



## AGENDA REPORT

**Meeting Date:** September 6, 2016

**Item Number:** F-1

**To:** Honorable Mayor & City Council

**From:** Aaron Kunz, Deputy Director of Transportation  
Martha Eros, Transportation Planner

**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING HEAVY VEHICLES AND AMENDING THE DEFINITION OF LIMOUSINE

**Attachments:** 1. Ordinance

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### **RECOMMENDATION**

Staff recommends that the City Council move to waive the full reading of the ordinance, and that the ordinance entitled "An ordinance of the City of Beverly Hills amending the Beverly Hills Municipal Code regarding heavy vehicles and amending the definition of limousine" be introduced and read by title only.

### **INTRODUCTION**

Heavy Vehicles. Staff is proposing to amend the Beverly Hills Municipal Code regarding heavy vehicles to be in line with the language in the California Vehicle Code (CVC) and to reinstate Wilshire Boulevard as a street designated for heavy vehicle usage.

Limousines. At the June 6, 2016 formal meeting, City Council directed staff to review the definition of "limousines" and clarify limousine parking requirements. At that time, residents from the residential neighborhood adjacent to the L'Ermitage Hotel expressed concerns about limousines parking on residential street blocks.

### **DISCUSSION**

Heavy Vehicles. Currently the BHMC allows passenger stage corporation (PSC) vehicles with a California Public Utilities Commission (CPUC) certificate to operate in the City on streets with size and weight designations. The ordinance amends the BHMC to provide the City the authority to regulate PSC vehicles on City streets, and only exempts

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PSC vehicles whose CPUC certificate specifically authorizes and identifies travel on the designated streets. This change is being made to be in line with the provisions in the Vehicle Code.

On November 7, 2015 the City Council adopted an ordinance amending the BHMC regarding streets designated for heavy vehicle use to include restrictions to certain streets in the business triangle. Wilshire Boulevard, which has been designated as a heavy vehicle use street since 1959, was inadvertently omitted from the list of streets designated for heavy haul use. The proposed ordinance reinstates Wilshire Boulevard to the list.

Limousines. On August 4, 2016, the Traffic & Parking Commission (TPC) reviewed various jurisdictions' limousine definitions and parking regulations. They recommended including "sport utility vehicles" in the City's definition of limousine to mirror the CVC definition.

The CVC states that parking restrictions shall not apply until signs giving adequate notice thereof have been posted. Staff developed "Limousine Staging Prohibited" signs to deter limousine activity in residential neighborhoods. Signs were posted in the corridor adjacent to the L'Ermitage hotel on July 8, 2016.

**FISCAL IMPACT**

None at this time.

 Susan Healy Keene, AICP  
Community Development Director  

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Approved By

# **ATTACHMENT 1**

ORDINANCE NO. 16-O-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING THE BEVERLY HILLS MUNICIPAL  
CODE REGARDING HEAVY VEHICLES AND  
AMENDING THE DEFINITION OF LIMOUSINE**

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY  
ORDAIN AS FOLLOWS:

Section 1. The city council hereby amends and restates Section 7-2-201 (“HEAVY VEHICLES RESTRICTED TO CERTAIN STREETS”) of the Beverly Hills Municipal Code to read as follows:

**7-2-201: HEAVY VEHICLES RESTRICTED TO CERTAIN STREETS:**

A. No person shall operate any vehicle having a gross weight, including the vehicle and its load, of three (3) tons or more on any street in the city except on those streets designated in section 7-2-203 of this article or unless authorized by permit issued pursuant to subsection 8-2-3D of this code.

B. The provisions of subsection A of this section shall not apply to the following:

1. Any passenger stage corporation, regulated by sections 1031 through 1046 of the California Public Utilities Code, whose certificate from the California Public Utilities Commission specifically provides for travel on the streets prohibited by subsection A;

2. Any vehicle owned by a public utility while necessarily in use in the construction, installation, or repair of any public utility;

3. Any vehicle operated by the city, or any employee thereof, in the course of regular or official city business;

4. Any vehicle of the military or naval forces of the United States or the duly authorized militia of the state in the proper performance of their duties.

Section 2. The city council hereby amends subsection A of Section 7-2-203 (“STREETS DESIGNATED FOR HEAVY VEHICLE USAGE”) of the Beverly Hills Municipal Code to add Wilshire Boulevard to the list of streets designated for use by vehicles having a gross weight, including the vehicle and its load, of three (3) tons or more.

Section 3. The city council hereby amends and restates the definition of "LIMOUSINE" contained in Section 7-2-206 ("DEFINITIONS") of the Beverly Hills Municipal Code as follows.

7-2-206: DEFINITIONS:

LIMOUSINE: A motor propelled sedan or sport utility vehicle of either standard or extended length, with a lawful seating capacity of not more than ten (10) passengers, including the driver, and used in the transportation of passengers for hire on a prearranged basis.

Section 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the city within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the city Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this city.

Section 6. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

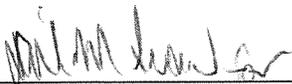
Adopted:  
Effective:

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JOHN A. MIRISCH  
Mayor of the City of Beverly Hills

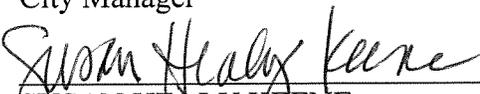
ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
MAHDI ALUZRI  
City Manager  
  
\_\_\_\_\_  
SUSAN HEALY KEENE  
Director of Community Development