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WHEREAS, the City of Rialto (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the City Council desires to add provisions to the City of Rialto Municipal Code regarding parking meters to establish new parking meter zones within the City, establish parking meter rates, and establish enforcement regulations; and

WHEREAS, the City Council desires to ensure that spaces or stalls designated electric charging purposes are being efficiently and properly used for electric charging purposes.

## **Section 1. INCORPORATION BY REFERENCE**

**Section 2. ADDITION OF CHAPTER 10.30 TO THE RIALTO MUNICIPAL CODE**

**Section 3. ADDITION OF SECTION 10.28.172 TO CHAPTER 10.28 OF THE  
RIALTO MUNICIPAL CODE**

1 The following shall be added as Sections 10.28.172 and 10.28.174 to Chapter 10.28 of the  
2 Rialto Municipal Code:

3 **“10.28.172 - Stopping, Standing, and Parking.**

4 Pursuant to Vehicle Code Section 22519, the City Traffic Engineer or City Director of  
5 Public Works, is authorized to establish and post signs designating parking regulations and time  
6 limits for City-owned or operated off-street parking facilities.

7 **10.28.174 - Parking of vehicles in stalls for electric charging purposes.**

8 A. Pursuant to California Vehicle Code Section 22511, the City hereby designates  
9 certain stalls and spaces in City owned off-street parking facilities to be for the exclusive purpose  
10 of parking and charging a vehicle that is connected for electric charging purposes.

11 B. The City Traffic Engineer, or City Director of Public Works, are authorized to post  
12 signs in accordance with California Vehicle Code Section 22511(d)(1) at certain stalls and spaces  
13 in City owned off-street parking facilities that require vehicles parked in such stalls and spaces to  
14 be connected for electric charging purposes.

15 C. In accordance with California Vehicle Code Section 22511(c)(1), the City may cause  
16 the removal and towing of a vehicle parked in a space or stall that is posted for electric charging  
17 purposes that is not connected for electric charging purposes.

18 D. This section does not interfere with other or existing laws allowing the City to  
19 regulate parking in City owned off-street parking facilities within the City.”

20 **Section 4. CEQA**

21 The City Council finds that this ordinance is not subject to the California Environmental  
22 Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(3) because this activity  
23 is not a project as defined by Section 15378 of the CEQA Guidelines, California Code of  
24 Regulations, Title 14, Chapter 3, and pursuant to CEQA Guidelines Section 15061(b)(3) because  
25 it can be seen with certainty that it will not have a significant effect or physical change to the  
26 environment.

27 **Section 5. SEVERABILITY**

28 If any section, subsection, subdivision, sentence, clause, phrase or portion of this

1 ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of  
2 competent jurisdiction, then such decision shall not affect the validity of the remaining portions of  
3 this ordinance. The City Council hereby declares it would have adopted this Ordinance and each  
4 section, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that one  
5 or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared  
6 invalid or unconstitutional.

7 **Section 6. CERTIFICATION, PUBLICATION, AND EFFECTIVE DATE**

8 The City Clerk shall certify to the adoption of this ordinance and publish and post the  
9 ordinance in accordance with Government Code Section 36933. This ordinance shall take effect  
10 thirty (30) days after its date of adoption.  
11

12 PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.  
13

14 \_\_\_\_\_  
15 DEBORAH ROBERTSON, Mayor  
16

17 ATTEST:  
18

19 \_\_\_\_\_  
20 BARBARA McGEE, City Clerk  
21

22 APPROVED AS TO FORM:  
23

24 \_\_\_\_\_  
25 ERIC S. VAIL, City Attorney  
26  
27  
28

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN BERNARDINO ) ss  
3 CITY OF RIALTO )

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing  
5 Ordinance No. \_\_\_\_\_ was duly passed and adopted at a regular meeting of the City Council  
6 of the City of Rialto held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

7 Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember  
8 \_\_\_\_\_, the foregoing Ordinance No. \_\_\_\_\_ was duly passed and adopted.

9 Vote on the Motion:

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City  
14 of Rialto, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

15  
16 \_\_\_\_\_  
Barbara A. McGee, City Clerk  
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**Exhibit "A"**

**Chapter 10.30 - Parking Meters**

**10.30.010 - Metered Parking Zones - Defined.**

The streets, portions of streets or parking lots hereinafter described in Section 10.30.020 are defined and established as parking meter zones within which the parking of vehicles shall be controlled, regulated, and inspected with the aid of parking meters or other parking control devices (e.g. pay stations). For the purposes of this Chapter, a "parking meter space" shall mean a parking space controlled by a parking meter or other parking control device.

**10.30.020 - Metered Parking Zones - Established.**

The following portions of streets are declared to be parking meter zones as authorized by Vehicle Code Section 22508:

A. Downtown Area: Riverside Avenue between Foothill Boulevard and Merrill, and any connecting side streets, as determined and publicly marked by the City Manager, or his or her designee.

**10.30.030 - Manner of Installation.**

A. The City Manager, or his or her designee, shall cause parking meters or other parking control devices to be installed and maintained in all parking meter zones.

B. Parking meters shall be installed upon the curb or sidewalk area immediately adjacent to each parking space. Each meter shall be placed in such a manner so as to show or display by a sign or signal that the parking space adjacent thereto is or is not legally in use. In the alternative, one or more other parking control devices may be installed in lieu of parking meters.

C. Each parking meter and other parking control device shall display the length of time that may be purchased for the accepted denomination of coin or bill.

Furthermore, each parking meter shall contain a device which displays the allowable

1 parking time remaining after the coin has been deposited therein. This display shall  
2 continue from the time the coin(s) is deposited in the parking meter until the  
3 purchased time expires. Each parking meter shall contain a device which indicates  
4 that, upon expiration of the purchased time, the allowed time for parking has  
5 expired. For each parking control devise, the user shall have the option to receive a  
6 printed receipt identifying the time at which the right to park in the parking meter  
7 space has expired. For each parking control devise, the user shall also have the  
8 option to pay and track any remaining parking time via a mobile phone application.  
9

10 **10.30.040 - Parking Within Spaces.**

11 A. For parking meters, the director of public works shall have lines and  
12 markings painted upon the curb or street adjacent to each parking meter designating  
13 the parking space for which the meter is to be used. Each vehicle parked adjacent to  
14 any parking meter shall be parked within the designated parking space. It is  
15 unlawful to park a vehicle except entirely within the parking space.

16 B. For other parking control devises, the director of public works shall have  
17 lines, markings, and numbers upon the curb or street identifying each parking space.  
18 It is unlawful to park a vehicle except entirely within such parking space.  
19

20 **10.30.050 - Time of Operation.**

21 When parking meters or other parking control devises are installed pursuant to this  
22 Chapter, parking fees shall be in effect everyday between the hours of 9:00 a.m. to 2:00  
23 a.m. It is unlawful for a person to cause or permit a vehicle registered in his or her name or  
24 operated by him or her to be parked in a parking meter space during the hours of operation  
25 without first having deposited the requisite payment in the parking meter or parking control  
26 devise.  
27

28 **10.30.060 - Parking Fees.**

1 The following parking fees are established for parking meters zones within the City:

2 A. First Hour Free. For all parking meter zones in the City, there shall be no fee  
3 for the first hour that a vehicle occupies a parking meter space.

4 B. Hours Two through Four. For all parking meter zones in the City, for the  
5 second, third, and fourth hour that a vehicle occupies a parking meter space, there shall be a  
6 charge of one (1) dollar per hour.

7 C. After Four Hours, All Day Rate. For all parking meter zones in the City, for  
8 any vehicle that occupies a parking meter space in excess of four hours, there shall be a  
9 charge of eight (8) dollars. The eight (8) dollar charge shall be considered an “all day” rate,  
10 and shall entitled that vehicle to occupy a parking meter space until 2:00 a.m. the following  
11 day.

12  
13 **10.30.070 - Maximum Parking Time.**

14 A. A parking meter space may be lawfully occupied by a vehicle during the period of  
15 time corresponding to the amount of parking fees deposited.

16 B. No operator of any vehicle shall permit such vehicle to remain parked in any  
17 parking meter space during any time that the parking meter is showing a signal indicating that  
18 such space is illegally in use other than such time immediately after the original occupancy as is  
19 necessary to operate the meter to show legal parking. The indication showing illegal or expired  
20 parking during the hours of operation for any parking meter while a vehicle is parked in a parking  
21 meter space adjacent to the parking meter shall be prima facie evidence that the motor vehicle has  
22 been parked in violation of this Chapter.

23 C. No operator of any vehicle shall permit such vehicle to remain parked in any  
24 parking meter space beyond the time paid for via a parking control devise. The parking or  
25 standing of any vehicle in a parking meter space beyond the time for via a parking control  
26 devise shall be prima facie evidence that the motor vehicle has been parked in violation of this  
27 Chapter.

28

1     **10.30.080 - Use of Slugs Prohibited.**

2             It is unlawful to deposit in a parking meter or parking control devise a slug, device, bent  
3 coin, or substitute for a coin of the United States.

4  
5     **10.30.090 - Deposit of Coins in Meter by Unauthorized Person.**

6             No person, other than the owner or operator of a vehicle, shall deposit any coin or other  
7 form a payment in any parking meter or parking control devise without the knowledge or  
8 consent of such owner or operator of the vehicle using the parking meter space.

9  
10    **10.30.100 - Unlawful Use.**

11            A.     It is unlawful for a person to deface, injure, tamper with, open or willfully break,  
12 destroy or impair the usefulness of a parking meter or parking control devise.

13            B.     It is unlawful for a person to attach anything to or allow a bicycle, newsrack or any  
14 other thing to lean against a parking meter or parking control devise.

15  
16    **10.30.110 - Exemption for Disabled Person and Veteran.**

17            Pursuant to Code Section 22511.5, a disabled person or veteran is exempt from the  
18 application of Sections 10.30.050, 10.30.060, and 10.30.070 of this Chapter; provided that the  
19 person's vehicle bears a special license or displays a special placard issued under Vehicle Code  
20 Section 5007, 22511.55 or 22511.59.

21  
22    **10.30.120 - Collection and Disposition of Fees.**

23            All moneys collected from parking meters or parking control devises in the City shall be  
24 placed in a special fund, which fund shall be devoted exclusively to the following purposes:

25            A.     For the purchasing, leasing, installing, repairing, maintaining, operating, removing,  
26 regulating, and policing of parking meters and parking control devises in the City, and for the  
27 payment of any and all expenses relating or incidental thereto;

28            B.     For the purchasing, leasing, acquiring, improving, operating, and maintaining of



1 off-street parking facilities in the City;

2 C. For the installation and maintenance of traffic-control devices and signals;

3 D. For the painting and marking of streets and curbs required for the direction of  
4 traffic and parking of motor vehicles;

5 E. For the proper regulation, control, and inspection of parking and traffic upon the  
6 public streets, and enforcement of the provisions of this Chapter;

7  
8 **10.30.130 - Citation for Parking Meter Violations.**

9 Each police officer or parking enforcement officer shall take the number of any parking  
10 meter space at which any vehicle is illegally parked. The citation will include, as provided in the  
11 registration, the state vehicle license number of the vehicle and the time and date of the illegal  
12 parking. The police officer or parking enforcement officer shall then issue, in writing, a citation  
13 for illegal parking in the form and subject to the procedure provided for by law and the city code  
14 applicable to parking violations within the city.