

CAPISTRANO BAY DISTRICT
AGENDA REPORT
October 25, 2016

Security Reports

ITEM 6b

Parking Restrictions on Trash Day – New Ordinance No. 16-110

This ordinance was passed and approved by the Directors at the July Board meeting. The ordinance has been sent to Superior Court, the required legal posting in the OC Register is complete, an agreement with OC Towing has been worked out and a final sign design is complete (see below). Signs were ordered on 10/20/16 and will be installed as soon as received.

It is possible that the signs can be installed by the end of the month, then there is at least a 30-day period to allow the community to get used to the new parking restriction before enforcement can begin. On the following page is a draft of the proposed notice to the community that will go out in the mail by Friday 10/28, to begin the public notification period.



Towing signs typically provide the phone number of the local towing company. If we do this and then change towing companies for any reason, the signs would all have to be changed out. To work around this potential added expense, it is more cost efficient for the District's phone number to be shown on the signs. The car owner can simply call the guard shack and the officer can provide the current contact number.

DRAFT NOTICE TO HOMEOWNERS

**NO STREET PARKING ON TRASH DAY
TOW-AWAY ZONE**

The Board of Directors recognizes the potential traffic difficulties here in the community on our trash collection day on Mondays. The trash truck inches its way down the road and no one can pass except where there are no trash barrels or cars parked in the way. The hazard presents itself when someone tries to pull out blindly in an attempt to pass the truck. We're fortunate that there hasn't been a serious accident because of this.

An initial effort was made to have the trash company pull the barrels out and place them all on the inland/RR side of the roadway. While this has helped to some degree, there are still a few barrels that seem to end up over on the seaward side plus there are the random cars parked along the curb on that side of the road as well, all of which prevent vehicles from passing around the trash truck.

The solution is to create safe passing space for our residents and guests. And there's only one way to do this: ALL trash barrels must be placed at the RR side curb and there can be NO PARKING along the seaward side of the roadway on trash day. With the cars out of the way and all trash barrels over on the RR side there will be more room for vehicles to safely squeeze by the trash truck along the seaward side of the roadway. Be aware that this parking restriction will only impact the northern half of the community.

For those homeowners living south of the turnaround from 35535 on, there will be no additional restrictions since you are already prohibited from parking in the FIRE LANE with the exception of the few homes from 35771 to 35791 where the roadway is already extremely narrow.

The NO PARKING signs will be posted by the first week of November and because of the holiday season coming up, strict enforcement will not commence until Monday, January 2nd, 2017, to give you the better part of two months to get into the habit of moving your cars either on Sunday evenings or early on Mondays. Until the new year, however, our security officers will be knocking on your doors and/or calling you on the phone to come out and move your car. The Board urges you to start now with moving your cars for trash day. The sooner we get on board with this, the safer and easier our trash day traffic will be. *Provided on the following page is a copy of District Ordinance No. 16-110.*



ORDINANCE NO. 16-110

**AN ORDINANCE OF THE CAPISTRANO BAY COMMUNITY SERVICES DISTRICT
ESTABLISHING PARKING AREAS and PARKING TIME LIMITS ON TRASH DAY and
ESTABLISHING RIGHTS-OF-WAY FOR MOVING VEHICLES.**

THE BOARD OF DIRECTORS HEREBY ORDAINS AS FOLLOWS:

1. REPLACING OLD ORDINANCE

Ordinance No. 05-110 is hereby repealed.

2. STATEMENT OF POLICY AND NECESSITY

Beach Road has been designated as a fire lane and has been striped and posted with fire lane identification within the jurisdiction of the Orange County Fire Authority, mandating that the minimum width of a fire access roadway is 20 feet, that parking be limited to one side of any street at least 28 feet in width, and that no parking be allowed on private streets narrower than 24 feet, in order to maintain the required width of fire access roadways for emergency vehicle use. Additionally, on trash collection day the roadway is partially blocked by the presence of trash barrels placed in the roadway at the curbside.

3. PROHIBITED PARKING

Motor vehicles shall not be parked at any curb extending outside of the dotted-line stripes designating the fire lane. The District may at its discretion, allow a small tolerance extending over the fire lane markings on the road with a warning before this is considered a violation, when there is at least 12 inches of clearance on the curb side of the road. Vehicles of excessive width shall not be parked on the roadway and must be parked in developed railroad parking or on driveways. Motor vehicles shall not be parked where fire lane markings prevent that motor vehicle from safely fitting inside fire lane markings in order to leave the roadway unobstructed for emergency vehicle access. Further, non-motorized vehicles shall not be parked on the roadway within the parking provided by fire lane markings, except when in use during construction, for a consecutive period greater than eight (8) hours.

4. PROHIBITED PARKING ON TRASH COLLECTION DAY

No motor vehicle shall be permitted to park on any portion of the roadway, including the striped parking spaces as described in section 3, on trash day between the hours of 7:00 AM to 1:00 PM, railroad parking areas excluded, for the purpose of providing adequate space for vehicles to safely pass the trash collection truck. Included in this restriction are all vehicles owned by residents, guests, renters and service and construction workers. No part of any vehicle shall extend beyond the driveway edge on either side of the roadway during these hours.

5. YIELD RIGHT-OF-WAY TO NORTH BOUND TRAFFIC

Whenever two or more vehicles traveling in opposite directions on and along Beach Road cannot safely proceed without endangering the other or pedestrians, the vehicle proceeding southerly on the seaward side of Beach Road shall yield and allow the vehicle proceeding in a northerly direction to pass safely.

6. PENALTIES

Any person guilty of violating this ordinance shall be subject to towing and fine of \$30.00 for each and every offense.

7. NOTICE

The Capistrano Bay Community Services District shall post a written notice for 30 days on the community entrance bulletin board and a notice in the legal section under the classified ads of the local Orange County Register newspaper.

Passed, approved and adopted this 26th day of July, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ambrose S. Masto, President
Capistrano Bay Community Services District

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CAPISTRANO BAY DISTRICT)

(DISTRICT SEAL)

I, DONAL S. RUSSELL, hereby certify that the above foregoing is a true and correct copy of Ordinance No. 16-110 adopted by the Board of Directors of the Capistrano Bay District at a regular meeting held on July 26, 2016.

Donal S. Russell, Manager
Capistrano Bay Community Services District