



OFFICE OF THE CITY ATTORNEY
ROCKARD J. DELGADILLO
CITY ATTORNEY

REPORT NO. R 0 8 - 0 0 1 0

JAN 1 6 2008

REPORT RE:

**A DRAFT ORDINANCE AMENDING SECTIONS 88.00, 88.07, 88.13, 88.57 AND 88.63 OF
THE LOS ANGELES MUNICIPAL CODE TO PROVIDE FOR FREE PARKING OF
CERTAIN ALTERNATE FUEL VEHICLES AT PARKING METERS MANAGED BY THE
DEPARTMENT OF TRANSPORTATION THROUGH JANUARY 1, 2011**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 04-1362

Honorable Members:

This office has prepared and now transmits, approved as to form and legality, a revised draft ordinance, which amends Sections 88.00, 88.07, 88.13, 88.57 and 88.63 of Chapter VIII of the Los Angeles Municipal Code, to establish a free parking rate for certain alternate fuel vehicles and to provide an exemption from the requirement to deposit coins at City parking meters controlled by the Department of Transportation. Pursuant to instructions issued by the members of your Transportation Committee on November 28, 2007, this ordinance will extend the free parking rates for qualifying vehicles through January 1, 2011.

Should you have any questions, please contact Assistant City Attorney Shelley I. Smith at (213) 978-8147. Either she or another member of this office will be available when you consider this matter and to answer any questions you may have.

Sincerely,

ROCKARD J. DELGADILLO, City Attorney

By *Claudia Culling*
CLAUDIA CULLING
Special Counsel – Municipal

CC:SIS:me
Transmittal

JAN 2 2 2008

M:\General Counsel (GC)\SHELLEY SMITH\REPORTS TO COUNCIL\Report re Hybrid Pkg Ord.doc

TRANSPORTATION



ORDINANCE NO. _____

An ordinance amending Sections 88.00, 88.07, 88.13, 88.57 and 88.63 of Chapter VIII of the Los Angeles Municipal Code to establish a \$0.00 hourly rate and to provide an exemption from the requirement to deposit coins for those vehicles displaying Clean Air Vehicle Decals issued by the California Department of Motor Vehicles when parked at Department of Transportation controlled on- and off-street parking meters in the City of Los Angeles.

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

Section 1. The first paragraph of Section 88.00 of Division U of Chapter VIII of the Los Angeles Municipal Code is amended to read:

SEC. 88.00. PARKING METER ZONES AND RATES ESTABLISHED.

The following parking meter zones and hourly rates are hereby established. Notwithstanding the hourly rates specified in this section for each Parking Meter Zone, the rate in every Parking Meter Zone for vehicles displaying Clean Air Vehicle Decals issued by the California Department of Motor Vehicles pursuant to California Vehicle Code Section 5205.5 shall be \$0.00 per hour. Payment of the rates established in this section shall be in accordance with the appropriate schedules established by the Board.

Sec. 2. Section 88.07 of Division U of Chapter VIII of the Los Angeles Municipal Code is amended by adding the following sentence at the end of the section to read:

The provisions of this section shall not apply to vehicles displaying Clean Air Vehicle Decals issued by the California Department of Motor Vehicles pursuant to California Vehicle Code Section 5205.5.

Sec. 3. Subsection (b) of Section 88.13 of Division U of Chapter VIII of the Los Angeles Municipal Code is amended to read:

(b) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle to remain in any parking meter space for more than the time indicated by proper signs placed on the parking meter indicating the maximum parking time allowed in the parking meter space, or during any time the parking meter is indicating that the time has elapsed for which coins of the United States of America have been deposited in the parking meter, provided, however, that the provisions of this section shall not apply to any vehicle described in Section 80.05, vehicles owned by the City of Los Angeles, vehicles displaying Clean Air Vehicle Decals issued by the California Department of Motor Vehicles pursuant to California Vehicle Code Section 5205.5 or vehicles operated pursuant to Sections 88.01.1, 88.03.1 and 88.06.1.

Sec. 4. Section 88.57 of Division U of Chapter VIII of the Los Angeles Municipal Code is amended by adding the following sentence at the end of the section to read:

The provisions of this section shall not apply to vehicles displaying Clean Air Vehicle Decals issued by the California Department of Motor Vehicles pursuant to California Vehicle Code Section 5205.5.

Sec. 5. Subsection (b) of Section 88.63 of Division U of Chapter VIII of the Los Angeles Municipal Code is amended to read:

(b) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle to remain in any off-street parking meter space for more than the time indicated by proper signs placed on the off-street parking meter indicating the maximum parking time allowed in the off-street parking meter space, or during any time the off-street parking meter is indicating that the time has elapsed for which coins of the United States of America have been deposited in the off-street parking meter; provided, however, that the provisions of this section shall not apply to any vehicle described in Section 80.05 or vehicles displaying Clean Air Vehicle Decals issued by the California Department of Motor Vehicles pursuant to California Vehicle Code Section 5205.5.

Sec. 6. This ordinance shall remain in effect only until January 1, 2011, or only until California Vehicle Code Section 5205.5 is repealed, whichever occurs first, and as of that date the ordinance is repealed.

Sec. 7. 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.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles on _____, and was passed at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By *Claudia Cullin for*
SHELLEY I. SMITH
Assistant City Attorney

Date 1/17/08

File No. CF 04-1362