

**ORDINANCE NO. 0009-2021**

**AN ORDINANCE OF THE CITY OF  
MCFARLAND AMENDING MCFARLAND MUNICIPAL  
CODE CHAPTERS 10.08 AND 10.10.**

**Section 1. Amendments.**

**WHEREAS**, The City of McFarland ("City") desires to amend, clarify and codify its Municipal Code Chapter related to commercial vehicles;

**WHEREAS**, The Ordinance Amendment updates the Municipal Code to remove all commercial vehicles from parking within the City Limits other than at an approved business for commercial truck parking;

**WHEREAS**, Adoption of this Ordinance is in furtherance of the City's goals and objectives while reducing the potentially negative impacts arising from incompatible Municipal Code Chapters.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MCFARLAND DOES ORDAIN AS FOLLOWS:

**Section 2.** Section 10.08 of the McFarland Municipal Code is hereby amended to remove section as follows:

**10.08.060 Parking of commercial vehicles in residential districts.**

D. The motorized section of a heavy-duty commercial vehicle, typically referred to as the "tractor", may be parked in residential districts provided a permit is first obtained from the city setting forth regulations for the same and the terms and conditions upon which such vehicles may be parked.

**Section 3.** Section 10.10 of the McFarland Municipal Code is hereby adopted, amended and restated to read as follows:

**10.08.060 Parking of commercial vehicles in residential districts.**

B. For the purposes of this section, section 10.10.190 and Article III of Chapter 10.10, the term "residential district" shall be deemed to include any property zoned R-1, R-2, R-3, R-4, M-P and M-S.

**Section 4.** Section 10.10 of the McFarland Municipal Code is hereby adopted, amended and restated to read as follows:

**10.10.190 – Truck Parking**

Except as otherwise authorized in the McFarland Municipal Code, no person shall park any motor truck in excess of eighteen feet in length, or any truck tractor, or any road tractor, or any trailer or semitrailer, on any street in any residential area.

**10.10.220 – Prohibition.**

No person shall park or leave any commercial vehicle, having a gross vehicle weight rating of ten thousand five hundred (10,500) pounds or more in any residential district, or in any other area, except those areas established by the city council through resolution. The Provisions of this article shall not be effective with respect to those vehicles making a pickup or delivery of goods, wares or merchandise from or to any building or structure or for the purpose of delivering materials to be used in the actual

repair, alteration, remodeling or construction of any building or structure. The provisions of this article shall not be effective with respect to motor homes.

**10.10.230 – Parking of trailers or semi-trailers prohibited.**

No person shall stop, stand or park a trailer or semi-trailer which is uncoupled from a motor vehicle in any other residential district, or any other area, except those areas established by the city council through resolution. The provisions of this article shall not be effective with respect to those vehicles that are actively loading or unloading the trailer, and the unloading requires uncoupling of the motor vehicle.

**10.10.240 – Private Property**

No person shall park or leave standing any commercial vehicle having a gross vehicle weight rating of ten thousand five hundred (10,500) pounds or more, on any private property in the city that is vacant or abandoned, except on those properties that have bonafide business that is in operation and is approved to be in operation on the property by the city.

**Section 5. NOTICE.** The City clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be posted within 15 days after its passage, in accordance with Section 36933 of the Government Code.

**Section 6. Severability.** If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or preempted by legislative enactment, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of McFarland hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or word thereof, regardless of the fact that any one or more sections, subsections, clauses, phrases, or word might subsequently be declared invalid or unconstitutional or preempted by subsequent legislation.

**Section 7. Effective Date.** This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code section 36937.

**Section 8. Certification; Publication.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

**INTRODUCED** at the regular meeting of the City Council of the City of McFarland, California on the 9 day of December 2021.

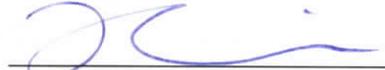
**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of McFarland, California on the 22nd day of December 2021, by the following vote:

	<b>Aye</b>	<b>Nae</b>	<b>Abstain</b>	<b>Absent</b>
<b>Sally Tafoya</b>	<b>X</b>			
<b>Maria T. Perez</b>				<b>X</b>
<b>Saul Ayon</b>	<b>X</b>			
<b>Ricardo Cano</b>	<b>X</b>			

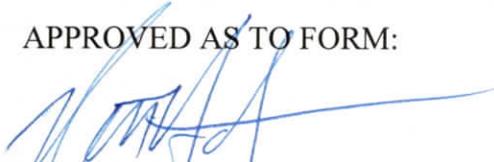
  
\_\_\_\_\_  
Sally Tafoya, Mayor

I hereby certify that the foregoing Ordinance was duly and regularly adopted by the City Council of the City of McFarland by a regular meeting thereof held on December 22, 2021.

ATTEST:

  
\_\_\_\_\_  
Francisca Alvarado, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Nathan M. Hodges, City Attorney  
Posted: 12/28/2021