

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MOUNTAIN VIEW
AMENDING CHAPTER 19, ARTICLE VIII, DIVISION 3, SECTION 19.71, OF THE MOUNTAIN VIEW
CITY CODE RELATING TO PROHIBITED PARKING BETWEEN 2:00 A.M. TO 6:00 A.M.

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

Section 1. Chapter 19, Article VIII, Section 19.71, of the Mountain View City Code is hereby amended to read as follows:

“SEC. 19.71. – Parking between the hours of 2:00 a.m. and 6:00 a.m. prohibited; ~~exceptions.~~

~~No person shall park any vehicle between the hours of 2:00 a.m. and 6:00 a.m. on streets, or portions thereof, as set forth by resolution of the city council. It shall be unlawful for the owner or driver of any vehicle to allow such vehicle to remain standing upon any street or alley in the city for a period of time longer than one hour between the hours of 2:00 a.m. and 6:00 a.m. without a permit therefor, provided, however, that this section shall not apply to vehicles of any regularly licensed physician when actually engaged in making professional calls.~~

~~In cases of hardship where the owners of vehicles cannot obtain suitable storage or parking facilities, permits for parking for more than one hour during all the time between 2:00 a.m. and 6:00 a.m. may be issued by the chief of police. The application for a permit shall be signed by the applicant, shall state the make, model and license number of the vehicle, and shall contain a statement of the necessity and reasons for the permit. If, upon investigation, it is found that the necessity exists therefor, and that the applicant has no reasonable means for night storage of the vehicle during the above stated hours, the chief of police shall issue the permit for a period not to exceed six (6) months. Before using such permit, the permittee shall pay the chief of police or his representative, a fee of one dollar (\$1) for six (6) months. The permit shall not be transferable and shall be displayed on the left side window to the rear of the driver of the vehicle for which it is issued at all times during which the vehicle is parked upon the street between the hours of 2:00 a.m. and 6:00 a.m. The chief of police shall revoke the permit when the necessity under which it was issued and the reasons therefor cease to exist, or may renew such permit if the hardship still exists. No permit shall be granted for commercial vehicles.~~

~~In cases involving temporary hardship, not exceeding ten (10) days in duration, a permit may be issued, as provided in this section without charge to the applicant.”~~

Section 2. The provisions of this ordinance shall be effective August 30, 2022.

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. This ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

Furthermore, this ordinance is exempt from CEQA pursuant to Section 15061(b)(3), the common-sense exemption, because the ordinance does not have the potential for causing a significant effect on the environment.
