

**MOORPARK CITY COUNCIL
AGENDA REPORT**

To: Honorable City Council

From: Yugal K. Lall, City Engineer/Public Works Director 

Date: December 20, 2007 (CC Meeting of 01/16/08)

SUBJECT: Consider a Resolution Declaring the Private Parking Facilities at the Standard Aero Parts, Inc. Property (APN-511-0-161-255), Subject to the Provisions of the California Vehicle Code

DISCUSSION

A. Standard Aero Parts, Inc. Assessors Parcel Number (APN) 511-0-161-255

The Standard Aero Parts, Inc. property (APN 511-0-161-255) is located at 5100 Maureen Lane. The property owners are requesting that the City enforce the CVC within and upon this parking lot.

B. Petition

Due to vehicles parking on Standard Aero Parts, Inc. property (APN 511-0-161-255) on many occasions without authorization, the City is in receipt of a letter, (Attachment 1) requesting the aforementioned Vehicle Code Enforcement.

C. Code Section

Section 21107.8 (herein "Code Section") of the California Vehicle Code (CVC) provides for the enforcement of the certain portions of the CVC (see Section D of this report) on privately owned and maintained parking facilities generally held open for public use, when and if certain conditions and requirements are met.

D. CVC Section 21107.8 Applicability

CVC Section 21107.8 provides for the enforcement of only certain specified Sections of the CVC. Upon adoption of a Resolution pursuant to CVC Section 21107.8 the only portions of the CVC which can be enforced within a parking lot

are: Section 22350 (Basic Speed Law), Section 23103 (Reckless Driving), Section 23109 (Speed Contests) and Division 16.5 [Section 38000 et. Seq.] (Off-Road Vehicles).

E. Public Hearing / Hearing Notice

Pursuant to the requirements of the Code Section, this matter is being considered at a public hearing. A notice of this hearing has been provided to the property owners in accordance with the requirements of the Code Section.

F. Resolution

The attached Resolution (Attachment 2) states that the privately owned and maintained parking facilities at the subject location shall be subject to the requirements of the above cited Sections of the CVC.

G. Signs

The Code Section requires signs to be posted at the entrance to the parking lot, in order for the subject enforcement to occur. The attached Resolution directs the property owner to place and maintain the required signs. The Resolution also describes the type of sign required.

STAFF RECOMMENDATIONS

1. Open the public hearing, receive testimony and close the public hearing.
2. Adopt Resolution No. 2008 - ____.

ATTACHMENTS

1. Letter
2. Resolution

Standard Aero Parts, Inc.

5100 Maureen Lane, Moorpark, CA 93021
(805) 531-5410 (805)531-5419 Fax
cindy.johnson@standardaeroparts.com

1/2/08

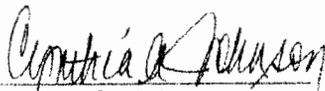
City Of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Attn: Yugall Lall, City Engineer

We would like to request that the California Vehicle Code Section 21107.8 be enforced on our property.

We have had quite a few instances where someone has parked their automobile in our parking lot and left it there unauthorized.

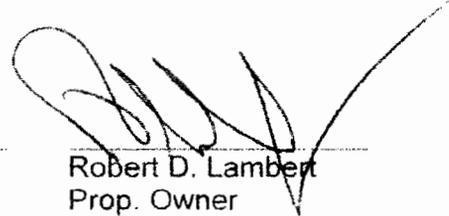
Thank you for your concern in this matter.



Cynthia A. Johnson
Prop. Owner



Ronald S. Lambert
Prop. Owner



Robert D. Lambert
Prop. Owner

RESOLUTION NO. 2008 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, FINDING AND DECLARING CERTAIN PRIVATE PARKING FACILITIES SUBJECT TO CERTAIN PROVISIONS OF THE CALIFORNIA VEHICLE CODE [CVC] [STANDARD AERO PARTS, INC. APN 511-0-161-255]

WHEREAS, CVC Section 21107.8 provides for the enforcement of CVC Sections 22350 (Basic Speed Law), 23103 (Reckless Driving), 23109 (Speed Contests) and Division 16.5, Section 38000 et. Seq. (Off-Road Vehicles), upon privately owned and maintained off-street parking facilities generally held open for use by the public for vehicular parking; and

WHEREAS, vehicles are parking on Standard Aero Parts, Inc. property (APN 511-0-161-255) on many occasions without authorization, the owners of that development have requested that the City enforce the CVC within and upon the privately owned parking facilities at that facility; and

WHEREAS, a public hearing on this matter was convened pursuant to the requirements of the CVC and notice of said public hearing was provided to the property owner as required by the CVC.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the privately owned and maintained parking facilities open to the general public, located upon the property (APN 511-0-161-255), as generally shown on Exhibit 'A' attached hereto and made a part hereof, shall be subject to the provisions of CVC Sections 22350, 23103, 23109 and Division 16.5 (Section 38000 et. Seq.).

SECTION 2. That said enforcement shall take effect upon placement of appropriate signs erected in accordance with the requirements of CVC Section 21107.8.

SECTION 3. That the placement and maintenance of such signs shall be the responsibility of the property owners/operators, as required by the CVC.

SECTION 4. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 16th day of January, 2008.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Exhibit 'A': Diagram

Resolution No. 2008 - _____
Exhibit 'A'

