

If you would like to do a further
Search of this document.

Please click on the icon below.



Title 10

VEHICLES AND TRAFFIC

Chapter:

- 10.05 General Provisions**
- 10.10 Definitions**
- 10.15 Operation of Vehicles**
- 10.20 Parking - Generally**
- 10.25 Parking Meters**
- 10.30 Preferential Parking Areas**
- 10.35 Pedestrians and Passengers**
- 10.40 Bicycles**
- 10.45 Coasting Devices - Public Areas**
- 10.50 Assessment of Driving Under the Influence (DUI) Cost Recovery Fees**
- 10.52 Abandoned Vehicles**
- 10.55 Enforcement**

Chapter 10.05**GENERAL PROVISIONS****Section:**

- 10.05.010 Purpose.**
10.05.020 Applicability.
10.05.030 Authority of the city council to adopt vehicle and traffic regulations.
10.05.040 Authority of the traffic committee of the city council to adopt vehicle and traffic regulations.
10.05.050 Authority of the director of public works to adopt vehicle and traffic regulations.
10.05.060 Authority of the fire chief to adopt vehicle and traffic regulations.
10.05.070 Functions of the parking place commission
10.05.080 Record of vehicle and traffic regulations.
10.05.090 Obedience to traffic control devices - Required.
10.05.100 Public employees to obey traffic regulations.

10.05.010 Purpose.

This title is adopted pursuant to the municipal affairs provisions of the City Charter and the provisions of the California Vehicle Code for the purpose of establishing the organization, authority, duties and responsibilities for the administration of the traffic function within the city, providing an efficient and timely process for the consideration and implementation of traffic actions, adopting such rules and regulations as may be reasonable and necessary to regulate vehicles and traffic within the city, and enhancing the safety of pedestrians and other persons using the city's streets and sidewalks.

(Ord. 2119)

10.05.020 Applicability.

The provisions of this title shall apply to and govern the operation of vehicles, the movements of pedestrians and public transit passengers, the operation of bicycles, the actions of roller skaters, and the parking of vehicles within the city.

(Ord. 2119)

10.05.030 Authority of the city council to adopt vehicle and traffic regulations.

A. Except as otherwise provided in this chapter, the city council shall have the sole and exclusive authority to adopt vehicle and traffic regulations which control or restrict use of the public streets, sidewalks, parking lots and other public ways and places within the city by the operators of vehicles, bicyclists, roller skaters, pedestrians and persons using other means of transport or travel; to cause the installation of traffic control devices necessary to implement such regulations; and to cause the preparation of the studies or performance of such other duties required to adopt such regulations or to install such devices.

B. The city council's authority to adopt vehicle and traffic regulations shall include, but not be limited to, regulations which:

1. Designate streets as one-way streets.

2. Designate those street intersections in which the movement of traffic will be regulated by traffic signals.
 3. Designate or abolish preferential parking areas.
 4. Alter prima facie speed limits from those established in the California Vehicle Code in the manner provided in such code.
 5. Authorize the installation of on-street and off-street parking meters.
 6. Establish parking meter rates and determine the days and hours of meter operations.
 7. Establish fees for vehicle parking permits.
- C. When requested by the city manager or any member of the city council, the city council shall also have authority to review any vehicle and traffic regulation adopted by the traffic committee, the director or the fire chief in the manner hereinafter authorized by this section and either affirm the regulation, modify or amend the regulation, or reject or repeal the regulation. In addition, at the request of the city manager or any member of the city council, the city council may consider and adopt any vehicle or traffic regulation within the authority of the traffic committee, the director or fire chief to adopt which the traffic committee, the director or fire chief has failed or refused to adopt.
- D. The city council shall adopt vehicle and traffic regulations by ordinance when required by the California Vehicle Code. All other vehicle and traffic regulations may be adopted by the city council by resolution.

(Ord. 2119, Ord. 2364 §102)

10.05.040 Authority of the traffic committee of the city council to adopt vehicle and traffic regulations.

- A. The traffic committee shall be the internal affairs committee of the city council or such other committee of councilmembers which is designated by the city council to adopt the vehicle and traffic regulations hereinafter authorized by this Section.
- B. The authority of the traffic committee adopt vehicle and traffic regulations shall include and be limited to authority to:
 1. Designate or abolish prohibited parking areas.
 2. Designate or abolish angle parking areas.
 3. Designate or abolish police parking zones.
 4. Designate or abolish bicycle parking zones.
 5. Designate those streets upon which the use of commercial vehicles is prohibited.
 6. Designate those street intersections in which the movement of traffic will be controlled by yield signs.
 7. Designate those street intersections in which the movement of traffic will be controlled by stop signs.
 8. Designate or abolish truck routes.
 9. Designate or abolish limited curb parking zones.
 10. Designate or abolish limited time parking areas.
 11. Prohibit parking on the left hand side of one-way streets and on one-way portions of divided streets.
 12. Prohibit parking on both sides of a narrow street or one side of a street when required by the street design criteria and improvement standards adopted by or pursuant to this code.

- C. When requested by the city manager or any member of the city council, the traffic committee shall also have authority to review any vehicle and traffic regulation adopted by the director or fire chief in the manner hereinafter authorized by this chapter and either affirm the regulation, modify or amend the regulation, or reject or repeal the regulation. In addition, at the request of the city manager or any member of the city council, the traffic committee may consider and adopt any vehicle or traffic regulation within the authority of the director or fire chief to adopt which the director or fire chief has failed or refused to adopt.
- D. A vehicle or traffic regulation adopted or amended by the traffic committee shall become effective and be implemented no earlier than the 30th day following the date it was adopted unless the traffic committee finds that the regulation was adopted or amended to address a safety hazard constituting an emergency, in which case the regulation shall become effective and be implemented immediately following its adoption.

(Ord. 2119, Ord. 2364 §103)

10.05.050 Authority of the Director to adopt vehicle and traffic regulations.

- A. The director shall have the authority and responsibility for adopting the vehicle and traffic regulations, installing the traffic control devices, and performing the studies or taking such other actions required to adopt such regulations or install such devices as hereinafter provided for by this section.
- B. In all areas of the city other than those areas within the central traffic district, the authority of the director to adopt vehicle and traffic regulations shall include and be limited to authority to:
 - 1. Determine the days and hours of operation of traffic signals, signs, markers and markings, and devices.
 - 2. Determine the proper timing of traffic signals so as to assure the movement of traffic in a safe and orderly manner, which shall include the authority to vary slightly from California Vehicle Code speed limits in order to achieve such objectives.
 - 3. Designate railroad stops.
 - 4. Designate or abolish limited curb parking zones.
 - 5. Designate or abolish special parking areas for two and three wheel vehicles.
 - 6. Designate or abolish safety zones.
 - 7. Designate or abolish loading zones.
 - 8. Designate or abolish bus zones.
 - 9. Designate temporary speed zones in and around the site of any construction work.
 - 10. With the approval of the city manager, establish parking regulations applicable to city property used for parking.
 - 11. Prohibit left and right turns against a traffic signal showing a red light.
 - 12. Prohibit parking adjacent to schools when such parking would create traffic congestion or hazardous conditions for vehicles or pedestrians.
 - 13. Prohibit parking at controlled intersections, or at any other hazardous area.
 - 14. Prohibit parking of vehicles exceeding six feet in height at intersections or in other areas in order to facilitate visibility.
 - 15. Temporarily prohibit parking during instances of construction activity or emergency traffic congestion.

16. Install signs or other traffic control devices on or adjacent to streets to warn vehicles or pedestrians of dangerous or hazardous conditions to enhance their safety.
 17. Install or remove permanent and temporary pavement delineations.
 18. Install or remove turning markers and markings within or adjacent to intersections.
 19. Install or remove restricted turn signs at intersections.
 20. Install or remove parking space markings.
- C. In all areas of the city within the central traffic district, the authority of the director to adopt vehicle and traffic regulations shall include and be limited to authority to:
1. Determine the proper timing of traffic signals so as to assure the movement of traffic in a safe and orderly manner, which shall include the authority to vary slightly from California Vehicle Code speed limits in order to achieve such objectives.
 2. Designate temporary speed zones in and around the site of any construction work.
 3. With the approval of the city manager, establish parking regulations within the municipal center.
 4. Prohibit parking of vehicles exceeding six feet in height at intersections or in other areas in order to facilitate visibility.
 5. Temporarily prohibit parking during instances of construction activity or emergency traffic congestion, or parades, athletic events or public assemblies authorized by a permit issued pursuant to Title 14 of this code.
 6. Install signs or other traffic control devices on or adjacent to streets to warn vehicles or pedestrians of dangerous or hazardous conditions to enhance their safety.
- D. The director shall also have the responsibility for installing such other signs, markings, and traffic control devices as may be necessary to implement the provisions of this title and any vehicle or traffic regulation adopted by the city council or the traffic committee in the manner hereinbefore provided by this chapter.
- E. A vehicle or traffic regulation adopted by the director shall become effective and be implemented no earlier than the 30th day following the date it is entered in the record of traffic regulations and traffic control devices to be maintained by the director in the manner hereinafter required by this chapter unless the director makes a written finding that the regulation was adopted to address a safety hazard constituting an emergency, in which case the regulation shall become effective and be implemented immediately following the date that the regulation was entered in the record of traffic regulations and traffic control devices.

(Ord. 2119, Ord. 2364 §104)

10.05.060 Authority of the fire chief to adopt vehicle and traffic regulations.

- A. The fire chief shall have the authority and responsibility for adopting regulations designating fire lanes within the city, and for performing such studies and taking such other actions as may be necessary to adopt or implement such regulations.
- B. A regulation adopted by the fire chief designating a fire lane shall become effective and be implemented no earlier than the 30th day following the date it is entered in the record of traffic regulations and traffic control devices to be maintained by the director in the manner hereinafter required by this chapter unless the fire chief makes

a written finding that the regulation was adopted to address a safety hazard constituting an emergency, in which case the regulation shall become effective and be implemented immediately following the date that the regulation was entered in the record of traffic regulations and traffic control devices.

(Ord. 2119, Ord. 2364 §105)

10.05.070 Functions of the parking place commission.

Repealed by Ordinance 2364 §106

(Ord. 2119)

10.05.080 Record of vehicle and traffic regulations.

The director shall maintain a permanent record of all traffic regulations and traffic control devices which are adopted or authorized by the city council, the traffic committee, the director or the fire chief in the manner provided by this chapter. Such record shall include a description of each such regulation and/or device, the location of any such device, the date the regulation or device was authorized, and the identity of the entity or person adopting or authorizing the regulation or device.

(Ord. 2119, Ord. 2364 §107)

10.05.090 Obedience to traffic control devices - Required.

Whenever a vehicle or traffic regulation has been adopted by or pursuant to this title or the provisions of the Vehicle Code, it shall be unlawful for any person to fail to comply with such regulation unless such person is otherwise specifically exempted from complying with the regulation by this code, the Vehicle Code, or any other applicable law or regulation.

(Ord. 2119)

10.05.100 Public employees to obey traffic regulations.

The vehicle and traffic regulations adopted by or pursuant to this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state and any county or city, unless any such vehicle is specifically exempted from such provisions by this code, the Vehicle Code or any other applicable law or regulation.

(Ord. 2119)

Chapter 10.10**DEFINITIONS****Section:**

10.10.010	Definitions generally.
10.10.020	Central traffic district.
10.10.025	Director.
10.10.030	Holidays.
10.10.040	Limited curb parking space.
10.10.050	Municipal center.
10.10.060	Parking meter.
10.10.070	Parking meter space
10.10.080	Parking meter zone.
10.10.090	Parking time.
10.10.100	Parkway.
10.10.110	Public transit system.
10.10.120	Roller skate and roller skater.
10.10.130	Traffic control device
10.10.140	Traffic signal
10.10.150	Vehicle code.
10.10.160	Vehicle height.

10.10.010 Definitions generally.

Unless the contrary is stated or clearly appears from the context, the definitions set forth in the California Vehicle Code and hereinafter set forth in this chapter shall govern the construction of the words and phrases used in this title.

(Ord. 2119)

10.10.020 Central traffic district.

The term “central traffic district” shall mean all streets and portions of streets and public rights-of-way within the In-Lieu Parking Benefit Area established pursuant to Title 19 of this code and described in Chapter 19R.43 of this code.

(Ord. 2119)

10.10.025 Director.

The term “director” as used in this Chapter shall mean the director of the building and development services department.

(Ord. 2364 §108)

10.10.030 Holidays.

The term “holidays” shall mean: January 1, third Monday in January, third Monday in February, last Monday in May, July 4, first Monday in September, November 11, the Thursday in November appointed as Thanksgiving Day, the day after Thanksgiving Day, December 24, December 25, and December 31.

(Ord. 2119; Ord. 2304)

10.10.040 Limited curb parking space.

The term “limited curb parking space” shall mean an area open for lawful parking alongside of, and adjacent to, a curb, which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time.

(Ord. 2119)

10.10.050 Municipal center.

The term “municipal center” shall mean all property bounded on the west by Main Street, on the north by East Fourth Street, on the east by Flume Street, and on the south by East Fifth Street.

(Ord. 2119)

10.10.060 Parking meter.

The term “parking meter” shall mean any device which, when activated, indicates unexpired parking time for the vehicle parked adjacent thereto.

(Ord. 2119)

10.10.070 Parking meter space.

The term “parking meter space” shall mean a parking space of sufficient size to permit the parking of one vehicle only adjacent to a parking meter within a parking meter zone.

(Ord. 2119)

10.10.080 Parking meter zone.

The term “parking meter zone” shall mean that portion of a public street or parking lot upon which the parking of vehicles is regulated with the aid of parking meters.

(Ord. 2119)

10.10.090 Parking time.

The term “parking time” shall mean the limitation upon the period of time during which a vehicle is permitted to park within a designated parking area pursuant to this title.

(Ord. 2119)

10.10.100 Parkway.

The term “parkway” shall mean any portion of a public right-of-way other than the sidewalk or street within which use by vehicular traffic is prohibited including, but not limited to, portions of a public right-of-way between the sidewalk and a street.

(Ord. 2119)

10.10.110 Public transit system.

The term “public transit system” shall mean a system of buses or other vehicles operated by or for the city or any other public agency which are used for the conveyance of passengers.

(Ord. 2119)

10.10.120 Roller skate and roller skater.

The terms “roller skate” and “roller skater” shall mean any person or persons propelling themselves or being propelled, while on roller skates, roller blades, a skate board or other similar device.

(Ord. 2119)

10.10.130 Traffic control device.

The term “traffic control device” shall mean any traffic signal, sign or other device which is used to direct traffic to alternately stop or slow and then proceed.

(Ord. 2119)

10.10.140 Traffic signal

The term “traffic signal” shall mean any traffic control device which regulates the movement of traffic with lights or a sound-producing device.

(Ord. 2119)

10.10.150 Vehicle code.

The term “vehicle code” shall mean the California Vehicle Code.

(Ord. 2119)

10.10.160 Vehicle height.

The term “vehicle height” shall mean the height of a vehicle measured from street or ground surface to the highest point on the vehicle structure, including any camper, storage box, side rails or similar structure mounted thereon.

(Ord. 2119)

Chapter 10.15

OPERATION OF VEHICLES

Section:

- 10.15.010 Purpose.**
10.15.020 Direction of traffic by unauthorized persons - Prohibited.
10.15.030 Animal drawn vehicles - Central traffic district - Time limitations upon use.
10.15.040 Funeral processions - Driving restrictions.
10.15.050 Parkway driving - Prohibited.
10.15.060 Riding on fresh pavement or pavement markings - Prohibited.
10.15.070 Trucks - Limitations upon routes.
10.15.080 Approach of vehicles to fire scenes and fire equipment - Prohibited.

10.15.010 Purpose.

The provisions of this chapter shall govern the operation of vehicles on the public streets and all other public ways and places within the city.

(Ord. 2119)

10.15.020 Direction of traffic by unauthorized persons - Prohibited.

No person, other than a city police officer, a city firefighter, a person authorized by the city manager, chief of police, fire chief, building and development services director, capital projects services director or the general services director, or a person otherwise authorized by law, shall direct or attempt to direct traffic by voice, hand or other signal; except that any person may affect the movement of traffic by operating a push button or other control device installed as part of the electrical circuitry of a traffic signal in order to facilitate street crossing by pedestrians and bicyclists.

(Ord. 2119, Ord. 2364 §109)

10.15.030 Animal drawn vehicles - Central traffic district - Time limitations upon use.

No person shall drive any animal-drawn vehicle into or within the central traffic district between the hours of 7:30 a.m. and 10:00 a.m. and between the hours of 4:30 p.m. and 6:00 p.m. of any day; Sundays, holidays and permitted parades excepted.

(Ord. 2119)

10.15.040 Funeral processions - Driving restrictions.

No person shall drive a vehicle between vehicles comprising a funeral procession while they are in motion and when the vehicles in such processions are conspicuously so designated.

(Ord. 2119)

10.15.050 Parkway driving - Prohibited.

No person shall drive upon or within any parkway except at a permanent or temporary driveway.

(Ord. 2119)

10.15.060 Riding on fresh pavement or pavement markings - Prohibited.

No person shall ride or drive any animal or vehicle over or across any freshly laid pavement or freshly painted markings in any street when a barrier or sign is in place warning persons not to drive over or across such pavement or markings, or when a sign is in place stating that the street, or any portion thereof, is closed.

(Ord. 2119)

10.15.070 Trucks - Limitations upon routes.

No person shall drive a vehicle exceeding a gross maximum weight of seven tons upon any street not designated as a truck route, except that nothing in this section shall prohibit the operator of any such vehicle from having ingress and egress from a designated truck route when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located off of a truck route upon a 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 such restricted streets when a building permit has been obtained for such building or structure. Further, the provisions of this section shall not apply to passenger buses or to any vehicle owned and operated by a public utility when in use for the construction, installation or repair of utility facilities.

(Ord. 2119; Ord. 2311)

10.15.080 Approach of vehicles to fire scenes and fire equipment - Prohibited.

No person, other than the driver of a vehicle operated by a city firefighter or other fire protection personnel, or the driver of a vehicle operated by a city police officer or other law enforcement personnel, shall drive a vehicle within a distance of 300 feet of the scene of a fire or other emergency being responded to by the city fire department or another fire protection agency, or within 50 feet of any fire equipment located at the scene of a fire or other emergency being responded to by the city fire department or another fire protection agency, unless requested or authorized by the firefighter acting as the on-scene commander.

(Ord. 2119)

Chapter 10.20

PARKING - GENERALLY

Section:

- | | |
|------------------|---|
| 10.20.010 | Purpose. |
| 10.20.020 | Application and interpretation of parking regulations. |
| 10.20.030 | Alteration of tire marking evidence - Prohibited. |
| 10.20.040 | Posted parking zones - Parking prohibited. |
| 10.20.050 | Posted parking zones - Time restrictions. |
| 10.20.060 | Posted parking zones - Height limitations. |
| 10.20.065 | Posted parking zones - Police parking. |
| 10.20.070 | Curb markings - Red no-parking zones. |
| 10.20.080 | Curb markings - Red bus zones. |
| 10.20.090 | Curb markings - Green limited-time parking zones. |
| 10.20.100 | Curb markings - White passenger zones. |
| 10.20.110 | Curb markings - Yellow loading zones. |
| 10.20.120 | Alleys - Parking restrictions. |
| 10.20.130 | Angle and back-in parking - Parking restrictions. |
| 10.20.140 | Angle parking by vehicles over 20 feet in length - Parking prohibited in central traffic district. |
| 10.20.150 | Municipal center parking - Parking restrictions. |
| 10.20.160 | Commercial vehicles exceeding 10,000 pounds gross vehicle weight - Parking prohibited between the hours of 2 a.m. and 6 a.m. |
| 10.20.170 | Servicing or repairing vehicle on street - Parking prohibited. |
| 10.20.180 | Displaying vehicle for sale on or adjacent to street - Parking prohibited. |
| 10.20.190 | Limited-curb parking space - Right-of-Way precedence when parking. |
| 10.20.200 | Storage and parking of vehicles, recreational vehicles, boats, and trailers on city streets and public rights-of-way - Restrictions. |
| 10.20.210 | Parking space - Single vehicle to occupy only one space. |
| 10.20.220 | Parkway parking - Parking prohibited. |
| 10.20.230 | Two- and three-wheel vehicle parking areas - Parking of other vehicles prohibited. |

10.20.010 Purpose.

The provisions of this chapter shall govern the stopping, standing and parking of vehicles on and within any public street, public parking lot, or other public way or place within the city.

(Ord. 2119)

10.20.020 Application and interpretation of parking regulations.

The parking regulations adopted by or pursuant to this chapter shall apply at all times or during the particular times specified in such regulations, except when it is necessary to stop, stand or park a vehicle in order to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device.

Any parking regulation adopted by or pursuant to this chapter which imposes a time limit on standing, stopping or parking shall not relieve a person from the duty to observe

other and more restrictive provisions of this code or the Vehicle Code prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

Moreover, every parking regulation adopted by or pursuant to this chapter which imposes a time limit on stopping, standing or parking shall be so construed as to require the complete removal of a vehicle from the entire space occupied by such vehicle at the expiration of such time limit. Except as provided in Section 10.20.200, a partial removal from such space so occupied, or a complete removal and the immediate return of such vehicle to such space or any part thereof before such vehicle shall have first entered or traversed the next street intersection, shall constitute a violation of such time limit. (Ord. 2119, Ord. 2401)

10.20.030 Alteration of tire marking evidence - Prohibited.

It shall be unlawful for any person to remove, erase, deface, obliterate, alter, or render unusable for the purposes of enforcing the provisions of this title any chalk mark, marker or other device placed on a vehicle or any portion thereof by a city employee for the purpose of measuring the passage of time of a vehicle stopped, standing or parked on any street or parking lot. (Ord. 2119)

10.20.040 Posted parking zones - Parking prohibited.

No person shall stop, stand or park a vehicle on any public street or other public property, or on any portion of such street or other property which is designated as a no-parking zone by the city council, the traffic committee, director or fire chief in the manner hereinbefore authorized by this title, provided signs, pavement markings or other devices giving notice of such parking prohibition have been posted or placed at or around the public street or other public property, or portion of the street or property to which the prohibition applies. (Ord. 2119, Ord. 2364 §110)

10.20.050 Posted parking zones - Time restrictions.

No person shall stand or park a vehicle on or within a public street or parking lot, including any portion of such street or parking lot within a parking meter zone, in excess of any applicable time limits established by the city council, the traffic committee or director in the manner hereinbefore authorized by this title, provided signs, pavement markings or other devices giving notice of such parking restrictions have been posted or placed at or around the public street, public parking lot or other public property or portion of the street, parking lot or other property to which the restriction applies. (Ord. 2119, Ord. 2364 §111)

10.20.060 Posted parking zones - Height limitations.

No person shall park or stand a vehicle which is more than six feet in height on any portion of a public street where the parking of such vehicles has been prohibited by the city council, traffic committee or the director in the manner hereinbefore authorized by this title, provided signs or other devices giving notice of such parking limitations have been posted or placed at or around the portion of the street to which the limitation applies. (Ord. 2119, Ord. 2364 §112)

10.20.065 Posted parking zones - Police parking.

No vehicle other than a police, sheriff, or Highway Patrol vehicle shall be stopped or parked within any portion of a public street designated as a police parking zone and identified as such by adjoining signage.

(Ord. 2202)

10.20.070 Curb markings - Red no-parking zones.

Any portion of a public street which adjoins a curb that is painted red is designated as a no-parking zone. No person shall park or stand a vehicle within any portion of a public street which has been designated as a no-parking zone by the city council, traffic committee, the director or the fire chief in the manner hereinbefore authorized by this title and which has been identified as a no-parking zone by an adjoining red curb.

(Ord. 2119, Ord. 2364 §113)

10.20.080 Curb markings - Red bus zones.

Any portion of a public street which adjoins a curb that is painted red is designated as a red bus zone where the words "Bus Zone" are painted at intervals on top of or along the sides of such curb or where such words are set forth on a sign or signs posted or placed within or next to such zone. No person other than a person operating a bus as part of a public transit system shall stop, stand or park a vehicle within any portion of a public street which has been designated as a red bus zone by the city council, traffic committee or the director in the manner hereinbefore authorized by this title and which has been identified as a bus zone by an adjoining red curb and the signage required by this section.

A person operating a bus as part of a public transit system may stop, stand or park such bus within a red bus zone only for the purpose of loading or unloading passengers or for the purpose of adjusting bus headways.

(Ord. 2119, Ord. 2364 §114)

10.20.090 Curb markings - Green limited-time parking zones.

Any portion of a public street which adjoins a curb that is painted green is designated as a limited-time parking zone. No person shall park a vehicle for a period of time exceeding that indicated on signs or curb markings along any portion of a public street which has been designated as a limited-time parking zone by the city council, traffic committee or director in the manner hereinbefore authorized by this chapter and which has been identified as a limited-time parking zone by an adjoining curb which has been painted green.

(Ord. 2119, Ord. 2364 §115)

10.20.100 Curb markings - White passenger zones.

Any portion of a public street which adjoins a curb that is painted white is designated as a passenger zone. No person shall park a vehicle for any purpose other than the loading or unloading of passengers or the deposit of mail in an adjacent mailbox within any portion of a public street which has been designated as a passenger loading zone by the city council, traffic committee or the director in the manner hereinbefore authorized by this chapter and which has been identified as a passenger loading zone by an adjoining white curb.

(Ord. 2119, Ord. 2364 §115)

10.20.110 Curb markings - Yellow loading zones.

- A. Any portion of a public street adjoining a curb which is painted yellow is designated as a yellow loading zone. Except as hereinafter provided by this section, no person shall park or otherwise stop or stand vehicles within any portion of a public street which has been designated as a yellow loading zone by the city council, traffic committee or director in the manner hereinbefore authorized by this title and which has been identified as a loading zone by an adjoining yellow curb.
- B. Vehicles may be parked in a yellow loading zone for the following purposes:
1. The operator of any vehicle may park the vehicle in a yellow loading zone for a period of time not exceeding three minutes for the purpose of loading and unloading passengers and personal baggage.
 2. The operator of a commercial vehicle and a vehicle engaged in the delivery of the United States mail may park the vehicle in a yellow loading zone for a period of time not exceeding 20 minutes or such shorter period of time as may be designated on the curb marking for the purposes of loading and unloading merchandise and other items or materials, the pickup or delivery of parcel post or express packages and mail, and the delivery of the United States mail.
 3. The operator of a noncommercial vehicle used for purposes of loading or unloading merchandise by the owner or proprietor of a business may park such vehicle within a yellow loading zone for such purposes for a period of time not exceeding 20 minutes or such shorter period of time as may be designated on the curb marking if authorized by a loading zone permit issued by the finance director. The city council shall, by resolution, establish a fee to be paid by an applicant for a loading zone permit, the type of insignia to be issued by the finance director to identify the vehicle for which the permit is issued, the place on the vehicle where the permit is to be affixed and the term of the permit.

(Ord. 2119, Ord. 2364 §117)

10.20.120 Alleys - Parking restrictions.

No person shall park a vehicle in any alley for any purpose other than the loading or unloading of persons or materials in the alley.

(Ord. 2119)

10.20.130 Angle and back-in parking - Parking restrictions.

- A. No person shall park a vehicle at an angle upon any street except those streets upon which angle parking is specifically permitted. When parked at an angle, a vehicle shall be parked only within the designated angle parking space with the front wheel of the vehicle nearest the curb within six inches of the curb or, in those areas specifically designated for back-in angle parking, with the back wheel nearest to the curb within six inches of such curb.
- B. No person shall back a vehicle into an angled parking space in any municipal parking lot, parking structure, or other city-owned property where parking is permitted.

(Ord. 2119; 2219)

10.20.140 Angle parking by vehicles over 20 feet in length - Parking prohibited in central traffic district.

No person shall park a vehicle at an angle upon any street in the central traffic district where the vehicle is over 20 feet in length.

(Ord. 2119)

10.20.150 Municipal center parking - Parking restrictions.

No person shall park on streets abutting or in parking facilities within the municipal center in violation of any parking limitations established for such center.

(Ord. 2119)

10.20.160 Commercial vehicles exceeding 10,000 pounds gross vehicle weight - Parking prohibited between the hours of 2 a.m. and 6 a.m.

No person who owns or has possession, custody or control of any commercial vehicle having a manufacturer's gross weight rating of 10,000 pounds or more shall park said vehicle in an R-1, R-2, R-3, R-P, RD-1 or RDH residential district of the city between the hours of 2 a.m. and 6 a.m. except where such commercial vehicle:

- A. Is engaged in making a pickup or delivery of goods, wares, or merchandise from or to any building or structure located within such district;
- B. Is being used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure for which a building permit has previously been obtained within such district; or
- C. Is engaged in the construction of subdivision and/or public improvements not requiring a building permit.

(Ord. 2119)

10.20.170 Servicing or repairing vehicle on street - Parking prohibited.

No person shall park a vehicle upon any street for the principal purpose of servicing or repairing such vehicle except when necessitated by an emergency.

(Ord. 2119)

10.20.180 Displaying vehicle for sale on or adjacent to street - Parking prohibited.

No person shall park a vehicle on a street or within 75 feet of a street for the purpose of displaying such vehicle for sale except where the vehicle is parked on property owned or occupied by a business holding a valid business license and engaged in the retail sale of new and/or used automobiles, or where the vehicle is parked on property containing a dwelling unit used by the vehicle's owner as a residence.

(Ord. 2119)

10.20.190 Limited curb parking space - Right-of-Way precedence when parking.

Any person seeking to park a vehicle in a limited-curb parking space whose vehicle arrives at the parking space prior to any other vehicle and who proceeds beyond the space a distance not to exceed 10 feet for the purpose of backing such vehicle therein shall have the right-of-way over another person driving or attempting to drive their vehicle directly into such limited curb parking space.

(Ord. 2119. Ord. 2268)

10.20.200 Storage and parking of vehicles, recreational vehicles, boats, and trailers on city streets and public rights-of-way - Restrictions.

- A. Definitions. As used in this section, the following words and phrases have the meanings set forth in this section, unless the context in which any such word or phrase is used clearly requires another meaning:
1. "Recreational vehicle" means any of the following:
 - a. "Travel trailer" means a vehicular portable structure built on a chassis designed to be used as a temporary dwelling for camping, travel, recreational, and vacation uses permanently identified as a travel trailer by the manufacturer;
 - b. "Camper" means a structure designed primarily to be mounted upon a motor vehicle and with sufficient facilities to render as suitable for use as a temporary dwelling for camping, travel, recreational and vacation purposes.
 2. "Vehicle" means the same as defined by California Vehicle Code Section 670, as amended.
- B. No person who owns or has possession, custody or control of any vehicle, recreational vehicle, boat, or trailer shall park or store such vehicle, recreational vehicle, boat, or trailer upon any street or public right-of-way for a consecutive period of more than 168 hours (7 days). A partial removal from the parking or storage space occupied, or a complete removal and the immediate return of such vehicle, recreational vehicle, boat, or trailer to such space or any part thereof shall constitute a violation of the 168 hour (7 day) time limit.
- C. Pursuant to California Vehicle Code Section 22651(k), as amended, any vehicle, recreational vehicle, boat, or trailer in violation of subsection B, above, may be towed.

(Ord. 2353, Ord. 2401)

10.20.210 Parking space - Single vehicle to occupy only one space.

Subject to any more restrictive limitations set forth in this title or the Vehicle Code, no vehicle parked in a marked parking space shall be parked other than within the limits of such marked parking space unless the size or shape of such vehicle makes parking within the marked limits of the parking space impossible. However, a marked parking space may be occupied by more than one two-wheel or three-wheel vehicle such as bicycles, motorcycles and motorscooters.

(Ord. 2119)

10.20.220 Parkway parking - Parking prohibited.

No person shall stop, stand or park a vehicle within any parkway.

(Ord. 2119)

10.20.230 Two and three-wheel vehicle parking areas - Parking of other vehicles prohibited.

No person shall park a vehicle having four or more wheels in a parking area designated for two- or three-wheel vehicles.

(Ord. 2119)

Chapter 10.25

PARKING METERS

Section:

- 10.25.010 Purpose.**
- 10.25.020 Operation of parking meters.**
- 10.25.030 Deposit of coins or city parking tokens during hours of meter operation**
- 10.25.040 Vehicle parking permits authorized in lieu of deposit of coins or city parking tokens .**
- 10.25.050 Collection of parking meter revenue.**
- 10.25.060 Purpose and use of parking meter revenue.**
- 10.25.070 Installation, servicing, maintenance and repair of parking meters.**
- 10.25.080 Parking limits in metered parking spaces.**
- 10.25.090 Use of slugs - Prohibited.**
- 10.25.100 Tampering with meter - Prohibited.**

10.25.010 Purpose.

The provisions of this chapter shall govern the parking of vehicles on any portion of a public street or parking lot in the city designated as a metered zone. However, the provisions of this chapter shall not be construed to allow parking in a metered zone in violation of any other provision of this title.

(Ord. 2119)

10.25.020 Operation of parking meters.

Whenever parking meters have been installed within parking meter zones, each such meter shall be designated as to the coinage required to operate it, so that the deposit of the needed coin or coins will set the mechanism of the meter in motion or permit the mechanism to be set in motion. When so activated, the meter shall show the unexpired parking time applicable to the parking meter space adjacent to it, and the meter, when the parking time has expired, shall so indicate by a visible sign.

(Ord. 2119)

10.25.030 Deposit of coins or city parking tokens during hours of meter operation.

During the hours specified for meter operation by action of the city council, no person shall park any vehicle in any parking space in a parking meter zone, except as otherwise permitted by this chapter, without immediately depositing in the parking meter adjacent to it such lawful coin or coins of the United States or a city parking token or tokens as is required to activate the meter and as designated by directions on it and, when required by the directions, set in operation the timing mechanism thereof in accordance with such directions, unless the parking meter indicates at the time such vehicle is parked that an unexpired portion remains of the period for which a coin or coins has been previously deposited.

(Ord. 2119)

10.25.040 Vehicle parking permits authorized in lieu of deposit of coins or city parking tokens.

- A. The city council may, in its discretion, grant vehicle parking permits to certain vehicle owners exempting such owners from the requirements of this chapter relative to depositing coins or tokens in parking meters while parking vehicles within either on-street or off-street parking meter zones upon the payment to the city, in advance, of a vehicle parking permit fee or fees. The city council shall adopt a schedule of such permit fees and establish such rules, regulations and restrictions as it determines necessary to implement administration of this section, including delegating to the city manager the authority to issue such permits and prescribe a form of insignia or emblem of exemption to be placed upon an exempted vehicle. Vehicles acquiring exemption pursuant to this section shall, however, be subject to all other provisions of this title.
- B. Commercial vehicles shall be exempted from the preceding section while loading and unloading materials for a period not exceeding 20 minutes.
- C. City-owned vehicles or equipment, when parked by a city officer or employee while engaged in the performance of their official duties, shall be exempt from the provisions of the preceding section. The city council may, in its discretion, when it deems public necessity and convenience so requires, exempt without charge federal, state and county-owned vehicles from the provisions of the preceding section.
- D. The city council may, in its discretion, exempt certain other vehicles from the requirements of this title as to depositing coins in parking meters in off-street parking lots where such vehicles are operated by persons attending conventions or other special events within the city. Such vehicles and persons shall be subject to rules and regulations promulgated by the city manager and approved by the city council.

(Ord. 2119)

10.25.050 Collection of parking meter revenue.

The finance director shall collect, or cause to be collected, all coins deposited in parking meters at least once each week. An accurate record of all amounts so collected shall be maintained.

(Ord. 2119)

10.25.060 Purpose and use of parking meter revenue.

The specific coin or coins required to be deposited in parking meters, together with the permit fees specified, all as provided for in this chapter, is hereby levied and assessed to provide for the proper regulation and control of traffic upon the streets and within the parking facilities of the city; for the cost of supervision and regulation of parking meters within the parking meter zones hereby authorized; to cover the costs of purchasing, acquiring, installing, operating, regulating and controlling the parking meters herein described; to pay and secure the payment of the principal and interest on bonds issued by the city pursuant to Chapter 3.6 and to operate and maintain the public off-street parking facilities provided by the city pursuant to such chapter. In addition, when authorized by the city council, such funds may also be used to support any alternative transportation programs funded by the city.

(Ord. 2119)

10.25.070 Installation, servicing, maintenance and repair of parking meters.

The general services director shall be responsible for the installation, servicing, maintenance and repair of all parking meters.

(Ord. 2119, Ord. 2364 §118)

10.25.080 Parking limits in metered parking spaces.

No person, except as otherwise provided in this title, shall permit any vehicle to remain parked in any parking meter space during any time when the parking meter adjacent to the space indicates that no portion remains of the period for which the last previous coin or coins had been deposited, or beyond the time limit for parking in such space as otherwise provided in this title.

(Ord. 2119)

10.25.090 Use of slugs - Prohibited.

No person shall deposit or attempt to deposit in any parking meter any slugs or other substitute for a coin of the United States or city parking token.

(Ord. 2119)

10.25.100 Tampering with meter - Prohibited.

No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter, other than an officer or employee of the city acting within the scope and course of their employment for a lawful and legitimate purpose in the interests of the city.

(Ord. 2119)

Chapter 10.30

PREFERENTIAL PARKING AREAS

Section:

- 10.30.010 Purpose.**
- 10.30.020 Designation of preferential parking areas - Required findings and considerations.**
- 10.30.030 Restrictions on parking within designated preferential parking areas - Exemptions from restrictions.**
- 10.30.040 Preferential parking permits - Guest passes - Limitations on number of permits.**
- 10.30.050 Preferential parking permits - Guest passes - Term of permits.**
- 10.30.060 Preferential parking permits - Form and content of permits.**
- 10.30.070 Preferential parking permits - Guest passes - Application for permit or pass.**
- 10.30.080 Preferential parking permits - Prohibited use of permits.**
- 10.30.090 Preferential parking guest passes - Issuance of guest passes.**
- 10.30.100 Preferential parking guest passes - Term of guest passes.**
- 10.30.110 Preferential parking guest passes - Form and content of guest passes.**
- 10.30.120 Preferential parking guest passes - Application for guest passes.**
- 10.30.130 Preferential parking guest passes - Prohibited use of guest passes.**
- 10.30.140 Preferential parking service passes - Issuance of service passes.**
- 10.30.150 Preferential parking service passes - Term of service passes.**
- 10.30.160 Preferential parking service passes - Form and content of service passes.**
- 10.30.170 Preferential parking service passes - Application for service passes.**
- 10.30.180 Preferential parking service passes - Prohibited use of service passes.**
- 10.30.190 Continuing violations.**

10.30.010 Purpose.

This chapter is adopted pursuant to the provisions of Section 22507 of the California Vehicle Code. Its purpose is to enhance the quality of life of those persons residing or employed in any area of the city which is zoned for and predominantly devoted to residential or residential/professional office uses, and which contains streets congested with vehicles parked by persons who do not reside or who are not employed in such area, by providing a means to limit the parking of vehicles along the streets within such area only to those persons who do reside or who are employed in the area, as well as a resident's guest. However, this chapter shall not be construed to allow parking within a preferential parking area in violation of any other provision of this title.
(Ord. 2119)

10.30.020 Designation of preferential parking areas - Required findings and considerations.

- A. The city council may, by resolution, designate an area of the city as a preferential parking area if the council finds that such area is zoned for and predominantly

devoted to residential or residential/professional office uses; that the area contains streets which are congested with vehicles parked by persons who do not reside or who are not employed in the area; and that limiting the parking of vehicles along the streets in the area to those persons who do reside or who are employed in the area is necessary in order to enhance the quality of life of such persons.

- B. In determining whether limiting the parking of vehicles along the streets within such an area to those persons who reside or who are employed in the area is necessary to enhance the quality of life of such persons, the city council shall consider the effect of vehicles parked by persons who do not reside or who are not employed in the area on ambient noise levels, air pollution levels and other environmental characteristics of the area; pedestrian and vehicular traffic safety in the area; and the burden on persons who reside or who are employed in the area in gaining access to their residences or places of employment.
- C. In its resolution designating an area of the city as a preferential parking area, the city council shall specifically describe such area and shall set forth the days and hours when the parking restrictions applicable to the area hereinafter provided for by this chapter will be in effect.

(Ord. 2119)

10.30.030 Restrictions on parking within designated preferential parking areas - Exemptions from restrictions.

No person shall stop, stand, or park a vehicle on any street within an area designated by resolution of the city council as a preferential parking area on the days and during the hours when preferential parking restrictions are in effect, except:

- A. A vehicle registered to or controlled and exclusively used by a person residing or employed in the designated preferential parking area when such vehicle properly displays a valid preferential parking permit issued in the manner hereinafter provided by this chapter;
- B. A vehicle being used by the guest of a person residing in the designated preferential parking area when such vehicle properly displays a valid preferential parking guest pass issued in the manner hereinafter provided by this chapter, and is parked on the street in front of the parcel of real property for which the guest pass was issued between the next street intersections on either side of such parcel;
- C. The following additional vehicles, which shall be exempt from the parking restrictions applicable to preferential parking areas:
 - 1. An emergency vehicle, including but not limited to an ambulance, fire engine, or police vehicle;
 - 2. A vehicle which is under the control of a person providing services to a parcel of real property located in a designated preferential parking area, including but not limited to a delivery vehicle; and
 - 3. A vehicle registered to or used by disabled persons when such vehicle displays a distinguishing license plate or placard issued by the California Department of Motor Vehicles.

(Ord. 2119)

10.30.040 Preferential parking permits - Guest passes - Limitations on number of permits.

- A. Preferential Parking Permits. A preferential parking permit may be issued by the finance director for any vehicle which is registered to or under the control of and exclusively used by a person residing or employed on a parcel of real property located within the boundaries of a designated preferential parking area.
- B. Guest Passes. Preferential parking guest passes may be issued by the finance director to persons residing or employed on any parcel of real property located within a designated preferential parking area.
- C. The cumulative number of preferential parking permits and guest passes which may be issued in relation to a parcel of real property with a single dwelling unit or place of employment shall not exceed a total of five. The cumulative number of permits and passes which may be issued for a parcel having two or more dwelling units or two or more places of employment shall not exceed a total of seven.

(Ord. 2119, Ord. 2395 §3)

10.30.050 Preferential parking permits - Guest passes - Term of permits.

Preferential parking permits and guest passes shall be issued based on a permit year running from July 1 through the following June 30th. Preferential parking permits and guest passes may be issued for a term of one, two or three years. Permits and passes issued to lessees of residential property shall not be issued for a term that would result in the permit or pass being issued for any permit year commencing after the expiration date of the lease.

(Ord. 2119, Ord. 2395 §4)

10.30.060 Preferential parking permits - Form and content of permits.

Each preferential parking permit issued pursuant to the provisions of this chapter shall identify the vehicle for which it is issued as one registered to or under the control of and exclusively used by a person residing or employed in the particular preferential parking area to which it applies; shall set forth the license number of such vehicle; and shall include instructions describing the manner in which the permit is to be displayed in such vehicle.

(Ord. 2119)

10.30.070 Preferential parking permits - Guest passes - Application for permit or pass.

- A. Applications for preferential parking permits and guest passes shall be filed with and be in a form approved by the finance director, and shall be accompanied by the following documents and fees:
 - 1. Documentary proof, satisfactory to the finance director, that the person making the application resides or is employed in the preferential parking area for which the permit is to be issued;
 - 2. For a preferential parking permit, a copy of the certificate of registration for the vehicle for which the permit is to be issued and, where the vehicle is not registered to the person making the application, documentary proof, satisfactory to the finance director, that such person is entitled to the exclusive use and control of such vehicle; and
 - 3. A preferential parking permit or guest pass application fee in an amount

established by resolution of the city council.

- B. Where the number of preferential parking permit or guest pass applications filed with the finance director for a particular dwelling unit and/or parcel of real property exceeds the number which may be issued for such dwelling unit and/or parcel pursuant to the provisions of this chapter, the finance director shall issue the number authorized by this chapter to the persons having filed an application for same in the order in which such applications were received.

(Ord. 2119, Ord. 2395 §5)

10.30.080 Preferential parking permits - Prohibited use of permits.

A person having been issued a preferential parking permit pursuant to the provisions of this chapter shall not:

- A. Cause or permit such permit to be displayed on a vehicle other than the vehicle for which it was issued; or
- B. Continue to display such permit on the vehicle for which it was issued after such person no longer resides or is employed within the preferential parking area for which the permit was issued.

(Ord. 2119)

10.30.090 Preferential parking guest passes - Issuance of guest passes.

Repealed.

(Ord. 2119, Ord. 2395 §6)

10.30.100 Preferential parking guest passes - Term of guest passes.

Repealed.

(Ord. 2119, Ord. 2395 §7)

10.30.110 Preferential parking guest passes - Form and content of guest passes.

A preferential parking guest pass issued pursuant to the provisions of this chapter shall identify the vehicle in which it is displayed as one being used by a guest of a person residing within the preferential parking area for which the guest pass was issued; shall set forth the address of the particular parcel of real property within such preferential parking area for which the guest pass was issued, as well as the days and hours during which a vehicle displaying the guest pass may lawfully park within the preferential parking area; and shall include instructions describing the manner in which the permit is to be displayed in such vehicle.

(Ord. 2119)

10.30.120 Preferential parking guest passes - Application for guest passes.

Repealed.

(Ord. 2119, Ord. 2395 §8)

10.30.130 Preferential parking guest passes - Prohibited use of guest passes.

A person who resides or is employed on a parcel of real property within a designated preferential parking area for which a guest pass has been issued pursuant to the provisions of this chapter shall not:

- A. Use such guest pass in any vehicle which is registered to or under the control of such person; or
- B. Provide such guest pass to any person other than a person visiting such resident as a

guest or a person on the property for the purpose of providing services to that resident.

(Ord. 2119, Ord. 2268, Ord. 2395 §9)

10.30.140 Preferential parking service passes - Issuance of service passes.

A preferential parking service pass may be issued by the finance director to any business which is licensed to do business in the City of Chico and which provides services, on a regular or repeated basis, to the owner or resident of any parcel of real property located within a designated preferential parking area.

(Ord. 2119)

10.30.150 Preferential parking service passes - Term of service passes.

The term of a preferential parking service pass issued pursuant to the provisions of this chapter shall be for the one-year period commencing on July 1 of the year for which such pass was issued and terminating on June 30 of the next succeeding year; provided that, where a service pass is issued subsequent to July 1, then the term of such service pass shall commence on the date of issuance.

(Ord. 2119)

10.30.160 Preferential parking service passes - Form and content of service passes.

A preferential parking service pass issued pursuant to the provisions of this chapter shall identify the vehicle in which it is displayed as one being used by a service provider for a person residing within a preferential parking area; the days and hours during which a vehicle displaying the service pass may lawfully park within a preferential parking area; and shall include instructions describing the manner in which the pass is to be displayed in such vehicle.

(Ord. 2119)

10.30.170 Preferential parking service passes - Application for service passes.

Applications for a preferential parking service pass shall be filed with and be in a form approved by the finance director and shall be accompanied by the following documents and fees:

- A. Documentary proof, satisfactory to the finance director, that the business applying for the service pass is a provider of services, on a regular or repeated basis, to the owner or resident of a parcel of real property within a designated preferential parking area. A business which provides services to more than one property located within designated preferential parking areas may be issued a preferential parking service pass which applies to each of those properties.
- B. A preferential parking service pass application fee in an amount established by resolution of the city council.

(Ord. 2119)

10.30.180 Preferential parking service passes - Prohibited use of service passes.

A business provided with a preferential parking service pass shall not use that pass for the purpose of parking in any designated preferential parking area except when actually providing services to a parcel of property for which the pass has been issued.

(Ord. 2119)

10.30.190 Continuing violations.

Any violation of the parking restrictions within a preferential parking area adopted by this chapter which continues for a discrete period of two hours in duration shall be deemed to be a separate violation and punishable by a separate civil penalty in an amount hereinafter required by this title.

(Ord. 2119)

Chapter 10.35

PEDESTRIANS AND PASSENGERS

Section:

- 10.35.010 Purpose.**
- 10.35.020 Crosswalks - Establishment - Central traffic district and other areas.**
- 10.35.030 Crosswalks - Use required in central traffic or business districts.**
- 10.35.040 Crossing streets other than at right at right angles to curb**
- 10.35.050 Standing in street - Prohibited**
- 10.35.060 Boarding or alighting from public transit vehicles while in motion - Prohibited.**
- 10.35.070 Public transit vehicles - Unlawful riding prohibited.**
- 10.35.080 Approach of persons to fire scenes and fire equipment - Prohibited.**

10.35.010 Purpose.

The provisions of this chapter shall govern the use of the public streets, sidewalks and other public ways and places by pedestrian and vehicle passengers.

(Ord. 2119)

10.35.020 Crosswalks - Establishment - Central traffic district and other areas.

Crosswalks shall be established at all intersections within the central traffic district, and at such other places within or outside such district as the director determines there is a particular need.

(Ord. 2119, Ord. 2364 §119)

10.35.030 Crosswalks - Use required in central traffic or business districts.

No pedestrian shall cross a street at other than a crosswalk in any central traffic or business district.

(Ord. 2119)

10.35.040 Crossing streets other than at right angles to curb.

No pedestrian shall cross a street at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a marked crosswalk.

(Ord. 2119)

10.35.050 Standing in street - Prohibited.

No person shall stand in or otherwise occupy any street, other than in a safety zone or in a crosswalk, if such action interferes with the lawful movement of traffic, unless otherwise authorized by law. This section shall not apply to any public officer or employee, employee of a public utility or employee of a contractor or agent of the city when such persons are acting within the course and scope of their employment. Further, this section also shall not apply to persons present at an accident scene rendering assistance to victims or police personnel.

(Ord. 2119)

10.35.060 Boarding or alighting from public transit vehicle while in motion - Prohibited.

No person shall board or alight from any public transit vehicle while such public transit vehicle is in motion.

(Ord. 2119)

10.35.070 Public transit vehicles - Unlawful riding prohibited.

No person shall ride on any public transit vehicle, or upon any portion thereof, not designed or intended for the use of passengers. This provision shall not apply to a public transit employee engaged in the necessary discharge of a duty.

(Ord. 2119)

10.35.080 Approach of persons to fire scenes and fire equipment - Prohibited.

No person, other than a city firefighter or other fire protection personnel, or a city police officer or other law enforcement personnel, shall approach within a distance of 300 feet of the scene of a fire or other emergency being responded to by the city fire department or another fire protection agency, or within 50 feet of any fire equipment located at the scene of a fire or other emergency being responded to by the city fire department or another fire protection agency unless requested or authorized by the firefighter acting as the on-scene commander.

(Ord. 2119)

Chapter 10.40**BICYCLES****Section:**

- 10.40.010 Purpose.**
- 10.40.020 License requirements.**
- 10.40.030 License fee.**
- 10.40.040 License transfer fee.**
- 10.40.050 Placement and location of license indicia.**
- 10.40.060 Sale of licensed bicycle, transfer of licensed bicycle, or change of licensee's address.**
- 10.40.070 License records.**
- 10.40.080 Tampering with frame number, plate, seal or form - Prohibited.**
- 10.40.090 Riding or placing on sidewalk - Prohibited areas.**
- 10.40.100 Operation generally.**

10.40.010 Purpose.

This chapter is adopted pursuant to Division 16.7 of the Vehicle Code in order to require bicycles operated or used in the city by city residents to be licensed, and to set forth the procedures for implementing such licensing requirement. In addition, the provisions of this chapter shall govern the operation and use of bicycles by any person riding a bicycle on the public streets, sidewalks and other public ways and places in the city.

(Ord. 2119)

10.40.020 License requirements.

No city resident shall operate or use a bicycle on any street within the city without a city license for such bicycle issued by the finance director.

(Ord. 2119)

10.40.030 License fee.

A license fee shall be paid for each bicycle at the time the license is issued. The amount of such fee shall be established by the city council by resolution and, when so established, shall be effective forthwith.

(Ord. 2119)

10.40.040 License transfer fee.

The ownership of a bicycle may be transferred, and the license transferred, upon payment of the transfer fee as fixed by resolution of the city council.

(Ord. 2119)

10.40.050 Placement and location of license indicia.

At the time of licensing a bicycle, an adhesive, durable and flexible license indicia showing the license number permanently assigned to such bicycle shall be affixed to it in a clearly visible location, in the form, material and design as provided by state law. At the

time of each renewal period, a supplementary adhesive device shall similarly be affixed at or near the location of the original indicia of licensing, in the form, material and design as provided by state law.

(Ord. 2119)

10.40.060 Sale of licensed bicycle, transfer of licensed bicycle, or change of licensee's address.

- A. Whenever the owner of a bicycle licensed pursuant to this chapter sells or otherwise disposes of said bicycle, the owner shall, within ten days, notify the licensing agency of the city.
- B. Any city resident who purchases or otherwise acquires possession of such bicycle shall, within ten days after taking possession, apply for transfer of the license to their name.
- C. Whenever the owner of a bicycle licensed pursuant to this chapter changes their place of residence within the city from one place to another place within the city, such bicycle owner shall, within ten days, notify the licensing agency of the city of the old and new address.

(Ord. 2119)

10.40.070 License records.

The finance director shall maintain a written record of each bicycle that is licensed. Such record shall include, but not be limited to, the license number; the serial number of the bicycle; the make, type, and model of the bicycle; and the name and address of the licensee. A copy of such written record shall be delivered by the finance director to the police department.

(Ord. 2119)

10.40.080 Tampering with frame number, plate, seal or form - Prohibited.

No person shall remove, destroy, mutilate or otherwise alter the number of any bicycle frame licensed pursuant to this chapter or remove, destroy, mutilate or otherwise alter any license plate, seal or registration form during the time in which such license plate, seal or form is operative. However, the officer or department designated to issue licenses may stamp numbers on frames of bicycles on which no serial number can be found, or on which the serial number is illegible or insufficient for identification purposes.

(Ord. 2119)

10.40.090 Riding or placing on sidewalk - Prohibited areas.

- A. No person shall ride a bicycle upon any sidewalk in that portion of the central business district of the city bounded and described as follows: the area bounded on the north by the northerly property line of First Street; on the south by the southerly property line of Fifth Street; on the east by the center line of Wall Street and on the west by the center line of Salem Street; except that this restriction shall not be deemed to apply to a three-wheel or tricycle-type of bicycle being operated by a physically disabled person nor to any person operating a bicycle and desiring to access the Children's Playground bicycle path located at West First and Broadway Streets. For the purpose of this exception, "disabled person" shall mean a person disabled by a physical disability or age.

- B. No person shall park or place a bicycle upon a sidewalk or parkway between the sidewalk and the adjacent curb, except where bicycle parking racks are provided upon sidewalks or parkways.
- C. A person may ride a bicycle on a sidewalk outside of the area described in subsection A, above, provided the person yields the right-of-way to and gives an audible signal before overtaking any person standing, walking, in a wheelchair, or on a tricycle or similar three-wheeled vehicle on the sidewalk.

(Ord. 2119, Ord. 2200)

10.40.100 Operation generally.

In addition to the provisions of the Vehicle Code relative to bicycles and the operation thereof upon streets, the following provisions shall apply to the operator or operators of a bicycle upon a street:

- A. Where a bicycle lane has been established upon a street, the operator shall operate such bicycle within the confines of such lane, and shall follow all directions as are established by traffic control devices.
- B. Where more than one bicycle is traveling in the same direction on the same street, sidewalk, or bicycle lane, such bicycles shall be ridden in single file.
- C. The operator of a bicycle shall comply with all directions contained upon traffic control devices for vehicles traveling upon the adjacent street; provided that, in a business district, bicycles shall not be operated upon pedestrian crosswalks between curbs, except in the manner provided for motor vehicles.

(Ord. 2119)

Chapter 10.45**COASTING DEVICES - PUBLIC AREAS****Section:**

10.45.010	Purpose.
10.45.015	Definitions.
10.45.020	Coasting devices on streets - Prohibited except on certain streets or portions of a street.
10.45.030	Coasting devices on sidewalks - Prohibited within designated areas of the central business district.
10.45.040	Coasting devices within parking structures - Prohibited.
10.45.050	Coasting devices at the municipal center - Prohibited.
10.45.060	Coasting devices on streets - Rules of the road.
10.45.070	Coasting devices on city sidewalks - Rules of conduct.

10.45.010 Purpose.

This chapter governs the use or riding of coasting devices on all public streets, sidewalks, and other public ways and places within the city by any person.

(Ord. 2210)

10.45.015 Definitions.

For the purposes of this chapter, the following words have the meaning indicated, unless the context in which any word is used requires another meaning:

- A. "Coasting device" means any skateboard, roller skates, roller blades, scooter, coaster, toy vehicle, or other rolling or wheeled device propelled or moved by human, gravitational, or mechanical power. "Coasting device" does not include:
 - 1. A bicycle as described in Chapter 10.40 of this code; or
 - 2. A stroller, carriage, shopping cart, or wheelchair.
- B. "Roller skates" or "roller blades" means any footwear, or device which may be attached to the foot or footwear, to which wheels are attached, including wheels that are "in line," to aid the wearer in moving or propulsion.
- C. "Skateboard" means a board of any material, to which wheels are attached, which may be propelled or moved by human, gravitational, or mechanical power, and which has no fixed device or mechanism to turn or control the wheels.

(Ord. 2210)

10.45.020 Coasting devices on streets - Prohibited except on certain streets or portions of a street.

No person shall use or ride upon a coasting device on any public street except the following streets or portions of a street:

- A. Any street which has a speed limit of 25 miles per hour or less and located within a residential zoning district;
- B. Petersen Memorial Drive (North Park Drive) and South Park Drive;
- C. That portion of any public street marked as a bikeway; and

D. That portion of any public street marked as a crosswalk.
(Ord. 2210)

10.45.030 Coasting devices on sidewalks - Prohibited within designated areas of the central business district.

No person shall use or ride upon a coasting device on the sidewalks within the following areas of the central business district of the city :

- A. That area bounded on the north by the south curblineline of First Street, on the east by the west curblineline of Wall Street, on the south by the southerly edge of the sidewalk on the south side of Fifth Street, on the west by the east curblineline of Salem Street; and
- B. That portion of the sidewalk on the north side of First Street and Shasta Way, beginning at a point 68 feet easterly of the prolongation of the easterly curblineline of Salem Street, to a point along said northerly sidewalk 396 feet easterly of the prolongation of the easterly curblineline of Salem Street.

(Ord. 2210)

10.45.040 Coasting devices within parking structures - Prohibited.

No person shall use or ride upon a coasting device on or within any multifloor building or structure designed and used for the parking of motor vehicles.

(Ord. 2210)

10.45.050 Coasting devices at the municipal center - Prohibited.

No person shall use or ride upon a coasting device on any parking lot, sidewalk, ramp or other surface at the municipal center.

(Ord. 2210)

10.45.060 Coasting devices on streets - Rules of the road.

Every person using or riding upon a coasting device on a street designated for such activities by this chapter shall ride or use such coasting device:

- A. As near to the right hand side of the street as practicable, exercising due care when passing pedestrians, standing vehicles, bicycles, or other coasting device users;
- B. In the direction of vehicular and bicycle traffic traveling on the same side of the street, except when riding or using coasting devices on Petersen Memorial Drive;
- C. Facing in the same direction as the user's or rider's forward motion; meaning backward use or riding upon coasting devices is prohibited;
- D. In single file except when passing other coasting device users;
- E. Yield the right-of-way to all approaching vehicles, bicycles, and pedestrians when emerging from an alley, driveway, sidewalk, or bicycle path into a street; and
- F. Obey the instructions of all traffic control devices applicable to vehicles and bicycles, unless otherwise directed by a police officer.

(Ord. 2210)

10.45.070 Coasting devices on city sidewalks - Rules of conduct.

Every person using or riding upon a coasting device on a city sidewalk shall yield the right-of-way to any pedestrian, stroller, carriage, shopping cart, or wheelchair.

(Ord. 2210)

Chapter 10.50

**ASSESSMENT OF DRIVING UNDER THE INFLUENCE (DUI)
COST RECOVERY FEES**

Section:

- 10.50.010 Purpose.**
- 10.50.020 Findings.**
- 10.50.030 Civil liability.**
- 10.50.040 Liability upon conviction.**
- 10.50.050 Notice of assessment of cost recovery fees.**
- 10.50.060 Payment of cost recovery fees.**
- 10.50.070 Amount of liability.**
- 10.50.080 Administrative review.**
- 10.50.090 Appeal**

10.50.010 Purpose.

This chapter is adopted pursuant to the municipal affairs provisions of the City Charter for the following purposes:

- A. To provide for the recovery of costs incurred by the Chico police department in the apprehension and arrest or citation of persons who are convicted of an offense involving the driving of a vehicle while under the influence of alcohol or any drug; and
- B. To provide for the recovery of other costs incurred by the police and fire departments in responding to accidents caused by persons who are convicted of an offense involving the driving of a vehicle while under the influence of alcohol or any drug.

(Ord. 2119)

10.50.020 Findings.

The city council finds as follows:

- A. That persons who drive a vehicle while under the influence of alcohol or any drug create a serious hazard to themselves and others;
- B. That the city's police and fire departments are required to spend a significant amount of time in the apprehension and arrest of persons who drive while under the influence of alcohol or any drug and in responding to accidents caused by such persons;
- C. That the time spent by the police and fire departments for that purpose is costly and precludes those departments from being available to respond to other calls or incidents;
- D. That, although the California Government Code, at Section 53150, et seq., provides that persons who drive a vehicle under the influence of alcohol or any drug shall reimburse the city for costs incurred in making appropriate emergency responses to incidents caused by

such persons, the scope of that cost recovery provision is insufficient because the apprehension and arrest of all drivers under the influence of alcohol or any drug are expensive and time-consuming, even though they may not require an emergency response; and

- E. That all persons who are apprehended or arrested for driving while under the influence of alcohol or any drug, as well as those who cause an accident, and who are subsequently convicted of driving while under the influence of alcohol or any drug, should be required to reimburse the city for the costs incurred by the police department in such apprehension or arrest.

(Ord. 2119)

10.50.030 Civil liability.

Any person who is arrested or cited by the Chico police department for driving a vehicle while under the influence of alcohol or any drug, and who is subsequently convicted of such an offense, shall be assessed a cost recovery fee for the purpose of reimbursing the city for all costs incurred by the police department which were related to the making of that arrest or issuance of that citation. In addition, if such driver caused an accident while under the influence of alcohol or any drug, the cost recovery fee assessed shall also include any additional costs which were incurred by the fire or police departments in responding to that accident.

(Ord. 2119)

10.50.040 Liability upon conviction.

The civil liability imposed herein shall arise upon the conviction of a person for an offense involving the driving of a vehicle while under the influence of alcohol or any drug. Convictions giving rise to such liability shall include a conviction under Vehicle Code Section 23152 or Sections 23103/23103.5 or any other violation of California law which requires a finding that the person drove a vehicle while under the influence of alcohol or any drug. The term shall include a plea of guilty or no contest as well as a finding of guilt by a judge or jury after a trial.

(Ord. 2119)

10.50.050 Notice of assessment of cost recovery fees.

Upon the conviction of an offense giving rise to liability under the provisions of this chapter, the chief of police shall cause notice of the assessment to be mailed to the person so convicted. In addition to setting forth the amount of the cost recovery fees assessed pursuant to this chapter, such notice shall set forth the right of the person so assessed to request administrative review of such assessment in the manner provided by this chapter.

(Ord. 2119)

10.50.060 Payment of cost recovery fees.

When a cost recovery fee is assessed upon any person in the manner provided by this chapter, such fee will be due and payable on or before the last day of the month in which the notice of the assessment was mailed to the person assessed the fee. In the event of the failure of a person so assessed to pay any such fee when due, a delinquent penalty of 10 percent shall be added to the fee on the last day of each month after the due date thereof; provided,

however, that the total amount of such penalties shall not exceed 50 percent of the delinquent fees. In addition, in the event of the failure of a person assessed a cost recovery fee to pay such fee when due, that person shall be assessed interest on the amount of the delinquent fee, exclusive of any penalties thereon, at the rate of one percent per month, or fraction thereof, from the date the fee first became delinquent until the date the fee is paid.

(Ord. 2119)

10.50.070 Amount of liability.

The amount of a cost recovery fee to be assessed pursuant to this chapter shall be determined as set forth by resolution of the city council and shall be based on the cost to the city of the apprehension and arrest or citation of the person assessed the cost recovery fee and of any response by the police or fire department to an accident caused by the person.

(Ord. 2119)

10.50.080 Administrative review.

- A. **Right to Administrative Review.** Any person aggrieved by a determination to assess a fee in the manner provided for by this chapter, or by a determination of the amount of the fee assessed, may apply to the chief of police for administrative review of such determination.
- B. **Application for Administrative Review.** Applications for administrative review of the determination that a fee be assessed, or the amount of the fee assessed, shall be in writing and shall be filed with the police department no later than 15 days from the date that notice of liability for the fee was mailed to the person liable therefor. In addition to setting forth a request for administrative review of such determination, such application shall contain a brief statement of the reasons why that person believes that such determination does not comply with the provisions of this chapter and the relief being requested.
- C. **Decision on Application for Administrative Review.** Upon the filing of an application for administrative review of the determination that a fee be assessed, or the amount of a fee assessed under this chapter, the chief of police shall consider the application and render a decision either affirming the determination or reversing or modifying the determination. Prior to rendering a decision, the chief of police, with sole discretion, may convene a hearing for the purpose of reviewing evidence or hearing arguments bearing on such decision. If such a meeting is convened, notice of the date, time, and place of such hearing shall be served by mail on the person requesting administrative review a reasonable time prior to such hearing. After rendering a decision, the chief of police shall promptly cause written notice of the decision to be served by mail on the person requesting the administrative review.
- D. **Payment of Cost Recovery Fee Following a Decision on Application for Administrative Review.** When the chief of police renders a decision to affirm a determination to assess a fee or the amount of a fee, in whole or in part, following the filing of an application for administrative review of such determination, such fee or such part thereof found by the chief of police to have been validly assessed shall not be payable until the last day of the month immediately following the month in which notice of such decision is mailed to the person

against whom the fee was assessed. Provided, however, that if the decision of the chief of police is appealed to the city council, payment shall not be due until the council has acted on the appeal.

(Ord. 2119, Ord. 2268)

10.50.090 Appeal.

Any person aggrieved by any decision of the chief of police which is rendered pursuant to the procedures for administrative review set forth in this chapter may appeal to the city council. Such appeals shall be in accordance with the procedures set forth in Chapter 2.80 of this code. In the event that the city council affirms a decision of the chief of police to assess a fee, or the amount of a fee assessed, payment of that fee shall be due and payable immediately following the council's decision.

(Ord. 2119)

Chapter 10.52

ABANDONED VEHICLES

Section:

- 10.52.010** **Definitions.**
- 10.52.020** **Exceptions.**
- 10.52.030** **Non-Exclusive Regulation.**
- 10.52.040** **Administration and Enforcement.**
- 10.52.050** **Right of Entry - Contractor or Franchisee**
- 10.52.060** **Fixing of Administrative Costs.**
- 10.52.070** **Abatement Officer Designated; Abatement Authority.**
- 10.52.080** **Abatement and Removal - Notice of Intention.**
- 10.52.085** **Abatement and Removal - Notice Not Required Under Certain Conditions.**
- 10.52.090** **Abatement and Removal - Request for Hearing.**
- 10.52.100** **Abatement and Removal - Hearing Procedures and Determinations.**
- 10.52.110** **Appeal.**
- 10.52.120** **Vehicle Removal and Disposal.**
- 10.52.130** **Notice to Department of Motor Vehicles.**
- 10.52.140** **Assessment and Cost Recovery.**
- 10.52.150** **Parking, Storing or Leaving of Abandoned Vehicles Unlawful.**

10.52.010 Definitions

Unless the contrary is stated or clearly appears from the context, the following definitions shall govern the construction of the words or phrases used in this chapter:

1. Abandoned vehicle. Includes the following:
 - a. Public nuisance vehicle. Any vehicle, or parts thereof, that is abandoned, dismantled, partially dismantled, wrecked, or inoperative, that is left on public or private property, not including highways, and which creates a deteriorating environmental condition, reduces the value of private property, promotes the deterioration of a business district or neighborhood, invites plundering, creates fire hazards, constitutes an attractive nuisance endangering the health and safety of minors, harbors rodents and insects, or jeopardizes the health, safety, or general welfare of the public.
 - b. Abandoned vehicle. A vehicle is abandoned if it is left on public property, highways, or on private property, in such an inoperable and neglected condition that the owner's intention to relinquish the right of possession or all further rights or interests in it may reasonably be concluded.
2. Dismantled vehicle. Any vehicle which is partially or wholly disassembled, or in pieces, and is disabled by such condition.
3. Hearing Officer. The city manager or the city manager's designee.
4. Highway. 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.

5. Inoperative vehicle. Any vehicle that is:
 - a. Mechanically incapable of being driven because it is missing any part essential for movement or such essential parts are broken or defective; or
 - b. Not currently and validly registered for operation or use on the highways and streets in the State as required under the provisions of Division 3 (commencing at Section 4000 et seq.) of the Vehicle Code of the State.
6. Owner of the vehicle. The last registered owner and last legal owner of record as determined by the state department of motor vehicles.
7. Property Owner. The owner of the land on which the vehicle, or part thereof, is located, as shown on the last equalized assessment roll, or supplemental roll, whichever is more current.
8. Public Property. Does not include "highway."
9. Vehicle. A device by which any person or property may be propelled, moved, or drawn upon a highway, except a device moved by human power or used exclusively upon stationary rails or tracks.
10. Vehicle abatement officer. Any employee of the city appointed by the city manager or the city manager's designee and assigned the task of enforcing the provisions of this chapter.
11. Wrecked vehicle. A wrecked vehicle is one which is destroyed, disabled, seriously damaged, crashed or ruined to such an extent that it cannot operate under its own power upon the highway without significant repairs. A vehicle which has been wrecked in a traffic accident, and which has been removed from the roadway to a storage facility, but which has not been claimed by its owner, shall not be considered an abandoned vehicle that is subject to the provisions of this chapter.

(Ord. 2252)

10.52.020 Exceptions

The provisions of this chapter shall not apply to:

- A. A vehicle, or parts thereof, which is completely enclosed within a building in a lawful manner, or which is located behind a solid fence five feet or more in height, where it is not visible from the street or other public or private property; provided, however, that the number of such vehicles located behind a fence shall not exceed three, and the amount of vehicle parts located behind a fence shall not cover an area exceeding 300 square feet; or
- B. A vehicle, or parts thereof, which is placed totally upon an improved parking area and completely covered by a tarpaulin or similar covering; or
- C. A vehicle, or parts 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; provided, however, that this exception shall not authorize the maintenance of a public or private nuisance as defined under provisions of law other than Chapter 10 (commencing with Section 22650) of Division II of the Vehicle Code, this chapter, and any other provisions of this code.

(Ord. 2252)

10.52.030 Non-Exclusive Regulation

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 the city, the State, or any other legal entity or agency having jurisdiction.

(Ord. 2252)

10.52.040 Administration and Enforcement

Except as otherwise provided herein, the provisions of this chapter shall be administered and enforced by the vehicle abatement officer. In the enforcement of this chapter, such officer may enter upon private or public property to examine a vehicle, or parts thereof, or to obtain information as to the identity of a vehicle and to remove or cause the removal of a vehicle, or parts thereof, declared to be a nuisance pursuant to this chapter.

(Ord. 2252)

10.52.050 Right of Entry - Contractor or Franchisee

When the city has contracted with or granted a franchise to any person or persons to remove vehicles pursuant to this chapter, such person or persons shall be authorized to enter upon private or public property to remove or cause the removal of a vehicle, or parts thereof, declared to be a nuisance pursuant to this chapter.

(Ord. 2252)

10.52.060 Fixing of Administrative Costs

The council shall, from time to time, determine and fix an amount to be assessed as administrative costs, excluding therefrom the actual cost of removal of any vehicle or part under this chapter.

(Ord. 2252)

10.52.070 Abatement Officer Designated; Abatement Authority

The vehicle abatement officer shall be a city employee appointed by the city manager or the city manager's designee to enforce the provisions of this chapter. The vehicle abatement officer shall have the authority to cause the abatement and removal of an abandoned, wrecked, dismantled, or inoperative vehicle, or parts thereof on private property or public property within the city in accordance with the procedure set forth in this chapter.

(Ord. 2252)

10.52.080 Abatement and Removal - Notice of Intention

A 30-day notice of intention to abate and remove the vehicle or parts thereof, as a public nuisance, shall be mailed by the vehicle abatement officer by certified mail, return receipt requested, to the property owner and to the owner of the vehicle, unless the vehicle is in such a condition that identification numbers are not available to determine ownership. The form of the notice shall be as determined by the city manager or the city manager's designee, and approved by the city attorney.

The notice shall include the following:

A. Notice to the property owner on which the vehicle is located, and the owner of the vehicle,

- of their right to a hearing;
- B. Notice to the property owner that the property owner may appear in person at the hearing; and
 - C. In lieu of appearing at the hearing, notice to the property owner that the property owner may submit a sworn written statement denying responsibility for the presence of the vehicle on the property, with reasons for such denial.

(Ord. 2252, Ord. 2268)

10.52.085 Abatement and Removal - Notice Not Required Under Certain Conditions

A notice of intention to abate shall not be required:

- A. If the property owner and the owner of the vehicle have signed releases authorizing the removal of the vehicle or part, and waiving further interest in the vehicle or part; or
- B. All of the following conditions are met:
 1. The vehicle or part is inoperable due to the absence of a motor, transmission, or wheels, and is incapable of being towed;
 2. The vehicle or part is valued at less than \$200 by the vehicle abatement officer;
 3. The vehicle abatement officer has determined that the vehicle or part is a public nuisance presenting an immediate threat to public health or safety;
 4. The property owner has signed a release authorizing the removal and waiving further interest in the vehicle or part; and
 5. The vehicle is located upon a parcel of land that is either zoned for agricultural use or is not improved with a residential structure containing one or more dwelling units.
- C. If evidence of registration is recovered prior to final disposition of the low value vehicle or part pursuant to this section, notice shall be given to the registered and legal owners of the intent to dispose of the vehicle or part, and the time period for claiming and removing the vehicle or part. If the vehicle or part is not claimed and removed from the scrapyards, automobile dismantler's yard or other scrap disposal area within 12 days after the notice to dispose is mailed, final disposition may proceed.

(Ord. 2252)

10.52.090 Abatement and Removal - Request for Hearing

- A. Upon request by the property owner or the owner of the vehicle, received by the vehicle abatement officer within ten days after the mailing of the notice of intention to abate and remove, a public hearing shall be held by the city manager or the city manager's designee on the question of abatement and removal of the vehicle, or parts thereof, as an abandoned, wrecked, dismantled, or inoperative vehicle. The hearing officer also shall determine the administrative costs and costs of removal of the vehicle, or parts thereof, to be assessed against the property on which it is located. If such a request for a hearing is not received within the 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 public hearing.
- B. If the property owner submits a sworn written statement denying responsibility for the presence of the vehicle on the property within such ten day period, the statement shall be construed as a request for a hearing which does not require the owner's presence.
- C. Notice of the hearing shall be mailed, by certified mail, return receipt requested, at least 15

days before the hearing to the property owner and to the owner of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership.

(Ord. 2252)

10.52.100 Abatement and Removal - Hearing Procedures and Determinations

- A. All hearings under this chapter shall be held before the hearing officer who shall hear all facts and testimony. The facts and testimony may include testimony on the condition of the vehicle, or parts thereof, and the circumstances concerning its location on private property or public property. The hearing officer shall not be limited by the technical rules of evidence. The property owner may appear in person at the hearing and deny responsibility for the presence of the vehicle on the land. The property owner shall present the reasons upon which the owner bases such denial of responsibility.
- B. The hearing officer may impose such conditions and take such other action as the hearing officer deems appropriate under the circumstances to carry out the purpose of this chapter. The hearing officer may delay the time for removal of the vehicle, or parts thereof, if, in the hearing officer's opinion, the circumstances justify a delay.
- C. At the conclusion of the public hearing, the hearing officer may find that a vehicle, or part thereof, in existence on public or private property, has been abandoned, dismantled, wrecked, or is inoperative, and order the same removed from the property as a public nuisance and disposed of as hereinafter provided. The hearing officer shall determine the administrative costs and the cost for removal to be charged against the property owner. 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.
- D. If it is determined at the hearing that the vehicle was placed on the land without the consent of the property owner and that the owner has not acquiesced in its presence, the hearing officer 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 property owner.
- E. If the property owner submits a sworn written statement denying responsibility for the presence of the vehicle on the property but does not appear at the hearing, or if an interested party makes a written presentation to the hearing officer but does not appear, the property owner or the interested party, or both, shall be notified in writing of the decision.

(Ord. 2252)

10.52.110 Appeal

Any person aggrieved by the decision of the hearing officer may appeal to the council. Such appeals shall be in accordance with the procedures set forth in Chapter 2.80, entitled "Appeals from a Decision, Determination or Order Made or Issued by a City Board, Commission, Officer or Employee," of this code. In the event that the council affirms the decision of the hearing officer to order the removal of a vehicle, or parts thereof, or to assess administrative and removal costs, such removal shall proceed, and such fees and costs shall be assessed and collected, in accordance with the provisions of this chapter.

(Ord. 2252)

10.52.120 Vehicle Removal and Disposal

Thirty days after the vehicle, or parts thereof, is ordered removed by the vehicle abatement officer, or 30 days from the date of mailing of the order of the hearing officer ordering such removal, or 30 days after affirmation by the council of the order for removal, the vehicle or parts thereof may be disposed of by removal to a scrap yard or automobile dismantler's yard. After a vehicle has been removed, it shall not thereafter be reconstructed or made operable, unless it is a vehicle which qualifies for either horseless carriage license plates or historical vehicle license plates pursuant to Section 5004 of the California Vehicle Code, in which case the vehicle may be reconstructed and made operable.

(Ord. 2252)

10.52.130 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 registration certificates, certificates of title, and license plates.

(Ord. 2252)

10.52.140 Assessment and Cost Recovery

If the administrative costs and costs of removal which are charged against the owner of record of a parcel of land pursuant to Section 10.52.100 are not paid within 45 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 California Government Code and shall be transmitted to the Butte County tax collector for collection. Said assessment shall have the same priority as other municipal taxes, and shall be collected at the same time and in the same manner that such other municipal taxes are collected.

(Ord. 2252)

10.52.150 Parking, Storing, or Leaving of Abandoned Vehicles Unlawful

It is unlawful for any person to abandon, keep, park, store, maintain, or leave, or permit the abandonment, parking, storing, or leaving of any licensed or unlicensed vehicle, or parts thereof, which is in an abandoned, dismantled, wrecked, or inoperative condition upon any private property or public property, not including highways, within the city for a period in excess of 168 hours except as otherwise provided for those vehicles, or parts thereof, to which this chapter does not apply in accordance with Section 10.52.020 of this code.

(Ord. 2252)

Chapter 10.55**ENFORCEMENT****Section:**

- 10.55.010** **Removal of illegally parked vehicles.**
- 10.55.020** **Abatement of abandoned vehicles**
- 10.55.030** **Infraction penalties.**
- 10.55.040** **Misdemeanor penalties.**
- 10.55.050** **Civil penalties.**

10.55.010 Removal of illegally parked vehicles.

All city peace officers and any other regular, salaried city employee engaged in directing traffic or enforcing traffic laws and regulations may cause a vehicle to be removed from a public street, public parking lot or other public way or place only when authorized to remove such vehicle by the Vehicle Code, including, but not limited to, Section 22651 of the Vehicle Code. When a vehicle is so removed from a public street, parking lot or other public way or place, the vehicle shall be towed to a storage place, stored, and eventually returned to the vehicle owner or otherwise disposed of in the manner provided for by Article 3, Chapter 10, Division 11 of the Vehicle Code (commencing with Section 22850).

In the event a portion of a city parking lot or other city property is leased for private parking, lessees thereof shall also be authorized to cause the removal of unauthorized vehicles parked on such property in the manner authorized by the Vehicle Code if the property is properly signed and such removal is carried out in the manner provided for by the Vehicle Code.

(Ord. 2119)

10.55.020 Abatement of abandoned vehicles.

Where a vehicle is abandoned on or within any public street, public parking lot or other public way or place, or on any private property within the city without the consent or acquiescence of the owner of such property or other person in lawful possession thereof, the chief of police may cause such vehicle to be removed from such property, stored and disposed of in the manner provided for by Article 2, Chapter 10, Division 11 of the Vehicle Code (commencing with Section 22700).

However, where a vehicle is abandoned on private property within the city with the consent or acquiescence of the owner of such property or other person in lawful possession thereof and constitutes a public nuisance, such vehicle shall be removed and disposed of by the city building official in the manner provided in Title 1 of this code for the abatement of public nuisances.

(Ord. 2119)

10.55.030 Infraction penalties.

Except as otherwise hereinafter provided in this chapter, any violation of the vehicle

and traffic regulations adopted by this title shall be an infraction punishable by a fine in an amount provided for by Section 1505 of the Charter of the City of Chico.
(Ord. 2119, Ord. 2136 §8)

10.55.040 Misdemeanor penalties.

A knowing and willful violation of the prohibition on the use of a preferential parking area permit or preferential parking area guest pass adopted by this chapter shall be a misdemeanor punishable by imprisonment in the county jail for a period not exceeding six months, or by a fine not exceeding \$1,000.00, or by both.
(Ord. 2119)

10.55.050 Civil penalties.

Any person violating a parking regulation adopted by or pursuant to this title or the Vehicle Code shall be assessed a civil penalty for such violation in the manner provided for by Article 3, Chapter 1, Division 17 of the Vehicle Code (commencing with Section 40200) which penalty shall be in an amount now or hereafter established by resolution of the city council. In addition, any person failing to pay such civil penalty within the time required by a notice of delinquent parking violation issued in the manner provided for by the foregoing provisions of the Vehicle Code shall be assessed delinquency fees, also in an amount established by resolution of the city council. The penalties and fees provided for by this section for violations of the parking regulations shall be in lieu of any other criminal penalties provided for by this code.
(Ord. 2119)