

ORDINANCE NO. 14-0020

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH
AMENDING SECTION 4.108.210 OF THE MANHATTAN
BEACH MUNICIPAL CODE REGARDING THE CITY'S
CLEAN AIR VEHICLE REQUIREMENTS FOR VEHICLES
FOR HIRE

THE MANHATTAN BEACH CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City Council of the City of Manhattan Beach hereby finds that the promotion of low emission vehicles is in the best interest of the health and welfare of the citizens of Manhattan Beach. This Ordinance requires persons operating vehicles for hire to replace standard emission vehicles with fuel efficient vehicles in an effort to implement the City's environmental programs, and move towards compliance with new federal standards for fuel efficiency.

SECTION 2. Section 4.108.210 of Chapter 4.108 of Title 4 of the Manhattan Beach Municipal Code is hereby amended in its entirety to read as follows:

"4.108.210 – Clean air vehicles.

A. Each and every franchisee operating vehicles for hire in the City shall comply with the following requirements:

1. Each franchisee's fleet shall consist of clean air vehicles as follows:

Compliance Date	Minimum % of Fleet
December 31, 2015	25%
December 31, 2016	50%
December 31, 2017	75%
December 31, 2018	100%

2. The term "clean air vehicle" shall mean a vehicle that achieves a minimum rating of 47 City MPG as rated by the US Department of Energy website www.fueleconomy.gov.

B. If a franchisee uses special purpose vehicles (e.g., wheel chair accessible vehicles, vans used for school transportation, or larger passenger volume vehicles to accommodate larger parties), twenty-five percent of the total number of authorized vehicles under each franchisee's agreement may be excluded from the fleet for the purpose of calculating the percentage of clean air vehicles required.

C. No vehicle in any fleet operated pursuant to a franchise agreement issued under this Chapter shall be older than 8 model years at any time during the franchise period."

SECTION 3. CEQA Finding. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Ordinance will have a significant effect on the environment. It is, therefore, exempt from California Environmental Quality Act review pursuant to Section 15061(b)(3) of the CEQA Guidelines (California Code of Regulations, Title 14, §§ 15000 *et seq.*). In addition, this Ordinance is exempt under CEQA Guidelines Sections 15307 and 15308 because the Ordinance amends the City's taxicab regulations in a manner that would protect natural resources and the environment.

SECTION 4. If any part of this Ordinance or the application thereof to any person or circumstances is for any reason held invalid by a court of competent jurisdiction, the validity of the remainder of this Ordinance or the application of such provision to other persons or circumstances shall not be affected.

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

SECTION 6. This Ordinance shall go into effect and be in full force and effect at 12:01 on the 31st day after its passage.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2014.

AYES:
NOES:
ABSENT:
ABSTAIN:

WAYNE POWELL
Mayor

ATTEST:

LIZA TAMURA
City Clerk

APPROVED AS TO FORM:



QUINN M. BARROW
City Attorney