

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Ordinance No. 06-110 is hereby repealed.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 MONDAYS/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 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: Masto, Haack, Breeding, Muller and Clark
NOES: None
ABSENT: None
ABSTAIN: None

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