



Council Agenda Report

To: Mayor Stewart and the Honorable Members of the City Council

Prepared by: Luis Flores, Public Safety Coordinator

Reviewed by: Susan Dueñas, Public Safety Director

Approved by: Steve McClary, City Manager

Date prepared: October 9, 2024

Meeting date: October 28, 2024

Subject: Amendment to Parking Fine Schedule

RECOMMENDED ACTION: 1) Conduct the Public Hearing; 2) Adopt Resolution No. 24-55 amending the City's Schedule of Parking Citation Penalties, rescinding Resolution No. 22-11, and finding the action to be exempt from the California Environmental Quality Act.

FISCAL IMPACT: No additional appropriation is required. Parking citation revenue may increase modestly as a result of this action.

STRATEGIC PRIORITY: This item is part of the day-to-day operations identified in the Adopted FY 2023-24 Strategic Priority Project List. Staff continue to work on ongoing projects and normal business while the FY 2024-25 Strategic Priority Plan is finalized.

DISCUSSION: In October 2023, Governor Gavin Newsom signed Assembly Bill 413, which prohibits the parking or stopping of vehicles within 20 feet from marked and unmarked crosswalks or within 15 feet of any crosswalk with a curb extension. It is commonly referred to as the Daylighting Law. Daylighting is the practice of removing parking spaces near crosswalks and intersections to improve public safety by increasing the visibility of pedestrians and bicyclists for drivers. The law went into effect on January 1, 2024, and added a new section to the California Vehicle Code (CVC): Section 22500(n). For now, cities can only issue a warning if the law is violated.

On January 1, 2025, violators can be cited even if the curb is not painted red. To enforce the new parking restriction, the City needs to amend its current parking fine schedule to include violations for CVC 22500(n). The City currently issues parking citations for (12)

other CVC 22500 subsections with a corresponding fine of \$73.00 or \$53.00. Due to the impact on pedestrian safety, staff recommends that fines for the new parking restriction be set at \$73.00.

The City's Public Safety Department has also begun a public education campaign to inform the community about the new law. As part of this, the City's parking enforcement team and the Los Angeles County Sheriff's Department Volunteers on Patrol are issuing warnings.

Staff recommends that Resolution No. 24-55 be adopted to include violations for 22500 (n) with a corresponding fine of \$73.

ATTACHMENTS:

- 1) Resolution No. 24-55
- 2) Public Hearing Notice

RESOLUTION NO. 24-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU AMENDING THE CITY'S SCHEDULE OF PARKING CITATION PENALTIES, RESCINDING RESOLUTION NO. 22-11, AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. Pursuant To California Vehicle Code section 40203.5, Malibu Municipal Code section 10.12.060 states that parking penalties shall be established by resolution of the City. These penalties are detailed in the City's Parking Penalty Schedule (Schedule) for violations of that ordinance. The Schedule indicates the related Los Angeles County Code Section and, where appropriate, the California Vehicle Code as referenced.

B. In October 2023, Governor Gavin Newsom signed Assembly Bill 413 (AB 413), which aims to increase visibility at crosswalks for both pedestrians and drivers across California by preventing parking or stopping of vehicles within 20 feet from marked and unmarked crosswalks or within 15 feet of any crosswalk with a curb extension.

C. AB 413 adds a new section to the California Vehicle Code (CVC), Section 22500(n), that can be enforced starting January 1, 2025.

D. To enforce the new parking restriction, the City needs to amend its current parking fine schedule to include violations for CVC 22500(n) with a corresponding fine of \$73.00.

SECTION 2. The City of Malibu hereby rescinds Resolution No. 22-11.

SECTION 3. The Schedule of Parking Citation Penalties attached hereto as Exhibit 1 is hereby adopted.

SECTION 4. City staff has determined that the changes to the City's Schedule of Parking Citation Penalties are statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and California Environmental Quality Act implementing guidelines, Title 14 of the California Code of Regulations section 15273 and section 15061(b)(3).

SECTION 5. This resolution shall become effective immediately upon its passage and adoption, except that the penalties set forth in the official Base and Late Fine Schedule for Parking Violations shall take effect as citations are printed giving notice of the new fine amounts.

SECTION 6. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 28th day of October 2024.

DOUG STEWART, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

**City of Malibu Parking
Citation Fee Schedule**

EXHIBIT 1

Code	Section	Fine	Penalty	2nd/DMV Penalty	Description
1018070	10.18.070 MC	\$100.00	\$100.00	\$0.00	OVERSIZE VEHICLES - FIRST VIOLATION
1018070	10.18.070 MC	\$200.00	\$200.00	\$0.00	OVERSIZE VEHICLES - SECOND VIOLATION WITHIN ONE YEAR
1018070	10.18.070 MC	\$500.00	\$500.00	\$0.00	OVERSIZE VEHICLES - EACH ADDITIONAL VIOLATION WITHIN ONE YEAR
1002080	10.20.080 MC	\$250.00	\$250.00	\$0.00	NO PARKING PERMIT
1520070	15.20.070 LACO	\$73.00	\$73.00	\$0.00	OBEY SIGN/CURBS/MARKINGS
1520130	15.20.130 LACO	\$53.00	\$53.00	\$0.00	PARKING IN SPACE MARKINGS
1544140	15.44.140 LACO	\$53.00	\$53.00	\$0.00	PKG IN DELETED SPACES
1548050	15.48.050 LACO	\$53.00	\$53.00	\$0.00	VEH EXCEEDING 6,000 POUNDS
1548060	15.48.060 LACO	\$53.00	\$53.00	\$0.00	VEH EXCEEDING 14000 LBS/PSTD
1552040	15.52.040 LACO	\$150.00	\$150.00	\$0.00	BICYCLE LANES/UNAUTH PKG
1564010	15.64.010 LACO	\$48.00	\$48.00	\$0.00	STOPPING PROHIB PKG TIME LMITS
1564020	15.64.020 LACO	\$53.00	\$53.00	\$0.00	PKG LOADING ZONES (COMMERCIAL)
1564030	15.64.030 LACO	\$48.00	\$48.00	\$0.00	PKG TIME LIMIT(POST OFFICE)
1564040	15.64.040 LACO	\$48.00	\$48.00	\$0.00	PARKING AT MAIL BOX
1564050	15.64.050 LACO	\$53.00	\$53.00	\$0.00	NO COMM PKG 2AM/6AM RES ZONE
1564052	15.64.052 LACO	\$53.00	\$53.00	\$0.00	NO COMM PKG RES AREA OVR 10K
1564055	15.64.055 LACO	\$53.00	\$53.00	\$0.00	NO COMM PKG 10A/6P SGN PSTD
1564060	15.64.060 LACO	\$73.00	\$73.00	\$0.00	PARKING OVERNIGHT
1564070	15.64.070 LACO	\$48.00	\$48.00	\$0.00	PKG LIMIT/SPECIAL LOCATION
1564100	15.64.100 LACO	\$150.00	\$150.00	\$0.00	DISCONNECTED TRAILER
1564110	15.64.110 LACO	\$263.00	\$263.00	\$0.00	BUS LOADING ZONE
1564120	15.64.120 LACO	\$53.00	\$53.00	\$0.00	PKG IN PASSENGER ZONE
1564130	15.64.130 LACO	\$53.00	\$53.00	\$0.00	NO PARKING - ALLEYS
1564140	15.64.140 LACO	\$73.00	\$73.00	\$0.00	TEMPORARY NO PARKING
1564180	15.64.180 LACO	\$41.00	\$41.00	\$0.00	PARKING AGAINST RED CURB
1564210	15.64.210 LACO	\$48.00	\$48.00	\$0.00	KEY IN IGNITION/UNATTEND VEH
1564220	15.64.220 LACO	\$48.00	\$48.00	\$0.00	PARKING ON GRADES
1564230	15.64.230 LACO	\$98.00	\$98.00	\$0.00	PARALLEL PKG OVR 18IN FRM CRB
1564240	15.64.240 LACO	\$48.00	\$48.00	\$0.00	ANGLE PARKING
1564250	15.64.250 LACO	\$53.00	\$53.00	\$0.00	DOUBLE PARKING
1564260	15.64.260 LACO	\$73.00	\$73.00	\$0.00	NO PARKING ANYTIME
1564270	15.64.270 LACO	\$73.00	\$73.00	\$0.00	PVT/PUBLIC ILLEGAL PARKING
1564280	15.64.280 LACO	\$58.00	\$58.00	\$0.00	PARKING WRONG SIDE OF STREET
1564290	15.64.290 LACO	\$53.00	\$53.00	\$0.00	PARKING IN PARKWAY
1564300	15.64.300 LACO	\$150.00	\$150.00	\$0.00	OBSTRUCT ROADWAY/LANE
1564310	15.64.310 LACO	\$363.00	\$363.00	\$0.00	PKG VEH TRANSPORTING HAZ MAT
1564320	15.64.320 LACO	\$73.00	\$73.00	\$0.00	PARKING DRIVEWAY
1564330	15.64.330 LACO	\$53.00	\$53.00	\$0.00	PKG IN INTERSECTION
1564340	15.64.340 LACO	\$53.00	\$53.00	\$0.00	PARKING VEHICLE FOR SALE
1564350	15.64.350 LACO	\$53.00	\$53.00	\$0.00	PARKING SPECIAL HAZARD
1564360	15.64.360 LACO	\$53.00	\$53.00	\$0.00	PKG ADJACENT TO SCHOOL
1564370	15.64.370 LACO	\$98.00	\$98.00	\$0.00	PARKING FIRE HYDRANT
1564390	15.64.390 LACO	\$53.00	\$53.00	\$0.00	PKG ASSIGNED PKG SPACES
1564400	15.64.400 LACO	\$338.00	\$338.00	\$0.00	HANDICAPPED PKG/ON STREET
1564410	15.64.410 LACO	\$338.00	\$338.00	\$0.00	HANDICAPPED PKG/OFF STREET
1564440	15.64.440 LACO	\$33.00	\$33.00	\$0.00	TAXICAB STANDS
1564470	15.64.470 LACO	\$33.00	\$33.00	\$0.00	PARKING METERS
1564480	15.64.480 LACO	\$33.00	\$33.00	\$0.00	OBSERVEANCE OF PARKING METERS
1564490	15.64.490 LACO	\$53.00	\$53.00	\$0.00	MOTOR VIOL-NO PKG-OUTDATED
1564700	15.64.700 LACO	\$53.00	\$53.00	\$0.00	PERFERENTIAL PKG DIST/NO PRMT
1576080	15.76.080 LACO	\$73.00	\$73.00	\$0.00	VEHICLES ON SIDEWALK
1576120	15.76.120 LACO	\$53.00	\$53.00	\$0.00	REPAIRING VEHICLES ON STREET
1576130	15.76.130 LACO	\$53.00	\$53.00	\$0.00	WASHING VEHICLES ON STREET
1704370	17.04.370 LACO	\$53.00	\$53.00	\$0.00	PARKS/UNAUTHORIZED PARKING
1712130	17.12.130 LACO	\$63.00	\$63.00	\$0.00	VEHICLE PARKED ON BEACH
1712190	17.12.190 LACO	\$53.00	\$53.00	\$0.00	MUTILATE/DESTROY PLANTS/TREES

**City of Malibu Parking
Citation Fee Schedule**

EXHIBIT 1

1712230	17.12.230 LACO	\$48.00	\$48.00	\$0.00	BEACHES/UNAUTHORIZED PARKING
1752040	17.52.040 MC	\$55.00	\$55.00	\$0.00	PROHIBITED SIGNS
19121360	19.12.1360 LACO	\$48.00	\$48.00	\$0.00	PKG AND DRIVING REGULATIONS
19121410	19.12.1410 LACO	\$68.00	\$68.00	\$0.00	OBSTRUCT EMERG ACCESS ROUTES
21113A	21113 (A) CVC	\$53.00	\$53.00	\$0.00	UNLAWFUL PKG PUBLIC GRNDS
21210	21210 CVC	\$18.00	\$18.00	\$0.00	BICYCLE PARKING
225001	22500.1 CVC	\$150.00	\$150.00	\$0.00	FIRE LANE
22500A	22500 (A) CVC	\$53.00	\$53.00	\$0.00	PKG WITHIN INTERSECTION
22500B	22500 (B) CVC	\$53.00	\$53.00	\$0.00	PARKING ON CROSSWALK
22500C	22500 (C) CVC	\$73.00	\$73.00	\$0.00	PARKING/SAFETY AND CURB
22500D	22500 (D) CVC	\$68.00	\$68.00	\$0.00	PARKING FIRE STATION ENTRANCE
22500E	22500 (E) CVC	\$73.00	\$73.00	\$0.00	BLOCKING DRIVEWAY
22500F	22500 (F) CVC	\$150.00	\$150.00	\$0.00	PARKING ON SIDEWALK
22500G	22500 (G) CVC	\$53.00	\$53.00	\$0.00	PARKING ALONG EXCAVATION
22500H	22500 (H) CVC	\$53.00	\$53.00	\$0.00	DOUBLE PARKING
22500I	22500 (I) CVC	\$263.00	\$263.00	\$0.00	BUS ZONE
22500J	22500 (J) CVC	\$53.00	\$53.00	\$0.00	PARKING IN TUNNEL
22500K	22500 (K) CVC	\$73.00	\$73.00	\$0.00	PARKING ON BRIDGE
22500L	22500 (L) CVC	\$258.00	\$258.00	\$0.00	BLOCKING DISABLED ACCESS RAMP
22500N	22500 (N) CVC	\$73.00	\$73.00	\$0.00	PARKING WITHIN 20 FEET OF A CROSSWALK
22502	22502 CVC	\$98.00	\$98.00	\$0.00	PARALLEL PKG AND 18 INCHES CRB
22502A	22502 (A) CVC	\$98.00	\$98.00	\$0.00	PARK 18IN FRM CURB/WRONG DIR
22502E	22502 (E) CVC	\$58.00	\$58.00	\$0.00	CURB PARKING ONE-WAY ROADWAY
22504A	22504 (A) CVC	\$58.00	\$58.00	\$0.00	UNINCORPORATED ARE PARKING
22505B	22505 (B) CVC	\$73.00	\$73.00	\$0.00	STATE HIGHWAY PARKING
225078A	22507.8 (A) CVC	\$438.00	\$438.00	\$43.80	NO VISIBLE HANDICAPPED PLACARD (HANDICAP/PLACARD)
225078B	22507.8 (B) CVC	\$438.00	\$438.00	\$43.80	HANDICAPPED PARKING-OFF STREET (HANDICAP/OBSTRUCT)
225078C	22507.8 (C) CVC	\$438.00	\$438.00	\$43.80	HANDICAPPED PARKING BOUNDARIES (HANDICAP/BOUNDARIES)
225078C	22507.8(C)(2)CVC	\$438.00	\$438.00	\$43.80	HANDICAP/CROSSHATCH
22513	22513 CVC	\$68.00	\$68.00	\$0.00	TOW SOLICITATION
22514	22514 CVC	\$150.00	\$150.00	\$0.00	FIRE HYDRANT 15 FEET
22515	22515 CVC	\$53.00	\$53.00	\$0.00	UNATTENDED VEHICLES
22516	22516 CVC	\$48.00	\$48.00	\$0.00	LOCKED DOOR/NO ESCAPE
22517	22517 CVC	\$68.00	\$68.00	\$0.00	VEHICLE DOOR OPEN TO TRAFFIC
22520	22520 CVC	\$43.00	\$43.00	\$0.00	STOPPING ON FREEWAY
22522	22522 CVC	\$288.00	\$288.00	\$28.80	PKG NEAR SIDEWALK RAMP
22523AB	22523(A)(B) CVC	\$113.00	\$113.00	\$0.00	ABANDONMENT PROHIBITED
22523B	22523 (B) CVC	\$113.00	\$113.00	\$0.00	ABANDONED VEHICLE ON ROADWAY
22526	22526 CVC	\$68.00	\$68.00	\$0.00	ANTI-GRIDLOCK ACT
225262	22526 CVC	\$263.00	\$263.00	\$0.00	2ND OFF ANTI-GRIDLOCK ACT
225263	22526 CVC	\$263.00	\$263.00	\$0.00	3RD OFFENSE ANI-GRIDLOCK ACT
22654E	22654 (E) CVC	\$41.00	\$41.00	\$0.00	BLOCKING EMERGENCY
22951	22951 CVC	\$48.00	\$48.00	\$0.00	PKG LOT-STREET AND ALLEY PKG
23333	2333 CVC	\$45.00	\$45.00	\$0.00	STOP/PARK-VEHICULAR CROSSING
25300CE	25300(C)(E) CVC	\$45.00	\$45.00	\$0.00	WARNING DEVICE/DISABLE/PKD VEH
267085	267085 CVC	\$38.00	\$38.00	\$0.00	TINTED SIDE WINDOWS \$10 W/PRF
26708A1	26708(A)(1) CVC	\$68.00	\$68.00	\$0.00	TINTED SIDE WINDOWS \$10/PROOF
26710	26710 CVC	\$38.00	\$38.00	\$0.00	DEFECT WNDSHLD/REAR WND \$10/PR
27155	27155 CVC	\$38.00	\$38.00	\$0.00	FUEL CAP REQUIRED \$10 W/PROOF
31303D	31303 (D) CVC	\$363.00	\$363.00	\$0.00	PKG HAZARD WASTE IN RES DIST
4000A	4000 (A) CVC	\$63.00	\$63.00	\$0.00	EXP REGISTRATION-\$10 W/PROOF
4000A1	4000 (A)(1) CVC	\$73.00	\$73.00	\$0.00	EXP REGISTRATION-\$10 W/PROOF
41525	4152.5 CVC	\$38.00	\$38.00	\$0.00	FAIL TO APPLY FOR REGISTRATION
4454A	4454 (A) CVC	\$38.00	\$38.00	\$0.00	REGISTRATION CARD
4457	4457 CVC	\$58.00	\$58.00	\$0.00	MUTILATED/ILLEGAL LICENSE PLT
4462B	4462 (B) CVC	\$58.00	\$58.00	\$0.00	INCORRECT REGISTRATION ON CAR
4464	4464 CVC	\$38.00	\$38.00	\$0.00	ALTERED LICENSE PLATE
5200	5200 CVC	\$58.00	\$58.00	\$0.00	NO FRNT/REAR PLATES-\$10 W/PRF

**City of Malibu Parking
Citation Fee Schedule**

EXHIBIT 1

5200A	5200 (A) CVC	\$58.00	\$58.00	\$0.00	NO FRNT/REAR PLATES-\$10 W/PRF
5201	5201 CVC	\$58.00	\$58.00	\$0.00	POSITION OF PLATES \$10/PROOF
52011	5201.1 CVC	\$250.00	\$250.00	\$0.00	OBSCURING READABILITY OF PLATE
5201A	5201 (A) CVC	\$58.00	\$58.00	\$0.00	PLATES CLEARLY VISIBLE \$10/PRF
5201C	5201 (C)(D) CVC	\$38.00	\$38.00	\$0.00	LIC PLATE COVERED-\$10 W/PROOF
5201E	5201 (E) CVC	\$43.00	\$43.00	\$0.00	LIC PLATE COVERED-\$10 W/PRF
5201F	5201 (F) CVC	\$38.00	\$38.00	\$0.00	PLATES CLEARLY VISIBLE \$10/PRF
5201G	5201 (G) CVC	\$43.00	\$43.00	\$0.00	LIC PLATE COVERED-\$10 W/PROOF
5204A	5204 (A) CVC	\$73.00	\$73.00	\$0.00	NO CURRENT TABS ON VEH-\$10/PRF
908090	9.08.090 MC	\$250.00	\$250.00	\$0.00	CAMP/LODGE/SLEEP PVT PROP

**NOTICE OF PUBLIC HEARING
CITY OF MALIBU
CITY COUNCIL**

The Malibu City Council will hold a public hearing on **MONDAY, October 28, 2024, at 5:30 p.m. on the item listed below in the Council Chambers at Malibu City Hall, located at 23825 Stuart Ranch Road, Malibu, CA, and via teleconference.**

Public comment can be submitted ahead of the public hearing to citycouncil@malibucity.org for inclusion in the public record. To view and participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

AMENDMENT TO PARKING FINE SCHEDULE

IF YOU CHALLENGE THE CITY COUNCIL'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR OTHERWISE HELD BY THE CITY, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, EITHER AT OR PRIOR TO THE PUBLIC HEARING.

If there are any questions regarding this notice, please contact Susan Duenas, Public Safety Director, at (310) 456-2489, ext. 313. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours. Oral and written comments may be presented to the City Council on, or before, the date of the meeting.

Susan Duenas, Public Safety Director

Publish Dates: October 17 and October 24, 2024