RESOLUTION NO. 5544

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA DESIGNATING CERTAIN STREETS UPON WHICH PREFERENTIAL ON-STREET PARKING PRIVILEGES SHALL BE GIVEN TO CERTAIN RESIDENTS AND PROVIDING A PROCEDURE FOR ISSUANCE OF PREFERENTIAL ON-STREET PARKING PERMITS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, as follows:

SECTION 1: Authority. Resolution 4698 superseded.

This resolution is adopted pursuant to the City of Santa Clara's Charter powers and Section 22507 of the California Vehicle Code authorizing local regulation of time limit parking on city streets and the issuance of permits exempting certain residents from various on-street parking regulations. Resolution No. 4698, adopted August 30, 1983, is hereby superseded, except as provided herein. Resolution No. 4698 also pertains to preferential on-street parking permits. Permits issued under the authority of Resolution No. 4698 are hereby revoked as of September 30, 1990. New parking permits will be issued to those persons with currently valid permits (those issued under Resolution No. 4698) at no cost subject to the maximum number of parking permits per dwelling unit and as provided herein. Where applicable, refunds will be given for dwelling units with an excess number of parking permits under Resolution No. 4698. The valid period for permits issued under the authority of this resolution shall be from October 1, 1990 to June 30, 1991. Thereafter, the one year period will run as provided herein, July 1 to June 30 of the following year.

SECTION 2: Designation of Preferential Parking Streets.

All streets in the City of Santa Clara (City) in each residential zoning district on which there is an on-street time

limitation on parking in effect as of the date of this resolution or thereafter established, and where signs or markings giving notice of the preferential parking by permit are in place, and exclusive of areas on such streets with curbs marked with red, yellow, white, or blue paint, or having No Stopping and Tow-Away signs in place, are designated streets upon which preferential parking privileges shall be given to residents adjacent to such streets.

SECTION 3: Character and Effect - Preferential Parking Permit.

A preferential parking permit issued hereunder, and while it is in full force and effect, is in conformance with the terms of this resolution, and it is to be affixed to a motor vehicle as prescribed herein, as to that vehicle exempts the permit holder from the prohibition or restriction of any ordinance or resolution prohibiting or restricting the parking or standing of each such vehicle on designated streets adjacent to residence of the permit holder. A preferential parking permit does not provide an exemption from regulations involving the use of streets for storage of vehicles contrary to City ordinance nor the parking of commercial vehicles in residential districts. Each preferential parking permit is to be restricted to the motor vehicle for which the permit is issued. Such permit terminates upon sale of the motor vehicle or upon change of residence of the permit holder, and each such permit shall not be transferable, severable or divisible. Any transfer or attempted transfer shall be ineffective, and a nullity. Such permits are revocable. Permits will be issued for a one year period (July 1 to June 30 of the following year).

SECTION 4: Procedure for Issuance - Preferential Parking Permit.

Upon written application, in a form approved by the Chief of Police, the Chief of Police is hereby authorized to issue preferential parking permits to residents who reside adjacent to herein designated streets.

Permits are to be issued by the Chief of Police only when proof of applicant's residence adjacent to a designated street is established to the satisfaction of the Chief of Police.

No more than two permits per dwelling unit will be issued to residents of the dwelling unit and each permit can only be issued to either a holder of a California driver's license or to a California registered motor vehicle. The driver's license or the motor vehicle registration must bear the address of the dwelling unit whose resident(s) is seeking the preferential parking permit.

Each permit is to be of a size and composition as approved by the Chief of Police, and shall contain the words "Residential Parking Permit - Santa Clara, California" and the date of expiration. The color of the permit shall be changed every calendar year.

To be effective, permittee shall affix and maintain the parking permits in unobstructed view on the left hand (driver's side) portion of the rear bumper of each motor vehicle for which a permit is issued, or in a location approved by the Chief of Police or his designee.

SECTION 5: Charge or Fee for Issuance of a Permit.

There shall be a $2.00 processing fee charged for the issuance of a permit, either for an original application or the renewal of

an expired permit. Replacement permits due to theft, destruction, or the sale of a vehicle shall be subject to a $1.00 processing fee.

SECTION 6: Giving Notice.

The Director of Public Works is authorized and directed to alter existing parking signs or install new ones, to effectuate the intent of this resolution.

SECTION 7: Policy Changes.

The City reserves the right to revise, amend, or change any of the provisions of this resolution and the policies set forth as deemed necessary and equitable by the City Council.

SECTION 8: Non-retroactive.

This resolution shall be non-retroactive in its application.

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 21st day of August, 1990, by the following votes:

AYES:	COUNCILORS:	Ash, DeLozier, Deto, Lasher, Nadler, Von Raesfeld and Mayor Souza
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: J. E. Boccignone

J. E. BOCCIGNONE
City Clerk
City of Santa Clara