

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 19.70.1 TO CHAPTER 19,
DIVISION 2, OF THE MOUNTAIN VIEW CITY CODE
RELATED TO THE PARKING OF VEHICLES THAT DISCHARGE DOMESTIC
SEWAGE ON THE PUBLIC RIGHT-OF-WAY

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Chapter 19, Division 2, Section 19.70.1 of the Mountain View City Code is hereby amended to read as follows:

“SEC. 19.70.1. Parking of vehicles that discharge domestic sewage on the public right-of-way.

It shall be unlawful to park a vehicle on a public street or highway that is actively discharging, either continuously or intermittently, domestic sewage, as defined in Mountain View City Code Sec. 35.29, from a sewage system, a sewage tank, holding tank, or other waste storage receptacle, or any pipe associated therewith, onto the public right-of-way. Vehicles parked in violation thereof shall be subject to removal from the public right-of-way at the owner’s expense. Signs shall be posted giving notice of the removal of vehicles parked in violation of this section.”

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

Section 5. 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 CEQA Guidelines Section 15301 concerning the operation or minor alteration of existing public facilities involving negligible or no expansion of use and 15061(b)(3) because 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 City considered the potential exceptions to the categorical exemptions pursuant to Section 15300.2 and concluded they are not applicable. An on-street parking regulation that prohibits the parking of vehicles that discharge domestic sewage and addresses public health and safety considerations does not impose a significant cumulative impact over time but would reduce the parking of such vehicles on City streets and thus, the discharge of domestic sewage onto the public right-of-way; is not an unusual circumstance for a modern city, particularly one in the highly dense Bay Area; does not impact scenic or historical resources; and does not entail hazardous sites as it relates to on-street parking.

PdC/3/ORD
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