

ORDINANCE NO. _____

An ordinance adding a new Section 88.66 to Chapter VIII, Division U of the Los Angeles Municipal Code (LAMC) designating, by Council resolution, stalls or spaces on a public street or publicly owned parking facility for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes and amending LAMC Sections 80.76.2 and 89.60 to set fines for a vehicle parked in violation of the LAMC requirements.

WHEREAS, California Vehicle Code Section 22511(a)(1) states that a local authority, by ordinance or resolution, may designate stalls or spaces in an offstreet parking facility owned or operated by that local authority for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes;

WHEREAS, California Vehicle Code Section 22511(a)(2) states that a local authority, by ordinance or resolution, may designate stalls or spaces on a public street within its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes;

WHEREAS, California Vehicle Code Section 22511 states that if posting requirements are in accordance with the notice requirements set forth within its provisions, that the local authority owning or operating an offstreet parking facility, after notifying the police or sheriff's department, may cause the removal of a vehicle from a designated electric charging stall or space if the vehicle is not connected for electric charging purposes, with removal to the "nearest garage ... that is owned, leased or approved for use by the a public agency...";

WHEREAS, California Vehicle Code Section 22511 states that if posting requirements follow the California Manual of Uniform Traffic Control Devices, the local authority, after notifying the police or sheriff's department, may cause the removal of a vehicle from a designated electric charging stall or space located on a public street within its jurisdiction if the vehicle is not connected for electric charging purposes, with removal to the "nearest garage ... that is owned, leased or approved for use by a public agency...";

WHEREAS, California Vehicle Code Section 22511(f) states that Section 22511 does not interfere with existing law governing the ability of local authorities to adopt ordinances related to parking programs within their jurisdiction, such as programs that provide free parking in metered areas or municipal garages for electric vehicles;

WHEREAS, California Vehicle Code Section 22511.1(a) states that a person shall not park or leave standing a vehicle in a stall or space designated pursuant to Section 22511 unless the vehicle is connected for electric charges purposes;

WHEREAS, California Vehicle Code Section 22511.1(b) states that a person shall not obstruct, block, or otherwise bar access to parking stalls or spaces designated pursuant to Section 22511.1(a).

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Section 88.66 is added to Chapter VIII, Division U, of the Los Angeles Municipal Code to read as follows:

SEC. 88.66. Regulation of Electric Charging Station Spaces on City Streets and Publicly Owned Parking Facilities.

The City Council by resolution may designate stalls or spaces on a public street or in a publicly owned parking facility in the City of Los Angeles for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes. Electric charging stations installed on streets and publicly owned parking facilities prior to the adoption of this section shall also be subject to the provisions listed below.

(a) It shall be unlawful for a person to park or leave standing a vehicle in a stall or space designated for electric charging purposes on a public street or publicly owned parking facility unless the vehicle is connected for electric charging purposes.

(b) It shall be unlawful for a person to obstruct, block, or otherwise bar access to a parking stall or space designated for electric charging purposes unless the person's vehicle is parked or left standing in the stall or space while the vehicle is connected for electric charging purposes.

(c) Towing. Subject to the notice, posting, and impound requirements set forth in California Vehicle Code Section 22511, any peace officer or any regularly employed and salaried employee of the City who is authorized to engage and is engaged in directing traffic or enforcing parking laws and regulations may remove, or cause to be removed, a vehicle in violation of this section. The vehicle shall be removed to the nearest Official Police Garage, as defined in LAMC Section 80.77.4, from the location where the violation occurred. Section 22852 of the California Vehicle Code applies to this section with respect to the removal of any vehicle in violation of this section. Section 22852 is incorporated by reference as if set forth in full herein and provides, in summary, that whenever an authorized employee of the City directs the storage of a vehicle, the City shall direct the storage operator to provide the vehicle's registered and legal owner(s) of record, or their agent(s), with the opportunity for a post-storage hearing to determine the validity of the storage. Notice of the

storage shall be mailed or personally delivered to the registered and legal owner(s) within 48 hours, excluding weekends, as specifically provided for under Section 22852 of the California Vehicle Code. To receive a post-storage hearing, the owner(s) of record, or their agent(s), must request a hearing in person, in writing or by telephone within ten days of the date appearing on the notice. The City may authorize its own officer or employee to conduct the hearing as long as the hearing officer is not the same person who directed the storage of the vehicle.

(d) **Violation - Penalties.** A violation of this section is subject to the civil penalties listed in Section 89.60 of this Code. The City Council may establish from time to time by resolution an increase in the amount of the fine.

(e) **Severability.** If any subsection, sentence, clause, or phrase of this section is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this section, and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sec. 2. Section 80.76.2 of the Los Angeles Municipal Code is amended to add Section 88.66 to the list of civil penalties contained within Section 80.76.2.

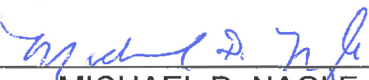
Sec. 3. Section 89.60 is amended to add Section 88.66 with the following civil fines for a violation of Section 88.66:

Fine in the amount of \$58; With Late Penalty \$116; With Second Penalty \$141.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
MICHAEL D. NAGLE
Deputy City Attorney

Date 6/4/18

File No. _____

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I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____