

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

535 B



SUBMITTAL DATE:
August 15, 2005

FROM: TLMA - Transportation Dept.

SUBJECT: Amendment of Ordinance 413 Regulating Vehicle Parking --
Implementation of Truck Routing and Parking Regulation Study

RECOMMENDED MOTION:


1. That the Board open the public hearing for the proposed Ordinance No. 413.30 amending Ordinance 413 relating to regulating vehicle parking, County-wide.
2. That at the close of the public hearing, the Board adopt the proposed subject Ordinance amendment.

BACKGROUND: On May 24, 2005 the Board of Supervisors accepted the Truck Routing and Parking Regulation Study Final Report as prepared by Meyer, Mohaddes Associates under direction from the Transportation Department, and on June 28, 2005, adopted the Implementation Plan for accomplishing the actions as recommended in the final report.

Staff has prepared the amendment to Ordinance 413 to implement prohibition of truck parking on county roads within residential districts in unincorporated areas of the county, which is Recommendation 1 in the Implementation Plan. Actions needed to accomplish other recommendations in the final report will follow according to the adopted Implementation Plan.

In addition to the truck parking prohibitions, the Transportation Department also suggests additional revisions to Ordinance 413.

The recommended changes to Ordinance 413 are described in "Section 1.1 FINDINGS" of the proposed Ordinance Amendment which was introduced on August 9, 2005, as Agenda Item #3.44.


George A. Johnson
Director of Transportation

LTT:bjl

(continued on next page)

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 8/17/05

Departmental Concurrence

Policy Policy

Consent Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref. 8-9-2005 #3.44 | **District:** All | **Agenda Number:**

6-28-2005 #3.56
5-24-2005 #3.44

9.12

The Honorable Board of Supervisors

RE: Amendment of Ordinance 413 Regulating Vehicle Parking --

Implementation of Truck Routing and Parking Regulation Study

August 15, 2005

Page 2 of 2

BACKGROUND: (continued)

It is recommended that the Board open the public hearing for the proposed Ordinance Amendment and, at the close of the public hearing, adopt the Amendment.

A copy of the proposed Ordinance Amendment has been provided to the five areas of the California Highway Patrol.

The Ordinance Amendment has been reviewed and approved as to form by County Counsel.

2 ORDINANCE NO. 413.30

3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
4 AMENDING ORDINANCE NO. 413
5 REGULATING VEHICLE PARKING

6 The Board of Supervisors of the County of Riverside do ordain as follows:

7 Section 1. Ordinance No. 413 is amended in its entirety to read as follows:

8 **Section 1.1 FINDINGS.**

9 Upon review of the current Ordinance 413 related to parking restrictions, the
10 following actions are determined necessary:

11 **A. Remove the listing of Restricted Parking Zones**

12 Many of the zones listed in Ordinance 413 have either been annexed into city
13 limits or are no longer necessary. Currently, restricted parking zones are
14 approved by the Board of Supervisors by resolutions. Any restricted parking
15 zones that are still valid will be retained.

16 **B. Include clarification of 72-hour parking restriction**

17 Currently, Ordinance 413 prohibits the parking or standing of a vehicle or trailer
18 on a county highway for more than 72 hours, which is consistent with the
19 provisions in the California Vehicle Code. However, to circumvent this restriction,
20 many individuals would move the vehicle or trailer by a short distance prior to the
21 expiration of the 72-hour limit, or after it is tagged by enforcement personnel, and
22 essentially park at the same location continuously. Many complaints have been
23 received regarding this situation from residents.
24
25

1 It is proposed that moving a vehicle or trailer to a new location on a county
2 highway within a radius of 500 feet from the original location after the vehicle is
3 tagged, with the intent to circumvent the 72-hour limit, would constitute parking or
4 left-standing a vehicle or trailer at the same location. This will help enforcement
5 personnel uphold the intent of the restrictions and make this law more effective.

6 **C. Include short-term parking zone (Green Curb)**

7
8 Currently, Ordinance 413 does not include provisions for painting curb green for
9 short-term parking, which is allowed by the Manual On Uniform Traffic Control
10 Devices and the California Vehicle Code (Section 21458). Green zone is
11 beneficial to encourage high turn-over rate on curbside parking adjacent to retail
12 businesses.

13 **D. Include parking prohibition for curbside community mailboxes**

14 Many new residential subdivisions utilize community mailboxes and residents
15 have requested keeping the curbside in front of the mailboxes clear. It is
16 proposed that parking be prohibited within 15 feet of community mailboxes to
17 facilitate the delivery of mail by mail carriers and the pick-up of mail by residents.

18 **E. Include parking restrictions for commercial vehicles in residential**
19 **districts**

20
21 Currently, Ordinance 413 has provisions for commercial vehicle parking
22 restrictions for residential areas upon request by residents. Such requests are
23 approved by the Board of Supervisors for a specific area by resolution. With the
24 increase in the use of big-rig trucks, more and more residents desire prohibitions
25 of parking of large commercial vehicles in residential areas. It is proposed that

1 parking of commercial vehicles with a gross vehicle weight rating of more than
2 10,000 pounds in residential areas be prohibited.

3 **F. Include parking restrictions for recreation vehicles on county roads**
4 **in residential areas**

5 Currently, the county has no provisions in restricting parking of recreation
6 vehicles such as motor homes, campers or trailers on county roads. Such
7 restriction is desired by many residents and would be beneficial in maintaining
8 the livability of residential areas.

9
10 **G. Include provision to delegate authorities on establishing restricted**
11 **parking zones and loading zones to the Director of Transportation**

12 This provision will streamline the administrative procedures in establishing
13 restricted parking zones on county highways. This will help county staff respond
14 to public requests on regulating parking on county highways in an expeditious
15 manner.

16
17 **Section 1.2 DEFINITIONS.**

- 18 A. "County Code Enforcement" – This includes any county staff designated
19 as County Code Enforcement personnel under the Code Enforcement
20 Division of the Building and Safety Department of the County.
- 21 B. "County Highway" – Any streets, roads, and highways that have been
22 accepted into the county maintained road system and are maintained by
23 the Transportation Department.
- 24 C. "Commercial Vehicles" – Any vehicles of a type that are required to be
25

1 registered under the California Vehicle Code used or maintained for the
2 transportation of persons for hire, compensation, or profit or designed,
3 used or maintained primarily for the transportation of property.

4 D. "Director of Transportation" – As used in this ordinance refers to the
5 Director of the Riverside County Transportation Department and shall be
6 equivalent to "road commissioner" in its authority and capacity for any
7 legal requirements.

8 E. "Trailers and Semi-Trailers" – Any equipment as defined in Sections 550,
9 630, 635, and 636 of the California Vehicle Code.

10 F. "Recreation Vehicles" – Vehicles with or without motive power, designed
11 for human habitation or recreation, including but not limited to: boats,
12 snowmobiles, watercraft, racing vehicles, off-road vehicles, utility trailers,
13 motor homes, travel trailers, truck campers or camping trailers.

14 G. "Residential District" – Residential district is defined as any area zoned
15 primarily for residential use pursuant to the provisions of Article III,
16 Section 3.1 of Riverside County Ordinance 348.
17
18

19
20 **Section 1.3 PARKING OR STANDING RESTRICTED.**

21 A. Except as provided in Section 1.6, no person shall park or leave standing
22 any vehicle or trailer, on any county highway for a period in excess of
23 three days.

24 B. A vehicle or trailer parked or left standing at the same location for more
25 than 72 hours is prohibited to be parked or left standing at another

1 location within a radius of 500 feet from the original location, with the
2 intent to circumvent the 72-hour parking limit and using county roads as
3 storage space, after enforcement personnel tag the vehicle or trailer for
4 possible violation of Subsection A above.
5

6 **Section 1.4 VIOLATION – REMOVAL OF VEHICLE.**
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8 Any vehicle parked or left standing in violation of Section 1.3 shall be subject to
9 removal as provided in Section 22651 of the California Vehicle Code.
10

11 **Section 1.5 PARKING OR STANDING PROHIBITED.**

- 12 A. No person shall park or leave standing any vehicle where signs are posted
13 or curbs are painted giving notice thereof.
- 14 B. The Director of Transportation is hereby authorized to establish on county
15 highways restricted parking or no-stopping zones upon the
16 completion of an engineering study and a field review which study and
17 field review shall document the need and purpose in establishing such
18 restricted parking or no-stopping zones.
- 19 C. The Director of Transportation shall post signs or cause curbs to be
20 painted to give notice of the parking restrictions contained in subsection A
21 of this section.
- 22 D. According to the California Vehicle Code Section 22651 and Riverside
23 County Ordinance No. 556, county code enforcement is hereby
24 authorized to enforce parking restrictions promulgated in this
25

1 ordinance. The Director of building and safety or his designee shall effect
2 the guidelines and administrative procedures deemed necessary.

3
4 **Section 1.6 NOTICE OF VEHICLE REMOVAL – SIGNS.**

5 The Board of Supervisors, by resolution, may prohibit parking on designated
6 portions of state highways and authorize the removal of any vehicle parking
7 or left standing therefrom pursuant to Section 22651(n) of the California
8 Vehicle Code, and upon adoption of any such resolution, the Director of
9 Transportation shall post signs giving notice of such removal.
10

11
12 **Section 1.7 ANGLE PARKING.**

- 13 A. The Board of Supervisors, by resolution, may allow angle parking on
14 streets where curbs and gutters are installed and the roadway is paved
15 from curb to curb, with a minimum width of 75 feet.
- 16 B. Where angle parking is permitted, vehicles are required to park within the
17 white lines designating angle parking spaces.
- 18 C. The Director of Transportation shall cause streets and highways to be
19 marked with white lines designating parking spaces as provided in
20 subsection B of this section.
21

22
23 **Section 1.8 TRUCKS AND TRAILERS.**

- 24 A. No person shall park or leave standing any truck, trailer, or semi-trailer
25 used primarily for hauling manure, garbage, livestock, poultry or other

1 product giving off a noxious or unpleasant odor, upon, or in a county
2 highway or other property adjacent to, or within two hundred (200) feet
3 from, any premises zoned primarily for residential occupancy and in use
4 for that purpose, except in an emergency or when necessary for the
5 purpose of loading or unloading such vehicle.

- 6
7 B. The Director of Transportation shall place signs to give notice
8 of any regulation as provided for in subsection A of this section.
9

10 **Section 1.9 LOADING ZONES.**

11 The Board of Supervisors, by this ordinance, hereby delegates to the Director of
12 Transportation the authority to establish loading zones and passenger loading
13 zones. The Director of Transportation or his designee shall determine the location
14 of the loading zones and passenger loading zones and establish the zones upon
15 completion of an engineering study and a field review which study and field
16 review shall document the need and purpose in establishing such loading zones.
17 The loading zones shall be indicated by appropriate signs and curb markings
18 hereinafter provided.
19

- 20 A. Red shall mean no stopping, standing or parking at any time, except that a
21 bus may stop to load or unload passengers in a red zone marked or sign
22 posted as a bus loading. A red zone marked or sign posted as a taxi zone
23 shall permit stopping, standing and parking exclusively for taxicabs.
24 B. Yellow shall mean no stopping, standing or parking at any time between
25 seven a.m. and six p.m. on any day except Sunday and holidays for any

1 purpose other than the loading or unloading of passengers or materials,
2 provided that the loading or unloading of passengers shall not consume
3 more than five minutes, or the loading or unloading of materials more than
4 twenty (20) minutes.

- 5 C. White shall mean no stopping, standing or parking except so long as is
6 necessary for the loading or unloading of passengers or for the purposes
7 of depositing or picking up mail in an adjacent mailbox.
8
9 D. Green shall mean stopping, standing or parking is allowed for the time
10 limit specified by posted signs or stencils on the top of the curb where
11 applicable.
12

13 **Section 1.10 COMMUNITY MAIL BOXES.**

- 14 A. No person shall park or leave standing any vehicle or trailers within 15 feet
15 of a community mailbox or cluster of individual mailboxes that serve four
16 or more residences or businesses.
17
18 B. Signs are not required to be posted to provide enforcement when the
19 delivery of mail is hindered due to a parked vehicle blocking the mail
20 boxes.
21

22 **Section 1.11 SIGNS.**

- 23 A. Whenever the Director of Transportation shall determine that, in a special
24 situation, traffic congestions or hazardous or dangerous driving conditions
25 are likely to result on any highway, street or alley under the jurisdiction of

1 the county from the holding of public or private assemblages, gatherings
2 or functions, street construction, maintenance or repair work , or for any
3 other reason of public safety, he or she is authorized to order the
4 placement or posting of temporary signs, including reduced speed signs,
5 indicating that the operation, parking or standing of vehicles is prohibited
6 or regulated on such highway, street or alley, to the extent indicated on
7 the signs. Such signs shall remain in place only during the existence of
8 such special situation and the Director of Transportation shall cause such
9 signs to be removed promptly thereafter.
10

11 B. The Director of Transportation shall place signs or cause the curbs to be
12 painted to give notice to any regulation as provided for in Subsection A
13 and this section.

14 C. When signs authorized by provisions of this section are in place, giving
15 notice of the provisions thereof, no person shall stop, stand or park any
16 vehicle contrary to the directions and provisions of such signs nor exceed
17 the speed indicated.
18

19 **Section 1.12 STATE HIGHWAYS.**
20

21 A. Any provision of this ordinance which regulates traffic or delegates the
22 regulation of traffic upon state highways in any way for which the approval
23 of the State Department of Transportation is required by state law shall
24 cease to be operative six months after receipt by the Board of
25 Supervisors of written notice of withdrawal of approval provided by the

1 State Department of Transportation.

- 2 B. Whenever this ordinance delegates authority to a county officer, or
3 authorizes action by the Board of Supervisors to regulate traffic upon a
4 state highway in any way which by state law requires the prior approval of
5 the State Department of Transportation, no such officer shall exercise
6 such authority nor shall such action by the Board of Supervisors be
7 effective with respect to any state highway without the prior approval in
8 writing of the State Department of Transportation when and to the extent
9 required by the California Vehicle Code.
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11
12 **Section 1.13 DISPLAYING VEHICLE FOR SALE.**

- 13 A. No person shall park any vehicle or place any structure upon any county
14 highway for the purpose of selling therefrom any article or thing, and no
15 person shall sell, display for sale, or offer for sale any article or thing,
16 either in or from any such vehicle or structure so parked or placed; but
17 this section shall not prohibit a seller from taking orders or delivering any
18 commodity from a vehicle on a county highway adjacent to the premises
19 of the purchaser, nor shall it prohibit any person from temporarily parking
20 any vehicle upon a county highway while actually engaged in making a
21 sale to a customer wishing to buy.
22

- 23 B. (1) Except as provided for in subdivision (2) of this subsection, no person
24 shall park, stop, place or leave standing any vehicle or cause any
25 vehicle to be parked or placed upon any private or public street,

1 highway, parking lot or other private or public property located within
2 the unincorporated area of the county for the purpose of selling,
3 displaying for sale or offering for sale any such vehicle.

4 (2) Subdivision (1) of this subsection shall not prohibit any person from
5 selling, displaying for sale or offering for sale a vehicle on private
6 property, provided the person owns or occupies the property or has
7 written permission of the property owner, authorized agent of the
8 property owner or the person in lawful possession of such private
9 property. Such written permission shall be displayed in or on the
10 vehicle in such a manner as to be clearly visible, and upon request by
11 a peace officer or code enforcement officer employed by the
12 department of building and safety, such written permission shall be
13 made available for further inspection.

14 Subdivision (2) of this subsection shall not exempt a person from
15 compliance with county zoning ordinances or any other ordinance or
16 law governing the sale of vehicles on private property.

17 (3) The parking or placing of any vehicle with a sign or other advertising
18 device thereon or proximate thereto, indicating such vehicle is for sale
19 shall constitute prima facie evidence that such vehicle was parked or
20 placed for the purpose of displaying the vehicle for sale.

21 (4) The provisions of this subsection may be administered and enforced
22 by the Director of building and safety and his or her employees or
23 designees.
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1
2 **Section 1.14 SPACES MARKED FOR HANDICAPPED PARKING.**

- 3 A. The Board of Supervisors may, by resolution, designate parking spaces
4 for the exclusive use of vehicles which display a distinguishing license
5 plate or a placard issued pursuant to Sections 22511.55 and 22511.59 or
6 5007 of the California Vehicle Code. If the designated space is to be on a
7 county highway, it shall be reviewed to determine if there is sufficient
8 space for a disabled person to enter and exit the vehicle safely and if a
9 viable path is available (including wheelchair ramps) from the designated
10 parking space. Whenever a parking space is so designated, it shall be
11 indicated by blue paint on the curb or edge of the paved portion of the
12 street adjacent to the space, and may also be indicated by signs or other
13 suitable means.
- 14
- 15 B. The Board of Supervisors may, by resolution, designate stalls or spaces in
16 an off-street parking facility owned or operated by the county for the
17 exclusive use of vehicles which display a distinguishing license plate or
18 placard issued pursuant to Section 22511.55 and 22511.59 or 5007 of the
19 California Vehicle Code.
- 20
- 21 C. The owner or person in lawful possession of an off-street parking facility,
22 after notifying the sheriff's department, and the county owning or
23 operating an off-street parking facility, may cause the removal from a stall
24 or space designated for physically handicapped persons in such facility to
25 the nearest public garage, which regularly accepts towed vehicles, of any

1 vehicle not displaying one of the distinguishing placards or license plates
2 specified in this section if there is posted immediately adjacent to, and
3 visible from such stall or space, or, if there is posted, in a conspicuous
4 place at each entrance to the off-street parking facility, not less than
5 seventeen (17) by twenty-two (22) inches in size with lettering not less
6 than one inch in height, a sign which clearly and conspicuously states the
7 following: "Unauthorized vehicles not displaying distinguishing placards
8 or license plates issued for physically handicapped persons will be towed
9 away at owner's expense. Towed vehicles may be reclaimed at
10 (address): _____, or by telephoning (law enforcement phone): _____."

- 11
- 12 D. No person shall park or leave standing any vehicle in a stall or space
13 designated for disabled persons and disabled veterans, unless the vehicle
14 displays a distinguishing license plate or placard issued pursuant to
15 California Vehicle Code Section 5007 or Vehicle Code Section(s)
16 22511.55 or 22511.59.
- 17 E. All fines imposed for violations of subsection D of this section shall be in
18 accordance with Vehicle Code Section 42001.5.

19 The provisions of this section may be administered and enforced by the
20 Director of building and safety and his or her designees, pursuant to
21 Vehicle Code 22507.9.
22

23

24 **Section 1.15 PARKING REGULATIONS IN SNOW AREAS.**

- 25 A. No person shall park or leave unattended any vehicle on any state or

1 county highway, including the improved shoulders of such highway, in any
2 snow area so as to interfere with the operations of snow removal
3 equipment, except when necessary to comply with the directions of a
4 peace officer. A vehicle shall be deemed unattended if the licensed driver
5 responsible for the vehicle is not immediately available for moving the
6 vehicle. Snow removal equipment includes any vehicle, machinery or
7 equipment utilized for snow removal and belonging to the Riverside
8 County Transportation Department, the California State Department of
9 Transportation, or any other person engaged, hired, contracted or
10 otherwise authorized to remove snow from state or county highways.
11

12 B. For the purposes of this section, "snow area" includes all unincorporated
13 areas of the county encompassed by the boundaries of the San
14 Bernardino National Forest.

15 C. The Director of Transportation shall place signs to give notice of the snow
16 area parking restrictions contained in this section.

17 D. Any vehicle parked or left standing in violation of this section shall be
18 subject to removal as provided for in Section 22651 of the California
19 Vehicle Code. Any peace officer, as that term is defined in Chapter 4.5
20 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code; or
21 any regularly employed and salaried county employee, who is engaged in
22 directing traffic or enforcing parking laws or regulations, may remove or
23 cause to be removed any vehicle parked or left unattended in violation of
24 this section. Any regularly employed and salaried county employee who is
25

1 engaged in snow removal operations shall enforce the provisions of this
2 section and may remove or cause to be removed any vehicle parked or
3 left unattended in violation of this section.

4 E. Charges for vehicle removal, tow away and storage shall be assessed
5 against the vehicle removed for violation of this section.

6 F. This section shall not apply to emergency vehicles as defined by the
7 California Vehicle Code.
8

9 **Section 1.16 RESERVED PARKING STALLS.**

10 A. No motor vehicle shall be parked on any of the reserved parking stalls of
11 Riverside County owned or operated off-street parking facilities within the
12 city of Indio between the hours of seven a.m. and six p.m. on weekdays,
13 except holidays, unless there is a sticker or transparency issued by
14 authority of the Board of Supervisors, which shall be triangular in shape
15 bearing the words "Riverside County Parking" and a serial number printed
16 in black letters on a yellow, blue or red background.

17 B. Motor vehicles parking on reserved parking stalls of county owned or
18 operated off-street parking facilities within the City of Indio which do not
19 display the sticker or transparency required by subsection A of this section
20 shall be cited for illegal parking by the county sheriff's department.
21

22
23 **Section 1.17 COMMERCIAL VEHICLES.**

24 A. No person shall park or leave standing a commercial vehicle having a
25 manufacturer's gross vehicle weight rating of more than ten thousand

1 (10,000) pounds, or any commercial trailer or semi-trailer regardless of
2 weight, on any street or highway within a residential district in the
3 unincorporated area of the county.

4 B. The Director of Transportation or his or her designees shall post signs to
5 give notice of the parking restrictions contained in this section at major
6 entry points into the county in the unincorporated areas.

7 C. This section shall not apply under the following conditions:

- 8 (1) Any commercial vehicle making pickups or deliveries of goods, wares
9 and merchandise from or to any building or structure located on the
10 restricted streets or highways or for the purpose of delivering
11 materials to be used in the actual and bona fide repair, alteration,
12 remodeling, or construction of any building or structure upon the
13 restricted streets or highways for which a building permit has
14 previously been obtained;
- 15 (2) Any vehicle parked in connection with, and in the aid of, the
16 performance of a service to or on a property in the block in which such
17 vehicle is parked;
- 18 (3) Any school or passenger bus under the jurisdiction of the Public
19 Utilities Commission;
- 20 (4) Any vehicle owned by a city, county, state, public entity or licensed
21 contractor engaged in the installation, maintenance, or repair of any
22 public property, utility or highway;
- 23 (5) Any authorized emergency vehicle as defined by the California
24
25

1 Vehicle Code.

2 D. PENALTY - Violation of Section 1.17 shall be an infraction,
3 punishable by a fine of \$250 for the first infraction, a fine of \$500 for the
4 second infraction, and a fine of \$750 for each additional violation of this
5 Section within a period of one year after the second infraction.
6

7
8 **Section 1.18 RECREATION VEHICLES.**

9 No person shall park or leave standing any recreation vehicles on any county
10 highways within a residential district except recreation vehicles are allowed to be
11 parked in or on a county highway in front of the residence of the recreation
12 vehicle owner for no more than four days per month, each time not more than 48
13 hours continuously, for the purpose of packing, clean-up, or preparation for trips.
14

15 **Section 1.19 VIOLATION – PENALTY.**

16 Any person violating any of the provisions of this ordinance (except stated
17 otherwise) shall be guilty of an infraction, unless otherwise provided and upon
18 conviction thereof, shall be punishable by a fine established by the California
19 Vehicle Code. Each day a violation is committed or permitted to continue shall
20 constitute a separate offense. Notwithstanding the foregoing, a first and any
21 subsequent violation of Section 1.13(B) may be cited, charged and prosecuted as
22 a misdemeanor. Payments of any fine or penalty shall not relieve a person from
23 the responsibility of correcting any violation of this Ordinance.
24
25

1 Section 2. The following ordinances and parts of ordinances are hereby repealed:

2 Ordinance Nos. 413.1 through 413.29, inclusive.

3
4 Section 3. This ordinance shall take effect 30 days after its adoption.

5
6
7 BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

8
9 BY _____
Chairman

10 NANCY ROMERO
11 Clerk of the Board

12
13 By _____
14 Deputy

15 LTT:bjl
16 July 27, 2005
F:\PCDATA\Traffic\ORD 413\Ord\413 30.doc