



# DEL REY OAKS POLICE DEPARTMENT

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**DATE:** March 28, 2023

**TO:** Mayor Donaldson and Members of the City Council

**FROM:** Chris Bourquin, Interim Chief of Police

**SUBJECT:** Introduce and waive a full reading of an ordinance amending Section 10.08.030 of the Del Rey Oaks Municipal Code (DROMC) regarding parking vehicles on public property for more than 72 hours.

**CEQA:** Not subject to the California Environmental Quality Act (CEQA) as it is not a project pursuant to Guidelines Section 15378. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15061(b)(3), this ordinance is not subject to CEQA review.

## **RECOMMENDATION:**

That the City Council introduce and waive a full reading of an ordinance amending Section 10.08.030 of the DROMC regarding parking vehicles on public property for more than 72 hours.

## **DISCUSSION:**

The City of Del Rey Oaks and the Del Rey Oaks Police Department have received numerous complaints from residents about vehicles parked on the streets, without being moved, for extended periods of time.

Currently, DROMC Section 10.08.030 provides "No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of 72 hours. Any vehicle so parked is declared to be a public nuisance and the chief of police may remove it, or cause it to be removed pursuant to Vehicle Code...."

While this Section allows the Police Department to remove a vehicle parked on public property in the same spot for 72 hours or more, it fails to address how far a vehicle must be moved to reset the 72 hour "consecutive period," and for how long.

{AJL-01395586;2}

**Del Rey Oaks Police Department**

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Chris Bourquin – Interim Chief of Police

The draft ordinance would require a vehicle to be moved at least 100 linear feet, and for a period of at least 24 hours, to reset the 72 hour consecutive period.

The required movement prevents those who have custody or control over inoperable vehicles from pushing them a few feet forward or back in order to technically comply with the current requirements. Additionally, the requirement not to reoccupy the original space for 24 hours gives others living in the area a chance to use that vacant space.

**FISCAL IMPLICATIONS:**

There will be no costs in implementing this ordinance modification.

**ALTERNATIVES CONSIDERED:**

The City Council may decide not to adopt the ordinance.

Attachments:      None