

Additions are underlined.
Deletions are ~~struck through~~.
Revision markers are noted in left or
right margins as vertical lines.

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NAPA COUNTY,
STATE OF CALIFORNIA, AMENDING CHAPTER 10.12 – COUNTY
PARKING LOTS**

The Napa County Board of Supervisors, State of California, ordains as follows:

SECTION 1. Chapter 10.12 (County Parking Lots) of Title 10 (Vehicles and Traffic) of
the Napa County Code is amended to read in full as follows:

Chapter 10.12

County Parking Lots

Sections:

- 10.12.010 Purpose.**
- 10.12.020 General Provisions.**
- 10.12.030 Specific Regulations; Exemptions.**
- 10.12.040 Special Events.**
- 10.12.050 Electric Vehicle Charging Station Parking Stalls.**
- 10.12.060 Parking in Loading Dock – Penalty for Violation.**
- 10.12.070 Additional Prohibited Activities; Non-Motor Vehicle Use Prohibited.**
- 10.12.080 Enforcement Authority and Procedures.**
- 10.12.090 Violations Subject to Administrative or Civil Penalties.**

10.12.010 - Purpose.

Pursuant to Section 22519 of the California Vehicle Code, the Napa County Board of Supervisors enacts this chapter to regulate the use of all off-street parking facilities owned or operated by Napa County, including the Fifth Street Parking Garage located at 1100 Fifth Street, Napa, California. This chapter shall be known as the "County parking facilities ordinance."

10.12.020 - General provisions.

A. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot in violation of parking regulations and time limits posted at any county parking lot.

B. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot between the hours of eleven p.m. and five a.m., unless the person has been authorized by the Director of Public Works or the director's designee and is parking in a stall designated

with numbers, the words "PERMIT," "RESERVED," "POOL," the position of the public agency officer, or as long as the vehicle displays county placards or decals visible through the windshield of the vehicle. This section does not apply to person parking a county-owned vehicle or to a county employee's personal vehicle if the employee is required by virtue of their position to perform job duties after 11:00 pm.

C. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot outside designated parking stall markings, in whole or in part. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot in a manner that occupies more than one designated parking stall.

D. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot in any area designated a "no parking zone." A "no parking zone" is the paved area in front of any red-painted curbing or any other area designated by signage, including signs stating "No Parking" or "No Parking Anytime."

E. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot in a stall designated for disabled persons without displaying a license plate or placard issued to disabled persons by the California Department of Motor Vehicles or a foreign jurisdiction.

F. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot for the purpose of overhaul, maintenance or repair of such vehicle except for emergency repairs requiring less than two hours to complete.

G. No person shall stop, stand, or park a motor vehicle within any county-owned parking lot for the purpose of displaying the vehicle for sale.

10.12.030 - Specific Regulations; Exemptions.

A. If a parking stall located in the Fifth Street Garage located at 1100 Fifth Street, Napa, marked as provided in 10.12.020(A) and has been further marked by the Director of Public Works or the director's designee with the letter "P," only those vehicles displaying, in a manner visible through the windshield, a parking voucher issued to the driver by a Fifth Street Garage private participant shall be entitled to park in such stall. Parking by all other persons in such stall shall be prohibited.

B. No person shall stop, stand, or park a motor vehicle within the county-owned parking lots serving the Napa County Sheriff's Department and Napa County Animal Shelter unless the operator of the vehicle or a passenger is a member of the public with lawful or official business at these facilities and then only for the time necessary to transact such business.

10.12.040 - Special Events.

A. If the Director of Public Works or the director's designee determines sufficient parking for county employees and official county business will be available during a special event or meeting hosted by the county, or a special event in the city of Napa, the director or designee is authorized to make temporary amendments to time restrictions and permit requirements during the special events or meetings. These temporary restrictions do not apply to those parking spaces in the Fifth Street Garage located at 1100 Fifth Street, Napa, that are expressly reserved for private participants by agreement.

B. The Director of Public Works or the director's designee may establish any additional regulations or issue any additional permits necessary to ensure access to parking for county business, to further the purpose of existing county agreements, and to protect the county's

infrastructure during a special event or meeting within any public parking facility owned or operated by the county. Regulations may include restrictions on hours of operation, parking time limits, permit requirements, and other restrictions as needed for the duration of a special event or meeting. Any regulations approved by the director of public works or the director's designee pursuant to this authority shall be in writing and filed with the clerk of the board of supervisors. Any additional restrictions not expressly provided within Chapter 10.12 shall be enforceable by the Director of Public Works or the director's designee by towing the vehicle at the owner's expense.

C. The Director of Public Works or the director's designee shall establish appropriate temporary signage to alert motorists of any temporary restrictions and shall not enforce the temporary restrictions until such signage is in place.

D. Restrictions shall be enforced consistent with the signage, permit requirements, and enforcement mechanisms as authorized under this Chapter.

10.12.050 – Electric Vehicle Charging Station Parking Stalls.

A. It shall be unlawful to park in a designated electric vehicle charging station parking stall unless the vehicle is an electric vehicle that is actively charging its battery.

B. An electric vehicle shall be a "motor vehicle" as defined in California Vehicle Code section 415, which either (i) displays the State of California Air Board ZEV (zero emission vehicle) sticker; or (ii) has the capability to charge a battery from an off-vehicle electric energy source that cannot be connected or coupled to the vehicle in any manner while the vehicle is being driven.

C. An electric vehicle is "charging" when it is electrically connected to the charging station equipment and its battery has not reached full capacity.

10.12.060 - Parking in Loading Dock – Penalty for Violation.

Except for those persons expressly authorized by the county to do so, no person shall stop, stand or park a motor vehicle at any time in the loading dock located on the east side of Coombs Street between Third and Fourth Streets in the city of Napa, California, in the loading dock located on the west side of Main Street between Third and Fourth Streets in the city of Napa, California, or in the loading dock located on Elm Street behind 2261 Elm Street in the city of Napa, California.

10.12.070 - Additional Prohibited Activities; Non-Motor Vehicle Use Prohibited.

A. No person shall camp, occupy camp facilities or use camp paraphernalia, as those terms are defined in Chapter 12.02 of this code, in any county parking lot.

B. No person shall use any area of a county parking lot for storage of any kind, including the parking of detached trailers, fifth wheels, and other equipment, or for any use other than parking a motor vehicle, unless authorized by the Director of Public Works or the director's designee or the director of the agency or division the county parking lot serves.

C. No person shall roller skate, skateboard, or ride any non-motorized unicycle, bicycle, tricycle, or scooter, or any similar devices in any county parking lot. This prohibition shall not apply to the use of wheelchairs or similar devices by disabled persons.

10.12.080 - Enforcement Authority and Procedures.

A. The following county officers or employees shall have the authority to enforce the provisions of this chapter:

1. Director of Public Works;
2. Deputy Director of Public Works;
3. Public Works Superintendent;
4. Facilities Superintendent;
5. Building Maintenance Worker;
6. Maintenance Worker II;
7. Airport Manager (for violations on Napa County Airport property only);
8. Airport Assistant Manager (for violations on Napa County Airport property only);
9. Airport Operations Worker (for violations on Napa County Airport property only);
10. Chief Probation Officer (for violations at Napa County Juvenile Hall property, only);
11. Deputy Probation Officers (for violations at Napa County Juvenile Hall property, only);
12. County sheriff;
13. Deputy sheriffs; and
14. County building security guards

B. Enforcement may include issuance of administrative penalty citations under Chapter 1.28 of this code for violations of Section 10.12.070 and notices of parking violations under Chapter 10.32 and California Vehicle Code Section 40200, et seq., for violations of all other provisions of this chapter. The persons listed above shall also have the authority to take all such steps as are required by law to notify the California Department of Motor Vehicles of those persons who fail to pay the civil penalties for violations of the county parking code, unless such functions have been delegated by resolution of the board of supervisors to a public or private processing center with which the board has executed a contract pursuant to California Vehicle Code Section 40200.5.

C. The Director of Public Works and such persons as they may designate shall have the authority to tow any vehicle on county property that is in violation of Sections 10.12.020, 10.12.030, 10.12.040, 10.12.050 and 10.12.060. If a vehicle in violation of any of these sections has not been removed within twenty-four hours after notice of the violation has been given, the county may utilize the local law enforcement agency to remove vehicles from such county property as authorized by California Vehicle Code section 22651(n).

D. The Director of Public Works and such persons as they may designate shall have the authority to remove property located on county-owned parking lots which is in violation of Sections 10.12.020 through 10.12.070 after providing twenty-four-hour notice of intention to remove such property.

E. Notwithstanding anything to contrary in subsection (C) of this section, the Director of Public Works and such persons as they may designate shall have the authority to impound any shopping carts left in county-owned parking lots to the extent and in the manner permitted by Section 22435.7 of the California Business and Professions Code.

F. It shall be unlawful for any person to remove, obstruct, or obscure a mark or designation on or around a vehicle parked in a county parking lot with the intent to interfere with

an officer or employee ensuring that a vehicle has not been parked in violation of posted time restrictions.

10.12.090 - Violations Subject to Administrative or Civil Penalties.

A. Any violation of the provisions of this chapter shall not be a criminal violation but shall instead be subject to an administrative penalty pursuant to Chapter 1.28 of this code if a violation of Section 10.12.070, or a civil penalty as prescribed by California Vehicle Code Section 40200 et seq. and Chapter 10.32 of this code if a violation of any other provision of this chapter.

B. Notwithstanding anything to the contrary in Section 1.28.050(B), every non-consecutive violation of any provision of this chapter shall constitute a separate and distinct offense, even if such non-consecutive violations occur during the same day.

10.12.010 – Definitions.

As used in this chapter:

~~"Camp" means one or more of the following: pitching or occupying camp facilities; using camp paraphernalia; and sleeping in, on or under any parked vehicle.~~

~~"Camp facilities" means and includes, but is not limited to, tents, huts, temporary shelters and, when used for the purpose of sleeping, vehicles.~~

~~"Camp paraphernalia" means and includes, but is not limited to, tarpaulins, bedding, cots, beds, shopping carts, sleeping bags, hammocks, or other storage containers or similar equipment.~~

~~"Lot A" means that parking lot owned by the county and lying south of the Napa County Administration Building and west of the Napa County Hall of Justice in the block bounded by Third, Fifth, Main and Coombs Streets in the city of Napa, California, as shown on the diagram attached as Figure 10.12.010 and incorporated by reference herein to.~~

~~"Lot B" means that parking lot owned by the county and lying east of the Napa County Hall of Justice in the block bounded by Third, Fifth, Main and Coombs Streets in the city of Napa, California, as shown on Figure 10.12.010.~~

~~"Lot C" means those parking lots owned by the county on the north and west sides of the block bounded by Fifth, Division, Coombs and Brown Streets in the city of Napa, California, as shown on Figure 10.12.010.~~

~~"Lot D" means that parking lot owned by the county in the block bounded by Third, Fourth, Coombs and Randolph Streets in the city of Napa, California, as shown on Figure 10.12.010.~~

~~"Lot E" means that parking lot within the parking structure owned by the county and lying south of Lots A, B and the Hall of Justice in the block bounded by Third, Fifth, Main and Coombs Streets in the city of Napa, California, as shown on Figure 10.12.010, with the layout of the individual floors as shown on Figure 10.12.010-1.~~

~~"Lot E private participant" means a person or entity, other than a public agency, whose participation in the funding of the construction of Lot E entitles the person or entity through January 9, 2062 to reserved parking rights in Lot E as specified in Napa County Agreement Numbers 6758, 6759, or 6760, and shall include persons or entities to whom such rights have been assigned by the original signatories to such agreements.~~

~~"Lots F, G, H, I, and J" mean those parking lots owned by the county in the block bounded by Old Sonoma Road, Elm Street, and Walnut Street in the city of Napa, California,~~

where Lot F is located in front and Lot G is located in back of Buildings K, J and H of the Napa County Health and Human Services complex at 2261 Elm Street, Lot H is located in front of the Napa County Juvenile Hall at 2350 Old Sonoma Road, Lot I is located primarily in front of Buildings A, B, C and D of the Napa County Health and Human Services complex at 2344 Old Sonoma Road but includes stalls in and around such buildings, and Lot J is located on the east side of Buildings G and F of the Napa County Health and Human Services Complex. Lots F through J are shown on the diagram attached as Figure 10.12.010-2 and incorporated by reference herein.

"Lot K" means that parking lot owned by the county in front of the Napa County Airport Administration Building at 2030 Airport Road in the unincorporated area of the county of Napa, California as shown on the diagram attached as Figure 10.12.010-3 and incorporated by reference herein.

"Motor vehicle" means vehicle as defined in the California Vehicle Code.

"Stall" means an individual parking space indicated by white lines painted on the pavement which show the boundaries of an individual parking space.

"Store" means to put aside or accumulate for use when needed, to put away for safekeeping, or to place or leave in a location.

10.12.020 – Lots A, C, E, F, G, H, I, J and K – Time limits.

A. — No person shall stop, stand or park a motor vehicle in any parking stall in Lot A, Lot C or the first level of Lot E between the hours of seven a.m. and six p.m., Saturdays, Sundays and county holidays excepted, that is longer than the period of one, two or three hours as noted on signs posted at the entrance to the lot, level or adjacent to the stall, or marked on the stall by written order of the director of public works or the designee of the director. This prohibition shall not apply to stalls designated by written order of the director of public works or the designee of the director with markings including numbers or the words "PERMIT", "RESERVED" or the position of the public agency officer or employee assigned the stall.

B. — No person shall stop, stand or park a motor vehicle during the overnight hours between eleven p.m. and five a.m., Saturdays, Sundays and county holidays excepted, in any parking stall in Lots C or E other than those designated by written order of the director of public works or the designee of the director with markings including numbers or the words "PERMIT", "RESERVED", or the position of the public agency officer or employee assigned the stall.

C. — No person shall stop, stand or park a motor vehicle for longer than fifteen consecutive minutes in any of the seven parking stalls located at the southeast corner of Lot F designated for fifteen minute parking.

D. — No person shall stop, stand or park a motor vehicle, with the exception of county vehicles or vehicles specifically authorized by the director of the Napa County Health and Human Services Agency or the Chief Probation Officer or the designees thereof as shown by a placard or decal visible through the windshield of the vehicle, on any portion of Lots F, G, H, I or J between the hours of ten p.m. and seven a.m. on any day.

E. — No person shall stop, stand or park a motor vehicle for longer than four consecutive hours between the hours of seven a.m. and nine p.m. on any single day in any parking stall in Lot K, unless authorized by written order of the director of public works or designee.

F. ~~— No person shall park any campers, trailers, motorhomes, truck tractors, truck trailers, or truck tractor/trailer combinations on any portion of Lot K between the hours of nine p.m. and seven a.m. on any day.~~

~~10.12.030 – Lots A, B, C, D, E and K—Permit required.~~

A. ~~— No person shall stop, stand or park a motor vehicle at any time in Lots A, B, C, D, E or K in a parking stall with markings including numbers or the words "PERMIT," "RESERVED," "POOL" or the public agency employee position, department or division assigned to the stall, or in any parking stall located within a lot or portion thereof where the entrances are posted with one or more signs expressly limiting parking to "county employees" or, in the case of Lot K, with signs expressly limiting parking to "employees" or "rental cars," except with the prior written permission of the director of public works or his designee as provided in subsection (B) of this section. Such permission shall be shown by displaying in a manner visible through the windshield a decal, placard or parking voucher authorized by the director of public works or his designee.~~

B. ~~— If a parking stall marked as provided in (A) is located in Lot E and has been further marked by the director of public works or his designee with the word "P", only those vehicles displaying, in a manner visible through the windshield, a parking voucher issued to the driver by a Lot E private participant as authorized by the director or his designee shall be entitled to park in such stall and parking by all other persons in such stall shall be prohibited.~~

~~10.12.040 – Parking outside stall markings or in designated "No parking" zones.~~

A. ~~— No person shall stop, stand or park a motor vehicle outside a stall on any of the county property shown on Figures 10.12.010, 10.12.010-1, 10.12.010-2 or 10.12.010-3.~~

B. ~~— No person shall stop, stand or park a motor vehicle in a "no parking zone" on any of the county property shown in Figures 10.12.010, 10.12.010-1, 10.12.010-2 or 10.12.010-3. For this purpose, a "no parking zone" is the paved area in front of any red-painted curbing or with signage stating "No Parking" or "No Parking Anytime."~~

~~10.12.050 – Disabled person parking area violations.~~

~~Notwithstanding any other provision of this chapter, no person shall stop, stand or park a motor vehicle in Lots A, B, C, D, E, F, G, H, I, J or K at any time in a stall designated for disabled persons without displaying a license plate or placard issued to disabled persons by the California Department of Motor Vehicles.~~

~~10.12.060 – Parking in loading dock—Penalty for violation.~~

~~Except for those persons expressly authorized by the county to do so, no person shall stop, stand or park a motor vehicle at any time in the loading dock located on the east side of Coombs Street between Third and Fourth Streets in the city of Napa, California, in the loading dock located on the west side of Main Street between Third and Fourth Streets in the city of Napa, California or in the loading dock located on Elm Street behind 2261 Elm Street in the city of Napa, California.~~

~~10.12.070 – Additional prohibited activities.~~

A. ~~— No person shall camp, occupy camp facilities or use camp paraphernalia on any portion of Lots A, B, C, D, E, F, G, H, I, J and K.~~

~~B.—— No person shall rollerskate, skateboard, or ride any non-motorized unicycle, bicycle, tricycle or scooter, or any similar devices within any portion of Lot E. This prohibition shall not apply to the use of wheelchairs or similar devices by disabled persons.~~

~~10.12.080 – Enforcement authority and procedures.~~

~~A.—— The public works director, deputy public works director, public works superintendent, maintenance worker II, airport operations supervisor and airport operations worker (for violations on Napa County Airport property only), chief probation officer or deputy probation officers (for violations at Lots F, G, H, I and J only), county sheriff or deputy sheriffs and county building security guards shall have the authority to enforce the provisions of this chapter including issuance of administrative penalty citations under Chapter 1.28 of this code for violations of Section 10.12.070 and notices of parking violations under Chapter 10.32 and California Vehicle Code Section 40200, et seq., for violations of all other provisions of this chapter. The above-listed persons shall also have the authority to take all such steps as are required by law to notify the California Department of Motor Vehicles of those persons who fail to pay the civil penalties for such violations other than violations of Section 10.12.070, unless such functions have been delegated by resolution of the board of supervisors to a public or private processing center with which the board has executed a contract pursuant to California Vehicle Code Section 40200.5.~~

~~B.—— The director of public works and such persons as he may designate shall have the authority to tow any vehicle on county property which is in violation of Sections 10.12.020, 10.12.030, 10.12.040, 10.12.050 and 10.12.060. If a vehicle in violation of any of these sections has not been removed within twenty-four hours after notice of the violation has been given, the county may utilize the local law enforcement agency to remove vehicles from such county property as authorized by California Vehicle Code section 22651(n).~~

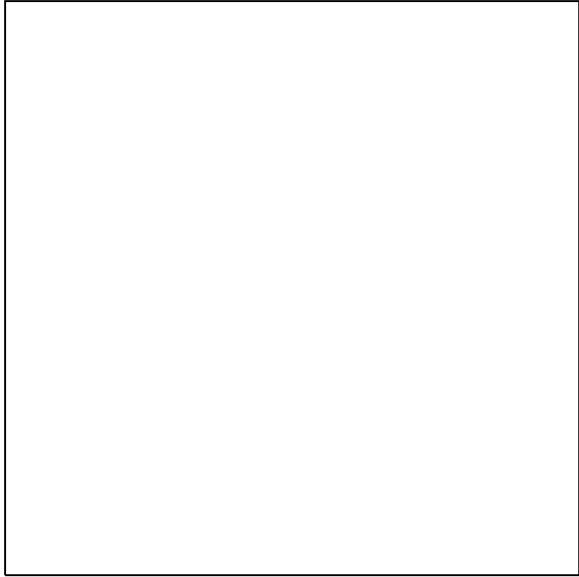
~~C.—— The director of public works and such persons as he may designate shall have the authority to remove property located on county lots which is in violation of Sections 10.12.020 through 10.12.070 after providing twenty-four hour notice of intention to remove such property.~~

~~D.—— Notwithstanding anything to contrary in subsection (C) of this section, the director of public works and such persons as he may designate shall have the authority to impound any shopping carts left on Lots A, B, C, D, E, F, G, H, I, J or K to the extent and in the manner permitted by Section 22435.7 of the California Business and Professions Code.~~

~~10.12.090 – Violations subject to administrative or civil penalties.~~

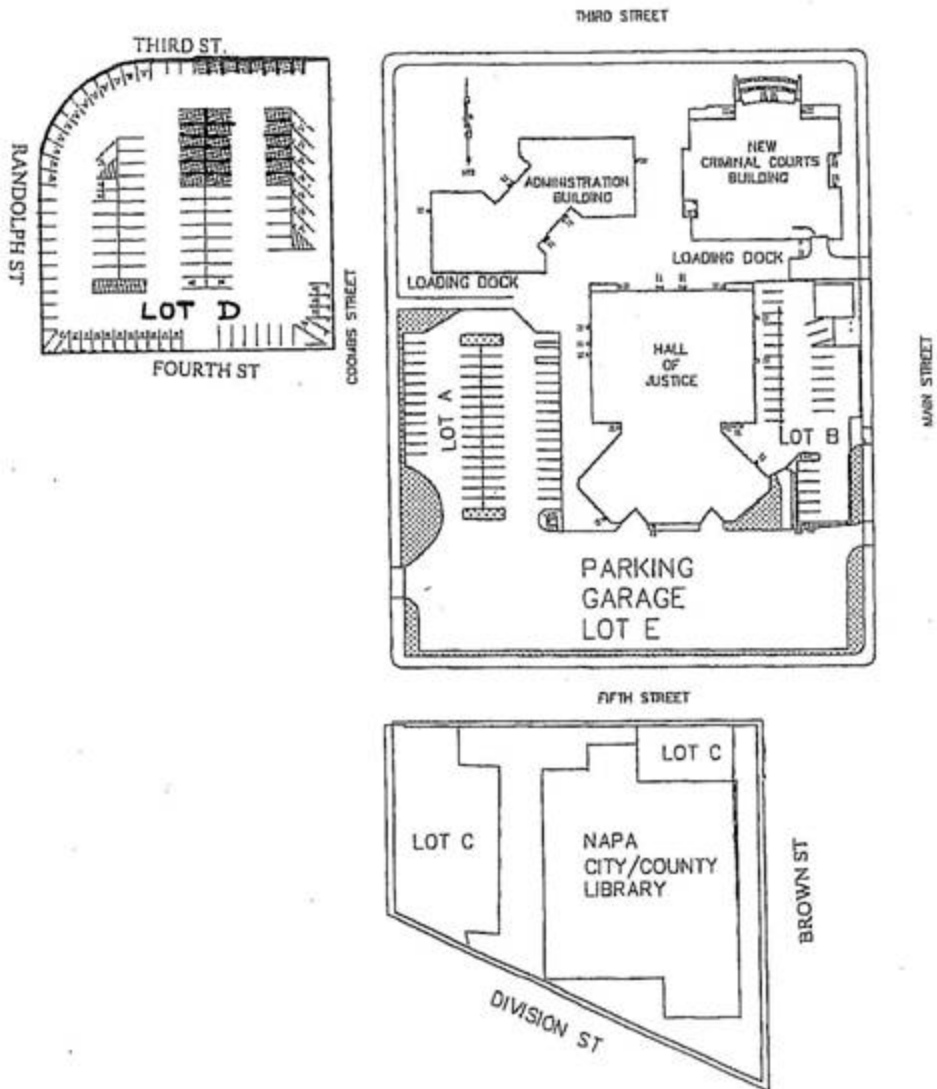
~~A.—— Any violation of the provisions of this chapter shall not be a criminal violation but shall instead be subject to an administrative penalty pursuant to Chapter 1.28 of this code if a violation of Section 10.12.070, or a civil penalty as prescribed by California Vehicle Code Section 40200 et seq. and Chapter 10.32 of this code if a violation of any other provision of this chapter.~~

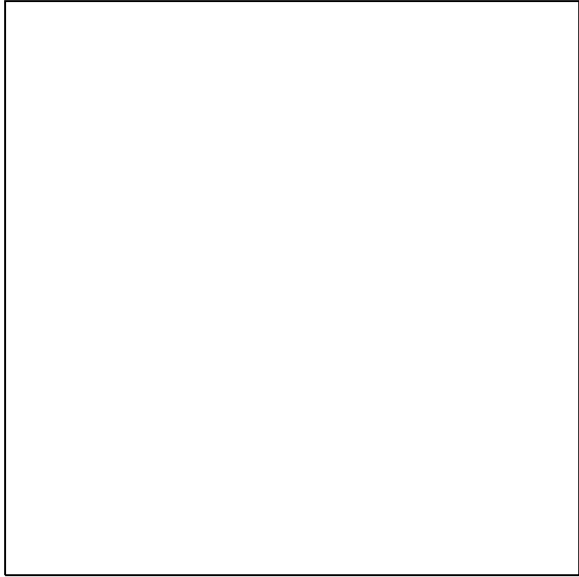
~~B.—— Notwithstanding anything to the contrary in Section 1.28.050(B), every non-consecutive violation of any provision of this chapter shall constitute a separate and distinct offense, even if such non-consecutive violations occur during the same day.~~



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FIGURE 10.12.010

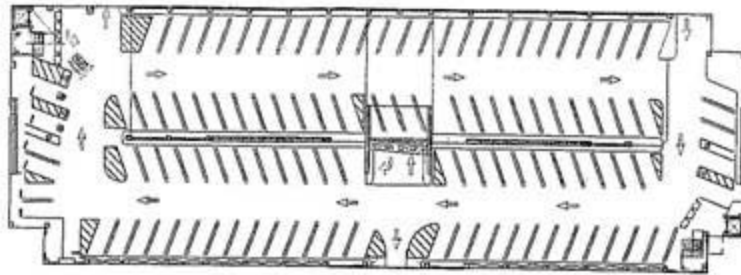




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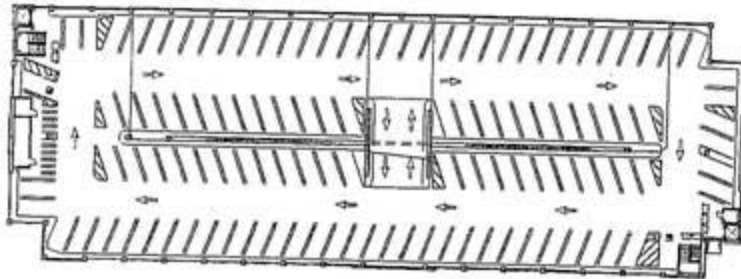
FIGURE 10.12.010 -1

PARKING GARAGE - LOT E



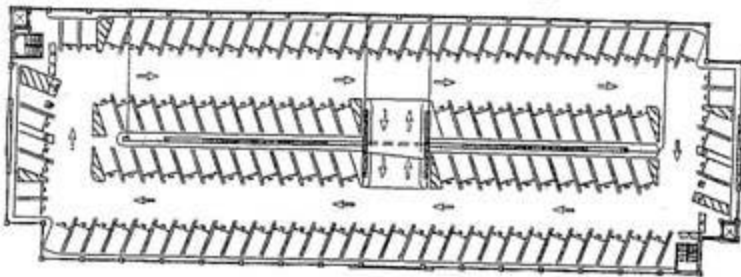
FIRST LEVEL PARKING PLAN

100 STALLS (24 ADA) • 100 UNPAID



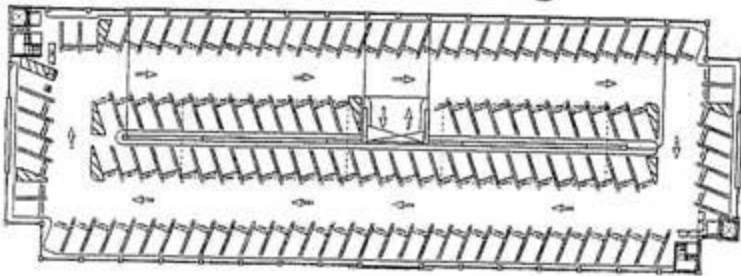
SECOND LEVEL PARKING PLAN

100 STALLS (24 ADA) • 100 UNPAID • 100 UNPAID



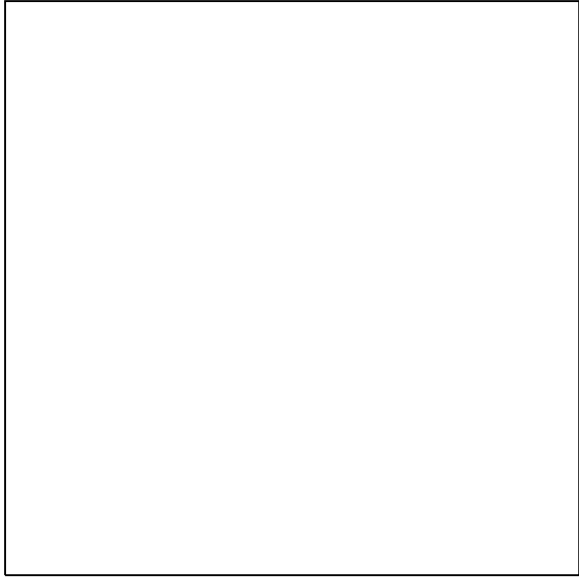
THIRD LEVEL PARKING PLAN

100 STALLS (24 ADA) • 100 UNPAID



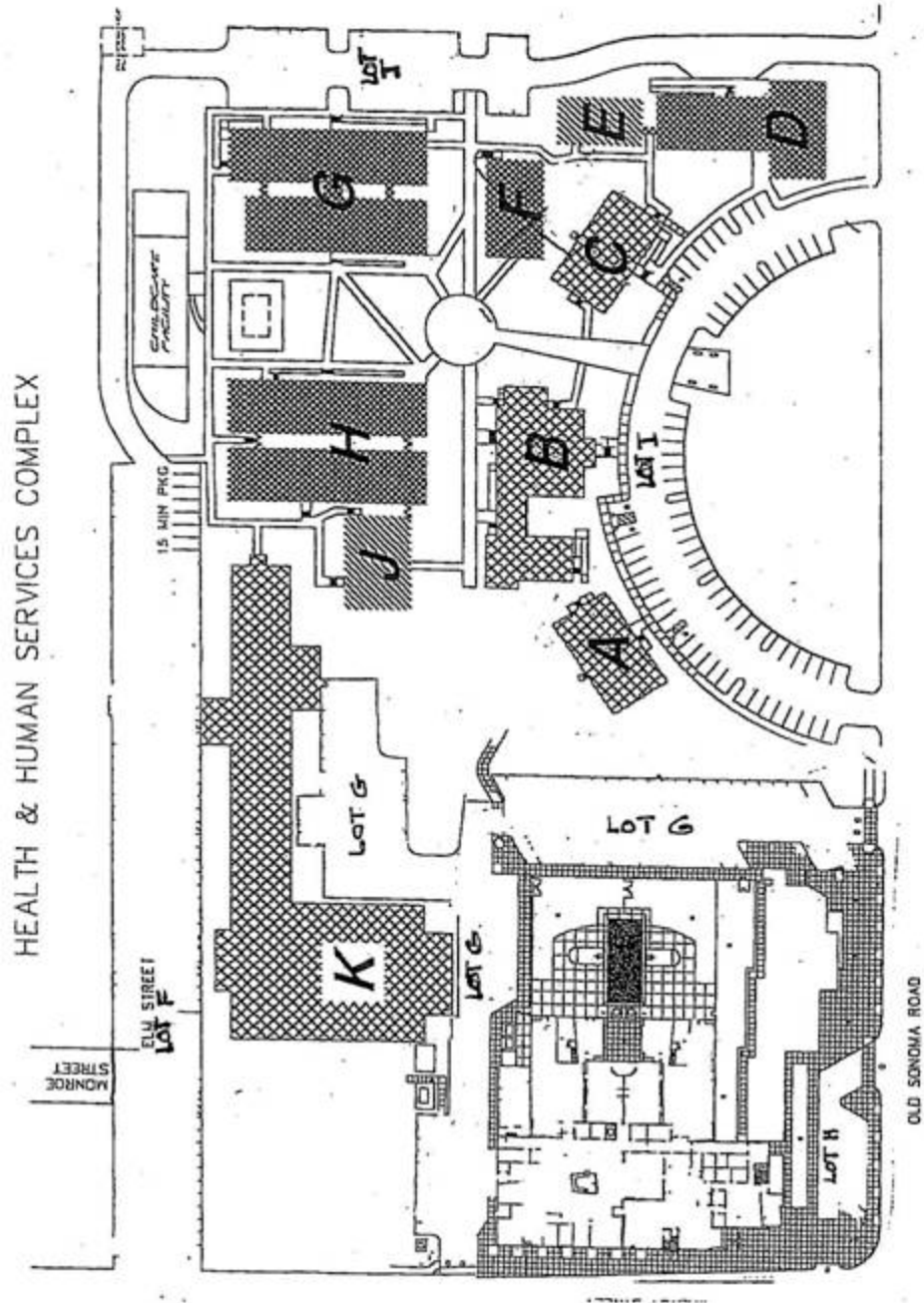
FOURTH LEVEL PARKING PLAN

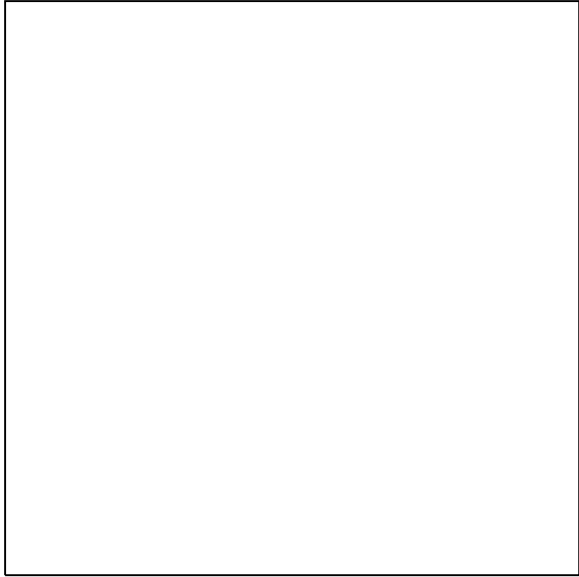
100 STALLS (24 ADA) • 100 UNPAID



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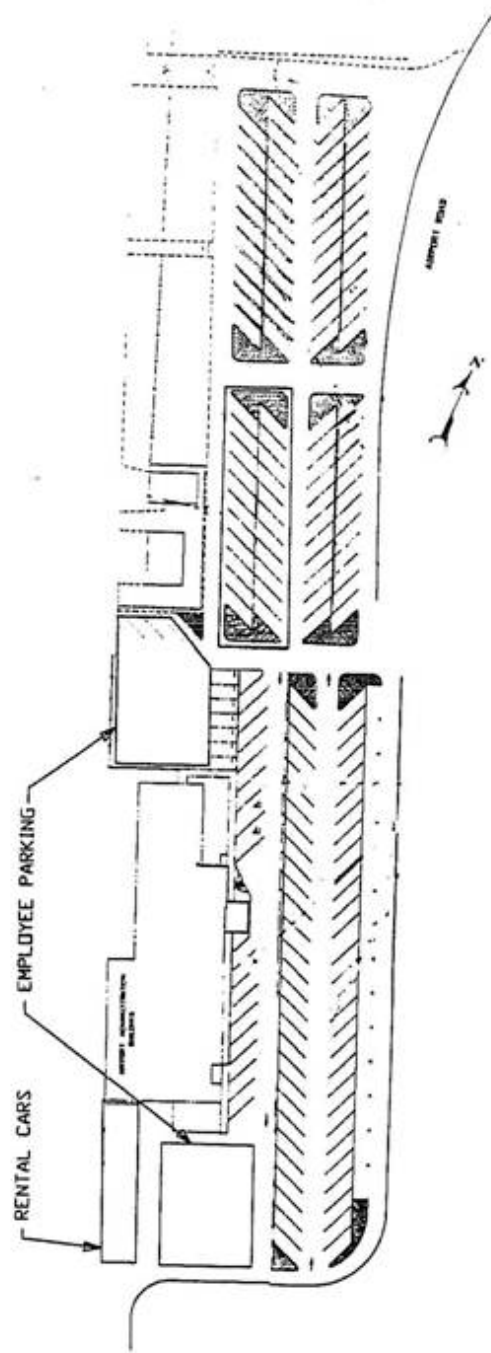
FIGURE 10.12.010 - 2





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FIGURE 10.12.010 - 3



NAPA COUNTY AIRPORT PARKING

SECTION 2. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 3. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 4. A summary of this ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ____ day of _____, 2019, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ____ day of _____, 2019, by the following vote:

AYES:	SUPERVISORS	_____

NOES:	SUPERVISORS	_____
ABSTAIN:	SUPERVISORS	_____

ABSENT: SUPERVISORS _____

NAPA COUNTY, a political subdivision of the
State of California

RYAN GREGORY, Chair of the
Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <u>Jason M. Dooley</u> Deputy County Counsel By: <u>Erin Cossen</u> County Code Services Date: <u>July 10, 2019</u>	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors By: _____
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I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE
OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD
STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY
JOSE LUIS VALDEZ, CLERK OF THE BOARD