

Title 10

VEHICLES AND TRAFFIC

Chapters:

- 10.04 Crosswalks, Curb Markings and Loading Zones**
- 10.08 Parking and Standing**
- 10.12 Weight limits**
- 10.16 Speed Limits**
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NOTE: Footnotes are numbered throughout the text and are located at the end of this title.

CROSSWALKS, CURB MARKINGS, LOADING ZONES

Chapter 10.04

CROSSWALKS, CURB MARKINGS AND LOADING ZONES¹

Sections:

- 10.04.010 Definitions.
- 10.04.020 Central traffic district designated.
- 10.04.030 Crosswalks—Designated—Specifications.
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10.04.010 Definitions.

Whenever any words or phrases used in this chapter are not defined in this chapter, but are defined in the California Vehicle Code, such definitions are incorporated in this chapter and are deemed to apply to such words and phrases used in this chapter. (Ord. 282 § 1, 1958.)

10.04.020 Central traffic district designated.

The central traffic district includes all streets and portions of streets within the area described as follows:

- A. Washington Street, between Gold Street and Elkin Street;
- B. Stewart Street between Linoberg Street and Jackson Street, and its intersection with Church Street;
- C. Stockton Street between Green Street and Washington Street;

The area described in this section shall be construed to include the intersections of the bounding streets. (Ord. 282 § 2, 1958.)

10.04.030 Crosswalks—Designated—Specifications.

The chief of police shall establish, designate and maintain pedestrian crosswalks, herein referred to as "crosswalks," at

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intersections and other places by appropriate devices, marks or lines upon the surface of the roadway as follows:

- A. Crosswalks shall be established and maintained at all intersections within the central traffic district and at such intersections outside such district where the chief of police determines that there is a particular hazard to pedestrians crossing the roadway.
 - B. The chief of police may place signs at or adjacent to an intersection in respect to any crosswalk, directing that pedestrians shall cross in the crosswalk so indicated.
- (Ord. 282 § 3, 1958.)

10.04.040 Crosswalks—Pedestrian must use.

No pedestrian shall cross a roadway other than by a crosswalk in the central traffic district or in any business district. (Ord. 282 § 4, 1958.)

10.04.050 Loading zones established—Specifications.

The chief of police is authorized to determine and to mark loading zones and passenger loading zones as follows, under the direction and supervision of the city council:

- A. At any place in the central traffic district, business district, or elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly, or public recreation activity, and in front of public property.
- B. Loading zones shall be indicated by a yellow paint line stencilled with black letters "LOADING ONLY," upon the top of all curbs within such zones.
- C. Passenger loading zones shall be indicated by a white line stencilled with black letters "PASSENGER LOADING ONLY," upon the top of all curbs in said zones.

(Ord. 282 § 7, 1958.)

10.04.060 Curb markings—Parking and standing—Specifications.

- A. The chief of police is authorized, subject to the provisions

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and limitations of this chapter, and under the direction and supervision of the city council, to place, and when required in this section, shall place, the following curb markings to indicate parking and standing regulations. The markings shall have the meanings set forth in this section.

1. "Red" means no stopping, standing or parking at any time, except as permitted by the California Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.
2. "Yellow" means no stopping, standing or parking at any time, for any purpose other than the loading or unloading of passengers or freight; provided, that the loading or unloading of passengers shall not consume more than three minutes, nor the loading or unloading of freight more than twenty minutes, unless otherwise allowed by the city council.
3. "White" means no stopping, standing or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mailbox, which shall not exceed three minutes, and such restrictions shall apply between seven a.m. and six p.m. of any day except Sundays and holidays, except as follows:
 - a. When such zone is in front of a hotel or in front of a United States mailbox, the restriction shall apply at all times;
 - b. When such zone is in front of a theater or a public swimming pool, the restrictions shall apply at all times except when such theater or swimming pool is closed.
4. "Green" means no standing or parking for longer than twelve minutes at any time between seven a.m. and six p.m. of any day except Sundays and holidays.
5. "Blue" means that this parking space is reserved for a vehicle properly identified as belonging to or being operated for the benefit of a handicapped person. In addition to the blue curb designation, the space may be marked by the wheel chair logo or by a sign bearing the recognized logo. Parking by any vehicle other than one

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operated for the benefit of a handicapped person in a space so designated is forbidden.

- B. When the chief of police, as authorized under this chapter, has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb markings in violation of any of the provisions of this section.
- C. Permission granted in this section to stop or park for

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operated for the benefit of a handicapped person in a space so designated is forbidden.

- B. When the chief of police, as authorized under this chapter, has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb markings in violation of any of the provisions of this section.
- C. Permission granted in this section to stop or park for purposes of loading or unloading passengers includes the loading or unloading of personal baggage but shall not extend beyond the time necessary therefor and in no event for more than three minutes.

(Ord. 614, 1985; Ord. 602 § 1, 1985; Ord. 510 § 1, 1977; Ord. 505, 1977; Ord. 282 § 8, 1958.)

10.04.070 Violation—Penalty.

Any person violating any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not exceeding three months, or by a fine of not to exceed three hundred dollars, or by both such fine and imprisonment. (Ord. 282 § 9, 1958.)

Chapter 10.08

PARKING AND STANDING²

Sections:

- 10.08.010 Applicability—Who must comply.
- 10.08.020 Applicability—Exception.
- 10.08.030 Standards.
- 10.08.040 Zones—Classifications.
- 10.08.050 Zones—Establishment and changes—Procedure.
- 10.08.060 Zone changes—Emergency and/or temporary.
- 10.08.070 Zone changes—During construction.
- 10.08.080 Zone changes—For special event or holiday parking.

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- 10.08.190 Camping prohibited.
- 10.08.200 Impoundment.
- 10.08.210 Violation—Fees.
- 10.08.220 Enforcement.
- 10.08.230 Violation—Penalty.
- 10.08.240 Parking in spaces reserved for disabled persons and speeding prohibited on designated private parking facilities.

10.08.010 Applicability—Who must comply.

This chapter is intended to apply to all traffic using the public streets. Included in this chapter, by implication, in addition to automobiles, are horses, wagons, trailers, trucks and all other vehicles which use the streets. (Ord. 490 § 14, 1975.)

10.08.020 Applicability—Exception.

All parking regulations under this chapter apply to any vehicle operated on the streets of the city by any person or owned by any agency or corporation. The only exception is that a police or fire vehicle may be parked in violation of a parking zone while employed on an urgent call in the conduct of assigned duties. (Ord. 490 § 6, 1975.)

10.08.030 Standards.

- A. All vehicles parked within the city shall be parked so that they conform to the provisions of the California Vehicle Code regarding the parking of vehicles. Included specifically is the provision that vehicles shall be left no further than eighteen inches from the curb when parked parallel to the flow of traffic and no more than eighteen inches from the front of a marked stall in a city lot.
- B. The city shall mark parking stalls both on streets and in public lots. When such stalls are marked, no vehicle shall be parked in such a way that it is outside or takes up more

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than one such marked stall. Violation of this subsection is an infraction punishable by a fine of up to fifty dollars.

- C. In city parking lots, all cars shall be headed into the stalls, and it is an infraction to back into the stall, punishable by a fine of up to fifty dollars.

(Ord. 490 § 12, 1975.)

10.08.040 Zones—Classifications.

The following parking classifications are created:

Zone A—Unclassified. A vehicle may remain parked in an unclassified zone for as long as permitted by state law unless or until it is declared abandoned. Except, however, no trailers or disconnected vehicles from towing vehicles shall remain parked for longer than forty-eight hours. Vehicles so parked must be placed within eighteen inches from a curb or in other ways to conform to the lawful manner for leaving a vehicle.

Zone B—No Overnight Parking. A vehicle may be left in this zone for up to eighteen hours. Parking is prohibited between two a.m. and five a.m. of any day. This zone may exist concurrently with any other parking zone.

Zone C—Four-hour Parking. A vehicle may be parked in this zone for up to four hours without movement.

Zone D—Three-hour Parking. A vehicle may be parked in this zone for up to three hours without movement.

Zone E—Two-hour Parking. A vehicle may be parked in this zone for up to two hours without movement.

Zone F—One-hour Parking. A vehicle may be parked in this zone for up to one hour without movement.

Zone G—Attended Parking. A vehicle may be stopped in this zone for short time periods so long as the operator is in nearby attendance only. This zone is intended for loading and unloading passengers and freight. It may also accommodate taxis.

Zone H—Emergency Vehicle Parking Only. Only emergency vehicles of the police or fire services may park in this zone. All other parking is prohibited.

Zone I—All Parking is Prohibited. No vehicle may be parked or left unattended or stopped in this zone. Vehicles found parked in this zone are subject to immediate impoundment.

Zone J—Fire Hydrant Keep Clear Area. No vehicle may park so as to obstruct access by the fire department to any fire hydrant. The chief engineer may cause an area ten feet in width, measured from the center line of the fire hydrant to be clearly marked either in red paint or with the words "Fire Hydrant Keep Clear."

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Zone K—Bus Parking Only. Only commercial buses may park in this zone. All other parking is prohibited.

Zone L—Permit Parking Only. Permits are issued by the city to individuals for a fee set by the city council. No vehicle may park in a “Permit Parking Only” space unless the proper fee has been paid and a permit has been issued by the city. Vehicles found parked in this zone without the proper permit are subject to immediate impoundment.

Zone M—Prohibited Parking—School Zones. No parking shall be permitted in any school zone between the hours of seven a.m. and four p.m. on days when school is in session. (Ord. 728 § 1, 1997; Ord. 720, 1997; Ord. 717 § 1, 1996; Ord. 644 (part), 1988; Ord. 567, 1982; Ord. 523 § 1, 1978; Ord. 490 § 1, 1975.)

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10.08.050 Zones—Establishment and changes—Procedure.

From time to time, as needed, the city council by special resolution shall declare an area or length of roadway to be a part of a parking zone. In order to be part of a parking zone, the following procedure shall be followed:

- A. The council shall announce, at a regular or special meeting, its intention to establish a parking zone, giving the description of the limits of the proposed zone and the zone classification.
- B. As soon thereafter as is convenient, the notice of intent to establish a parking zone shall be published in a newspaper of general circulation.
- C. Not more than thirty days nor less than five days following the date of such publication, at either a regular or special meeting, the council may adopt a resolution establishing a parking zone. The adopted resolution must conform exactly to the notice which was published.
- D. Once adopted, the parking resolution shall be numbered and retained in a file of such resolutions. The city clerk shall be charged with keeping this file in an orderly manner, and shall make the resolutions available to the public.
- E. Resolutions shall be effective indefinitely or until changed by the same procedure outlined above.
- F. Except for the areas designated as Zone A, all parking zones shall be clearly marked by signs of approximately eight feet in height. Such marking shall indicate the limits of permitted parking, and shall clearly designate the boundaries of a zone. While a parking zone may be established upon the adoption of a resolution, enforcement action shall not be taken until the zone is marked.
- G. In addition to signs, generally accepted curb markings may be used to designate zones. Red paint on a curb may designate Zones H and I, while green or yellow paint may be used to designate Zone G. If the zone is clearly marked with these colors, or if directions are painted on the zone in other colors, the zone will be deemed to be properly marked, and the resolution will be effective.
- H. Zones shall be changed in the same manner as established. When a zone is changed, the clerk shall remove or modify those portions of the file showing the previous designation,

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so that the file at all times reflects the current parking regulations.

(Ord. 490 § 2, 1975.)

10.08.060 Zone changes—Emergency and/or temporary.

In a period of extreme traffic conditions, or for any other declared emergency, the chief of police or the fire chief may alter a parking zone. Such alteration shall be effective for the duration of the problem or emergency which prompted the change. An officer in attendance shall have the power to verbally inform vehicle operators of a zone change, or signs indicating a temporary zone change may be posted. If signs are used, they shall bear the designation "Temporary" or "Emergency." It is unlawful for a vehicle operator to disregard the directions given him by a police or fire officer regarding an emergency zone change. Such a violation is a misdemeanor. (Ord. 490 § 3, 1975.)

10.08.070 Zone changes—During construction.

During roadway or other major construction which impairs the flow of traffic, the superintendent of streets shall be allowed to change a parking zone for the duration of such construction. Such change shall be accomplished by appropriate posting. Any such change shall be valid for a period not exceeding thirty days. (Ord. 490 § 4, 1975.)

10.08.080 Zone changes—For special event or holiday parking.

The city council may, for special events or for holiday periods, modify any parking zone by special parking resolution. Such resolutions do not need to be published, and shall be effective upon passage for the holiday or special events. If the council declares that a street shall have no parking for an event, then the establishment of a no parking zone shall be effective only after the street has been posted for at least twenty-four hours prior to the event. (Ord. 490 § 5, 1975.)

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10.08.190 Camping prohibited.

Notwithstanding any other provision of this chapter, it is unlawful to park and occupy a trailer, house-car or motor home on the streets of the city for an overnight period. Camping on the public streets is an infraction, punishable by a fine of not more than fifty dollars. (Ord. 490 § 13, 1975.)

10.08.200 Impoundment.

Any vehicle parked in Zones B through L is subject to being towed away and stored and ultimately disposed of according to law. If a vehicle is left unattended in Zones B through F for more than twenty-four hours, it may be towed. Unattended vehicles in Zones G through L may be towed as soon as detected. Further, regardless of zone, any vehicle may be towed if it constitutes a hazard to the health or safety of the citizens of the city.

Cars so towed shall be removed by a commercial towing company and stored in a safe place. They shall be restored to the registered owner upon the payment of all fees for towing and storage costs. The city council shall, by resolution, establish a fee which the city shall charge for towing and storage. Such fees shall be determined by the actual costs of towing and storage. Any police officer of the city is authorized to institute towaway procedures under this chapter. (Ord. 721, 1997; Ord. 490 § 9, 1975.)

10.08.210 Violation—Fees.

By resolution according to the procedure outlines in subsections A through E of Section 10.08.050, the city council shall establish a fee schedule for the use of the clerk of the court. This schedule shall be renewed once each year, and shall set forth amounts to be deposited for violations within the various parking zones. (Ord. 490 § 8, 1975.)

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10.08.220 Enforcement.

Parking a vehicle in violation of this chapter shall result in a two-step procedure of enforcement. The chief of police or a person designated by him shall place a citation to appear on the vehicle which is illegally parked. The registered owner of the vehicle shall have a period of twenty-four hours to appear before the justice court having jurisdiction over the city. At that time, the owner may deposit with the clerk of the court a sum specified by resolution. If such deposit is made, no further enforcement action shall be taken.

If no such appearance is made, or if the person does appear and demands further proceedings, then a complaint will be issued and the matter disposed of according to law. (Ord. 490 § 7 (part), 1975.)

10.08.230 Violation—Penalty.

- A. It is unlawful for any person to park a vehicle in violation of the rules of a parking zone. Unless an officer observes a driver in violation of the rules of a parking zone, it shall be assumed that the registered owner of the vehicle is

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responsible for parking the vehicle. In the event that an officer observes a driver in violation, both the observed operator and the registered owner shall be liable under this chapter.

- B. Except as otherwise specified, violations of this chapter are infractions, punishable by a maximum fine of fifty dollars. In addition to this penalty, as specified in Section 10.08.220, the registered owner shall be responsible for the expenses of towing and storing any impounded vehicle.
(Ord. 490 § 7 (part), 1975.)

10.08.240 Parking in spaces reserved for disabled persons and speeding prohibited on designated private parking facilities.

- A. Privately owned and maintained off-street parking facilities on which Vehicle Code Sections 22350, 22507.8, 23103 and 23109 may be enforced, pursuant to Vehicle Code Section 21107.8, shall be designated by resolution of the council, following a duly noticed public hearing.
- B. The private parking facilities so designated are generally held open for use of the public for purposes of vehicular parking.
- C. The owner or operator of each designated private parking facility shall cause to be posted in a conspicuous place at each entrance to such facility a notice, not less than seventeen by twenty-two inches in size with lettering not less than one inch in height, to the effect that such facility is subject to the public traffic regulations and control detailed in Vehicle Code Section 21107.8.

(Ord. 547 § 1, 1980.)

WEIGHT LIMITS

Chapter 10.12

WEIGHT LIMITS³

Sections:

- 10.12.010 Generally.
- 10.12.020 Applicability.
- 10.12.030 Truck routes—Designated.
- 10.12.040 Exception to required use of truck routes.
- 10.12.050 Truck routes—Signs posted.
- 10.12.060 Pavement on certain streets marked off.
- 10.12.070 Violation—Penalty.
- 10.12.080 Greenley Road and Lyons Street restrictions.
- 10.12.090 Woods Creek Drive restrictions.

10.12.010 Generally.

No truck or other vehicle described in Section 10.12.020 shall travel or be propelled along, over or upon any street within the city, except over the course or routes described in Section 10.12.030 and except as provided in Section 10.12.040. (Ord. 193 § 1, 1947.)

10.12.020 Applicability.

The vehicles referred to in Section 10.12.010 include and are all those trucks, trailers, wagons and other vehicles which exceed in weight the following amounts, respectively:

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- A. The gross weight of thirteen thousand pounds for vehicle and load when the vehicle is equipped with two axles or more, when no two of said axles are in the same vertical transmission plane and the vehicle has four or more wheels running on the highway or street;
 - B. The gross weight of three hundred pounds upon any lineal inch of the channel base width of the tire of any vehicle operated with or upon solid rubber or composition tires;
 - C. The gross weight of two hundred fifty pounds upon any lineal inch of the tire surface in contact with the roadway, when the vehicle or load rests upon one or more metal tires. This limitation does not apply to traction engines or tractors, the propulsive power of which is not exerted through wheels resting upon the roadway, but by means of a flexible band or chain, known as movable track, when the portions of the movable tracks in contact with the surface of the roadway present only plane surfaces.
- (Ord. 193 § 2, 1947.)

10.12.030 Truck routes—Designated.

The courses or routes along which vehicles exceeding the weight limits specified in Section 10.12.020 may travel are as follows:

- A. Any highway which is a part of, or is within, the state highway system;
- B. Commencing at the detour sign at the junction of Stockton Street and Bradford Avenue, thence easterly along Bradford Avenue to Stewart Street, thence northerly along Stewart Street to Elkin Street, thence westerly along Elkin Street to Washington Street, thence northerly along Washington Street;
- C. Commencing at the detour sign at the junction of Stockton Street and Bradford Avenue, thence easterly along Bradford Avenue to Shepherd Street, thence south along Shepherd Street to Church Street, thence westerly to Washington Street, thence southerly to the south city limits.

(Ord. 193 § 3, 1947.)

10.12.040 Exception to required use of truck routes.

Notwithstanding anything contained in this chapter, all vehicles not prohibited by state law from traveling upon other streets of the city may travel upon and may use other streets of the city when actually engaged in picking up or delivering all or a portion of its load to a residence or place of business which cannot be reached by traversing the routes described in Section 10.12.030. (Ord. 193 § 4, 1947.)

10.12.050 Truck routes—Signs posted.

The chief of police is authorized and directed to erect appropriate signs along and upon the routes described in Section 10.12.030 designating said streets as "truck routes" and giving notice of this chapter. It is found and determined, as provided in Section 713 of the Vehicle Code of California, that such signs upon said routes will best serve to give notice of this chapter. Said signs shall be plainly visible by drivers of motor trucks operating such vehicles along and upon said street and shall be of such size and make-up of letters as to be plainly visible to the drivers from the street while such vehicles are being operated thereon at lawful speeds. (Ord. 193 § 6, 1947.)

10.12.060 Pavement of certain streets marked off.

The chief of police shall have the pavement on the west side of Stewart Street next to Bradford Avenue, for a distance of eighty feet south of said Bradford Avenue, and for a distance of twenty feet on the west side of Shepherd Street, and for a distance of sixty feet on the east side of Shepherd Street, next to and north of Church Street, marked off with straight red lines not less than four inches in width and running parallel with the curb. It is unlawful to park any vehicle in said spaces so marked off as provided in this section. (Ord. 193 § 7, 1947.)

10.12.070 Violation—Penalty.

Any person, firm or corporation who drives or operates or causes any vehicle to be driven or operated upon any public street within the city in violation of Sections 10.12.010 through

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10.12.060, is guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided in Section 1.08.010. (Ord. 193 § 5, 1947.)

10.12.080 Greenley Road and Lyons Street restrictions.

- A. The city council restricts the use of Lyons Street lying east of Shepherd Street in the city, to vehicles or commercial vehicles of a gross weight of fifteen thousand pounds or less, excepting vehicles or commercial vehicles mentioned in subsection B of this section.
- B.
 - 1. This section shall not prohibit any vehicles coming from an unrestricted street having ingress and egress by direct route to and from any such restricted street when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street, for which a building permit has been previously obtained.
 - 2. This section shall not apply to any vehicle owned by a public utility or a licensed contractor while necessarily in use in the construction, installation or repair of any public utility.
 - 3. This section shall not apply to garbage collection vehicles while in collection service under license or contract with the city.
- C. This section shall not be effective until appropriate signs are erected indicating the streets affected by this section.
- D. It is unlawful for any person to operate any vehicle or commercial vehicle exceeding a gross weight of fifteen thousand pounds, in through traffic between State Highway No. 108 over Lyons Street within the city, lying east of Shepherd Street in the city, in violation of this section.

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- E. Any person violating the provisions of this section is, upon conviction thereof, guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for a term not to exceed ninety days, or by both such fine and imprisonment.

(Ord. 729 § 1, 1997; Ord. 486 §§ 3 — 7, 1975.)

10.12.090 Woods Creek Drive restrictions.

It is unlawful for a vehicle in excess of ten thousand pounds gross weight to be operated on Woods Creek Drive from Stockton Street to the end of that roadway. (Ord. 514 § 1, 1978.)

Chapter 10.16

SPEED LIMITS

Sections:

- 10.16.010 Establishment and amendment procedures.**
- 10.16.020 Speed limits—At designated places.**
- 10.16.030 Speed limits—Signs to be erected.**

10.16.010 Establishment and amendment procedures.

As prescribed in the California Vehicle Code, Division 11, Chapter 7, "Speed Laws". The city council by resolution or ordinance shall declare prima facie speed laws on streets, or parts of streets, based on an engineering and traffic survey. (Ord. 630 (part), 1987; Ord. 531 (part), 1979.)

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10.16.020 Speed limits—At designated places.

When authorized signs are in place as set forth in Section 10.16.030 giving notice thereof, no person shall drive or operate any vehicle on the following public streets in the city in excess of the speed applying to the respective streets, as follows:

SPEED LIMITS

A. Declared Prima Facie Speed Limit of Twenty-five Miles per Hour.

Lyons Street, between Stewart Street and Bald Mtn. Road;

Mono Way (State Route 108), between east city limits and Short Street;

Shaws Flat Road, between Washington Street and Macomber Street;

Shaws Flat Road, between Washington Street and the northern city limits on Shaws Flat Road;

Snell Street, between Washington Street and Bonanza Street;

Stewart Street, in its entirety;

Washington Street, between south city limits and Bulwer Street;

Washington Street, (State Routes 49 and 108) between Short Street and north city limits;

All remaining residential and business district streets.

B. Declared Prima Facie Speed Limit of Thirty Miles per Hour.

Stockton Road (State Routes 49 and 108), between Fairview Lane and Washington Street.

C. Declared Prima Facie Speed Limit of Thirty-five Miles per Hour.

Greenley Road, in its entirety;

Shaws Flat Road, between Macomber Street and north city limits;

Snell Street, between Bonanza Road and north city limits.

D. Declared Prima Facie Speed Limit of Forty Miles per Hour.

Stockton Road, (State Route 49 and 108), between west city limits and Fairview Lane.

(Ord. 639, 1987; Ord. 630 (part), 1987; Ord. 531 (part), 1979.)

10.16.030 Speed limits—Signs to be erected.

A. The chief of police is directed to cause the signs described in the preceding section to be placed and erected only if the established speed is thirty miles per hour or greater, in accordance with the provisions of Section 10.16.020.

B. The chief of police, at his discretion, may erect signs on

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streets with the established speed limit of twenty-five miles per hour.

(Ord. 630 (part), 1987; Ord. 531 (part), 1979.)

ABANDONED VEHICLES

Chapter 10.20

ABANDONED VEHICLES

Sections:

- 10.20.010** General—Abandoned vehicles as nuisances.
- 10.20.020** Definitions.
- 10.20.030** Inapplicability of chapter.
- 10.20.040** Chapter not exclusive.
- 10.20.050** Enforcement.
- 10.20.060** Disposal.
- 10.20.070** Notice to department of motor vehicles.
- 10.20.080** Costs, assessment of.
- 10.20.090** Abandoned vehicles.
- 10.20.100** Misdemeanor—Failure to remove.
- 10.20.110** Constitutionality.

10.20.010 General—Abandoned vehicles as nuisances.

In addition to and in accordance with the determination made and the authority granted by the state under Section 22660 of the Vehicle Code to remove abandoned, wrecked, dismantled or inoperative vehicles or parts thereof as public nuisances, the city council makes the following findings and declarations:

The accumulation and storage of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof on private or public property creates a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare. Therefore, the presence of an abandoned, wrecked, dismantled or inoperative vehicle or parts thereof, on private or public property, except as expressly permitted in this chapter, constitutes a public nuisance which may be abated as such in accordance with the provisions of this chapter. (Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

ABANDONED VEHICLES

10.20.020 Definitions.

As used in this chapter the following words and phrases are defined as set out in this section:

- A. "Highway" means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.
- B. "Owner of the land" means the owner of the land on which the vehicle, or parts thereof, is located, as shown on the last equalized assessment roll.
- C. "Owner of the vehicle" means the last registered owner and legal owner of record.
- D. "Public property" does not include highway.
- E. "Vehicle" means a device by which any person or property may be propelled, moved by human power or used exclusively upon stationary rails or tracks.

(Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

10.20.030 Inapplicability of chapter.

This chapter shall not apply to:

- A. A vehicle, or part thereof, which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or
- B. A vehicle, or part thereof, which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, a junk dealer, or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise;
- C. A vehicle, or parts thereof, located behind a solid fence, six feet in height or not plainly visible from a highway. Nothing in this section authorizes the maintenance of a public or private nuisance as defined under provisions of law other than Chapter 10 (commencing with Section 22650) of Division 11 of the Vehicle Code and this chapter.

(Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

ABANDONED VEHICLES

10.20.040 Chapter not exclusive.

This chapter is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the city. It shall supplement and be in addition to the other regulatory codes, statutes and ordinances heretofore or hereafter enacted by this city, the state or any other legal entity or agency having jurisdiction. (Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

10.20.050 Enforcement.

- A. Except as otherwise provided in this chapter, the provisions of this chapter shall be administered and enforced by the chief of police or his designated officer. In the enforcement of this chapter, such officer and his officers may enter upon private or public property to examine a vehicle or parts thereof, or obtain information as to the identity of a vehicle and to remove or cause to be removed any vehicle or parts thereof declared to be a nuisance pursuant to this chapter.
- B. When the city council has contracted with or granted a franchise to any person or persons, such person or persons shall be authorized to enter upon private property or public property to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this chapter.
- C. The total cost of removal and administrative costs as established by affidavit of the chief of police, may be assessed against the owner of the land upon which the vehicle or vehicles parts are located.
- D. Upon discovering the existence of an abandoned, wrecked, dismantled or inoperative vehicle, or parts thereof, on private property or public property within the city, the chief of police shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed in this chapter.
- E. A ten-day notice of intention to abate and remove the vehicle, or parts thereof, as a public nuisance shall be mailed by registered or certified mail to the owner of the land as shown on the

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last equalized assessment roll and to the last registered and legal owner of record, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notices of intention shall be in substantially the following forms:

“NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED, DISMANTLED, OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC NUISANCE”

(Name and address of owner of the land)

As owner shown on the last equalized assessment roll of the land located at (address), you are hereby notified that the undersigned pursuant to Chapter 10.20, Title 10 of the Sonora Municipal Code, has determined that there exists upon said land an (or parts of an) abandoned, wrecked, dismantled or inoperative vehicle registered to _____, license number _____, which constitutes a public nuisance pursuant to the provisions of Section 10.20.040, Sonora Municipal Code.

“You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of a vehicle) within 10 days from the date of mailing of this notice, and upon your failure to do so the same will be abated and removed by the City of Sonora and the costs thereof, together with administrative costs, assessed to you as owner of the land on which said vehicle (or said parts of a vehicle) is located.

“As owner of the land on which said vehicle (or said parts of a vehicle) is located, you are hereby notified that you may, within 10 days after the mailing of this notice of intention, request a public hearing and if such request is not received by the City Council of the City of Sonora within such 10-day period, the Chief of Police shall have the authority to abate and remove said vehicle (or parts of a vehicle) as a public nuisance and assess the costs as aforesaid without a public hearing. You

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may submit a sworn written statement within such 10-day period denying responsibility for the presence of said vehicle (or parts of a vehicle) on said land, with your reasons for denial, and such statement shall be construed as a request for hearing at which your presence is not required. You may appear in person at any hearing requested by you or the owner of the vehicle or, in lieu thereof, may present a sworn written statement as aforesaid in time for consideration at such hearing.”

NOTICE MAILED: _____

Chief of Police
City of Sonora

“NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC NUISANCE”

(Name and address of last registered and/or legal owner of record of vehicle - notice should be given to both if different.)

“As last registered (and/or legal) owner of record of (description of vehicle - make, model, license, etc.), you are hereby notified that the undersigned pursuant to Chapter 10.20 of Title 10 of the Sonora Municipal Code has determined that said vehicle (or parts of a vehicle) exists as an abandoned, wrecked, dismantled or inoperative vehicle at (describe location on public or private property) and constitutes a public nuisance pursuant to the provisions of Section 10.20.040, Sonora Municipal Code.

“You are hereby notified to abate said nuisance by the removal of said vehicle (or parts of a vehicle) within 10 days from the date of mailing of this notice.

“As registered (and/or local) owner of record of said vehicle (or said parts of a vehicle), you are hereby notified that you may, within 10 days after the mailing of this notice of intention,

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request a public hearing and if such request is not received by the City Council of the City of Sonora within such 10-day period, the Chief of Police shall have the authority to abate and remove said vehicle (or said parts of a vehicle) without a hearing.

Notice Mailed _____

Chief of Police
City of Sonora

- F. A notice of intention to abate shall not be required if:
1. The property owner and the owner of the vehicle have signed releases authorizing removal and waiving further interest in the vehicle or part thereof, or
 2. All of the following conditions are satisfied:
 - a. The vehicle or part thereof is inoperable due to the absence of a motor, transmission or wheels and is incapable of being towed;
 - b. The vehicle or part thereof is valued less than two hundred dollars (\$200.00) by the police chief of the city or his/her designee;
 - c. The department of building and safety has determined that the vehicle or part thereof is a public nuisance presenting an immediate threat to public health or safety;
 - d. The property owner has signed a release authorizing the removal and waiving further interest in the vehicle or part thereof; and
 - e. The vehicle is located upon a parcel that is either zoned for agriculture use or is not improved with a residential structure containing one or more dwelling units.

If a vehicle is removed pursuant to subsection B of this section, prior to final disposition, the registered or legal owner shall be notified of the intent to dispose of the vehicle or part thereof. If the vehicle or part thereof is not claimed and removed

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from the scrapyard, automobile dismantler's yard or public disposal area within twelve days after the notice to dispose of the vehicle is mailed, final disposition may proceed.

- G. Upon request by the owner of the vehicle or owner of the land received by the city council within ten days after the mailing of the notices of intention to abate and remove, a public hearing shall be held by the city council on the question of abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled or inoperative vehicle, and the assessment of the administrative costs and the cost of removal of the vehicle or parts thereof against the property on which it is located.

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his land within such ten-day period, said statement shall be construed as a request for a hearing which does not require his presence. Notice of the hearing shall be mailed, by registered or certified mail, at least ten days before the hearing to the owner of the land and to the owner of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership. If such a request for hearing is not received within said ten days after mailing of the notice of intention to abate and remove, the city shall have the authority to abate and remove the vehicle or parts thereof as a public nuisance without holding a hearing.

- H. All hearings under this chapter shall be held before the city council which shall hear all facts and testimony it deems pertinent. Said facts and testimony may include testimony on the condition of the vehicle or parts thereof and the circumstances concerning its location on the private property or public property. The city council shall not be limited by the technical rules of evidence. The owner of the land may appear in person at the hearing or present a sworn written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with his reasons for such denial.
- I. The city council may impose such conditions and take such other action as it deems appropriate under the circumstances to

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carry out the purpose of this chapter. It may delay the time for removal of the vehicle or parts thereof if, in its opinion, the circumstances justify it. At the conclusion of the public hearing, the city council may find that a vehicle or parts thereof has been abandoned, wrecked, dismantled or is inoperative on private or public property and order the same removed from the property as a public nuisance and disposed of as provided in this chapter and determine the administrative costs and the cost of removal to be charges against the owner of the land. The order requiring removal shall include a description of the vehicle or parts thereof and the correct identification number and license number of the vehicle, if available at the site.

- J. If it is determined at the hearing that the vehicle was placed on the land without the consent of the owner of the land and that he has not subsequently acquiesced in its presence, the city council shall not assess the costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such costs from such owner of the land.
- K. If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his land but does not appear, or if an interested party makes a written presentation to the city council, but does not appear, he shall be notified in writing of the decision.

(Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

10.20.060 Disposal.

Five days after adoption of the order declaring the vehicle or parts thereof to be a public nuisance, five days from the date of mailing of notice of decision, if such notice is required by subsection K of Section 10.22.050, or fifteen days after such action of the governing body authorizing removal following appeal, the vehicle or parts thereof may be disposed of by removal to a scrap yard or automobile dismantler's yard. After a vehicle had been removed, it shall not thereafter be reconstructed or made complete. (This section

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shall not apply to those vehicles which qualify as historical vehicles pursuant to Section 5004 of Vehicle Code). (Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

10.20.070 Notice to department of motor vehicles.

Within five days after the date of removal of the vehicle or parts thereof, notice shall be given to the department of motor vehicles identifying the vehicle or parts thereof removed. At the same time, there shall be transmitted to the department of motor vehicles any evidence of registration available, including the registration card, certificates of ownership and license plates. (Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

10.20.080 Costs, assessment of.

If the administrative costs and the cost of removal which are charged against the owner of a parcel of land pursuant to Section 10.20.060 are not paid within thirty days of the date of the order, or the final disposition of an appeal therefrom, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and shall be transmitted to the tax collector for collection. Said assessment shall have the same priority as other city taxes. (Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

10.20.090 Abandoned vehicles.

It is unlawful and a misdemeanor for any person to abandon, park, store or leave or permit the abandonment, parking, storing or leaving of any licensed or unlicensed vehicle or parts thereof which is abandoned, wrecked, dismantled or in an inoperative condition upon any private property or public property, including highways, within the city for a period in excess of seventy-two or more consecutive hours unless such vehicle or parts thereof is completely enclosed within a building in a lawful manner where it is not plainly visible from the street or other public or private property, or unless

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such vehicle is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer or a junk yard. (Ord. 701 (part), 1994: Ord. 627 § 1, 1987: Ord. 533 § 1 (part), 1980.)

10.20.100 Misdemeanor—Failure to remove.

It is unlawful and a misdemeanor for any person to fail or refuse to remove an abandoned, wrecked, dismantled or inoperative vehicle or parts thereof or refuse to abate such nuisances when ordered to do so in accordance with the abatement provisions of this chapter or state law where such state law is applicable. (Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

10.20.110 Constitutionality.

Should any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this chapter for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter. (Ord. 701 (part), 1994: Ord. 533 § 1 (part), 1980.)

PARKING AND TRAFFIC COMMISSION

Chapter 10.24

PARKING AND TRAFFIC COMMISSION

Sections:

- 10.24.010** Parking and traffic commission established.
- 10.24.020** Members.
- 10.24.030** Terms of office.
- 10.24.040** Vacancies.
- 10.24.050** Removal of members.
- 10.24.060** Chairperson—Chairperson pro tempore.
- 10.24.070** Meetings.
- 10.24.080** Meetings—Quorum.
- 10.24.090** Powers and duties generally.
- 10.24.100** Procedural rules.
- 10.24.110** Cooperation of city staff.
- 10.24.120** Limitation of liability.
- 10.24.130** Decision—Appeal.

10.24.010 Parking and traffic commission established.

There is established a parking and traffic commission in and for the city of Sonora. (Ord. 743 (part), 2000.)

10.24.020 Members.

The parking and traffic commission shall consist of eight members, each of whom shall be appointed by the mayor with confirmation from the city council. The tenure of any member of the parking and traffic commission may be terminated at any time by a majority of the council. The eight members will consist of the following:

- Two council representatives;
- One police department representative;
- One fire department representative;
- One public works department representative;
- One planning commission representative;
- Two at-large representatives.*

*At the time of appointment and throughout incumbency, the two at-large representatives shall be limited to two consecutive terms

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and (a) must be a qualified elector in the city or (b) be licensed by the city to operate a business.

(Ord. 747, 2000: Ord. 743 (part), 2000.)

10.24.030 Terms of office.

Members of the parking and traffic commission shall be appointed for two years or until their successors shall be appointed, whichever shall occur first. Terms of office shall be filled in accordance with Section 10.24.020. (Ord. 743 (part), 2000.)

10.24.040 Vacancies.

Should a vacancy occur in a category of membership, such vacancy shall be filled in accordance with Section 10.24.020. (Ord. 743 (part), 2000.)

10.24.050 Removal of members.

Whenever in the sole discretion of the council, the council believes that the best interest of the city shall be served, any member of the parking and traffic commission may be removed from office by a majority vote of the council. (Ord. 743 (part), 2000.)

10.24.060 Chairperson—Chairperson pro tempore.

The mayor will select one of the two city council appointments to the parking and traffic commission to serve as chairperson and the other to serve as chairperson pro tempore. The chairperson and chairperson pro tempore shall serve in such capacity until new committee assignments are made after July 1st of each municipal election year. It will be the duty of the chairperson to preside over all meetings of the commission with the chairperson pro tempore serving as chair in the absence of the chairperson. (Ord. 743 (part), 2000.)

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10.24.070 Meetings.

The traffic and parking commission shall meet in regular session on an as-needed basis. Written notice of each meeting shall be given pursuant to the Ralph M. Brown Act, Government Code Section 54950 et seq. All meetings of the parking and traffic commission shall be open and public pursuant to state law. (Ord. 743 (part), 2000.)

10.24.080 Meetings—Quorum.

Four members of the parking and traffic commission shall constitute a quorum. (Ord. 743 (part), 2000.)

10.24.090 Powers and duties generally.

The powers and duties of the parking and traffic commission shall encompass all roadways and public parking citywide as set forth in this code. General powers and duties shall include but not be limited to:

- A. Acting on requests for change made by the public or by committee members regarding roadways and public parking;
- B. Matters germane to special parking and traffic studies and traffic calming;
- C. Such other matters as shall be referred from time to time from the city council.

The commission shall have such other powers and duties as may be expressly conferred upon the commission by ordinance or resolution. Except as may be otherwise specifically authorized in this chapter, the powers and duties of the parking and traffic commission are final unless the provisions of Section 10.24.130 of this chapter are invoked.

(Ord. 743 (part), 2000.)

10.24.100 Procedural rules.

The parking and traffic commission may adopt, from time to time, such rules of procedures and policies as may be deemed necessary to properly exercise its powers and duties. All such rules, procedures and policies shall be subject to prior approval of the city

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attorney and the city administrator and shall be copied to city council members. (Ord. 743 (part), 2000.)

10.24.110 Cooperation of city staff.

The city engineer and/or the city attorney will provide assistance as requested by the parking and traffic commission. All other department heads and the city administrator shall cooperate and tender all reasonable and necessary assistance to the parking and traffic commission upon request. (Ord. 743 (part), 2000.)

10.24.120 Limitation of liability.

Neither the parking and traffic commission nor any individual member thereof shall incur any financial liability or responsibility in the name of or on behalf of the city by virtue of their activities as parking and traffic commission members. (Ord. 743 (part), 2000.)

10.24.130 Decision—Appeal.

In any matter which the parking and traffic commission shall have the express power to determine the rights and obligations within its jurisdiction, any person aggrieved by any such action or ruling of the commission may appeal to the council within ten calendar days of that action taken by the commission. Such appeal must be received by the city administrator in writing. Any fee for processing an appeal to a decision made under this chapter shall be established by resolution of the council. (Ord. 743 (part), 2000.)

TITLE 10 FOOTNOTES

1. For statutory provisions authorizing local authorities to establish crosswalks, see Vehicle Code § 21106; for statutory provisions on curb markings, see Vehicle Code § 21458; for statutory provisions authorizing local authorities to prohibit or restrict the parking or standing of vehicles on certain streets or highways, see Vehicle Code §§ 22507 and 22508.
2. For statutory provisions authorizing cities to restrict or prohibit parking on certain street, see Vehicle Code §§ 22507 and 22508; for statutory provisions on parking meter zones, see Vehicle Code § 22508.
3. For statutory provisions authorizing cities to impose vehicle weight limits, see Vehicle Code § 35700 et seq. and §§ 1031 — 1036 of the California Public Utilities Code.