

CITY OF BELLFLOWER

ORDINANCE NO. 1314

AN ORDINANCE AMENDING BELLFLOWER MUNICIPAL CODE (“BMC”) §§ 10.12.020 (REGULATING TOWING WITHIN CITY PARKING LOTS) AND 10.12.090 (REGULATING ROADS SERVING COMMERCIAL ESTABLISHMENTS).

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. BMC § 10.12.020(D), as set forth in Ordinance No. 1312, is amended to read as follows:

“D. A vehicle parked in violation of this section may be removed by the Sheriff’s Department or the Director of Public Safety and his or her designees, after it remains parked in violation of this section for a period of 72 hours or for such shorter time period as indicated by posted signs. A vehicle may only be towed if the lot, stall, area, or property where the vehicle is parked has a sign or marking containing the words, “VEHICLES MAY BE TOWED,” or substantially similar language, and the Sheriff’s Department’s phone number. A vehicle parked in violation of this section may be removed immediately if it is parked in a manner that prevents the movement of a legally parked vehicle.”

SECTION 2. BMC § 10.12.090(C) (Roads Serving Commercial Establishments), as set forth in Ordinance No. 1312, is amended to read as follows:

“C. Additional roads may be identified by city council resolution as being required to comply with this section.

SECTION 3. *Environmental Review.* The Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to clarify existing policies and practices related to vehicle parking regulations; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. The Ordinance is proposed, in part, for protection of the environment. Accordingly, the Ordinance does not constitute a “project” that requires environmental review (see *specifically* CEQA Guidelines § 15378(b)(2, 5)).

SECTION 4. *Construction.* This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 5. *Enforceability.* Repeal or supersession of any provision of the BMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed or superseded part will remain in full

force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6. *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the BMC or other ordinance by this Ordinance will be rendered void and cause such previous BMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 7. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8. The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Bellflower's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 9. This Ordinance will take effect on the same date as Ordinance No. 1312.

ORDINANCE NO. 1314 HAD ITS FIRST READING ON MAY 9, 2016, ITS SECOND READING ON MAY 23, 2016, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF MAY 23, 2016.

Dan Koops, Mayor

Attest

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, City Attorney