Civil Rights Organizations Tentatively Settle Lawsuit Against City of Mountain View Parking Ban

Tentative Settlement allows parking of oversized vehicles in designated areas throughout Mountain View

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September 26, 2022 - Mountain View, CA – The Law Foundation of Silicon Valley, the ACLU Foundation of Northern California, and Disability Rights Advocates joined with pro bono partners including King & Spalding have reached a tentative settlement with the city on behalf of Mountain View residents who live in RVs and oversized vehicles. If approved by the court, the tentative settlement will provide several protections for residents living in oversized vehicles and guarantees that at least three miles of streets will be made available for oversized vehicle parking without overnight restrictions.

The class action lawsuit was first filed in the United States District Court for the Northern District of California last summer by six plaintiffs on behalf of all persons who live in RVs and other oversized vehicles in Mountain View. The lawsuit asserted that the citywide RV parking ban was unconstitutional, inhumane, and disproportionately impacted people with disabilities, in violation of federal and state law. Once enforced, the ordinances would have resulted in the immediate towing of oversized vehicles found in violation of the law. These ordinances, along with other parking restrictions, would have effectively banned RVs from the vast majority of city streets. Further, the City was refusing to provide a map or other resources to inform residents of available parking.

Celerina Navarro, Plaintiff and Mountain View resident living in her RV, was pleased with the results of settlement negotiations and said, “The outcome of the case is good because without this settlement, we would be facing the threat of displacement. Now people can feel more at ease knowing that they can remain in Mountain View without being displaced.”
“The city’s ban on RVs and other oversized vehicles was a draconian law that immediately towed people’s homes for just one violation of the law. This settlement provides protections and resources to people living in RVs, rather than punishment,” said Erin Neff, Lead Policy Attorney with the Law Foundation of Silicon Valley.

In addition to designating areas for oversized vehicle parking, the City has agreed to the following, which have already gone into effect:

- From September 1 through September 20, 2022, the City distributed a map that shows restrictions based on the Ordinances and parking available to oversized vehicles.
- The City will commence ticketing oversized vehicles parking in violation of the ordinances starting on October 1, 2022.
- A map will also be provided with each ticket issued.
- The City will provide at least one parking ticket 72 hours prior to towing an oversized vehicle in violation of the Ordinances. Police officers also have the discretion to extend the time before towing for good cause.
- The City may immediately tow a vehicle in violation of the Ordinances if it is blocking traffic, a driveway, or the oversized vehicle has previously received three tickets for parking in violation of the Ordinances.
- People with disabilities may request a reasonable accommodation for their disability, such as more time to move their vehicle, which the City will consider in good faith.

“We are pleased that the City came to the table in negotiating these protections that will allow some vulnerable populations to remain in their chosen communities,” said Quyen Ta, a Partner of King & Spalding LLP. “This tentative settlement will prevent the displacement of many long-time residents of the City of Mountain View who can no longer afford permanent housing.”

The plaintiffs in the lawsuit all have strong ties to Mountain View—where they receive health care for chronic conditions, work in the city, or have children in the school district. They have all lived in the city for years, some for decades. Through health care, resources, family, and friends, these residents have strong support networks that they stand to lose if forced to leave the area.

Enforcement of the RV parking ban by the city of Mountain View would have unfairly impacted people with disabilities, Spanish-speaking families, and people of color, all of whom already experience homelessness at disproportionate rates. These kinds of parking ordinances effectively punish residents for not having traditional homes or the financial ability to afford permanent housing, all while subjecting low-income residents to the constant threat of excessive fees, seizure of their home and belongings, and banishment from their community.

“Unfortunately, we’ve seen cities across California take a punitive approach to addressing the housing and affordability crisis our communities are facing,” said Bill Freeman, Senior Counsel of the ACLU. “Rather than take up measures that serve the needs of all residents, regardless of income or housing type, many cities have chosen to target and harass people for their housing
status. The tentative settlement agreement in Mountain View shows that it is possible for a city to take measures to respect unhoused residents."

“The dearth of affordable housing in Mountain View and the Bay Area has had consequences region-wide. For people with disabilities, where fixed housing can often be unaffordable, living in an RV or trailer is their housing of last resort,” said Thomas Zito, Supervising Attorney at Disability Rights Advocates. “We are pleased that Mountain View has agreed to recognize the needs of those people with disabilities in their community and has pledged to accommodate their need to remain in their community and vehicles.”

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Founded in 1993, DRA is the leading national nonprofit disability rights legal center. Its mission is to advance equal rights and opportunity for people with all types of disabilities nationwide. DRA represents people with the full spectrum of disabilities in complex, system-changing, class action cases. Thanks to DRA's precedent-setting work, people with disabilities across the country have dramatically improved access to health care, employment, transportation, education, disaster preparedness planning, voting, housing, and juvenile justice. [Dralegal.org](http://Dralegal.org) | [Facebook](http://Facebook) | [Twitter](http://Twitter)

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