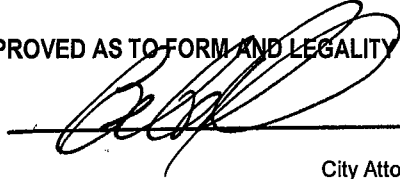


INTRODUCED BY COUNCIL MEMBER _____
 OFFICE OF THE CITY CLERK
 OAKLAND



City Attorney

2016 SEP 29 PM 3:58

OAKLAND CITY COUNCIL
 ORDINANCE NO. 13398 C.M.S.

AN ORDINANCE AMENDING TITLES OF THE OAKLAND MUNICIPAL CODE (1) 10.36.141 TO FACILITATE THE EFFICIENT MANAGEMENT OF PARKING METER ZONES; AND (2) 10.72 TO ESTABLISH NEW DEDICATED SPACE PARKING PERMITS TO ELIGIBLE CAR SHARING ORGANIZATIONS.

WHEREAS, the State of California, through Assembly Bill 2154 (California Vehicle Code Section 22507.1), has supported the practice of car sharing in both on- and off-street locations since 2006; and

WHEREAS, the City of Oakland, through its “Alternative Modes Policy” (Resolution No. 73036 C.M.S.), supports transportation alternatives to private, single-occupant vehicles; and

WHEREAS, the City of Oakland recognizes the practice of car sharing as a beneficial mode of transportation that reduces demand for private vehicles, decreases per capita greenhouse-gas emissions, and creates more affordable mobility options for all of Oakland’s residents; and

WHEREAS, the City of Oakland recognizes that car sharing vehicles have needs distinct from private vehicles that require special parking privileges to facilitate their widespread adoption; and

WHEREAS, the City of Oakland, through its “Free-Floating Zone Permit Program” (O.M.C. 10.71) adopted in February 2015, has already responded to some of these needs; and

WHEREAS, the City has forgone revenues estimated to be approximately \$25,000 annually because it lacks the necessary policies and permits to properly regulate the nine (9) existing dedicated on-street spaces for car share; and

WHEREAS, the City of Oakland recognizes, through the findings from the City of San Francisco’s initial on-street car sharing pilot evaluation (2011), that access to on-street parking spaces is particularly beneficial for car sharing; therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 10.36 is amended as follows:

10.36.141 - *Parking meter locations.*

The written approval of the Director of Transportation ~~City Council resolution~~ shall be obtained prior to the installation, replacement, or removal of ~~additional parking meters~~ within a parking meter zone ~~any new location~~. Decisions regarding the installation, replacement, or removal of parking meters can be appealed to the City Council. Only the City Council can ~~approve of parking-meter locations shall be a separate requirement from the requirement to establish parking meter zones~~ by ordinance. Notwithstanding the foregoing, the requirements of this chapter shall not apply to the replacement of existing *meters* with new or updated *meters* or new *meter* technologies or systems.

Section 2. Chapter 10.72 is added as follows:

Chapter 10.72 – DEDICATED SPACE PERMIT PROGRAM FOR CAR SHARING ORGANIZATIONS

10.72.010 Legislative purpose. The purpose of this chapter is to facilitate car sharing within Oakland by establishing a Dedicated Space Car Share Permit that entitles the permitted car sharing vehicle to exclusive parking privileges for a dedicated space in the right of way or in parking garages and lots accessible to the public. The concept for the Dedicated Space Car Share Permit is intended to facilitate round-trip car share services by a qualified car share organization.

10.72.020 Legislative findings. The City Council finds, as a result of evidence generated by studies and derived from the experiences of peer cities, that promoting the use of car sharing within Oakland has numerous benefits, including improved mobility for residents and overall reduction in greenhouse gas emissions.

10.72.030 Definitions.

All definitions as used in this chapter shall reference the definitions used in Chapter 10.44.030 with the following addition:

A. “Dedicated Space Car Share Permit” is a permit that entitles a car sharing vehicle to exclusive parking privileges for a dedicated space. Only members of a permitted car sharing organization can lawfully park the permitted car sharing vehicle in the dedicated space.

B. “Dedicated Space” is a parking space in the public right-of-way or within a municipal lot or garage that is dedicated exclusively to a car share vehicle with a dedicated space car share permit.

10.72.040 Dedicated Space Car Share Permit

A. This chapter hereby designates that members of a permit-holding car share organization can lawfully park car sharing vehicles in dedicated spaces. When parked in a dedicated space, car share vehicles with a dedicated space car share permit are exempt from certain restrictions that apply to other vehicles. Restrictions associated with time limits, street sweeping, and residential parking areas will not apply to car sharing vehicles with a valid dedicated space car share permit. These exceptions will only apply when the car sharing vehicle is parked in a dedicated space.

B. The Dedicated Space Car Share Permit does not exempt car share vehicles from any applicable parking prohibitions, as described in Chapter 10.28, when not parked in a dedicated space.

C. Each Dedicated Space Car Share Permit will be associated with a single dedicated space and not a vehicle.

10.72.050 Locations of Dedicated Spaces

The locations of dedicated spaces will be established by the Department of Transportation in consultation with car share organizations. The Parking Enforcement Division will be provided a map of all dedicated spaces and will be updated with changes to this map.

10.72.060 Issuance of Dedicated Space Car Share Permits.

A. Dedicated Space Car Share Permits shall be issued by the Finance and Management Agency in accordance with requirements set forth in this chapter. Each such permit shall be designed to state or reflect thereon the dedicated space associated with the permit. No more than one Dedicated Space Car Share Permit shall be issued for a single dedicated space at one time.

B. The Finance and Management Agency shall issue Dedicated Space Car Share Permits with a term of one year.

C. Renewal of Dedicated Space Car Share Permits shall be subject to the same conditions imposed on new permits.

D. The Finance and Management Agency is authorized to issue such rules and regulations, not inconsistent with this chapter, governing issuance and display of proof that a car sharing vehicle is owned by a car sharing organization with a valid Dedicated Space Car Share Permit.

F. Any car sharing organization to which a Dedicated Space Car Share Permit has been issued pursuant to this chapter shall be deemed to be a Dedicated Space Car Share Permit holder.

F. This chapter shall not exempt the car sharing member or permit holding car sharing organization from other traffic controls and regulations.

10.72.070 Dedicated Space Car Share Permit fees.

A. Initial purchase, renewal, or replacement of a lost, stolen or damaged Dedicated Space Car Share Permit shall be subject to a contractual agreement between the car sharing organization and the City Administrator or Designee.

B. The fee for the initial purchase, renewal, or replacement of a lost, stolen or damaged Dedicated Space Car Share Permit should reflect the known market value of the space and the costs associated with the administration of the program and installation of the spaces.

10.72.080 Revocation of Dedicated Space Car Share Permit.

The revocation provision set forth in Chapter 10.44.110 shall apply to the Dedicated Space Car Share Program.

10.72.090 Violation and Penalty.

The violations and penalty provision set forth in Chapter 10.44.120 shall apply to the Dedicated Space Car Share Program.

10.72.100 Chapter interpretation.

The Director of Transportation or designee shall have the discretion in the implementation and interpretation of this chapter.

Section 3. This ordinance shall be effective immediately upon its adoption by the City Council.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of the remaining portions which shall remain in full effect.

NOV 29 2016

IN COUNCIL, OAKLAND, CALIFORNIA, _____

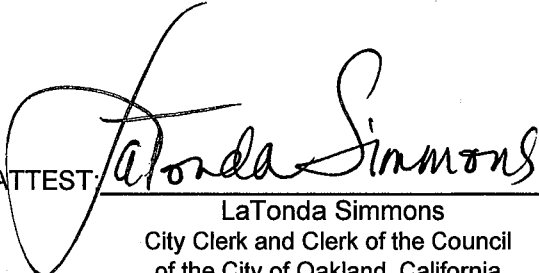
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY -8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: 12-14-16

Introduction Date

NOV 01 2016