintained to the centerline or to the center of the improved or main traveled portion of the street;
- (d) Notwithstanding any other provision of this Code, when the stopping or parking of vehicles on a narrow hilly street constitutes a hazard to traffic, life or property, or an obstruction to the adequate access by fire, police, health, sanitation and public utility vehicles, the traffic engineer may install signs or markings, including parking boxes, upon the street or portions thereof giving notice that no person shall stop or park or leave standing any vehicle, except as designated by such signs or markings, and that vehicles parked in violation of such signs or markings may be cited and immediately removed.

**DIVISION 2: SEVERABILITY.**

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

**DIVISION 3: PUBLICATION; EFFECTIVE DATE.**

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which it is adopted.

This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of the Councilmembers voting for or against same, in the Marin Independent Journal, a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.

Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for and against the Ordinance.

\_\_\_\_\_  
KATE COLIN, Mayor

ATTEST:

\_\_\_\_\_  
LINDSAY LARA, City Clerk

The foregoing Ordinance No. 1989 was introduced at a regular meeting of the City Council of the City of San Rafael on February 1, 2021 and ordered passed to print by the following vote, to wit:

AYES: Councilmembers: Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: None

and will come up for adoption as an Ordinance of the City of San Rafael at a Regular Meeting of the Council to be held on the February 16, 2021.

\_\_\_\_\_  
LINDSAY LARA, City Clerk

# Marin Independent Journal

4000 Civic Center Drive, Suite 301  
San Rafael, CA 94903  
415-382-7335  
legals@marinij.com  
2070419

CITY OF SAN RAFAEL  
1400 FIFTH AVENUE  
CITY CLERK, ROOM 209  
SAN RAFAEL, CA 94901

## PROOF OF PUBLICATION (2015.5 C.C.P.)

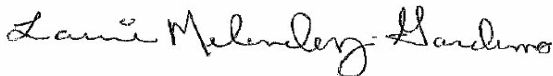
### STATE OF CALIFORNIA County of Marin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer of the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation, printed and published daily in the County of Marin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, under date of FEBRUARY 7, 1955, CASE NUMBER 25566; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

**02/05/2021**

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated this 5th day of February, 2021.



Signature

## PROOF OF PUBLICATION

Legal No. **0006551433**

### SUMMARY OF ORDINANCE NO. 1989

#### AN ORDINANCE OF THE SAN RAFAEL CITY COUNCIL AMENDING SAN RAFAEL MUNICIPAL CODE SECTION 5.40.080 REGULATING PARKING ON NARROW, HILLY CITY STREETS

This Summary concerns a proposed ordinance of the City Council of the City of San Rafael, designated as Ordinance No. 1989, which will amend San Rafael Municipal Code Section 5.40.080 to regulate parking on narrow, hilly streets within the City of San Rafael. Ordinance No. 1989 is scheduled for adoption by the San Rafael City Council at its regular meeting of February 16, 2021. The City Clerk has been directed to publish this Summary pursuant to City Charter and California Government Code section 36933(c)(1).

### SUMMARY OF AMENDMENT TO MUNICIPAL CODE

San Rafael Municipal Code Section 5.40.080 contains regulations limiting or prohibiting parking on narrow streets within the City. Ordinance No. 1989 would add a new subsection (d) to this section, authorizing the City's Traffic Engineer to install additional signs and markings to clearly indicate where vehicles may park on narrow, hilly streets where the unrestricted stopping or parking of vehicles on the street constitutes a threat to the public health and safety by obstructing or hindering emergency evacuations and/or access by fire trucks and other emergency response vehicles. These markings, known as "parking boxes" will focus on narrow streets, primarily in hillside neighborhoods.

Copies of Ordinance No. 1989 will be available for public review as of Friday, February 5, 2021 by emailing the City Clerk's office at city.clerk@cityofsanrafael.org You may also contact Quinn Gardner, Emergency Manager, at (415) 485-5336 or quinn.gardner@cityofsanrafael.org for information.

LINDSAY LARA  
San Rafael City Clerk  
Dated: 02/05/2021