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Los Angeles County
Metropolitan Transportation Authority

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**EXECUTIVE MANAGEMENT COMMITTEE
MARCH 19, 2015**

SUBJECT: METRO PARKING ORDINANCE, METRO PARKING RATES AND PERMIT FEE RESOLUTION

ACTION: RECEIVE AND FILE DRAFT METRO PARKING ORDINANCE, METRO PARKING RATES AND PERMIT FEE RESOLUTION

RECOMMENDATION

Receive the attached draft ordinance, Metro's Parking Ordinance and Parking Rates and Permit Fee Resolution, as set forth in Attachment A ("Parking Ordinance"), and Attachment B ("Parking Rates and Permit Fee Resolution"), enacting a new Title 8 to Metro's existing Administrative Code.

ISSUE

The California Vehicle Code ("CVC") 21113 (d) allows government agencies to adopt their own parking ordinances to regulate parking. The purpose of a parking ordinance includes: protecting the safety of the public, vehicles, and/or property; keeping certain areas clear for emergency vehicles or other necessary travel uses; and to accommodate disabled access. Metro is currently operating without a parking ordinance, parking rate resolution and permit fee resolution, which makes enforcement difficult, if not impossible. A parking rate and permit fee resolution is included as part of the parking ordinance to standardize the existing parking fees. The proposed ordinance and permit fee resolution will be presented for final adoption at a subsequent Board meeting after the ordinance has been published for public comment, together with outreach to service councils and key stakeholders. Once the parking ordinance is adopted it will be incorporated into the Administrative Code as Title 8.

BACKGROUND

As Metro's transit system continues to grow so will the demand for parking. In 1989 Metro's parking inventory consisted of 2,000 parking spaces; as of 2014 there are over 22,000 parking spaces at 48 stations. This number will reach approximately 30,000 spaces when future rail lines (EXPO II and Foothill Extension) enter into operation and assuming the Caltrans park and ride lots are transferred to Metro. Having clear and consistent parking regulations ensures safety and enhances the transit patron's experience.

The Metro parking ordinance, parking fee and permit fee resolutions are part of a broader set of activities aimed at enhancing Metro's parking program. Later this year, Staff will be returning to the Board for the authorization of the Supportive Transit Parking Program (STPP) Master Plan Study. Staff anticipates the master plan will be completed by fall 2016. The plan will help guide the future management and development of Metro's parking facilities. The Ordinance will be one of the tools used to help implement future operations and enforcement strategies. Following Board approval of the master plan, staff may return to the Board to update the parking ordinance and the parking rate and permit fee resolution.

DISCUSSION

The recommended parking ordinance does not contain significant substantive changes from current law, policy or practices. Rather, it is a compilation of rules and regulations that would allow Metro transit security to effectively enforce at Metro's park and ride lots.

Metro's Parking Ordinance standardized our parking facility policies which include but are not limited to:

1. No person shall fail to obey posted signage.
2. No person shall stop, stand or park a vehicle in a parking stall or space in a METRO parking facility that has been designated as parking for Customers with disability
3. No vehicle shall be stopped or left standing other than within the markings of a single space.
4. Trespassing and/or loitering are not allowed at parking facilities.
5. Vehicles shall not be parked at one specified location in excess of posted time limits.
6. Vehicles shall not be parked or left standing at a parking facility which is excess of 14,000 lbs. or twenty-four (24) feet in length.
7. A motorist shall not park or stop a vehicle except a bus in any place marked as a bus loading zone.
8. Vehicles observed parked or left standing longer than seventy-two (72) consecutive hours without authorized permits in the same location may be cited or removed from the public right-of-way.
9. A motorist shall not park within 15 feet of a fire hydrant.
10. A motorist shall not stop, park or leave standing a vehicle adjacent to curb painted red or where a sign has been posted.

Vehicles other than automobiles such as bicycles and electric carts, will also be regulated through the parking ordinance while they are parked or left standing at any Metro parking facility. The parking ordinance also includes parking citation issuance procedures, the appeal process and the policy on removal of abandoned vehicles.

The Metro Parking Ordinance (“Ordinance”) was developed by the Metro Parking Management Unit with interdepartmental support from County Counsel, Ethics, Transit Court, the Bicycle Program, Civil Rights and ADA compliance. The Ordinance was developed to adopt policies and regulations to improve parking operations, develop enforcement tools, promote safety and enhance patron experience, restrict use of parking by non-transit users and to officially standardize existing parking fees by Board resolution.

The proposed Ordinance enacts Metro’s current laws, policies and practices into a single ordinance (Attachment A) with a uniform numbering system and consistent format. The Metro Administrative Code anticipated that future ordinances would be added in this format and numbering system. Outreach on the proposed ordinance will include meetings with the Regional Service Councils and targeted stakeholder groups with high usage of Metro parking facilities.

Once the Ordinance is adopted by the Board, Metro’s Parking Management staff will begin internal and external public outreach on implementation. Internal outreach will consist of coordination with internal departments including Communications, Media Relations, Transit Court, Transit Security, Customer Relations and others. Notification to the public will consist of installing official signage at park and ride facility entrances, pedestrian corridors and other locations, updating the Metro parking website, distributing pamphlets and flyers. Staff anticipates enforcement will begin next fiscal year.

POLICY IMPLICATIONS

Adoption of the Parking Ordinance, Parking Rates and Permit Fee Resolution will continue existing policies, but codify them for enforcement and update them to comply with current law. Administratively it will consolidate all current policies into one document.

The objective in implementing these resolutions is to improve and enhance the parking experience by promoting clarity, as well as safety with suitable regulations. It will also make enforcement practices uniform and official. Information will be more accessible for Metro patrons and the citation appeals process will be clarified.

NEXT STEPS


Following this Board action, the Draft Parking Ordinance will be made available for public comment and presented to service councils and key stakeholders. Once input is received, the ordinance will be finalized and staff will return to the Board with recommendations to adopt the Parking Ordinance and Permit Fee Resolution. Once the Parking Ordinance and Permit Fee Resolution are adopted it will take 90 days before they become effective. During this interim time, brochures will be printed and other communications strategies will be developed, along with continued internal

coordination. Upon adoption of the Ordinance and permit fee resolutions, the policy will be implemented at all 48 Metro stations with park and ride facilities.

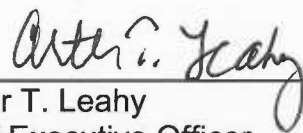
ATTACHMENTS

- A. Metro Parking Ordinance
- B. Metro Parking Rates and Permit Fee Resolution

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**Los Angeles County Metropolitan Transportation Authority
Administrative Code**

**Title 8
METRO Parking Ordinance**

Chapter 8-01

General

8-01-010 Authority to Regulate

The Los Angeles County Metropolitan Transportation Authority's ("METRO") authority to regulate parking, vehicles (including vehicles other than automobiles), and traffic upon the driveways, paths, parking facilities or the grounds of METRO is conferred by section 21113 of the California Vehicle Code ("CVC").

8-01-020 Laws and Enforcement on the METRO Property

The vehicle code laws of the State of California, the ordinances of County of Los Angeles, the cities where the property is located, and METRO's parking and traffic regulations shall be in effect on METRO property 24 hours daily and are enforced by METRO Transit Security, Los Angeles County Sheriff Department, California Highway Patrol, local law enforcement and other METRO authorized enforcement agencies.

8-01-030 Responsibility for Compliance

Temporary parking on properties owned, leased, financed, contracted, operated or managed for METRO use is a privilege available only as provided by the parking policies and regulations of METRO, which reserves unto itself the right to revoke this privilege at any time because of inappropriate or criminal behavior, violation of any regulation in this ordinance or misuse of parking facilities or services. METRO reserves the right to establish what are inappropriate behaviors and the misuse of its property.

The operator of a vehicle on property owned, leased, financed, contracted, operated and managed for METRO use is responsible for complying with all state, local or METRO parking and traffic laws, ordinances and regulations and is subject to established penalties for violations thereof.

If a vehicle owner's identity cannot be determined, as in the case of a parked and locked vehicle, the registered owner and driver, rentee, or lessee of a vehicle cited for any violation of any regulation governing the parking of a vehicle under this code, under any federal statute or regulation, or under any ordinance enacted by a local authority shall be jointly liable for parking penalties imposed under this article, unless the owner can show that the

vehicle was used without the consent of that person, express or implied. An owner who pays any parking penalty, civil judgment, costs, or administrative fees pursuant to this Article shall have the right to recover the same from the driver, rentee, or lessee in accordance with CVC section 40200b.

By entering onto METRO owned, leased, financed, operated, managed or contracted-for property, the owner of a vehicle grants METRO the right to examine the exterior of their vehicle and to look into the interior of their vehicle for any legal purpose described herein, including the authorization to remove or tow the vehicle from the property, as well as enter the vehicle if it is suspected that the vehicle contains an illegal, stolen or hazardous item.

8-01-040 Parking Fee Establishment and Adjustment

All parking fees and rate structures, including hourly, daily, weekly, and monthly and any event parking shall be approved and established by resolution of the METRO Board or its designee.

The Director of the METRO Parking Management Unit shall review and recommend parking fee adjustments based on parking demand. The Chief Executive Officer or its designee is hereby authorized to approve parking fee adjustments within a twenty-five percent (25%) margin and less frequent than ninety (90) days of the established parking fee. Any increases or decreases of parking fees beyond the twenty-five (25%) margin or more frequent than ninety (90) days shall require METRO Board, or its designee's, approval.

8-01-050 Fees to be paid for parking in METRO Parking Facilities

No vehicle shall be parked in any METRO parking facilities at any time without payment of the applicable fee established by the Fee Resolution. Except as otherwise provided herein, such fees shall be collected from all persons desiring to park vehicles in such facilities, including the officers and employees of METRO, the state, or any public or private firm or corporation, or any municipality, state or federal agency or any public district. No fee shall be charged to nor collected from any officer or employee of METRO for the parking of a METRO-owned vehicle in any METRO parking facility at such times when such officer or employee is engaged in METRO business.

All parking fees, rates and charges for the use of the facilities shall be collected in cash or electronic payment from the registered owner, operator or person in charge of the vehicle desiring to park. It is unlawful for any person to willfully fail to pay the fees, rate and charges for use of the METRO parking facilities after having been given notice to pay.

No vehicle may be removed from any METRO parking facility until all fees, rates and charges have been paid and discharged, except as provided in subsections (a) and (b) of this section:

- a. In the event that the person operating a vehicle parked in any METRO parking facilities attempts to remove the vehicle from the facility but is unable to pay all fees, rates and charges due at such time, such person shall, prior to removing such vehicle

ATTACHMENT A

from the facility, be required to sign an agreement to pay any unpaid fees, rates and charges. A copy of such agreement shall be given to the person signing the agreement. Such agreement shall set forth the location of the facility, the date and approximate time that the vehicle is removed, the name of such person, the vehicle license number, the registration expiration date, if visible, the last four digits of the vehicle identification number, if available, the color of the vehicle, and, if possible, the make of the vehicle. Such agreement shall require payment to METRO of all unpaid fees, rates and charges, plus a processing fee in an amount established by resolution of the Board or its designee, no later than seven days after the agreement is signed, and shall indicate the address to which payment may be delivered or sent. If full payment is not made within such seven day period, the METRO Parking Management unit shall mail a notice of late payment to the vehicle's registered owner. Such notice shall require payment to METRO of the unpaid fees, rates and charges, and processing fee, plus a late payment fee in an amount established by resolution of the Board, no later than seven days after the date of such notice. In the event that such amount is not fully paid within such seven day period, a notice of parking violation, requiring payment of a penalty in an amount established by resolution of the Board, shall be mailed to the vehicle's registered owner. The above agreement shall include a reference to this section.

- b. When any vehicle remains parked in a METRO parking facility at the close of such facility's hours of operation or longer than 72 hours, without obtaining exception permit referenced in section 8- 07-170, the facility attendant, enforcement officer or METRO Parking Management unit staff shall record the location of the facility, the date and approximate time, the vehicle license number, the registration expiration date and the last four digits of the vehicle identification number, if visible, the color of the vehicle, and, if possible, the make of the vehicle. An envelope shall be attached to the vehicle requesting that all fees, rates and charges due be deposited by mail. In the event that full payment is not deposited and collected by mail within the next seven (7) calendar days of the issuance of the parking fee owed envelope, a processing fee in an amount established by resolution of the Board shall be added to the amount due. In the event that full payment of the unpaid fees, rates and charges and processing fee is not deposited and collected by mail within seven (7) calendar days thereafter, the METRO Parking Management unit shall mail a notice of late payment to the vehicle's registered owner. Such notice shall require payment to METRO of the unpaid fees, rates and charges, and processing fee, plus a late payment fee in an amount established by resolution of the Board, no later than seven (7) days after the date of such notice. In the event that such amount is not fully paid within such seven pay period, a notice of parking violation, requiring payment of a penalty in an amount established by resolution of the Board, shall be mailed to the vehicle's registered owner. The envelope attached to the vehicle shall include a reference to this section.
- c. **Evidence of parking fee payment**, such as, but not limited to, parking permit, tickets, receipt or electronic display devices, is required during entire parking duration time.

- d. **Removal of any evidence of parking fee payment is prohibited.** No person shall remove any evidence of parking fee payment from another vehicle in a METRO parking facility.
- e. **Transfer of any evidence of parking fee payment is also prohibited.** No person shall transfer or cause to be transferred a parking receipt from another vehicle in a METRO parking facility to avoid payment of established parking fee.
- f. **Prohibition of Selling, Reselling, Leasing or Reserving for Compensation of Spaces.** No person shall sell, resell, lease or reserve for compensation, or facilitate the selling, reselling, leasing or reserving for compensation of any METRO owned, leased, financed, contracted, managed and operated spaces or property without authorization from METRO.

By entering a METRO parking facility and parking a vehicle in such facility, the registered owner, operator or person in charge of such vehicle shall be deemed to have consented to the provisions of subsections A and B of this section. Any notices required to be mailed under subsections A and B of this section, shall be deemed served on the day that they are deposited in the U.S. mail, first class, postage prepaid. The issuance and review of notices of parking violation and delinquent parking violation, and the liability for and payment and collection of parking violation penalties, shall be governed by sections 40200 et seq. of the CVC and this Chapter.

8-01-060 Parking Facility Use, Designation, and Closure

METRO reserves the right to limit the temporary use of its parking area to specific vehicle types as required by facility design or aesthetic considerations. METRO may change any parking zone designation. METRO may close, either temporarily or permanently, any parking area. Notice of parking area changes or closings will be provided whenever practical. However, failure to give such notice shall not create any liability on the part of METRO, its directors, officers, employees, agents, representatives, assigns or successors to any third party.

8-01-070 Liability

The use of a METRO owned, leased, financed, contracted, operated and managed parking facility shall not create, simply by the condition of ownership, management or operation liability or responsibility for damage to any person or personal property. In addition, such use shall not result in METRO assuming liability or responsibility for damage, vandalism, theft or fire to any person or personal property, which may result from the use of parking facilities or services, or enforcement of laws or regulations.

8-01-080 Parking Policy and Regulation Notification or Changes

Parking policies and regulations are public information and are available online on METRO's website at metro.net/parking. Changes in parking policy or regulation are