

BOARD of SUPERVISORS



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June 30, 2011

File No. 110769

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

*Statutory exempt per CEQA
Guidelines Section 15273:
Rates, Tolls, Fares, & Charges.*

Brett Bollinger 07/07/11
Approved Planning Dept. Brett Bollinger

Dear Mr. Wycko:

On June 21, 2011, Mayor Lee introduced the following proposed legislation:

File No. 110769

Ordinance amending the San Francisco Transportation Code, Division I, Articles 7 and 8, Division I, by: 1) adding Section 7.2.52 to establish a violation for unauthorized vehicles to park in a designated car share parking space; and 2) amending Section 8.1 to permit the removal of vehicles parked in violation of Section 7.2.52.

The legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

Handwritten signature of Alisa Somera in cursive.

By: Alisa Somera, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis
AnMarie Rodgers, Manager, Legislative Affairs 2011.0709E

1 [Transportation Code - Car Share Vehicle Parking Restrictions]

2
3 **Ordinance amending the San Francisco Transportation Code, Division I, Articles 7 and**
4 **8, Division I, by: 1) adding Section 7.2.52 to establish a violation for unauthorized**
5 **vehicles to park in a designated car share parking space; and 2) amending Section 8.1**
6 **to permit the removal of vehicles parked in violation of Section 7.2.52.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are ~~*strike-through italics Times New Roman*~~.
9 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. Environmental Findings. The Planning Department has determined that the
12 actions contemplated in this Ordinance are in compliance with the California Environmental
13 Quality Act (California Public Resources Code section 21000 et seq.). Said determination is
14 on file with the Clerk of the Board of Supervisors in File No. _____ and is
15 incorporated herein by reference.
16

17 Section 2. Article 7 of the San Francisco Transportation Code is hereby amended by
18 adding Section 7.2.52, to read as follows:

19 **SEC. 7.2. INFRACTIONS.**

20 In addition to public offenses created by the Vehicle Code, the actions listed in this
21 Section 7.2 are prohibited, and each and every violation of a prohibition listed below shall be
22 an infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c) as
23 necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d) with
24 respect to a Municipal Parking Facility, upon the direction of an authorized parking attendant;
25 or (e) with respect to any other Public Property, except with the permission of, and subject to

1 such conditions and regulations as are imposed by the agency that owns the property that are
2 available for public inspection at the agency's offices.

3 **SEC. 7.2.52. CAR SHARE VEHICLE PARKING RESTRICTIONS.**

4 To Park a vehicle in a Parking Space designated by the Municipal Transportation Agency's
5 Board of Directors for the exclusive use of car share vehicles which have been issued a Car Share
6 Vehicle Parking Permit by the Municipal Transportation Agency when Municipal Transportation
7 Agency signs or markings are posted giving notice. Vehicles Parked in violation of this section are
8 subject to removal pursuant to Section 8.1(a)(12) of this Code.

9
10 Section 3. Article 8 of the San Francisco Transportation Code is hereby amended by
11 amending Section 8.1, to read as follows:

12 **SEC. 8.1. CIRCUMSTANCES PERMITTING REMOVAL.**

13 (a) ~~When any legally required signage is posted giving notice, a~~Any Police Officer or
14 Parking Control Officer is authorized, in accordance with all applicable requirements of this
15 Code and the Vehicle Code, to remove or cause to have removed any vehicle that is:

16 (1) Parked in violation of Vehicle Code Section 22500, 22651 or 22652; (70, 70b) or

17 (2) Parked, disabled or abandoned in a manner as to obstruct the normal movement of
18 pedestrian or vehicular traffic, or in a condition to create a hazard to other traffic in violation of
19 Vehicle Code Sections 22651(b) or 22654(c); (70, 70(b), 71b, 159) or

20 (3) Not a motorcycle and is Parked in an area designated as motorcycle parking only;
21 (27, 219) or

22 (4) Interfering with the use of any Street for purposes other than the normal flow of
23 traffic in violation of signs posted at least 24 hours before such use is scheduled to begin, in
24 accordance with Vehicle Code § 22654(d) or 22651(m); (193, 193.4) or

1 (5) Parked at a Stand when such vehicle is not within the class of vehicles authorized
2 to use such Stand, or is Parked at a Stand outside of the hours that such vehicle is authorized
3 to use a Stand; (33.5A) or

4 (6) Parked in such a manner that it blocks any entrance to any residence or blocks
5 access to electric vehicle charging bays; (32.21, 32.21A, 32.22) or

6 (7) Parked in violation of any restriction or prohibition in Division II for which Division II
7 authorizes removal of vehicles in accordance with Vehicle Code Section 22651(n); (32.4.1,
8 32.4.3, 27) or

9 (8) Parked in violation of a Parking restriction or prohibition posted at a curb painted
10 white, yellow, green or red; (33.3, 38.B, 38.C) or

11 (9) Parked on a Street for 72 or more consecutive hours (3 days), except that no
12 vehicle may be removed pursuant to this Section except in compliance with all procedural
13 requirements of this Code; (37(a), 159, 159.10) or

14 (10) Parked in any Municipal Parking Facility in any manner which violates this Code,
15 or which is left in a Municipal Parking Facility for more than 24 hours after the expiration of the
16 period for which the parking fee was paid for that vehicle; (32.14, 32.19) or

17 (11) A bicycle left unattended in any manner that obstructs a sidewalk, street, alley,
18 transit access or other public place. (219.2)

19 (12) Parked in a Parking Space designated by the Municipal Transportation Agency's Board of
20 Directors for the exclusive use of car share vehicles which have been issued a Car Share Vehicle
21 Parking Permit.

22 (b) Any peace officer or other employee authorized to enforce Port Regulations who
23 finds any vehicle or animal unattended and standing or Parked in violation of Port Regulations
24 may remove the vehicle or cause it to be removed to the nearest garage or such animal to the
25 nearest place of safety. (220)

1 (c) Any peace officer who arrests the operator of a vehicle that is licensed as a
2 charter-party carrier of passengers by the CPUC for operating as a taxicab may impound the
3 vehicle in accordance with California Public Utilities Code §5411.5.

4 Section 4. Effective Date. This ordinance shall become effective 30 days from the
5 date of passage.

6
7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: _____
10 JOHN I. KENNEDY
11 Deputy City Attorney

