



Lowrider Ad-hoc Committee

MAYOR SOTELO-SOLIS & COUNCIL MEMBER MONA RIOS

Meeting Updates

- ▶ In Spring of 2021, Ad-hoc committee was created w CM Rios & Mayor Sotelo-Solis
- ▶ Hosted several ad-hoc meetings with participation from members United Low Rider Coalition, Police Chief Tellez, City staff
- ▶ September hosted a Lowrider community town hall with over 100 online member participants much feedback with support from community members.

Goals of Ad-hoc committee

Three goals of ad-hoc committee:

- 1) Build trust with community, the Lowrider car clubs & Police Department.
- 2) Work with community to discuss to learn more about opportunities to engage with Lowrider community
- 3) Discuss cruising ordinance status:
 - a) Full repeal of policy
 - b) Amend policy
 - c) Pause of policy during sponsored events & review policy in winter of 2022

Background

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 1994

Motion by Dalla, seconded by Morrison, the Ordinance be adopted by title only.
Carried by unanimous vote.

6. Ordinance No. 94-2075. "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING SECTION 11.68.070 OF ORDINANCE NO. 92-2025 AND SECTION 11.68.070 OF THE NATIONAL CITY MUNICIPAL CODE."

RECOMMENDATION: Staff recommended that the Ordinance be approved.

TESTIMONY: Kathy Smith, 3400 E. 8th Street, Suite 211, National City, representing the Citizens Patrol, spoke in support of the proposed amendment.

Book 76/Page 105
05/03/94

MUNICIPAL CODE 1994 (continued)

TESTIMONY: Richard Hubbard, 2111 E. 11th Street, National City, owner of the Taco Bell at 16th Street and Highland Avenue, National City, spoke in support of the proposed amendment.

Dale Chambless, Manager of the Jack In The Box, 1745 Highland Avenue, National City, spoke in support of the proposed amendment.

ACTION: Motion by Dalla, seconded by Morrison, in favor of Ordinance No. 94-2075. Carried by unanimous vote.

WRITTEN COMMUNICATIONS

Background

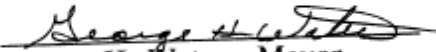
ORDINANCE NO. 94-2075

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY
AMENDING SECTION 11.68.070 OF
ORDINANCE NO. 92-2025 AND SECTION 11.68.070
OF THE NATIONAL CITY MUNICIPAL CODE**

BE IT ORDAINED by the City Council of the City of National City that Section 11.68.070 of Ordinance No. 92-2025 and Section 11.68.070 of the National City Municipal Code are hereby amended to read as follows:

Violation -- Penalty. Any person violating any provision of this chapter is guilty of a misdemeanor, punishable by a fine not exceeding one thousand dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

PASSED and ADOPTED this 3rd day of May, 1994.


George H. Waters, Mayor

Goals of Ad-hoc committee

Discuss policy status:

- a) Full repeal of policy
- b) Amend policy
- c) Pause of policy during sponsored events & review policy in winter of 2022

Committee Recommendation

- ▶ Go with option 3:
 - ▶ Host cruising season: April- September 2022
 - ▶ First Fridays of every month during cruise season
 - ▶ 6pm-9pm
 - ▶ TUP to be completed with sponsoring agency
 - ▶ Code of conduct to be shared

Recommendation: Suspend cruising policy during sponsored events & review policy in winter of 2022

Example: Addressed in CABQ's Code of Ordinances

Irresponsible Behaviors Associated with Cruising

Behavior	Code of Ordinance Section	Language
Drag Racing	7-10-3: Vehicle Nuisance Specific Violations	It shall be unlawful for any person or persons to engage or participate in a drag race or race for speed within the city limits unless otherwise accepted herein. For purposes of this section, a drag race or competitive race for speed shall be and the terms shall mean any situation or circumstance where two or more persons operate vehicles in such a manner as to cause such vehicles to be side by side on the roadway, or one slightly ahead of the other, and either from a stopped position or while moving, to accelerate such vehicles rapidly with the intent to race or otherwise out gain the other. The provisions of this section shall not apply to authorized or licensed race courses, or other areas which are specifically set aside and supervised by the police department for police training. In any prosecution for a violation of this section, intent may be shown from the surrounding circumstances, from admissions from the violators, from the observations of a law enforcement officer or in any other manner in which intent may be proven in any civil or criminal action under New Mexico law.
Excessively Loud Electronic Sound or Music	7-10-3: Vehicle Nuisance - Specific Violations	It shall be unlawful for any person or persons to play or produce excessively loud sound or music in any vehicle operated on any public street in the city limits. For purposes of this section, excessively loud electronic sound or music shall be and the terms shall mean the use of any machine or device for reproducing sound including any magnifying sound instrument used in the production or replication of music, spoken words or other sounds and designed to enlarge the volume of any instrument, voice or other sound including but not limited to radios, stereos or so called "boom boxes." It shall be a violation of this section if any such sound is plainly audible twenty-five feet from the subject vehicle.
Modification of Exhaust Systems	7-10-3: Vehicle Nuisance - Specific Violations	It shall be a violation of this section for any person to operate any vehicle in the city limits with a modified exhaust system. A modified exhaust system shall mean any change or alteration to the exhaust system found on the vehicle when it was originally manufactured when such change results in noise that exceeds the noise the vehicle made when manufactured. Any violation of ROA 1994 § 8-6-13 shall also be a violation of this paragraph.
Exhibition Driving (Peelouts/ Burnouts/ Using Hydraulics)	7-10-3: Vehicle Nuisance - Specific Violations	It shall be unlawful for any person to engage in exhibition driving of any vehicle within the city limits. For purposes of this section, exhibition driving shall be and the term shall mean driving a vehicle in such a manner that it creates or causes unnecessary or excessive engine noise, tire squeal, skid or slide upon acceleration, braking or stopping or by operating a vehicle in a manner that willfully creates excessive engine noise by revving the engine. Exhibition driving shall also mean driving a vehicle in a manner that causes the vehicle to unnecessarily turn abruptly or sway and driving and executing or attempting one or a series of unnecessarily abrupt turns. Exhibition driving shall also mean carrying passengers on a part of the structure of the vehicle not designed for that purpose including but not limited to the hood. In any prosecution for a violation of this section, intent may be shown from the surrounding circumstances, from admissions from

		the violators, from the observations of a law enforcement officer or in any other manner in which intent may be proven in any civil or criminal action under New Mexico law.
Creating Hazardous or Congested	Places 8-1-2-31: Stopping, Standing, or Parking Near Hazardous or Congested Places	The Mayor, or his designated representative, is hereby authorized, upon the basis of engineering and traffic study and investigation, to determine and designate zones by proper signs, placed at adequate intervals to inform the motorist, in which the stopping, standing or parking of vehicles will create an especially hazardous condition or will cause unusual delay to traffic and no person shall stop, stand or park a vehicle in any such designated place.
Reckless Driving/ Careless Driving	8-2-1-12: Reckless Driving & 8-2-1-13: Careless Driving	Reckless Driving: Any person who drives a vehicle carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, and without due caution and circumspection, and at a speed or in a manner so as to endanger or be likely to endanger any person or property, is guilty of reckless driving. Any person charged under this section may be found guilty of the lesser offense of careless driving [see § 8-2-1-13]. Careless Driving: (A) Any person operating a vehicle on the roadway shall give his full and entire attention to the operation of the vehicle. (B) Any person who operates a vehicle in a careless, inattentive or imprudent manner, without due regard for conditions of traffic, weather, and roadway, grade, corners, width of roadway, and all other attendant circumstances, so as to endanger life, limb, or property of any person, shall be guilty of careless driving.
Insufficient Documentation	8-2-1-15: Driving While License is Suspended, Revoked, Canceled, or Denied	It shall be unlawful for any person to drive a motor vehicle on the public ways of this city at a time when his privilege to do so is suspended, revoked, canceled or denied.
Congested Traffic/Obstructing Traffic	8-2-10-4: Cruising Prohibited	No person shall intentionally cruise in a designated area at a time prohibited by City Council Resolution. Circumstances that may be considered in determining whether a person has been intentionally cruising include but are not limited to those where the cruiser or any other person present in the vehicle: (E) Contributes knowingly to traffic congestion, obstruction of streets, sidewalks, or parking lots, impediment of access buildings open to the public, or interference with the use of property or conduct of business in the designated area;
Creating an Impediment for Patrons to Access Brick and Mortar Locations	8-5-1-1 to 8-5-1-42	No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device. ("Even though there is no language in the Traffic Code that directly addresses this concern, there is a great deal of language in sections 8-5-1- 1 to 8-5-1-42 that are relevant to the issue.)
Interacting/ Speaking with Pedestrians	8-2-7-2: Occupying Roadways, Certain Medians and Roadside Areas Prohibited; Certain Pedestrian Interactions with Vehicles Prohibited ("Recently	(A) It is unlawful for any person to stand on a street, highway, or controlled access roadway or the exit or entrance ramps thereto; (B) It is unlawful for any person to access, use, occupy, congregate or assemble within six feet of a travel lane of a highway exit ramp or other controlled access roadway exit or entrance ramp, except on a grade separated sidewalk or designated pedestrian way, unless reasonably necessary because of an emergency situation where such area provides the only opportunity for refuge from vehicle traffic or other safety hazard; (C) It is unlawful for any person to access, use, occupy, congregate, or assemble within the landscaped area of any street median, or within any median not suitable for pedestrian use, unless reasonably necessary during an otherwise lawful street crossing at an intersection or designated pedestrian crossing, or because of an emergency situation where the median provides the only opportunity for



	<p>enacted O-17-51 amends this section of the Traffic Code in order to limit interactions between motorists and pedestrians, but this piece of legislation is currently under litigation and is not being enforced.)</p>	<p>refuge from vehicle traffic or other safety hazard. (*There is a great deal of language in sections 8-2-7-2 that is relevant to the issue.)</p>
<p>Barricading Streets Attracting Unwanted Activities</p>	<p>12-5-1 and 13-15-1 of the Criminal Code</p>	<p>*The two sections of the Code of Ordinances listed here relate to loitering and panhandling, but there is currently no legislation directing a City department on how, when, and why to set up barricades. There is also no legislation related to how barricades attract certain activities. . Barricades are currently being set up per the discretion of surrounding business owners and residents.</p>