INFORMATION AND INSTRUCTIONS ON FILING A PETITION FOR PARKING RESTRICTIONS

The Department of Transportation will consider the installation/revision/removal of parking restrictions upon the receipt of a petition from persons officially representing no less than two-thirds of the front footage of the developed property, including corner lots on each side of the street, in increments of complete blocks. The petition signers must also represent at least fifty percent of all the developed properties on each side of the street. A complete block is generally considered to be a segment of a street between intersecting cross streets, or their prolongation, and the block number (100, 200, 300, etc.) does not change. However, in long blocks with a change in the “hundred block” of house numbers, each “hundred block” may be considered separately. The petition, while representing properties on both sides of the street, may request a change in parking restrictions for either one or both sides of the street.

Residential (includes single-family and multi-family), commercial, industrial, recreational, library, church, government, school or other frontages within the same block may be considered separately. For example, if a block consists of residential, commercial and recreational zones, the petition may represent and affect only the commercial development. However, the petition must be submitted by persons representing no less than two-thirds of the front footage of the commercial development on each side of the street, with no less than fifty percent representation of all commercial development properties on each side of the street.

Representatives of only one side of a street may submit a petition for a change in parking restrictions on only their side if it is an arterial street with a (roadway) width of 64 feet or greater, or the two directions of travel are separated by a raised median, or on any other street where the development on one side of the street is different from that on the other (e.g., residential vs. commercial). In such cases, the petition must represent at least two-thirds of the developed front frontage, with no less than fifty percent representation of all developed properties, on the side of the street where a change in parking restrictions is requested.

A Parking Petition Block Diagram is attached to demonstrate and clarify the above-described processes.

The petition (refer to the attached sample) must contain certain information. The street name, proposed restrictions(s) and block limits, including side of street (or stating “both sides”), must be indicated. Each petitioner must sign the petition and legibly print or type his/her name, address, daytime telephone number and the date of signing. The petition circulator(s) must be identified on the first page of the petition. If there are more than two circulators, the second page should also be used, as shown on the sample petition, for such names. Only one owner or authorized representative for each property may sign, and all addresses for a property must be indicated. An owner of multiple properties in the subject block must similarly list addresses of all properties under that ownership.

For residential property, petitioners must be persons officially representing properties, which means:
1) An individual owner, renter or leasee for single-family homes.
2) An association president or corporate officer for condominiums and townhouses.
3) An owner or designated property manager for apartment buildings. The signature should represent the majority of the tenants.

For business property, the owner or manager or tenant of such property may sign. If several businesses share the same address, the signature should represent the majority of the businesses at such address.

The Department of Transportation will verify each petition and evaluate and assess the impact that the requested restriction or prohibition will have on adjacent development, traffic safety, public access and traffic flow. The Department reserves the right to modify or reject the request if an adverse impact will result. If, after the petition has been verified, it is determined that the requested restriction or prohibition would not have a substantial detrimental effect, the request will then be approved.

To facilitate sign maintenance and parking enforcement in restricted areas, only standard signs from the Department’s list of parking signs are generally approved. Non-standard signs may be requested only if circumstances warrant such signs. You may call the number listed at the bottom of this page to determine if your requested signs are Department of Transportation standard signs. The most requested standard signs are listed below:

“2 Hour Parking, 8 AM to 6 PM, Except Saturday and Sunday”
“2 Hour Parking, 8 AM to 6 PM, Except Sunday”**
“2 Hour Parking, 8 AM to 6 PM, Daily”
“1 Hour Parking, 8 AM to 6 PM, Except Saturday and Sunday”
“1 Hour Parking, 8 AM to 6 PM, Except Sunday”**
“1 Hour Parking, 8 AM to 6 PM, Daily”
“No Parking, 8 AM to 6 PM, Except Saturday and Sunday”
“No Parking, 8 AM to 6 PM, Except Sunday”**
“No Parking, 8 AM to 6 PM, Daily”
“No Parking Anytime”

** required in commercial district parking meter zones

In addition to the above, time limit restrictions of less than one hour (generally 15 or 30 minutes) may be requested by letter (no petition required), only from schools and certain types of businesses whose users require short-term parking. Such businesses include cleaners, shoe repair shops, newsstands, banks, utility offices, post offices, etc.

Persons circulating petitions must clearly indicate to potential signers that any restrictions implemented will apply to all parkers, including the petitioners.
A blank petition, in the format approved by the Department of Transportation, is attached. Please send your completed petition to:

Department of Transportation
Hollywood- Wilshire
6501 Fountain Avenue
Los Angeles, CA 90028

For other information or questions regarding parking restrictions, please call (323) 957-6843.
EXAMPLE 1: BOTH SIDES ARE RESIDENTIAL.
Petition signed by A, B, C, F and G.

Petition granted: A minimum of 50% of the parcels are signed on each side and those signing represented at least two-thirds of the developed length of the block on each side.

EXAMPLE 2: BOTH SIDES ARE RESIDENTIAL.
Petition signed by A, B, C, E and F.

Petition does not qualify: Even though 50% of the parcels are signed on each side, only the north side represented two-thirds of the developed length.

EXAMPLE 3: NORTH SIDE IS COMMERCIAL, SOUTH SIDE IS RESIDENTIAL. (Two sides considered separately.)

Petitions signed by A, B, and C on NORTH SIDE and E and F on SOUTH SIDE.

Petition granted for NORTH SIDE.

Petition does not qualify for SOUTH SIDE.
PETITION FOR PARKING RESTRICTIONS

We, the undersigned, request that the following parking restrictions be posted at the location(s) indicated below, and we understand that such restrictions also apply to petitioners.

1. Location and limits (in complete blocks) of restrictions: ____________________________________________
   ____________________________________________
   ____________________________________________

2. Proposed parking restrictions: _________________________________________________________________
   _________________________________________________________________

3. Existing parking restrictions: _________________________________________________________________

4. Side(s) of street (N, S, E, W) to be posted: ____________________________________________________

5. Petition circulator(s)*:

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* If more than two circulators, use next page and indicate with ** symbols.
PETITION

Street name ___________________________ From _______ To _________

Proposed parking restrictions __________________________________________

Side(s) to be posted _________________________________________________

Read First Page Before Signing

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Notes: * Authorized signature (one only per address) means homeowner for single-family homes; association president or designated corporate officer or manager for condominium/townhouse; owner or manager for apartment building; and owner, manager or tenant for a business.

Names with ** symbol indicate petition circulators.
CITY OF LOS ANGELES
PREFERENTIAL PARKING PROGRAM

Brian Gallagher
Senior Transportation Engineer
LADOT – On Street Parking Programs Division

August 9, 2005
PURPOSE

- Limit intrusion of non-resident vehicles into residential area
- Encourage car pooling and use of transit
- Enhance quality of life in neighborhood
  - Reduce noise
  - Reduce traffic hazards
  - Reduce litter
- Achieve purpose with minimum impact on adjacent businesses
WHAT IS PREFERENTIAL PARKING?

- Program adopted by City Council intended to provide parking relief to residents
- Residents include homeowners and renters
- Only residential areas allowed
- Parking restrictions that limit parking duration are posted
- Residents can purchase permits to be exempted from posted restrictions
- Signs are only posted on blocks with 2/3 majority petition

LADOT
Moving Los Angeles Forward
ADVANTAGES

- Only residents with permits are exempt from signs
- Probability of finding a parking space is better
- Permits can be used with “No Parking” restrictions to keep out undesirable elements
- Permit cost is less than cost of parking ticket
- Less chance of having driveway blocked, trash cans moved, or late night noise problems
- Increased enforcement by LADOT
DISADVANTAGES

- Residents must pay for permits to be exempt from very restrictive signs
- Inconvenient for visitors
- Inconvenient for workers (gardeners, poolmen, nannies, contractors, tutors, etc...)
- Must purchase guest permits for party guests
- Increased enforcement by LADOT
- Inconvenience of purchasing permits at one of three permit sales center citywide
HOW DO I GET A PARKING DISTRICT?

- Approval process defined by City Council's Rules for Preferential Parking (LAMC Sec. 80.58)
  1. Formal request by Neighborhood Council, Homeowners' Assoc., or Councilmember
  2. Informal meeting to identify parking problem, discuss available alternatives
  3. Petitions from 6 blocks, 2/3 of dwelling units, 50% of frontage
  4. Parking study validating parking problem (75% spaces occupied, 25% by non-residents

LADOT
Moving Los Angeles Forward
GETTING A DISTRICT (cont’d.)

5. CEQA Environmental Analysis
6. Public Hearing
7. Public Comment period
8. Report and recommendations prepared by LADOT
9. Report approved by Transportation Committee of City Council, then by full Council
10. Notice of Determination filed. Residential notices sent out, signs posted, permits go on sale
VEHICLES WITH PERMITS EXEMPTED

- Residents must purchase permits for the privilege to be exempt from posted parking restrictions
- Anyone living within the District is eligible to purchase permits
- Three types of permits
  - Annual
  - Visitor
  - Guest
- Permits are district specific
- Non-transferrable, misuse will result in revocation
- Schools and churches are eligible to purchase Visitor permits
ANNUAL PERMIT

- Good for one year
- Maximum of 3 per household
- Can be used anywhere in the district
- Sticker affixed to specific car
- Currently $15

LADOT
Moving Los Angeles Forward
VISITOR PERMIT

- Intended for regular visitors or can be used for excess vehicles
- Good for 4 months
- 2 max. per household
- Good only on block that resident lives on
- Hangtag
- Currently $10
- Used by schools and churches

LA D.O.T
Moving Los Angeles Forward
GUEST PERMIT

- For home workers or special events, such as contractors, party guests, etc.
- No limit on quantity
- For use anywhere in district
- For use on dashboard
- Currently $1/veh/day
- Can be purchased through the mail
CHANGES TO EXISTING DISTRICT

- Additional blocks within district can petition for signs on block by block basis ("Fill-In")
- District can be expanded by at least four blocks based on petition request ("Expansion")
- Posted restrictions can be modified, choosing **only** from Council approved list of restrictions for that district
- Parking restrictions can be removed on any block, based on petition
TEMPORARY DISTRICTS

- Special “Temporary Districts” are also available to Councilmembers to provide immediate relief to urgent, temporary parking problem for which there is no other immediate remedy
- Maximum of 5 blocks
- No parking study, no environmental analysis, no public hearing required
- Good for one year, renewable on annual basis by City Council
- May be terminated at any time
PREFERENTIAL PARKING TODAY

- Currently about 70 permanent districts and 30 temporary districts
- No permanent district has ever been eliminated
- Permit fees due for increase
- Permit fees only cover 47% of operating costs (not a money maker)
- LADOT staff eliminated
PHONE NUMBERS

- LADOT Preferential Parking Program Section, 555 Ramirez Street, Space 315, Los Angeles, CA 90012 (323) 913-4600

- Permit Sales Office, Customer Service: (310) 843-5936

- Email contact: ajabsheh@dot.lacity.org
Council File Number
88-2282

Title
PREFERENTIAL PARKING DISTRICTS

Subject
Mo - In light of numerous citizens complaints regarding the proliferation of preferential parking areas, MOVE that T&T Comt reexamine its policy regarding preferential parking (Ord 152722, Sec 80.58 - 8058) & rept back to Ccl within 30 days

Last Change Date
12/09/2005

Mover
JOEL WACHS

Second
GLORIA MOLINA

Archive History
12-16-88 - This days Ccl session
12-16-88 - Ref to T&T Comt
12-21-88 - File to Holden Chrmn
12-28-88 - File to T&T Comt Clk for rept
2-3-89 - File to GM, DOT, per T&T Comt Clk ltr
2-19-92 - DOT rept regarding Preferential Parking Ord revision to Tran Comt Clk
6-2-93 - DOT supplemental rept re: Preferential parking ord revision to Tran Comt Clk
11-21-94 - DOT rept re: Preferential Parking Ord Revisions - to Tran Comt Clk
4-19-95 - Cont to 4-26-95
4-26-95 - Mo ADOPTED to approve communication recommendation from Tran Comt rept to INSTRUCT the City Atty to amend Section 80.58 of the LAMC to:
1. Allow for the posting of preferential parking restriction signs on school and church frontages, and allow the school or church to purchase Preferential Parking Visitor Permits equivalent to the number of parking spaces allowable on its posted (otherwise unrestricted) frontage. Where the frontage is limited, the number of permits to be sold shall be determined by the DOT. Replacement of any Visitor Permits that are lost or stolen will be at prorated cost and the discretion of the DOT when the applicant submits written documentation of actual loss
2. Allow the owners of a residence under the construction and an absentee landlord to purchase a maximum of two (2) Visitor Permits for their personal use or for the use of construction service personnel
3. Allow one Visitor Permit per year per household unit to be replaced at prorated cost when lost or stolen if applicant submits written documentation of actual loss
4. Require applicants for any parking permits to clear all unpaid parking citations prior to the issuance of new permits or renewal for Annual and Visitor Permits
5. Approve the following changes to the current Rules and Procedures for Preferential Parking Districts;
a. That the boundaries of a proposed preferential parking district only be extended a maximum of two blocks beyond the six block minimum area that submitted the required 2/3 majority petition or beyond the core area which has identifiable parking impacts (whichever is greater)
b. Require that non resident parking impacts, as defined in the current Rules and Procedures, be found on a minimum of four petitioning blocks before a public hearing can be conducted to establish an area as a preferential parking district
c. Require that prior to expansion of an existing preferential parking district, residents of a minimum of four blocks adjacent to such a district submit valid petitions to expand the district, and that parking impacts as defined in the current Rules and Procedures be found on at least two of the petitioning blocks
d. Allow a resident to display Annual Permits on the driver's side of the rear window of the vehicle if the vehicle is equipped with dual outside rearview mirrors, if the permit is unobstructed by window tint or louvers and if the complete face of the permit is observable to a traffic officer in a vehicle
e. Allow six month Visitor Permits to be valid for an additional block beyond that of the permittee's
residence whenever the DOT identifies a shortage of parking availability on the resident's block.

f. Change the "sunset clause" to enable the DOT to review permit sales on individual blocks rather than on a District wide basis and require a minimum sale of one (1) Annual or one (1) Visitor Permit per household from 51% of the total households on the block in order to retain the preferential parking restriction.

g. Specify that any preferential parking districts in a beach area must allow public parking from 8 a.m. to 6 p.m. daily.

6. Allow for the establishment of temporary preferential parking districts by Ccl Resolution to provide relief for residents who suffer and excessive parking impact as the result of a natural disaster such as a fire, flood, earthquake, landslide, etc.; as the result of an occurrence that creates unusual media attention; or as the result of any condition which impacts fewer than six blocks and which, in the judgement of the Councilperson of the District after consultation with the Parking Administrator of DOT, deserves immediate relief until a permanent solution can be found.

a. The Ccl shall accept testimony and make a finding that an adverse parking impact exist prior to approving the Resolution.

b. Any preferential parking district established pursuant to this Section shall be limited in duration to a maximum of 12 months from the date of approval of the Resolution.

2. DECREASE the effective period for Visitors Permits from 6 months to 4 months, retaining the fee at ten dollars ($10.00) per permit.

5-2-95 - File to City Atty
2-22-96 - File & City Atty R96-0084 report regarding draft of Ord to amend LAMC
80.8 relative to Preferential Parking Districts - to Tran Comt Clk
3-5-96 - Cont to 4-9-96 and in the interim referred to Tran Comt
3-8-96 - File to Tran Comt Clk
4-9-96 - Tran Comt rept ADOPTED to:
1. REQUEST the City Atty to prepare an ord substantially as per proposed ord dated 2-20-96, amending Section 80.58 of LAMC relative to certain revisions to current rules and procedures for the establishment of preferential parking districts as indicated in Attachment 1, so as to include the following revision of LAMC Section 80.58(d)(3) added by the Committee:
Any temporary District established pursuant to this section shall be for a period of 12 months from the date of approval of the resolution. Such District may be renewed on an annual basis by resolution until either a permanent solution is found or the problem ceases to exist:

2. NOT PRESENTED AND ORDERED FILED Ord dated 2-20-96

3. AMEND the Rules and Procedures for establishing Preferential Parking Districts to be promulgated by Department of Transportation pursuant to Council action of 4-26-95 upon adoption of the subj ord so as to change the "sunset clause" to enable DOT to review permits sales by individual blocks rather than on a Preferential Parking District wide basis. A minimum sale of one visitor or annual permit per household from 51% of the total households on a block will be required in order to retain the preferential parking restrictions - Ord over one week to 4-16-96

4-16-96 - Ord ADOPTED

4-18-96 - File to Mayor for signature
4-30-96 - File to Tran Comt Clk

7-15-97 - This days Ccl session - Mo - Galanter Mover 1997 - Holden - THEREFORE

MOVE that the City Council request DOT with assistance of the City Atty, to amend the Rules and Procedures for Preferential Parking Districts to require:
(1) that all residents or households in a proposed Preferential Parking District are notified of all public hearings and meetings regarding the establishment of a proposed district and (2) that all residents or households within a two block area of a proposed Preferential Parking District are notified of all public hearings and meetings regarding the establishment of a proposed district.

FURTHER MOVE that the City Council request DOT to report within 30 days to the Tran Comt and the City Council with appropriate amendments to the “Rules and Procedures for Preferential Parking Districts,” to incorporate the above concerns.

7-15-97 - Ref to Tran Comt
7-15-97 - File to Tran Comt Clk

12-9-05 - MEMORANDUM TO FILE - This memorandum notes the expiration of the accompanying Council file/contents; the file is deemed terminated (received and filed) and the subject matter contained herein is closed. No other action is forthcoming.

Pursuant to Council action of September 13, 2005, all Council files pending before the City Council, which have not been placed on a Council or Committee agenda for consideration for a period of two years or more, are deemed received and filed (CF 05-0553).
ORDINANCE NO. 171029

An ordinance amending Section 80.58 of the Los Angeles Municipal Code relative to the establishment of preferential parking districts.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO ORDAIN AS FOLLOWS:

Section 1. Section 80.58 of the Los Angeles Municipal Code is hereby amended in its entirety to read:

SEC. 80.58 PREFERENTIAL PARKING PROGRAM.

(a) Definitions:

For the purpose of this section, the following words and phrases are defined and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:

1. A commuter vehicle shall mean a motor vehicle parked in a residential area which is not owned, leased or otherwise controlled by:
   a. A resident who lives in the area designated as a preferential parking district;
   b. A guest visiting residents living in the area designated as a preferential parking district.

2. Resident shall mean person who lives in a dwelling unit located in a preferential parking district.

3. Absentee landlord shall mean an owner of residential property who does not live on the property. Such property shall be located in a preferential parking district.

4. Guest shall mean a person who is visiting in a dwelling located in a preferential parking district.
5. Preferential parking district shall mean a residential area with streets and boundaries designated by a City Council resolution wherein vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to this Section.

(b) **Designation of Preferential Parking District:**

Preferential parking districts may be designated or dissolved, including those created by ordinance, by a City Council resolution.

The City Council shall, upon recommendation of the Department, consider for designation as preferential parking districts those areas satisfying the criteria established in this section for said districts.

If the Council determines that the criteria, rules and procedures required in this section have been met, it may establish, by resolution, preferential parking districts with appropriate boundaries and parking restrictions. Motor vehicles displaying a valid parking permit may be parked exempt from the parking restrictions established pursuant to the authority of this section in the preferential parking district for which the permit is issued.

(c) **Designation Process and Criteria:**

The Department shall prepare Rules and Procedures for the designation of Preferential Parking Districts setting forth the petition process, the hearing and notification processes, reporting requirements, criteria for designation of a preferential parking district and for the implementation and administration of this section. Those rules and procedures, and any substantial changes thereto, shall be effective upon approval by the City Council.

(d) **Temporary Preferential Parking Districts:**

1. Temporary preferential parking districts may be established by Council resolution to provide relief for residents who suffer an excessive parking impact as a result of a natural disaster such as fire, flood, earthquake, or landslide; as the result of an occurrence that creates unusual media attention; or as the result of any conditions which impact fewer than six blocks and which, in the judgment of the Council member of the District and after consultation with the Parking Administrator, deserve immediate relief until a permanent solution can be found.

2. The Council shall accept testimony and make a finding that an adverse parking impact exists prior to approving the resolution.
3. Any District established pursuant to this section shall be limited in duration to a maximum of 12 months from the date of approval of the resolution. Such district may be renewed on an annual basis by resolution until either a permanent solution is found or the problem ceases to exist.

4. The Department shall post the streets included in the temporary district upon receipt of the necessary petitions.

5. Residents shall be required to purchase permits in accordance with established requirements in order to retain the district.

(e) Issuance of Permits:

Parking permits for preferential parking districts shall be issued by the Department.

1. Each annual parking permit shall be designated to state or reflect thereon the particular preferential parking district, the license number of the vehicle for which the permit is issued and the date on which the permit shall expire.

2. No more than three Annual parking permits shall be issued to any one dwelling unit as defined in Section 12.03 of the Los Angeles Municipal Code except at the discretion of the Department, which discretion is consistent with the Department rules adopted pursuant to subsection (k) hereof.

3. Parking permits may be issued only to residents of the preferential parking district.

4. Four-month Visitor permits shall be issued as provided in subsection (m).

5. One-day Guest permits shall be issued as provided in subsection (m).

6. Applicants for any parking permits are required to clear all unpaid parking citations prior to the issuance of new permits or renewals for Annual or Visitor Permits.

(f) Posting of Permit Parking Area:

Upon designation of a preferential parking district, the Department shall cause appropriate signs to be erected in the district, indicating prominently thereon the
parking limitation, period of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom. Parking restrictions signs may be posted on school and church frontages located within the district.

**g. Permit Parking Exemption:**

1. A motor vehicle on which is displayed a valid Annual one-day Guest parking permit, as provided for herein, shall be permitted to be parked on any block within the preferential parking district for which it is issued without being limited by parking restrictions established pursuant to this section. A motor vehicle on which is displayed a valid four-month Visitor permit, as provided for herein, shall be permitted to be parked in a preferential parking district only on the block or blocks for which the permit is issued without being limited by parking restrictions on that block or blocks established pursuant to this section. Except as provided below, all other motor vehicles parked within a preferential parking district shall be subject to the parking restrictions adopted as provided in this section as well as the penalties provided for herein.

2. A preferential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated preferential parking district.

3. The following vehicles shall be exempt from parking restrictions established pursuant to this section:

   a. A motor vehicle, identified as owned by or operated under contract to a utility, whether privately, municipally or publicly owned, when used in the construction, operation, removal, or repair of utility property or facilities or engaged in authorized work in the designated preferential parking district.

   b. A motor vehicle when identified as owned by or operated under contract to a governmental agency, when used in the course of official government business.

   c. A vehicle which displays either a distinguishing license plate or placard issued pursuant to Sections 22511.5 or 22511.9 of the Vehicle Code.
(h) Exemption of Commercial Vehicles:

No person shall without a permit therefor park or leave standing any commercial vehicle or trailer in a preferential parking district in excess of the parking restrictions authorized pursuant to this section, except (a) while loading or unloading property; or (b) when such vehicle is parked in connection with, or in aid of, the performance of a service to or on a property in the block in which such vehicle is parked.

(i) Application for and Duration of Permit:

Except as otherwise provided, each Annual parking permit issued by the Department shall be valid for a period not to exceed one year. Permits may be renewed annually upon reapplication in the manner required by the Department. Each application for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a preferential parking district, the license number(s) of the motor vehicle(s) for which application is made, and such other information as may be deemed relevant by the Department. Annual permits may be issued only for vehicles registered in the State of California.

(j) Permit Fees:

The fee for an Annual preferential parking permit shall be fifteen dollars ($15.00). The fee for an Annual permit shall be prorated by the month for the unexpired period of the district, but in no case less than $5.00. Upon the permittee's change of place of residence, change of vehicle or damaged permit, the permittee shall surrender the permit to the Department before a replacement permit can be issued. If the permit is lost or stolen, the Department shall be notified immediately. The Department shall collect a fee of $5.00 for replacement of lost, stolen or transferred permits and the replacement permit shall expire on the same day as the original permit. In the event a permittee moves from one preferential parking district to another preferential parking district the Department shall collect a fee of $5.00 for the transfer of the permit. The permits so transferred shall expire on the same day as do all permits in the new district. No refund shall be made for any unused portion of the permits' duration.
(k) Rules and Regulations:

The Department shall have authority to promulgate and administer rules to implement and enforce the program and to implement the issuance of preferential parking permits and the collection of fees for these permits. These rules shall be submitted to and approved by the City Council.

(l) Penalty Provisions:

1. Unless exempted pursuant to this section, no person shall stand or park a motor vehicle in violation of any parking restrictions established pursuant to this section.

2. No person shall falsely represent himself or herself as eligible for a parking permit or furnish false information in an application for a parking permit to the Department.

3. No permit issued pursuant to this section shall thereafter be assigned, transferred or used for any consideration, monetary or otherwise.

4. No person shall copy, produce or create a facsimile or counterfeit parking permit; nor shall any person use or display a facsimile or counterfeit preferential parking district permit.

5. The permit or permits of any person who after a hearing has been found by the Department to have violated any of the provisions of this ordinance shall be revoked by the Department and no new permit shall be issued to that person or household for a period of one year. Such person upon written notification of such revocation, shall surrender the permit or permits to the Department within 15 days. Use of a revoked parking permit shall be subject to the penalty provisions of subsection 1(l).

6. Use of a four-month Visitor parking permit on any block other than that for which the permit was issued shall be subject to the penalty provisions of subsection 1(l).
(m) Visitor Permits:

Any resident eligible for an Annual preferential parking permit and whose residence has frontage or side frontage on a block posted with preferential parking restrictions may apply to the Department for a four-month Visitor preferential parking permit for the use of visitors to the person's residence. The owners of a residence under construction and absentee landlords may purchase a maximum of two Visitor Permits for their personal use or for the use of construction service personnel. Schools and churches which have frontage onto streets posted with preferential parking restrictions shall be permitted to purchase Visitor Permits equivalent to the number of parking spaces allowable on its posted (otherwise unrestricted) frontage. Where the frontage is limited, the number of permits to be sold shall be determined by the Department of Transportation. The Department shall collect a fee of $10.00 for each such permit issued. No more than two Visitor preferential parking permits shall be issued for any one dwelling at any one time. Said parking permits shall be valid only on the block or blocks for which they are issued and for a period not to exceed four months. One Visitor Permit per year per household can be replaced at a prorated cost when lost or stolen if the applicant submits written documentation of actual loss to the Department. In addition, any such resident may also apply for one-day Guest permits for the use of guests to the person's residence for which the Department shall collect a fee of One Dollar ($1.00) for each permit issued. Guest permits shall be valid on any block within a district.
Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles and was passed at its meeting of APR 16 1996

ELIAS MARTINEZ, CITY CLERK

APR 2 5 1996

Approved

Approved as to Form and Legality

4-8-96

JAMES K. HAHN, City Attorney

By SHELLEY ILENE SMITH,
Assistant City Attorney

File No. 88-2282

City Clerk Form 23
Council File Number
08-0600-S7

Title
PREFERENTIAL PARKING PERMITS FEES / ORDINANCE

Subject
Communication from the Office of the City Attorney R08-0191, dated June 17, 2008, relative to a
draft ordinance amending Section 80.58 of Chapter VIII of the Los Angeles Municipal Code to
update the fees applicable to Preferential Parking Permits in the City of Los Angeles.

Last Change Date
08/05/2008

Initiated by
City Attorney

Archive History
6-17-08 - For Council
6-17-08 - File to Council and Legislative Processing Clerk - Attn: Maria K.
7-8-08 - Council Action - Verbal Motion - Greuel Mover 2008 / Perry - ADOPTED - Ordinance over to
JULY 15, 2008
7-15-08 - Council Action - Ordinance ADOPTED
7-16-08 - File to Mayor for signature
7-25-08 - File to Council and Legislative Processing Clerk
8-5-08 - File in files
ORDINANCE NO. 180059

An Ordinance amending Section 80.58 of Chapter VIII of the Los Angeles Municipal Code with respect to the fees charged for preferential parking permits.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. Subsection (j) of Section 80.58 of the Los Angeles Municipal Code is hereby amended to read as follows:

(j) **Annual Permit Fees:**

The fee for an Annual preferential parking permit shall be $34.00. The fee for an Annual preferential parking permit shall be prorated by the month for the unexpired period of the district, but shall in no case be less than $11.50. Upon the permittee's change of place of residence, change of vehicle or damaged permit, the permittee shall surrender the permit to the Department before a replacement permit can be issued. If the permit is lost or stolen, the Department shall be notified immediately. The Department shall collect a fee of $11.50 for replacement of lost, stolen or transferred permits and the replacement permit shall expire on the same day as the original permit. In the event a permittee moves from one preferential parking district to another preferential parking district, the Department shall collect a fee of $11.50 for the transfer of the permit. The permits so transferred shall expire on the same day as do all permits in the new district. No refund shall be made for any unused portion of the permit's duration.

Sec. 2. Subsection (m) of Section 80.58 of the Los Angeles Municipal Code is hereby amended to read as follows:

(m) **Visitor and Guest Permits:**

Any resident eligible for an Annual preferential parking permit and whose residence has frontage or side frontage on a block posted with preferential parking restrictions may apply to the Department for a four-month Visitor preferential parking permit for the use of visitors to the person's residence. The owners of a residence under construction and absentee landlords may purchase a maximum of two Visitor preferential parking permits for their personal use or for the use of construction service personnel. Schools and churches that have frontage onto streets posted with preferential parking restrictions shall be permitted to purchase Visitor preferential parking permits equivalent to the number of parking spaces allowable on its posted (otherwise unrestricted) frontage. Where the frontage is limited, the number of permits to be sold shall
be determined by the Department of Transportation. The Department shall collect a fee of $22.50 for each permit issued. No more than two Visitor preferential parking permits shall be issued for any one dwelling at any one time. These permits shall be valid only on the block or blocks for which they are issued and for a period not to exceed four months. One Visitor preferential parking permit per year per household can be replaced at a prorated cost when lost or stolen if the applicant submits written documentation of actual loss to the Department. In addition, any resident in the district may also apply for one-day Guest preferential parking permits for the use of guests to the person’s residence for which the Department shall collect a fee of $2.50 for each permit issued. Guest preferential parking permits shall be valid on any block within a district.
Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles of \textbf{JUL 08 2008} and was passed at its meeting of \textbf{JUL 15 2008}.

KAREN E. KALFAYAN, City Clerk

Approved \textbf{JUL 21 2008}

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

Date: 6/7/08

File No. 08-0600-57
SEC. 80.58. PREFERENTIAL PARKING PROGRAM.
(Amended by Ord. No. 171,029, Eff. 6/1/96.)

(a) Definitions: For the purpose of this section, the following words and phrases are defined and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:

1. A commuter vehicle shall mean a motor vehicle parked in a residential area which is not owned, leased or otherwise controlled by:
   a. A resident who lives in the area designated as a preferential parking district;
   b. A guest visiting residents living in the area designated as a preferential parking district.

2. Resident shall mean person who lives in a dwelling unit located in a preferential parking district.

3. Absentee landlord shall mean an owner of residential property who does not live on the property. Such property shall be located in a preferential parking district.

4. Guest shall mean a person who is visiting in a dwelling located in a preferential parking district.

5. Preferential parking district shall mean a residential area with streets and boundaries designated by a City Council resolution wherein vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to this section.

(b) Designation of Preferential Parking District: Preferential parking districts may be designated or dissolved, including those created by ordinance, by a City Council resolution.

The City Council shall, upon recommendation of the Department, consider for designation as preferential parking districts those areas satisfying the criteria established in this section for said districts.

If the Council determines that the criteria, rules and procedures required in this section have been met, it may establish, by resolution, preferential parking districts with appropriate boundaries and parking restrictions. Motor vehicles displaying a valid parking permit may be parked exempt from the parking restrictions established pursuant to the authority of this section for which the permit is issued.

(c) Designation Process and Criteria: The Department shall prepare Rules and Procedures for the designation of Preferential Parking Districts setting forth the petition process, the hearing and notification processes, reporting requirements, criteria for designation of a preferential parking district and for the implementation and administration of this section. Those rules and procedures, and any substantial changes thereto, shall be effective upon approval by the City Council.

(d) Temporary Preferential Parking Districts:

1. Temporary preferential parking districts may be established by Council resolution to provide relief for residents who suffer an excessive parking impact as a result of a natural disaster such as fire, flood, earthquake, or landslide; as the result of an occurrence that creates unusual media attention; or as the result of any conditions which impact fewer than six blocks and which, in the judgment of the Council member of the District and after consultation with the Parking Administrator, deserve immediate relief until a permanent solution can be found.

2. The Council shall accept testimony and make a finding that an adverse parking impact exists prior to approving the resolution.

3. Any District established pursuant to this section shall be limited in duration to a maximum of 12 months from the date of approval of the resolution. Such district may be renewed on an annual basis by resolution until either a permanent solution is found or the problem ceases to exist.

4. The Department shall post the streets included in the temporary district upon receipt of the necessary petitions.

5. Residents shall be required to purchase permits in accordance with established requirements in order to retain the district.

(e) Issuance of Permits: Parking permits for preferential parking districts shall be issued by the Department.

1. Each annual parking permit shall be designated to state or reflect thereon the particular preferential parking district, the license number of the vehicle for which the permit is issued and the date on which the permit shall expire.

2. No more than three Annual parking permits shall be issued to any one dwelling unit as defined in Section 12.03 of the Los Angeles Municipal Code except at the discretion of the Department, which discretion is consistent with the Department rules adopted pursuant to Subsection (k) hereof.

3. Parking permits may be issued only to residents of the preferential parking district.
4. Four-month Visitor permits shall be issued as provided in Subsection (m).

5. One-day Guest permits shall be issued as provided in Subsection (m).

6. Applicants for any parking permits are required to clear all unpaid parking citations prior to the issuance of new permits or renewals for Annual or Visitor Permits.

f. **Posting of Permit Parking Area:** Upon designation of a preferential parking district, the Department shall cause appropriate signs to be erected in the district, indicating prominently thereon the parking limitation, period of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom. Parking restrictions signs may be posted on school and church frontages located within the district.

g. **Permit Parking Exemption:**

1. A motor vehicle on which is displayed a valid Annual one-day Guest parking permit, as provided for herein, shall be permitted to be parked on any block within the preferential parking district for which it is issued without being limited by parking restrictions established pursuant to this section. A motor vehicle on which is displayed a valid four-month Visitor permit, as provided for herein, shall be permitted to be parked in a preferential parking district only on the block or blocks for which the permit is issued without being limited by parking restrictions on that block or blocks established pursuant to this section. Except as provided below, all other motor vehicles parked within a preferential parking district shall be subject to the parking restrictions adopted as provided in this section as well as the penalties provided for herein.

2. A preferential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated preferential parking district.

3. The following vehicles shall be exempt from parking restrictions established pursuant to this section:
   a. A motor vehicle, identified as owned by or operated under contract to a utility, whether privately, municipally or publicly owned, when used in the construction, operation, removal, or repair of utility property or facilities or engaged in authorized work in the designated preferential parking district.
   b. A motor vehicle when identified as owned by or operated under contract to a governmental agency, when used in the course of official government business.
   c. A vehicle which displays either a distinguishing license plate or placard issued pursuant to Sections 22511.5 or 22511.9 of the Vehicle Code.

(h) **Exemption of Commercial Vehicles:** No person shall without a permit therefor park or leave standing any commercial vehicle or trailer in a preferential parking district in excess of the parking restrictions authorized pursuant to this section, except

   a. while loading or unloading property; or
   b. when such vehicle is parked in connection with, or in aid of, the performance of a service to or on a property in the block in which such vehicle is parked.

(i) **Application for and Duration of Permit:** Except as otherwise provided, each Annual parking permit issued by the Department shall be valid for a period not to exceed one year. Permits may be renewed annually upon reapplication in the manner required by the Department. Each application for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a preferential parking district, the license number(s) of the motor vehicle(s) for which application is made, and such other information as may be deemed relevant by the Department. Annual permits may be issued only for vehicles registered in the State of California.

(j) **Annual Permit Fees:** The fee for an Annual preferential parking permit shall be $34.00. The fee for an Annual preferential parking permit shall be prorated by the month for the unexpired period of the district, but in no case less than $11.50. Upon the permittee's change of place of residence, change of vehicle or damaged permit, the permittee shall surrender the permit to the Department before a replacement permit can be issued. If the permit is lost or stolen, the Department shall be notified immediately. The Department shall collect a fee of $11.50 for replacement of lost, stolen or transferred permits and the replacement permit shall expire on the same day as the original permit. In the event a permittee moves from one preferential parking district to another preferential parking district, the Department shall collect a fee of $11.50 for the transfer of the permit. The permits so transferred shall expire on the same day as do all permits in the new district. No refund shall be made for any unused portion of the permit's duration. *(Amended by Ord. No. 180,059, Eff. 8/30/08.)*

(k) **Rules and Regulations:** The Department shall have authority to promulgate and administer rules to implement and enforce the program and to implement the issuance of preferential parking permits and the collection of fees for these permits. These rules shall be submitted to and approved by the City Council.

(l) **Penalty Provisions:**
1. Unless exempted pursuant to this section, no person shall stand or park a motor vehicle in violation of any parking restrictions established pursuant to this section.

2. No person shall falsely represent himself or herself as eligible for a parking permit or furnish false information in an application for a parking permit to the Department.

3. No permit issued pursuant to this section shall thereafter be assigned, transferred or used for any consideration, monetary or otherwise.

4. No person shall copy, produce or create a facsimile or counterfeit parking permit; nor shall any person use or display a facsimile or counterfeit preferential parking district permit.

5. The permit or permits of any person who after a hearing has been found by the Department to have violated any of the provisions of this ordinance shall be revoked by the Department and no new permit shall be issued to that person or household for a period of one year. Such person upon written notification of such revocation, shall surrender the permit or permits to the Department within 15 days. Use of a revoked parking permit shall be subject to the penalty provisions of Subsection l(1).

6. Use of a four-month Visitor parking permit on any block other than that for which the permit was issued shall be subject to the penalty provisions of Subsection l(1).

(m) **Visitor and Guest Permits:** Any resident eligible for an Annual preferential parking permit and whose residence has frontage or side frontage on a block posted with preferential parking restrictions may apply to the Department for a four-month Visitor preferential parking permit for the use of visitors to the person's residence. The owners of a residence under construction and absentee landlords may purchase a maximum of two Visitor preferential parking permits for their personal use or for the use of construction service personnel. Schools and churches that have frontage onto streets posted with preferential parking restrictions shall be permitted to purchase Visitor preferential parking permits equivalent to the number of parking spaces allowable on its posted (otherwise unrestricted) frontage. Where the frontage is limited, the number of permits to be sold shall be determined by the Department of Transportation. The Department shall collect a fee of $22.50 for each permit issued. No more than two Visitor preferential parking permits shall be issued for any one dwelling at any one time. These permits shall be valid only on the block or blocks for which they are issued and for a period not to exceed four months. One Visitor preferential parking permit per year per household can be replaced at a prorated cost when lost or stolen if the applicant submits written documentation of actual loss to the Department. In addition, any resident in the district may also apply for one-day Guest preferential parking permits for the use of guests to the person's residence for which the Department shall collect a fee of $2.50 for each permit issued. Guest preferential parking permits shall be valid on any block within a district. (Amended by Ord. No. 180,059, Eff. 8/30/08.)

SEC. 80.58.1. PARKING OF CARSHARE VEHICLES.
(Added by Ord. No. 180,602, Eff. 4/24/09.)

(a) **Definitions:** For the purpose of this Section, the following words and phrases are defined and shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning:

1. **A Carshare Vehicle** shall mean a motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization and provides hourly or daily service.

2. **The City's Carshare Program** shall mean a program whereby the Department of Transportation designates parking spaces for the exclusive use of vehicles displaying Department-issued Carshare Permits.

3. **A Carshare Permit** shall mean a permit issued by the Department of Transportation to a Carshare Vehicle meeting the requirements of this section, which exempts the vehicle from the parking restrictions posted pursuant to this section.

4. **An Eligible Carshare Organization** shall mean a public or private company or organization satisfying the criteria of this section.

(b) **Designation of Spaces:** The Department of Transportation is hereby authorized to designate streets or portions of streets, or Publicly Owned Off-Street Parking Facilities or portions of the Facilities, upon which parking is reserved for the exclusive use of vehicles displaying a permit issued pursuant to the provisions of Subsection (e) of this Section. No person shall park, when authorized signs are in place giving notice thereof, any vehicle or motor vehicle in a place designated for the exclusive parking of motor vehicles participating in the City's Carshare Program. Only vehicles that have a properly displayed, City-issued Carshare Permit are exempt from this restriction. (First Sentence Amended by Ord. No. 182,187, Eff. 8/22/12.)

(c) **Eligibility Criteria for Carshare Organizations:** Participation in the City's Carshare Program is limited to carshare companies or organizations that meet the following criteria:

1. Vehicle reservations are processed and paid for using an online system.

2. Carshare vehicles can be accessed where they are parked without having to go to a different physical location to execute a contract and/or pick up the keys.
3. The Carshare Organization was selected as part of a competitive process.

(d) **Vehicle Requirements.** Carshare Vehicles participating in the Carshare Program shall not be more than 72 inches in height or 20 feet in length. *(Amended by Ord. No. 182,187, Eff. 8/22/12.)*

(e) **Issuance of Permits:** The Department of Transportation is hereby authorized to issue Carshare Permits to qualifying vehicles of Eligible Carshare Organizations participating in the City's Carshare Program.

(f) **Posting of Carshare Vehicle Parking Spaces:** Upon Department of Transportation designation of streets or portions of streets, or Publicly Owned Off-Street Parking Facilities or portions of the Facilities, to be reserved for the exclusive parking of Carshare Vehicles, the Department shall cause appropriate signs to be erected in such street or Publicly Owned Off-Street Parking Facilities, indicating prominently thereon the parking restrictions and stating that motor vehicles with valid permits shall be exempt from the restrictions. The Department is further authorized to include notice, on any sign installed pursuant to this section, that vehicles left standing in violation of such sign may be removed. The provisions of this section shall not apply until signs or markings giving adequate notice thereof are in place. *(First Sentence Amended by Ord. No. 182,187, Eff. 8/22/12.)*

**SEC. 80.59. REMOVAL OF CHALK MARKS PLACED ON VEHICLES BY CITY PERSONNEL PROHIBITED.** *(Added by Ord. No. 164,548, Eff. 11/30/80.)*

(a) Police officers, traffic officers and parking control checkers are hereby authorized to place chalk marks on parked vehicles in performance of their duties in enforcing vehicle parking laws within the City of Los Angeles.

(b) No person shall remove any chalk mark placed upon a vehicle pursuant to this section unless such vehicle has been removed from City streets or has been driven a minimum of one mile after leaving the parked location where the chalk mark was affixed. *(Amended by Ord. No. 162,942, Eff. 12/19/87.)*

DIVISION “M”

**STOPPING FOR LOADING OR UNLOADING ONLY**

Section
80.60 Effect of Permission to Load or Unload.
80.61 Standing in Any Alley.
80.66.1 Taxicab and Other Passenger Vehicle Zone.

**SEC. 80.60. EFFECT OF PERMISSION TO LOAD OR UNLOAD.**

(a) Permission herein granted to stop or stand a vehicle for purposes of loading and unloading of materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than thirty (30) minutes, except as provided in Section 88.01.1 of this chapter. *(Amended by Ord. No. 170,019, Eff. 10/21/94.)*

(b) The loading or unloading of materials shall apply only to commercial deliveries and to the delivery or pickup of express and parcel post packages and United States mail.

(c) Permission herein granted to stand or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage, but shall not extend beyond the time necessary therefor, and in no event for more than five (5) minutes. *(Amended by Ord. No. 168,058, Eff. 8/8/92.)*

(d) Within the total time limits above specified the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

“We see no reason to doubt the validity of the ordinance under which appellant was convicted.”

*People v. Johnson* (1932), CR A 818.

**SEC. 80.61. STANDING IN ANY ALLEY.**

No person shall stop, stand or park a vehicle for any purpose other than the loading or unloading of persons or materials in any alley.

**SEC. 80.66.1. TAXICAB AND OTHER PASSENGER VEHICLE ZONE.**
Arlington County, Va., zoning ordinance prohibiting automobile commuters from parking in designated residential neighborhoods and providing for free parking permits for residents of such neighborhoods held not to violate the Equal Protection Clause of the Fourteenth Amendment. The distinction drawn between residents and nonresidents of a neighborhood is not invidious and rationally promotes the ordinance's stated legitimate objectives of reducing air pollution and other adverse consequences of automobile commuting, and of enhancing the quality of life in residential areas such as by reducing noise and traffic hazards.

Certiorari granted; 217 Va. 645, 231 S. E. 2d 231, vacated and remanded.

PER CURIAM.

The motion of D.C. Federation of Civic Associations et al. for leave to file a brief as amici curiae and the petition for a writ of certiorari are granted.

To stem the flow of traffic from commercial and industrial districts into adjoining residential neighborhoods, Arlington County, Va., adopted zoning ordinance 29D. The ordinance directs the County Manager to determine those residential areas especially crowded with parked cars from outside the neighborhood. Free parking permits are then issued to residents of the designated areas for their own vehicles, to persons doing business with residents there, and to some visitors. To park an automobile without a permit in a restricted area between 8 a. m. and 5 p. m. on weekdays is a misdemeanor.

Acting under the ordinance, the County Manager designated a restricted area in Aurora Highlands, a residential neighborhood near a large commercial and office complex. Commuters who worked in this complex and had regularly parked in the area sued in the Circuit Court of Arlington County to enjoin the enforcement of the ordinance on state and federal constitutional grounds. The Virginia Supreme Court ultimately held that the ordinance violated the Equal Protection Clause of the Fourteenth Amendment.

As stated in its preamble, the Arlington ordinance is intended

"to reduce hazardous traffic conditions resulting from the use of streets within areas zoned for residential uses for the parking of vehicles by persons using districts zoned for commercial or industrial uses . . .; to protect those districts from polluted air, excessive noise, and trash and refuse caused by the entry of such vehicles; to protect the residents of those districts from unreasonable burdens in gaining access to their residences; to preserve the character of those districts as residential districts; to promote efficiency in the maintenance of those streets in a clean and safe condition; to preserve the value of the property in those districts; and to preserve the safety of children and other pedestrians and traffic safety, and the peace, good order, comfort, convenience and welfare of the inhabitants of the County."
Conceding the legitimacy of these goals, the Virginia Supreme Court found that the ordinance's
discrimination between residents and nonresidents "bears no reasonable relation to [the [434 U.S. 5, 7] regulation's] stated objectives," and, therefore, that "the ordinance on its face offends the equal
protection guarantee of the 14th Amendment." 217 Va. 645, 651, 231 S. E. 2d 231, 235. We disagree.

To reduce air pollution and other environmental effects of automobile commuting, a community
reasonably may restrict on-street parking available to commuters, thus encouraging reliance on car
pools and mass transit. The same goal is served by assuring convenient parking to residents who
leave their cars at home during the day. A community may also decide that restrictions on the flow of
outside traffic into particular residential areas would enhance the quality of life there by reducing
noise, traffic hazards, and litter. By definition, discrimination against nonresidents would inhere in
such restrictions. 3

The Constitution does not outlaw these social and environmental objectives, nor does it presume
distinctions between residents and nonresidents of a local neighborhood to be invidious. The Equal
Protection Clause requires only that the distinction drawn by an ordinance like Arlington's rationally
promote the regulation's objectives. See New Orleans v. Dukes, 427 U.S. 297, 303 (1976); Village of
Belle Terre v. Boraas, 416 U.S. 1, 8 (1974). On its face, the Arlington ordinance meets this test. [434
U.S. 5, 8]

Accordingly, the judgment is vacated, and the case is remanded for further proceedings not
inconsistent with this opinion.

It is so ordered.

MR. JUSTICE MARSHALL would grant the petition for certiorari and set the case for oral
argument.

Footnotes

[ Footnote 1 ] This condition is met when "the average number of vehicles [operated by persons
whose destination is a commercial or industrial district] is in excess of 25% of the number of parking
spaces on such streets and the total number of spaces actually occupied by any vehicles exceeds 75%
of the number of spaces on such streets on the weekdays of any month . . . ."

[ Footnote 2 ] Although the state trial court found the ordinance invalid under the State and Federal
Constitutions, the State Supreme Court rested its decision solely on the Equal Protection Clause of
the Fourteenth Amendment.

[ Footnote 3 ] Restrictions on nonresident parking have sparked considerable litigation. See, e. g.,
South Terminal Corp. v. EPA, 504 F.2d 646, 671-676 (CA1 1974) (restrictions upheld); Friends of
the Earth v. EPA, 499 F.2d 1118, 1125 (CA2 1974) (restrictions upheld); Commonwealth v. Petralia,
___ Mass. ___, 362 N. E. 2d 513 (1977) (restrictions upheld); State v. Whisman, 24 Ohio Misc. 59,
263 N. E. 2d 411 (Ct. Com. Pleas, 1970) (restrictions invalidated); Georgetown Assn. of
preliminarily enjoined). The United States as amicus curiae notes that parking restrictions to
discourage automobile commuting have been recommended by the Environmental Protection
5, 9]