

CITY COUNCIL OF THE CITY OF NOVATO

ORDINANCE NO. 1621

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
NOVATO ADDING SECTION 18-7.22 TO THE NOVATO
MUNICIPAL CODE PROHIBITING THE PARKING OF RV'S
ON PUBLIC STREETS WITHOUT A PERMIT

The City Council of the City of Novato does ordain as follows:

Section 1.

Section 18-7.22 is added to the Novato Municipal Code to read as follows:

18-7.22 - Stopping, standing, and parking of recreational vehicles—Prohibited.

- a. Definitions. For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:
 1. "Recreational Vehicle" or "RV" shall mean any vehicle or trailer which is capable of human habitation or designed or used for recreational camping or travel use, whether self-propelled or mounted on or drawn by another vehicle, or any structure inspected, approved and designated as a recreational vehicle by and bearing the insignia of the State of California or any other state or federal agency having the authority to approve recreational vehicles. "Recreational vehicle" may include, without limitation, any of the following: a "camp trailer," as defined by California Vehicle Code Section 242; a "fifth wheel travel trailer," as defined by California Vehicle Code Section 324; a "house car," as defined in California Vehicle Code Section 362; a "trailer" as defined in California Vehicle Code Section 630; a "trailer coach," as defined in California Vehicle Code Section 635; a mobile home, as defined by California Vehicle Code Section 396; a boat, watercraft, and/or a trailer for a boat or watercraft; a "park trailer" as defined in California Health & Safety Code Section 18009.3; a "recreational vehicle" as defined in California Health & Safety Code Section 18010; and a "truck camper" as defined in California Health & Safety Code Section 18013.4.
 2. "Resident" shall mean a person who customarily resides and maintains a place of abode or who owns land within the city. It shall not mean a person who maintains an address at a mailbox drop, or who rents a room which is not his or her primary place of abode, nor shall it mean a person who maintains only a post office box, unless that person also provides evidence of residence at a street address within the city.
 3. "Out-of-town visitor" shall mean any person who does not reside in the city who is temporarily visiting as a guest of a resident of the city, and who has applied for a temporary RV parking permit pursuant to subsection (d), below.

b. Prohibitions.

1. Notwithstanding anything in Section 18-10.1 of this code to the contrary, except as provided in subsections c. and d. of this section, no person shall park, stop, or leave standing any recreational vehicle upon any public highway or public right-of-way or public property within the city.
2. No person shall display a fraudulent, forged, altered, or counterfeit temporary RV parking permit or permit number with the intent to avoid compliance with this section.

c. Exemptions. The prohibitions in this section shall not apply to any of the following:

1. A recreational vehicle for which a temporary RV parking permit has been issued by the Chief of Police, or his designee, as provided in subsection D;
2. A recreational vehicle parked, stopped, or left standing as a result of a mechanical breakdown so as to allow the performance of emergency repairs on the vehicle for a period not to exceed twenty-four (24) hours;
3. Any public emergency vehicle.

d. Temporary RV Parking Permits.

1. Temporary RV Parking Permits—Purpose. The purpose of authorizing the issuance of temporary RV parking permits is to give owners of recreational vehicles the opportunity, for a limited time, to park the recreational vehicle on a public street or highway directly in front of (or on the side of the property if it is a corner lot) their residence for purposes of loading, unloading or cleaning, and to allow an out-of-town visitor who owns a recreational vehicle to park on a public street or highway directly in front of (or on the side of the property if it is a corner lot) the residence which the out-of-town visitor is visiting for a limited time period, and to allow a recreational vehicle to be used on a temporary basis for a community-serving event, or, in order to provide flexibility in administration, as deemed appropriate by the Chief of Police, or his/her designee.
2. Temporary RV Parking Permits—Limitations.
 - a). A resident with a temporary RV parking permit who parks, stops, or leaves standing his/her recreational vehicle on a public street or highway other than directly in front of (or on the side of the property if it is a corner lot) his/her residence will be subject to citation, towing, or both.
 - b). An out-of-town visitor with a temporary RV parking permit who parks, stops, or leaves standing his/her recreational vehicle on a public street or highway other than directly in front of (or on the side of the property if it is a corner lot) the residence which the out-of-town visitor is visiting will be subject to citation, towing, or both.

- c). No person shall cause or permit any electrical, water, gas, telephone or other utility connection from any property to a recreational vehicle parked, stopped, or left standing on a public highway or street, including but not limited to electrical cords, extension cords, hoses, or cables, to encroach into any public right-of-way, including across or above any street or sidewalk.
3. Temporary RV Parking Permits—Application and Issuance. The Chief of Police, or his/her designee, is authorized to issue temporary RV parking permits, pursuant to the following:
- a). Residents. Each resident desiring a temporary RV parking permit shall file with the Police Department a completed city application form, signed under penalty of perjury, containing the following:
 - i. The name, address, and phone number of the registered owner of the designated recreational vehicle;
 - ii. The name, address, and phone number of the applicant(s) for the permit;
 - iii. Proof of residency. Acceptable proof of residency must be current and must include a California Driver's License or California Identification Card, and either a property tax bill or a public utility bill showing the applicant to be the owner of the residence in question;
 - iv. The registration from the California Department of Motor Vehicles for the recreational vehicle or trailer that shows the recreational vehicle is registered in the City of Novato and is owned by the applicant;
 - v. The license number, make, and model of the designated recreational vehicle;
 - vi. The dates for which the permit is requested; and
 - vii. Additional information the parking services department may require.
 - b). Out-of-town visitors. Each out-of-town visitor desiring a temporary RV parking permit shall file with the Police Department a completed city application form, signed under penalty of perjury, containing the following:
 - i. The name, address, and phone number of the registered owner of the designated recreational vehicle;
 - ii. The name, address, and phone number of the applicant(s) for the permit;
 - iii. The registration from the California Department of Motor Vehicles, or equivalent agency for another state, for the recreational vehicle;
 - iv. The name, address, and phone number of the resident who is being visited;
 - v. The license number, make, and model of the designated recreational vehicle;
 - vi. The dates for which the permit is requested; and
 - vii. Additional information the parking services department may require.

- c). Community-serving uses and others. Each person or organization desiring a temporary RV parking permit shall file with the Police Department a completed city application form, signed under penalty of perjury, containing the following:
 - i. The name, address, and phone number of the registered owner of the designated recreational vehicle;
 - ii. The name, address, and phone number of the applicant(s) for the permit;
 - iii. The registration from the California Department of Motor Vehicles, or equivalent agency for another state, for the recreational vehicle;
 - iv. The event or purpose for which the RV will be parked;
 - v. The license number, make, and model of the designated recreational vehicle;
 - vi. The dates for which the permit is requested; and
 - vii. Additional information the parking services department may require.
4. Temporary RV Parking Permits—Display. Temporary RV parking permits issued and approved by the parking services department shall include the license plate number of the designated recreational vehicle, the date of permit issuance, and the day of permit expiration.
- a). Permits shall be displayed in the lower driver's side of the windshield or nearest window of the recreational vehicle for which it has been issued so that it is clearly visible from the exterior of the vehicle. Permits shall be displayed on the side of the recreational vehicle for which it has been issued so that it is visible from the street, which is usually the left side.
 - b). The Chief of Police, or his designee, is authorized to set up a temporary RV parking permit call-in phone number or an internet processing system.
5. Temporary RV Parking Permits—Duration.
- a). Residents. A temporary RV parking permit issued to a resident shall be valid for one (1) calendar day. A resident may request no more than three (3) consecutive temporary RV parking permits (a total of three (3) calendar days of parking) at one (1) time. Upon expiration of the permit, the applicant may apply for and be granted additional temporary RV parking permits if the applicant still qualifies under the conditions set forth in this section. In no event shall any resident and/or designated recreational vehicle be issued more than thirty-six (36) temporary RV parking permits for residents in any calendar year.
 - b). Out-of-town visitors. A temporary RV parking permit issued to an out-of-town visitor shall be valid for a period not to exceed eight (8) consecutive calendar days. Upon expiration of the permit, the applicant may apply for and be granted additional temporary RV parking permits if the applicant still qualifies under the conditions set

forth in this section. The temporary RV parking permit will be tied to the residence being visited. In no event shall any person, residence and/or designated recreational vehicle be issued more than twelve (12) temporary RV parking permits for out-of-town visitors in any calendar year). Community-serving uses. A temporary RV parking permit may be issued for a temporary community-serving use, such as a blood drive or mobile library stop, and shall be valid for a period not to exceed twelve (12) hours. In no event shall any person or organization be issued more than twelve (12) temporary RV parking permits for community-serving uses in any calendar year.

- d). Other. The Chief of Police, or his designee, within their discretion, may issue temporary RV parking permits for such other purposes and time periods, and with such conditions, as he or she shall deem appropriate for the promotion of the public health, safety or general welfare.
- e. Violations. In the event an RV is parked or left standing in violation of this section said RV may be immediately removed in accordance with Cal. Veh. Code sec. 22651.
- f. Signs. The director of public works shall post streets signs giving notice of the parking prohibitions herein at appropriate locations on streets within the city, including at the entrances and exits to the city. Such signs shall give notice that vehicles violating this section may be cited/and or towed at the owner's expense.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

Section 3. Effective date. This ordinance shall become effective 30 days after the date of adoption.


Section 4. Posting. This ordinance shall be published in accordance with applicable provisions of law, by either:

publishing the entire ordinance once in a newspaper of general circulation, published in the City of Novato, within fifteen (15) days after its passage and adoption; or, publishing the title or appropriate summary in the Novato Advance at least five (5) days prior to adoption, and a second time within fifteen (15) days after its passage and adoption with the names of those City Councilmembers voting for and against the ordinance.

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THE FOREGOING ORDINANCE was first read at a regular meeting of the Novato City Council on the 26th day of September, 2017, and was passed and adopted at a regular meeting of the Novato City Council on the 10th day of October, 2017.

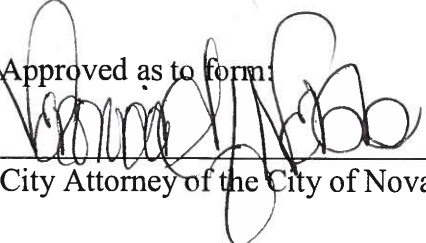
AYES:	Councilmembers	Drew, Eklund, Fryday, Athas
NOES:	Councilmembers	None
ABSTAIN:	Councilmembers	None
ABSENT:	Councilmembers	Lucan



Mayor of the City of Novato

Attest:


City Clerk of the City of Novato

Approved as to form:


City Attorney of the City of Novato