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ORDINANCE NO. 4446

An ordinance of San Bernardino County, State of California, to amend Sections 52.0130, 53.0603, 53.0604, 53.0605, and 53.0606, to add Sections 53.0607 and 53.0608 to Chapter 6 of Division 3 of Title 5, and to add Section 16.0209 to Chapter 2 of Division 6 of Title 1, all of the San Bernardino County Code, relating to County Parking Lots and Electric Vehicle Charging Station Fees.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. Section 52.0130 of the San Bernardino County Code is amended to read:

52.0130 Penalty.

(a) Except as otherwise provided, any person who violates any provision of this Title or disobeys any sign or marking installed pursuant thereto shall be subject to a civil penalty in an amount established by the Board of Supervisors pursuant to a schedule of parking penalties, unless the violation is cited as a misdemeanor, and shall be subject to a remedy provided by Chapter 2 of Division 1 of Title 1 of this Code.

(b) Except as provided in California Vehicle Code section 40209 (as presently stated or amended in the future), the registered owner and driver, renter, or lessee of a motor vehicle cited for any violation of this Chapter related to motor vehicle parking, shall be jointly liable for parking penalties imposed by the County, unless the registered owner can show, to the satisfaction of the San Bernardino County, that the vehicle was used without the owner’s consent.

SECTION 2. Section 53.0603 of the San Bernardino County Code is amended to read:

53.0603 Control Devices and Equipment, and Marking of Stalls.

1 The Projects and Facilities Management Department shall erect signs, devices,
2 and other apparatus and provide marked spaces or stalls for the control of traffic and the
3 parking of motor vehicles, including designated parking spaces for disabled persons and
4 disabled veterans in compliance with Vehicle Code section 22511.8.

5
6 SECTION 3. Section 53.0604 of the San Bernardino County Code is amended to
7 read:

8 **53.0604 Parking Regulations.**

9 The following regulations shall govern parking in County parking lots:

- 10 (a) Motor vehicles shall be parked only in marked stalls or designated spaces.
- 11 (b) Motor vehicle operators must observe and comply with all traffic and parking
12 control signs, devices, and directions.
- 13 (c) A person assigned a particular parking lot or space shall park his or her
14 motor vehicle only in such lot or space.
- 15 (d) Appropriate parking permits must be properly displayed for parking in
16 permitted spaces.
- 17 (e) There shall be no parking in spaces or stalls in such manner as to obstruct
18 the use of a parking lot or any other space by another person or to constitute a hazard to
19 safety of person or property.
- 20 (f) Only motor vehicles which display a distinguishing license plate or placard,
21 issued pursuant to California Vehicle Code sections 5007, 22511.55, or 22511.59 may
22 park in parking spaces or stalls designated for disabled persons or disabled veterans
23 pursuant to Vehicle Code section 22511.8.
- 24 (g) Only electric vehicles (EVs) and plug-in hybrid electric vehicles (PHEVs)
25 may park at designated EV charging station parking stalls. Any vehicle that does not
26 require charging and EVs or PHEVs that are parked at, but not plugged into, the EV
27 charging station are subject to penalties. "EV charging station parking stall" is defined as
28 space in a parking lot or other location containing electric vehicle supply equipment that

1 supplies electrical power for charging plug-in electric vehicles.

2
3 SECTION 4. Section 53.0605 of the San Bernardino County Code is amended to
4 read:

5 **53.0605 Speed Limit.**

6 The maximum speed limit of all County parking lots or County-owned property shall
7 be 15 miles per hour, however, lower speed limits may be posted by the County and
8 enforced accordingly.

9
10 SECTION 5. Section 53.0606 of the San Bernardino County Code is amended to
11 read:

12 **53.0606 Classification of Offenses and Penalties.**

13 (a) Violation of Section 53.0605 is a misdemeanor, punishable by a fine not to
14 exceed \$500.00, or by imprisonment in the County Jail for a period not to exceed six
15 months or both. Violation of any provisions of Section 53.0604 is a parking violation
16 subject to a civil penalty, unless the violation is a misdemeanor. The penalties for violation
17 of Section 53.0604 shall be as follows:

- 18 (1) For Section 53.0604(a) the penalty amount shall be \$70.00.
- 19 (2) For Section 53.0604(b) the penalty amount shall be \$80.00.
- 20 (3) For Section 53.0604(c) the penalty amount shall be \$80.00.
- 21 (4) For Section 53.0604(d) the penalty amount shall be \$100.00.
- 22 (5) For Section 53.0604(e) the penalty amount shall be \$100.00.
- 23 (6) For Section 53.0604(f) the penalty amount shall be \$350.00.
- 24 (7) For Section 53.0604(g) the penalty amount shall be \$200.00.

25 (b) A late fee in the amount of 50% shall be added to the penalty amount when
26 the penalty is not paid within 31 days of the date of the notice of violation. The date of
27 payment is the day upon which the payment is received, or, when mailed, the date of the
28 postmark.

1 SECTION 6. Section 53.0607 is added to Chapter 6 of Division 3 of Title 5 of the
2 San Bernardino County Code, to read:

3 **53.0607 Removal or Towing of Vehicles**

4 (a) Any vehicle in violation of this Chapter may be removed or towed and
5 stored. Removal and storage costs shall be charged to and paid by the vehicle owner
6 prior to release of the vehicle, in a manner and subject to the requirements of Chapter 10
7 of Division 11 of the Vehicle Code.

8 (b) A vehicle shall not be removed or towed unless signs are posted giving
9 notice of the possibility of removal or towing, and in a manner and subject to the
10 requirements of Chapter 11 of Division 11 of the Vehicle Code.

11
12 SECTION 7. Section 53.0608 is added to Chapter 6 of Division 3 of Title 5 of the
13 San Bernardino County Code, to read:

14 **53.0608 Electric Vehicle Fees and Time Limits**

15 (a) The EV charging station monitors shall display the schedule of fees and
16 time limits, if any, established by the Board of Supervisors. As a convenience to vehicle
17 owners, the applicable fee, if any, may be displayed on the EV charging station
18 application.

19 (b) EV charging stations are intended for EVs and PHEVs that need to be
20 charged. EVs and PHEVs not utilizing the service or parking for longer than is designated
21 by signage are subject to citation as provided in Section 53.0606 and removal as provided
22 in Section 53.0607.

23 (c) Electric vehicle charging station user fees shall be as provided in Section
24 16.0209 of the San Bernardino County Code.

25
26 SECTION 8. Effective October 27, 2022, Section 16.0209 is added to Chapter 2
27 of Division 6 of Title 1 of the San Bernardino County Code, to read:

28 **16.0209 Electric Vehicle Charging Station User Fees**

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(a) Electric vehicle charging station user fees shall be \$0.31/kWH if vehicle is charging (4 hour maximum charge time), plus \$.10/minute overstay fee (\$6.00/hour) for the 5th and subsequent hours.

SECTION 9. This ordinance shall take effect thirty (30) days from the date of adoption.

CURT HAGMAN, Chairman
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

LYNNA MONELL, Clerk of the
Board of Supervisors

1 STATE OF CALIFORNIA)
2) ss.
3 SAN BERNARDINO COUNTY)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of San Bernardino County,
5 State of California, hereby certify that at a regular meeting of the Board of Supervisors
6 of said County and State, held on the 27th day of September, 2022, at which meeting
7 were present Supervisors: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt
8 Hagman, Joe Baca, Jr., and the Clerk, the foregoing ordinance was passed and
9 adopted by the following vote, to wit:

10 AYES: SUPERVISORS: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe,
11 Curt Hagman, Joe Baca, Jr.

12 NOES: SUPERVISORS: None

13 ABSENT: SUPERVISORS: None

14 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
15 of the Board of Supervisors this 27th day of September, 2022.

16 LYNNA MONELL, Clerk of the
17 Board of Supervisors of
18 San Bernardino County,
19 State of California

20 _____
21 Deputy

22 Approved as to Form:

23 TOM BUNTON
24 County Counsel

25 By: _____
26 JOLENA E. GRIDER
27 Deputy County Counsel

28 Date: _____