

**AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING
SECTION 10.40.210 OF CHAPTER 10.40 OF TITLE 10 OF THE
MORGAN HILL MUNICIPAL CODE TO CLARIFY THAT THE
PROVISIONS OF THE SECTION APPLY TO THE PARKING OF
OVERSIZED VEHICLES ON RESIDENTIAL STREETS**

WHEREAS, the provisions of this Ordinance are categorically exempt from review under the provisions of the California Environmental Quality Act of 1970 ("CEQA"), specifically pursuant to Section 15301 of the CEQA Guidelines, involving the regulation and operation of public streets and highways with no expansion of their use; and

WHEREAS, prior to the adoption of this Ordinance, the City Council of the City of Morgan Hill held a duly noticed public hearing at which all interested persons were afforded an opportunity to be heard upon the adoption of this Ordinance.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL
DOES ORDAIN AS FOLLOWS:**

SECTION 1. Section 10.40.210 of Chapter 10.40 of Title 10 of the Morgan Hill Municipal Code is hereby amended to read in its entirety as follows:

10.40.210 Parking Oversized Vehicles On Public Streets in Residential Areas

- A. Notwithstanding the provisions of Section 10.40.140, no person shall stop, stand or park an oversized vehicle on a public street or highway located immediately adjacent to real property located in a residential zone, as shown on the official zoning map of the City as may be amended from time to time, except for the purpose of loading or unloading food, supplies, equipment or cargo or due to a temporary and unplanned inoperability. Such exemption period shall not exceed ten (10) consecutive hours.
- B. For the purposes of this section, the term "oversized vehicle" shall mean any vehicle or combination of vehicles that exceeds twenty-two (22) feet in length or seven (7) feet in height, exclusive of any projecting lights or devices allowed by the provisions of the California Vehicle Code.

Section 2. **Severability.** Should any provision of this Ordinance be deemed invalid, unconstitutional, unenforceable or inapplicable to a situation by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations, and any such invalid or unconstitutional provision shall be severed from this Ordinance, which severance shall not affect the validity of the remainder of this Ordinance.

Section 3. **Effective Date; Posting.** This Ordinance shall take effect thirty (30) days after

the date of its passage and adoption. The City Clerk is hereby directed to publish in full or summary this ordinance in accordance with the provisions of California Government Code section 36933.

This Ordinance was introduced and the title thereof read at a meeting of the City Council of the City of Morgan Hill held on the _____ day of _____, 2015, was finally adopted at a regular meeting of said Council held on the _____ day of _____, 2015, and was duly passed and adopted in accordance with applicable law and as follows:

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its regular meeting held on the ____ day of _____, 20__ by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

APPROVED:

IRMA TORREZ, City Clerk

STEVE TATE, Mayor

Effective:

CERTIFICATE OF THE CITY CLERK

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the ____ day of _____, 20____ and has been published in accordance with the provisions of the California Government Code.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk