

ORDINANCE NO. 241
OF THE TAHOE CITY PUBLIC UTILITY DISTRICT
RELATING TO VEHICLE OR EQUIPMENT OPERATION, PARKING,
STORAGE OR USE UPON PROPERTY OF
THE TAHOE CITY PUBLIC UTILITY DISTRICT
OR PROPERTY LEASED MANAGED OR OPERATED BY
THE TAHOE CITY PUBLIC UTILITY DISTRICT

This Ordinance is adopted on this 16th day of August, 2001, by the Board of Directors of the Tahoe City Public Utility District and shall remain in full force and effect until rescinded, amended, reissued or otherwise readopted.

1.0 Be it enacted by the Board of Directors of the Tahoe City Public Utility District (hereinafter "District") that the Board does hereby establish and adopt the following rules, regulations and procedures governing the use, operation and management of (i) real property owned by the District and (ii) real property leased, managed or operated by the District pursuant to written contract with private parties or other public agencies.

Background of Ordinance. The District owns real property and operates and manages real property pursuant to lease agreements, concession agreements and other management instruments. In the case where real property is not owned by the District, but it operates and maintains the property, the District's authority over the property may take different forms such as a lease, concession agreement, management agreement or similar instrument. This Ordinance shall apply to all such real property interests.

2.0 General Policies. The operation, storage and leaving of motor vehicles, snow mobiles, trailers, motorcycles, all terrain vehicles or any similar vehicle with motive power or with wheels utilized or utilizable for the purposes of transportation of persons or goods whether or not licensed to travel upon the roads of the State of California (hereinafter "Vehicle") poses unique risks to the real property owned or operated by District and to the public use and enjoyment of that property. That risk can take various forms including the occupation of space needed to be utilized by the District or by other members of the public for parking, storage or access, the risk of commencing fires, risk of injury to third parties, risk of damage to the real property or improvements located thereon such as erosion, creating of dust, the harassment of wildlife or similar conditions. The Board finds that it is necessary for the Board to adopt an Ordinance establishing the authority of the District and the rules and regulations relating to utilization of vehicles upon District owned or operated properties.

2.1 The operation leaving, placing, landing, taxiing, takeoff or the stopping of a motor vehicle, motor boat, aircraft, motorcycle, motorized all terrain vehicle, snowmobile, snow cat or any similar motorized vehicle or a non-motorized vehicle, glider or instrument to carry goods or persons upon the real property, owned, leased or operated by District shall be prohibited unless District shall have executed written authority to provide for such operation or other activity or provided posted notice pursuant to Vehicle Code Section 22658 that parking is permitted for a specific period or in a specific area or in accordance with other limitations but prohibited in excess of those limitations or conditions. By posting of maximum time limits in parking lots in conformance with Vehicle Code Section 22658 made accessible for public vehicular address, District does hereby establish the limits upon motorized or non-motorized vehicles remaining within parking area or upon the District-owned or managed real property.

2.2 Vehicle Operation. No person shall operate, drive, use, leave, park, place or stop a vehicle except on a road posted by District which is accessible to the general public or in a parking area in any unit or portion thereof, in (a) violation of the posted conditions, limitations or restrictions or such property or portion thereof, (b) or in violation of any regulation contained herein.

2.3 It shall be a violation of this Ordinance for any individual to operate a vehicle upon any District owned, leased or operated property who is not properly licensed under the Vehicle Code or, if applicable, other statutory authority under the laws of the State of California.

2.4 Removal of Vehicles.

2.5 A. Any peace officer having jurisdiction over the area of any property owned or operated by the District is authorized to cause the removal of a vehicle from that area under the provisions of the Vehicle Code including, but not limited to, Section 22658, when such vehicle is operated or present upon District-owned or operated real property or when such vehicle is parked or left standing in violation of the Vehicle Code or in violation of this Ordinance and the posted notices posted at all entrances to the area as required by Vehicle Code Section 22658.

2.6 B. Any peace officer having jurisdiction over the area of the District owned or leased property is authorized to cause the removal of a vessel from such property under the provisions of the Harbors and Navigation Code including, but not limited to, Section 675(a) (1) when such vessel is left in violation of the Harbors and Navigation Code, or the terms and provisions of this Ordinance.

2.7 C. The costs of the peace officer, reasonable costs of the District's personnel involved in the removal and the costs of any towing or storage or similar services employed in the removal shall be borne by the owner and/or operator of the vessel or vehicle.

2.8 Unlawful Drug, Firearm, Fireworks, Explosives and Alcoholic Beverages. It shall be unlawful to bring upon or to consume upon lands owned or operated by District any unlawful drug, firearm, explosive or fireworks without prior written authority issued by the General Manager of the District or provided for in concession agreements, permits or similar instruments. If posted by District, alcoholic beverages shall be prohibited from being brought upon or consumed on those lands owned or operated by District.

3.0 Misdemeanor. Non-compliance with this Ordinance or violation of its requirements as set forth herein is declared unlawful and a misdemeanor and shall be punishable by a fine not exceeding \$1,000. Every day of violation of this Ordinance shall constitute a separate offense. No further notice of non-compliance shall be required for the penalties and costs of removal of the vehicle to be recovered.

4.0 Severability. It is hereby declared to be the intention of the Board of Directors that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any section, paragraph, sentence, clause or phrase shall be declared unconstitutional by a valid judgment or decree or invalid for any other reason, the remaining sections, paragraphs, sentences, clauses and phrases of this Ordinance shall remain in full force and effect.


5.0 Effective Date of this Ordinance. This Ordinance shall become effective thirty (30) days after its enactment and shall be posted and published as required by law.

AYES: Atchley, Henrikson, Reinkens, Treabess, Winter

NAYES:

ABSENT:

Dated: 8-16-01

By: 
President

Dated: 8-16-01

By: 
District Clerk