

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *AKM*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE November 30, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance Adopting Title 11.08.130, of the Stanislaus County Code, Adding a Tow-Away Zone on Various County Roadways Beginning in the Turlock area

STAFF RECOMMENDATIONS:

- 1) Find that the subject ordinance change is not subject to the California Environmental Quality Act (Public Resources Code, Sections 2100 et. seq.).
- 2) Introduce and waive the first reading of an ordinance to adopt Title 11.08.130, of the Stanislaus County Code, adding a Tow-Away Zone on various County roadways beginning in the Turlock area.

FISCAL IMPACT:

The cost to install fifty-six (56) No Parking/Tow-Away Zone signs is approximately \$6,300; this includes both materials and labor cost for installation. These signs will be placed accordingly to address the immediate issue in the Turlock area. Funds are available in the County Public Works Road Operating Budget.

BOARD ACTION AS FOLLOWS:

No. 2010-718

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION: INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE NO. C.S. 1093

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-N-2

Approval to Introduce and Waive the First Reading of an Ordinance Adopting Title 11.08.130, of the Stanislaus County Code, Adding a Tow-Away Zone on Various County Roadways Beginning in the Turlock area

DISCUSSION:

The Department of Public Works currently has No Parking Zones, but has a need to adopt a Tow-Away Zone in the Stanislaus County Code to be combined with No Parking Zones for certain portions of the County's roadways on certain days and/or times. California Vehicle Code Section 22651 allows local authorities the option to adopt ordinances to remove (tow) vehicles parked or standing in properly signed designated areas. Including a Tow-Away Zone in the Stanislaus County Code will provide another effective tool that the Stanislaus County can utilize for traffic enforcement on County roadways.

In an effort to address an immediate traffic safety need in the Turlock area, the Department of Public Works Traffic Division recently met with the following agencies: City of Turlock Traffic Division, Stanislaus County Sheriff's Department, City of Turlock Police Department and the California Highway Patrol (CHP). This group was formed to review the safety and traffic issues associated with the parking at the Turlock Flea Market from 7AM to 2PM on Tuesdays. The group has requested that the Stanislaus County Traffic and City of Turlock Traffic Divisions collaborate to create and adopt an Ordinance Section to allow a No Parking - Tow-Away Zone in their respective jurisdictions. Currently on Johnson Road (west side of the Turlock Flea Market), Merritt Street (intersection with Johnson Road) and East Avenue (south side of the Turlock Flea Market), people are parking in the No Parking Zone, adjacent to or under the No Parking Signs. Illegally parked vehicles result in pedestrians walking in the middle of the streets; creating a traffic hazard for both the motorist and pedestrians. According to law enforcement, the issuing of traffic tickets has proven to be ineffective. The Turlock Flea Market provides a parking lot, however there is a charge for parking, resulting in many people parking on the streets and in the No Parking Zones. This Tow-Away Zone would give law enforcement agencies the authority to tow away vehicles that are not adhering to the No Parking Signs/Zones.

The Department of Public Works Traffic Engineering staff recommends creating a Tow-Away Zone to help alleviate traffic congestion and ensure a safe travel way for both the motorist and pedestrians along certain portions of the County roadways. Initially, the Tow-Away Zone will include the following areas near Turlock:

1. Johnson Road. On the east side of Johnson Road between Marshall Street and Merritt Street from 7AM to 2PM on Tuesdays.
2. Johnson Road. On both the east and west side of Johnson Road from its intersection with Merritt Street southerly a distance of one thousand four hundred fifty feet from 7AM to 2PM on Tuesdays.
3. Merritt Street. On the south side of Merritt Street from its intersection with Johnson Rd to a point 168 feet west of said intersection from 7AM to 2PM on Tuesdays.
4. East Avenue. On the north and south side of East Avenue from a point six hundred seventy-seven feet west of its intersection with Johnson Road (Turlock city limits) easterly, a distance of two thousand three hundred seventy-seven feet; parking is prohibited from 7AM to 2PM on Tuesdays.

Approval to Introduce and Waive the First Reading of an Ordinance Adopting Title 11.08.130, of the Stanislaus County Code, Adding a Tow-Away Zone on Various County Roadways Beginning in the Turlock area

The proposed ordinance code addition is recommended by the Department of Public Works and approved as to form by County Counsel.

POLICY ISSUES:

This action is consistent with the Board's priorities of providing A Safe Community, A Healthy Community and A Well Planned Infrastructure System through the modification to the County ordinance to strengthen traffic safety enforcement. California Vehicle Code 22506 requires Board approval to change and/or add parking zones.

STAFFING IMPACT:

There is no staffing impact associated with this item.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: (209) 525-4130.

JL:lc

L:\Traffic\2010\ORDINANCES\TOW-AWAY ZONES\Johnson Rd.Merritt St\CREATION 11-30-10

**AN ORDINANCE ADDING SECTION 11.08.130 TO THE COUNTY CODE
RELATING TO NO-PARKING — TOW-AWAY ZONES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE
OF CALIFORNIA ORDAINS AS FOLLOWS:

Section 1. Section 11.08.130 of the Stanislaus County Code is hereby
added to read as follows:

“A. Section 22651(n) of the California Vehicle Code authorizes local authorities
to adopt an ordinance authorizing a peace officer to remove a vehicle parked or
left standing where the local authority has prohibited parking and has authorized
the removal of the vehicle.

B. Any peace officer as described in Section 22651 of the California Vehicle
Code or a regularly employed and salaried employee, who is engaged in
directing traffic or enforcing parking laws and regulations, of a city, county, or
jurisdiction of a state agency in which a vehicle is located, is hereby authorized to
and may remove or cause to be removed any vehicle in violation of this section.

C. The parking of vehicles is prohibited on the following roads, or portions
thereof, which are hereby designated as “No Parking — Tow-Away Zones”:

1. Johnson Road. On the east side of Johnson Road between Marshall
Street and Merritt Street from 7AM to 2PM on Tuesdays.
2. Johnson Road. On both the east and west side of Johnson Road from
its intersection with Merritt Street southerly a distance of one thousand
four hundred fifty feet from 7AM to 2PM on Tuesdays.
3. Merritt Street. On the south side of Merritt Street from its intersection
with Johnson Rd to a point 168 feet west of said intersection from 7AM
to 2PM on Tuesdays.
4. East Avenue. On the north and south side of East Avenue from a point
six hundred seventy-seven feet west of its intersection with Johnson
Road (Turlock city limits) easterly, a distance of two thousand three
hundred seventy-seven feet; parking is prohibited from 7AM to 2PM on
Tuesdays.

D. Wherever the Board of Supervisors has designated a "No Parking — Tow-
Away Zone" it shall be the duty of the Road Commissioner to cause signs to be
posted, giving notice that any vehicle parked in such zone may be removed.”

Section 2. This ordinance shall take effect 30 days from and after the
date of its passage and before the expiration of 15 days after its passage it shall
be published once, with the members voting for and against the same, in the
Modesto Bee, a newspaper published in the County of Stanislaus, State of
California.

Upon motion of Supervisor _____ seconded by Supervisor _____, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this ____ day of _____, 2010, by the following-called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Jeff Grover, Chairman
of the Board of Supervisors of the
County of Stanislaus, State of California

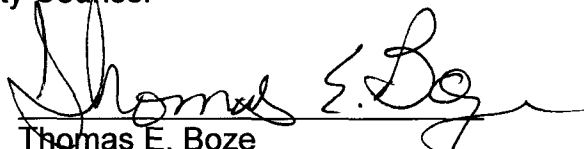
ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk of the
Board of Supervisors of the County of Stanislaus,
State of California

By _____
Elizabeth King, Deputy Clerk

APPROVED AS TO FORM:

JOHN P. DOERING
County Counsel

By 
Thomas E. Boze
Deputy County Counsel



PROPOSED
NO PARKING -- TOW-AWAY
ZONES

NO PARKING -- TOW-AWAY ZONES

JOHNSON RD / MERRITT ST / EAST AVE

TURLOCK AREA

403 0 403 806 Feet



This map is for display purposes only.



Map printed: 11/9/2010

