

RESOLUTION 2023-0125

Adopted by the Sacramento City Council

May 9, 2023

Privately Owned Off-Street Parking Facilities – Adding Delta Shores Shopping Center to Chapter 10.42, Section 10.42.010 of the Sacramento City Code

BACKGROUND

- A. The area bounded to the north by Cosumnes River Blvd., to the west by California Interstate Highway 5, to the east by Delta Shores Cir. S., and to the south by Stone Lake National Wildlife Refuge - parcel number 11901900150000, also known as “Delta Shores Shopping Center” (Delta Shores), is a privately owned shopping center which contains parking facilities frequently used by the public for the purposes of vehicular parking.
- B. The property known as Delta Shores has large, off-street, private parking lots which have become popular venues for vehicle "sideshow" events, during which drivers engage in "rodeo-like" maneuvers such as driving in high-speed circles or “donuts,” high-speed acceleration, and high-speed fishtailing where the rear of the vehicle is made to sway from side to side. Road racing is also a common activity at these events. All of these unsafe maneuvers are performed while a crowd of spectators encircles the participants.
- C. Regionally, sideshow activity has directly resulted in property damage, the accidental death of spectators and participants, and criminal homicide. The sideshow activity in Sacramento, and specifically at Delta Shores, poses immediate safety risks to participants, spectators, and members of the public.

THEREFORE, BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1.

The area known as Delta Shores, identified by parcel number 11901900150000, and bounded by Consumnes River Blvd., Interstate 5, Delta Shores Cir. S., and Stone Lake National Wildlife Refuge, is a privately owned and maintained off-street parking facility which is generally held open for use of the public for purposes of vehicular parking.

SECTION 2.

Whereas the area known as Delta Shores is found to be a privately owned and maintained off-street parking facility generally held open for public use, the area shall be added to Chapter 10.42, section 10.42.010 of the Sacramento City Code thereby enabling certain provisions of the California Vehicle Code to apply to the parking facilities therein, pursuant to section 21107.8 of the Vehicle Code.

SECTION 3.

Whereas the area known as Delta Shores is added to Chapter 10.42, section 10.42.010 of the Sacramento City Code, the following provisions of the California Vehicle Code, sections 22350, 23103, 23109, and the provisions of Division 16.5 (commencing with Section 38000) shall apply to all motorists entering or using the parking facilities.

SECTION 4.

Whereas sections 22350, 23103, 23109, and the provisions of Division 16.5 (commencing with Section 38000) of the California Vehicle Code apply to the parking facilities located within the bounds of the area known as Delta Shores, the City Council shall ensure that information regarding dispute resolution and administrative hearings is publicly available to members of the public as described by Sacramento City Code Chapters 1.24 and 10.56, respectively.

SECTION 5.

Whereas sections 22350, 23103, 23109, and the provisions of Division 16.5 (commencing with Section 38000) of the California Vehicle Code apply to the parking facilities located within the bounds of the area known as Delta Shores, the City Council shall ensure that signage is posted in a conspicuous place at each entrance of the parking facility. The signage shall not be less than 17 by 22 inches in size with lettering not less than one inch in height and shall indicate that the parking facility is subject to public traffic regulations and enforcement.

SECTION 6.

Whereas sections 22350, 23103, 23109, and the provisions of Division 16.5 (commencing with Section 38000) of the California Vehicle Code apply to the parking facilities located within the bounds of the area known as Delta Shores, the City Council shall prohibit incentives based on the number of parking citations issued or the number or percentage of disputed citations adjudicated that uphold parking citation fees.

SECTION 7.

Whereas sections 22350, 23103, 23109, and the provisions of Division 16.5 (commencing with Section 38000) of the California Vehicle Code apply to the parking facilities located within the bounds of the area known as Delta Shores, the City Council shall ensure that no parking citation fees shall exceed, for each individual parking infraction, \$50.00 USD.

SECTION 8.

Whereas sections 22350, 23103, 23109, and the provisions of Division 16.5 (commencing with Section 38000) of the California Vehicle Code apply to the parking facilities located within the bounds of the area known as Delta Shores, the City Council shall ensure that the private owners or operators of the parking facility do not hold themselves out to be a governmental enforcement agency, nor representatives of the City of Sacramento, and that all parking citations issued by the owner or operator within the parking facilities contain the statement: "This parking citation fee notice is not issued by the City of Sacramento."

Therefore, the City Council resolves that the area known as Delta Shores shall be added to chapter 10.42, section 10.42.010 of the Sacramento City Code as a private off-street parking facility held out for public use, and accordingly, sections 22350, 23103, 23109, and the provisions of Division 16.5 (commencing with Section 38000) of the California Vehicle Code shall apply to the parking facilities therein. It is so resolved.

Adopted by the City of Sacramento City Council on May 9, 2023, by the following vote:

Ayes: Members Guerra, Jennings, Kaplan, Maple, Loloee, Talamantes, Valenzuela, Vang, and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest:



05/26/2023

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.