

## ORDINANCE NO. 3266

### ORDINANCE OF THE CITY OF CHULA VISTA RENAMING AND AMENDING CHAPTER 10.68 OF THE CHULA VISTA MUNICIPAL CODE TO AUTHORIZE THE CITY MANAGER TO ESTABLISH A CAR SHARING PROGRAM AND TO ISSUE CAR SHARING PROGRAM PARKING PERMITS

WHEREAS, car sharing has been shown to mitigate environmental and transportation issues commonly affecting urban communities, including increased traffic congestion and limited infrastructure capabilities; and

WHEREAS, the City seeks to encourage participation in car sharing programs because such programs offer economic environmental, and community benefits to City residents, employers, and visitors; and

WHEREAS, car sharing supports the City's efforts to reduce greenhouse gas emissions and promotes sustainability, provides City residents, employers, and visitors with affordable transportation options, and is compatible with the City's existing infrastructure; and

WHEREAS, car sharing serves to reduce residents' reliance on individually owned automobiles, thereby reducing pressure on already scarce on-street parking spaces and offers a supplement to the limited public transportation options available to City residents; and

WHEREAS, California Vehicle Code Section 22507.1 authorizes cities to issue permits to facilitate car sharing programs.

NOW, THEREFORE the City Council of the City of Chula Vista does ordain as follows:

#### **Section I.**

Chapter 10.68 is renamed and amended to read as follows:

#### **Chapter 10.68 CAR SHARING PROGRAM AND PERMIT**

##### Sections:

10.68.100	Car Sharing Program
10.68.200	Car Sharing Program Parking Permit
10.68.300	Car Sharing Exclusions
10.68.400	Car Sharing Administrative Fee
10.68.500	Sunset Clause

#### **10.68.100 Car Sharing Program.**

The City Manager may establish a car sharing program. The car sharing program shall include, but is not limited to, the following criteria:

1. The car sharing service offered must be member-based service, where such service is available to subscribed members only. Demonstration of membership may include daily, monthly, or annual membership fees, or issuance of membership cards to each member.
2. The car sharing service vehicles must be accessible to members at all times, 24 hours per day, seven days per week, on a self service basis.
3. The car sharing service must provide insurance, fuel, and vehicle maintenance as part of the organization's standard usage fees.
4. Car sharing vehicles must consist of all-electric vehicles, hybrid vehicles, or alternate fuels vehicles.
5. The car sharing service provider must agree to and execute a non-exclusive licensing agreement, which may also serve as a permit pursuant to this chapter, under terms and conditions required by and acceptable to the City Manager and City Attorney.

**10.68.200 Car Sharing Program Parking Permit.**

Notwithstanding the provisions of Title 10, the City Manager may issue permits to vehicles participating in a car sharing program authorized pursuant to section 10.68.100: (1) allowing car sharing vehicles to park, in areas designated by the City Manager, without regard to time restrictions in metered parking spaces, permitted on-street parking, and City-owned public lots; and (2) to permit payment of parking fees pursuant to an agreement with the participating car sharing organization rather than at the time of parking.

**10.68.300 Car Sharing Exclusions.**

The following restrictions additionally apply to car sharing parking permits:

1. Car sharing vehicles shall comply with all other signs or markings posted, authorized or designated by the City of Chula Vista restricting the parking, standing, stopping or leaving of vehicles.
2. This chapter is not applicable to sections of Title 10 of the Chula Vista Municipal Code involving street sweeping.
3. This chapter is not applicable to parking, standing, stopping, or leaving of vehicles in private parking spaces or private parking lots, parking spaces or any other parking spaces or lots not under the jurisdiction of the City of Chula Vista.

**10.68.400 Car Sharing Program Administrative Fee**

The City may charge an administrative fee for costs of the implementation and administration of the Car Sharing Program.

**10.68.500 Sunset Clause**

This chapter shall be repealed two years from its effective date, unless the City acts to repeal the instant sunset clause.

**Section II. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

**Section III. Construction**

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**Section IV. Effective Date**

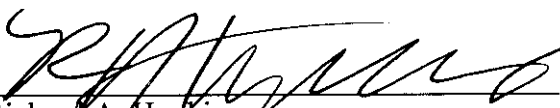
This Ordinance shall take effect and be in force on the thirtieth day after its final passage.


**Section V. Publication**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

  
Richard A. Hopkins  
Director of Public Works

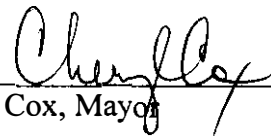
  
Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 28th day of May 2013, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Ramirez, Salas and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

  
\_\_\_\_\_  
Cheryl Cox, Mayor

ATTEST:

  
\_\_\_\_\_  
Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3266 had its first reading at a regular meeting held on the 21st day of May 2013 and its second reading and adoption at a regular meeting of said City Council held on the 28th day of May 2013; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

June 11, 2013  
Dated

  
\_\_\_\_\_  
Donna R. Norris, CMC, City Clerk