

ORDINANCE NO. \_\_  
AN ORDINANCE OF THE CITY OF BEAUMONT AMENDING AND  
RESTATING CHAPTER 10.12 OF THE BEAUMONT MUNICIPAL  
CODE ENTITLED "PARKING COMMERCIAL VEHICLES" AND  
MAKING FINDINGS PURSUANT TO THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF BEAUMONT HEREBY ORDAINS AS FOLLOWS:

**Section 1. Findings.**

(a) In September 2009, the City Council of the City of Beaumont enacted Beaumont Municipal Code chapter 10.12 entitled "Parking Commercial Vehicles."

(b) Beaumont Municipal Code section 10.12.010 defines commercial vehicles as "any dray, truck, wagon, cart, automobile or other traffic vehicle carrying or used in transporting goods, merchandise, lumber, machinery, oil, dirt or any article of trade or commerce."

(c) Beaumont Municipal Code chapter 10.12, among other things, prohibits the parking of commercial vehicles within any school or residential district and makes unlawful the parking of any commercial vehicle exceeding a manufacturer's gross vehicle weight of 10,000 pounds, upon any street, highway, alley, public right-of-way or residential property within the City of Beaumont.

(d) Beaumont Municipal Code chapter 10.12 currently authorizes the issuance of special permits to park commercial vehicles in residential zones. This authority is inconsistent with other cities and current, customary industry standards.

(e) The City Council desires to amend and restate chapter 10.12 of the Beaumont Municipal Code to preserve the safety, functionality and attractiveness of the City's streets for residents and businesses by amending the Beaumont Municipal Code to no longer allow the issuance of special permits to park commercial vehicles in residential zones. This amendment to the Beaumont Municipal Code will facilitate the City's ability to effectively enforce its parking restrictions in residential zones throughout the City.

**Section 2. CEQA.** The City Council hereby finds and determines that adoption of this ordinance would provide limitations on the use of public streets for parking and is therefore categorically exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15301 concerning the operation or minor alteration of existing public facilities involving negligible or no expansion of use.

**Section 3. Amend and Restate Chapter 10.12.** The City Council hereby amends chapter 10.12 of the Beaumont Municipal Code, "Parking Commercial Vehicles," and restates it to read as follows:

## **“Chapter 10.12 - PARKING COMMERCIAL VEHICLES**

### **10.12.010 - Definition.**

For the purpose of this Chapter, the term "*commercial vehicles*" is defined to be any dray, truck, wagon, cart, automobile or other traffic vehicle carrying or used in transporting goods, merchandise, lumber, machinery, oil, dirt or any article of trade or commerce.

(Ord. 953, 9-1-09)

### **10.12.020 - Parking near schools prohibited.**

It is unlawful for any person, firm or corporation to park, stop or leave standing, whether attended or unattended, a commercial vehicle upon a public highway, street or alley within the corporate limits of the City within 500 feet of any school building, school yard or other premises used in connection with public schools, except for the purpose of delivering goods, wares or merchandise, and then only while such delivery is being made.

(Ord. 953, 9-1-09)

### **10.12.030 - Parking on public streets, highways, alleys or rights-of-ways and on residential property.**

A. Except as provided for in subsections B and C:

1. It is unlawful for any person to park or leave standing, or allow to be parked or leave standing, any commercial vehicle consisting of a truck tractor, motor truck, semi-trailer or a combination thereof, exceeding a manufacturer's gross vehicle weight of 10,000 pounds, upon any street, highway, alley, public right-of-way or residential property within the City.

2. It is unlawful for the owner or operator of any commercial vehicle consisting of a truck tractor, motor truck, semi-trailer or a combination thereof, exceeding a manufacturer's gross vehicle weight of 10,000 pounds, to allow such vehicle to remain standing upon any street, highway, alley, public right-of-way or residential property within the City.

3. It is unlawful for any person to park, or allow to be parked, any trailer which has been detached from a truck tractor or truck, or which is not in itself capable of being driven, upon any street, highway, alley or public right-of-way within the City.

4. It is unlawful for any person to park or leave standing within 100 feet of any street intersection, or within 100 feet of any official traffic control device, any vehicle which is ten feet or more in height, including the height of any load thereon.

5. It is unlawful for any person to park or leave standing on any street, highway, alley, or public right-of-way within the City, any commercial vehicle consisting of a truck tractor, motor truck, trailer, semi-trailer or combination thereof, exceeding a manufacturer's gross

vehicle weight of 10,000 pounds, so that any part of such vehicle is within 30 feet of any driveway opening, other than the driver's own driveway.

6. It is unlawful for any person to park or leave standing on any street, highway, alley, or public right-of-way within the City, any commercial vehicle consisting of a truck tractor, motor truck, trailer, semi-trailer or combination thereof, exceeding a manufacturer's gross vehicle weight of 10,000 pounds, so that any part of such vehicle is within 50 feet of any part of any other truck tractor, motor truck, trailer, semi-trailer or combination thereof.

B. Commercial truck tractors, motor trucks, semi-trailers or combination thereof, exceeding a manufacturer's gross vehicle weight of 10,000 pounds, may be parked on public streets, highways, alleys, public rights-of-way, or residential property as follows:

1. On designated truck routes for a period of time not exceeding two consecutive hours;

2. While making pickups or deliveries of goods, wares or merchandise from or to any property adjacent to or abutting upon streets or highways which are not designated truck routes;

3. When such vehicle is parked in connection with, and in aid of, the ongoing performance of a service to, or on, a property in the block in which such vehicle is parked or left standing;

C. The provisions of this section shall not apply:

1. In the community industrial land use district; and

2. To commercial vehicles operated by government agencies, public and private utilities and licensed contractors engaged in the installation, maintenance or repair of any public property, utility or roadway.

(Ord. 953, 9-1-09)

**10.12.050 - Violation—Penalty.**

In the discretion of the Enforcement Officer, any person violating the provisions of this Chapter 10.12 shall be issued an administrative citation pursuant to Beaumont Municipal Code Sections 1.17.200 et seq., or shall be guilty of an infraction pursuant to Beaumont Municipal Code Section 1.16.010. In either case, the amount of the fine shall be in the appropriate amount set forth in Section 1.16.030 of this Code. Each such violation shall be deemed a separate offense as specified in Beaumont Municipal Code Section 1.16.040.

(Ord. 953, 9-1-09).”

**Section 4. Severability.** If any sentence, word, phrase, section or provision of this ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this ordinance.

**Section 5. Publication and Certification.** The City Clerk shall cause this ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this ordinance, and shall cause this ordinance and certification, together with proof of publication, to be entered in the book of ordinances of the Council of this City.

**Section 6. Effective Date.** This ordinance shall take effect thirty-one days after its adoption.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves an amendment to the City Code.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_\_ day of June 2020, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the \_\_\_\_\_ day of June 2020, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Rey Santos, Mayor

Attest: \_\_\_\_\_  
Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
John O. Pinkney, City Attorney