

ORDINANCE NO. _____ (2021 SERIES)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, AMENDING TITLE 10 CHAPTER 04 (DEFINITIONS) OF THE SAN LUIS OBISPO MUNICIPAL CODE

WHEREAS, Title 10 Chapter 4 of the City's Municipal Code provides definitions of words and phrases used throughout Title 10; and

WHEREAS, the City Council of the City of San Luis Obispo recently approved the purchase and installation of parking payment centers throughout the downtown area; and

WHEREAS, the parking payment centers are a new technology for the City of San Luis Obispo that need to be defined within the City's Municipal Code to ensure that it is consistent with the State of California's Vehicle Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of San Luis Obispo as follows:

SECTION 1. Section 10.04.120 (Parkway) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.120 Parkway Parking payment center.

~~"Parkway" means that portion of a street other than a roadway or a sidewalk. (Prior code § 3200 (part))~~ "Parking payment center" means an electronic parking meter or pay station serving one or more parking spaces

SECTION 2. Section 10.04.130 (Passenger loading zone) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.130 ~~Passenger loading zone~~ Parkway.

~~"Passenger loading zone" means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers. (Prior code § 3200 (part))~~ "Parkway" means that portion of a street other than a roadway or a sidewalk. (Prior code § 3200 (part))

SECTION 3. Section 10.04.140 (Pedestrian) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.140 ~~Pedestrian~~ Passenger loading zone.

~~"Pedestrian" means any person afoot or who is using a means of conveyance propelled by human power other than a bicycle. (Prior code § 3200 (part))~~ "Passenger loading zone" means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers. (Prior code § 3200 (part))

SECTION 4. Section 10.04.150 (Police department employee) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.150 ~~Police department employee~~ Pedestrian.

~~“Police employee” means persons other than police officers who are authorized and trained to enforce traffic regulations. (Prior code § 3200 (part))~~ “Pedestrian” means any person afoot or who is using a means of conveyance propelled by human power other than a bicycle. (Prior code § 3200 (part))

SECTION 5. Section 10.04.160 (Police officer) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.160 ~~Police officer~~ Police department employee.

~~“Police officer” means every officer of the police department of this city or any employee authorized to direct or regulate traffic or to make arrests for violation of traffic regulations. (Prior code § 3200 (part))~~ “Police employee” means persons other than police officers who are authorized and trained to enforce traffic regulations. (Prior code § 3200 (part))

SECTION 6. Section 10.04.170 (Skateboard) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.170 ~~Skateboard~~ Police officer.

~~“Skateboard” means a wheeled object as defined in Section 10.76.010. (Prior code § 3200 (part))~~ “Police officer” means every officer of the police department of this city or any employee authorized to direct or regulate traffic or to make arrests for violation of traffic regulations. (Prior code § 3200 (part))

SECTION 7. Section 10.04.180 (Stop) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.180 ~~Stop~~ Skateboard.

~~“Stop,” when required, means complete cessation of movement. (Prior code § 3200 (part))~~ “Skateboard” means a wheeled object as defined in Section 10.76.010. (Prior code § 3200 (part))

SECTION 8. Section 10.04.190 (Stop or stand) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.190 ~~Stop or stand~~ Stop.

~~“Stop or stand,” when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device. (Prior code § 3200 (part))~~ “Stop,” when required, means complete cessation of movement. (Prior code § 3200 (part))

SECTION 9. Section 10.04.200 (Vehicle code) of the San Luis Obispo Municipal Code is hereby amended as follows:

10.04.200 Vehicle Code Stop or stand.

~~“Vehicle Code” means the Vehicle Code of the state of California. (Prior code § 3200 (part))~~ “Stop or stand,” when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device. (Prior code § 3200 (part))

SECTION 10. Section 10.04.210 (Vehicle code) of the San Luis Obispo Municipal Code is hereby established as follows:

10.04.210 Vehicle code.

“Vehicle Code” means the Vehicle Code of the state of California. (Prior code § 3200 (part))

SECTION 11. Severability. If any subdivision, paragraph, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or any other provisions of the city' s rules and regulations. It is the city' s express intent that each remaining portion would have been adopted irrespective of the fact that any one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

SECTION 12. These amendments to Title 10 Chapter 04 of the City of San Luis Obispo Municipal Code do not constitute a “Project” under CEQA Guidelines Sec. 15378.

SECTION 13. A summary of this ordinance, together with the names of Council members voting for and against, shall be published at least five (5) days prior to its final passage, in The New Times, a newspaper published and circulated in this City. This ordinance shall go into effect at the expiration of thirty (30) days after its final passage.

INTRODUCED on the _____ day of _____, 2021, **AND FINALLY ADOPTED** by the Council of the City of San Luis Obispo on the _____ day of _____, 2021, on the following vote:

AYES:
NOES:
ABSENT:

Mayor Heidi Harmon

ATTEST:

Teresa Purrington,
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick,
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington,
City Clerk

O _____

Exhibit A

