

**BCPUD RESIDENT PERMIT PARKING PLAN COMMITTEE
SUMMARY OF DISCUSSIONS IN MAY AND JUNE 2023
MCSO ENFORCEMENT POLICIES AND PROCEDURES IN BOLINAS 08/15/23**

BACKGROUND

Enforcement of existing and proposed ordinances related to parking on the downtown streets by the Marin County Sheriff's Offices (MCSO) has been an ongoing topic at meetings of the BCPUD Resident Permit Parking Committee. All members live downtown, three on Brighton Avenue, one on Wharf Road. Brighton residents see the bulk of the activity as it is the primary access point for surfers, has county park amenities and open space that attracts overnight camping. Wharf Rd narrows at the beach and on busy days the street becomes clogged and hazardous. Both streets are hazardous for pedestrians. If you live on these streets you can't help but get caught up in the maelstrom that is downtown Bolinas. Often the responsibility to report dangerous or unlawful activities falls on these residents.

The committee has had ongoing meetings with MCSO staff regarding the conditions on these streets. At the start of 2023 Lieutenant Heather Rock was assigned to supervise West Marin deputies. In January 2023, along with the outgoing MCSO supervisor and Supervisor Rodoni, she participated in a meeting with the BCPUD board of directors regarding the possible new permit program ordinance and potential replacement for Measure X with a vehicle length ordinance.

Following that meeting committee members asked Lt. Rock if we could meet with her, as we had with her predecessor, to discuss enforcement concerns in the downtown area. This summary is the result of several discussions with Lt. Rock that included a walk through downtown in May with Lt. Rock and Deputy Smith, who has worked in Bolinas for a number of years.

TOPICS DISCUSSED AND WHAT WE HEARD

Overall enforcement. Concerns need to be called in to be addressed. Although we may not be sure if it is something that is enforceable, residents should call the non-emergency number when they are concerned about something or 911 if it is urgent. However, the current climate for enforcement is to not cite small infractions. The county also has a policy not to criminalize homelessness. This is similar to information we heard from Lt. Rock's predecessor.

Resident experience has been that calling the non-emergency number is not likely to get timely results. This is due primarily to the large area deputies are covering and the small number of deputies for the area.

Inconsistency of enforcement. This is, as stated above, primarily due to the large area deputies are covering and the small number of deputies, so that they may not see a problem, given the amount of time they spend in town, or have the time to enforce. It takes a certain number of steps to write a ticket. A picture needs to be taken of the infraction and then it has to be sent to MCSO before it can be written. Sometimes the CHP enforces traffic and tickets that a deputy may overlook which can account for inconsistency.

MCSO in general is using an educational model related to enforcement. The deputies are taking a less proactive approach unless they have gotten specific requests or orders to act. This is due once again to attitudes to decriminalize certain activities or not enforce if not causing a problem. One instance, parking against traffic is illegal, but not enforced usually, however it could be if there is some other reason to do so, for example if it is a hazard.

Deputies will enforce red zone violations. In some cases, if not enforced it may be due to not clear marking of the zone.

Lapsed registration. Technically, there is no leeway on this. It is supposed to be enforced. It won't be cited if it is shown to be registered in the record but not yet received to be put on the vehicle.

Related question: how many vehicles can unhoued have on the street? Our understanding from our discussions is that there is no limit to the number of vehicles. They need to be registered. And 72 -hour restrictions should apply although it may be waived for the unhoued.

Enforcement of Violations on COM property. The College of Marin (COM) has said that they have an arrangement with MCSO to enforce infractions on their Wharf Road property - the dock, their parking area and structures, although there is no formal agreement with MCSO. MCSO has in the past enforced violations and will continue to enforce. The College breaks ground in July so the site and the street will become more active.

Storage trailers on the street. Unless they are directly part of a person's vehicle housing, they could not be stored on the street. Enforcement is usually done via the 72 -hour ordinance and not via Measure X.

Registration for storage trailers. Trailer registration is usually every five years.

Vendors on the street. Prior issues concerned coffee vendors. The law has recently changed and become more lenient. Primarily the violation for this activity would be an environmental health matter. Or if equipment was parked on street for an extended period of time then the 72 -hour ordinance comes into play.

Other business activity, such as furniture building is on private property and the responsibility of the property owner. Some owners are unable to take action for a variety of reasons including concern re: potential retaliation. Additionally, the county does not allow a fence to be constructed on these properties and limits owner use. There is also some support in town for some of these activities.

A boat can be parked on a street. Although it should adhere to the 72 -hour limit.

Question re: proposed 22' vehicle length. The total length of vehicles pulling trailers cannot be greater than 22'.

Seventy two hour limit. It is difficult to enforce, but there have been situations in which it has been enforced.

Striping the streets. Deputy Swift offered the opinion that working with DPW regarding striping the parking area might be helpful in assessing vehicle length, particularly on Brighton. He also said that continuing the perpendicular parking down Brighton might help curtail camping. Exceeding a striped parking area may not be enforceable but vehicles should not be allowed to stick out in the street and could act as a deterrent.

This is something that the committee would like to address, as it would impact pedestrian safety, however the committee is limited by its size and specific mission.

The County Park. The "no overnight parking" signs are enforceable by the deputies. This has not been clear in the past. We had heard previously that they were not enforceable.

Brighton end of road no parking zone. The Bolinas fire chief doesn't think it necessary to cite people for unloading beach items at the end of Brighton in the no parking zone. Unfortunately, some scofflaws can stay for upwards of 2 hours,

Deputy Thompson is still the liaison for the unhoused with more availability. *Still not clear as to whether he can be contacted directly.*

One more deputy has been added to W. Marin but focused on Dillon Beach. Additional officers for summer parking / traffic enforcement start Memorial Day - Labor Day.

Schedule for the summer season enforcement in Bolinas. *There is more coverage on the weekends, but not sure as to schedule.*

Unhoused individuals. Prior discussions with MCSO and the county have stated that unhoused individuals are allowed to live in their vehicles in Bolinas unless there is adequate housing available. This is a result of legal rulings (Ninth Circuit and Boise). Bolinas does not have housing for this purpose or a designated safe area to park. West County social services staff continue to work with some of those individuals to help them find other alternatives and have had some success. There are certain areas which are off limits such as red fire zones. The permit parking ordinance will be enforced as there would be sufficient parking across the street on Brighton.

Currently Measure X is not being enforced as it is considered unenforceable by MCSO. A similar ordinance which includes a vehicle length limit, and would be enforceable, is under consideration by the county.

Although Measure X has been deemed not enforceable, a majority of residents voted several years ago to put something in place to stem the flow of camping activity and misuse of the streets for purposes other than visiting the beaches. We continue to seek whatever means can be employed to make this happen. We appreciate MCSO assistance in this effort and the time spent by Lt. Rock to help us with this problem.

Submission of this summary approved at August 15, 2023 meeting of the BCPUD Resident Permit Parking Plan Committee and submitted with June 13, 2023 approved minutes.