

TITLE 4

PUBLIC SAFETY

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CHAPTER 1

PURPOSE AND SCOPE OF SAFETY PROVISIONS

SECTION:

4-1-1: Purpose, Scope and Short Title

4-1-1: PURPOSE, SCOPE AND SHORT TITLE: This Title is adopted for the purpose of providing for the public safety of the City. This Title may be referred to as the *PUBLIC SAFETY REGULATIONS* of the City. (Ord. 181, 2-17-86)

CHAPTER 2

EMERGENCY ORGANIZATIONS AND FUNCTIONS

SECTION:

- 4-2-1: Purpose and Scope
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Emergency Services
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4-2-1: PURPOSE AND SCOPE: This Chapter provides for the preparation and carrying out of plans for the protection of persons and property within this City in the event of an emergency, the direction of the emergency organization and the coordination of the emergency functions of this City with all other public agencies, corporations, organizations and affected private persons. (Ord. 181, 2-17-86)

4-2-2: DEFINITION: As used in this Chapter, "emergency" shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of this City, requiring the combined forces of other political subdivisions to combat. (Ord. 181, 2-17-86)

4-2-3: DISASTER COUNCIL:

A. Council Created; Membership: The City of Hidden Hills Disaster Council is hereby created and shall consist of the following:

1. The Mayor, who shall be the chairman.
2. The Director of Emergency Services, who shall be vice chairman.

3. The Assistant Director of Emergency Services.

4. Such representatives of the community having an official emergency responsibility as may be appointed by the Director with advice and consent of the City Council.

5. The Public Safety Commission.

- B. Powers and Duties: It shall be the duty of the Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Disaster Council shall meet upon call of the chairman or, in his absence from the City or inability to call such meeting, upon call of the vice chairman. (Ord. 181, 2-17-86)

4-2-4: DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES:

A. Offices Created; Appointment and Term:

1. There is hereby created the office of Director of Emergency Services. The Director of Emergency Services shall be appointed by the Mayor and shall serve for a period of four (4) years, with advice and consent of City Council.

2. There is hereby created the office of Assistant Director of Emergency Services, who shall be appointed by the Director, with the advice and consent of the City Council.

B. Powers and Duties:

1. The Director is hereby empowered to:

a. Request the City Council to proclaim the existence or threatened existence of a "local emergency" if the City Council is in session or to issue such proclamation if the City Council is not in session. Whenever a local emergency is proclaimed by the Director, the City Council shall take action to ratify the proclamation within seven (7) days thereafter, or the proclamation shall have no further force or effect.

b. Request the Governor to proclaim a "state of emergency" when, in the opinion of the Director, the locally available resources are inadequate to cope with the emergency.

c. Control and direct the effort of the emergency organization of this City for the accomplishment of the purposes of this Chapter.

d. Direct cooperation between and coordination of services and staff of the emergency organization of this City and resolve questions of authority and responsibility that may arise between them.

e. Represent this City in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.

f. In the event of the proclamation of a, "local emergency" as herein provided, the proclamation of a "state of emergency" by the Governor or the Director of the State Office of Emergency Services or the existence of a "state of war emergency", the Director is hereby empowered:

(1) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council;

(2) To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and to bind the City for the fair value thereof and, if required immediately, to commandeer the same for public use;

(3) To require emergency services of any City officer or employee and, in the event of the proclamation of a "state of emergency" in Los Angeles County or the existence of a "state of war emergency", to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by State law for registered disaster service workers;¹

(4) To requisition necessary personnel or material of any City department or agency; and

(5) To execute all of his ordinary power as Director, all of the special powers conferred upon him by this Chapter or by resolution or emergency plan adopted pursuant hereto by the City Council, all powers conferred upon him by any statute, by any agreement approved by the City Council and by any other lawful

¹ Gov.Code §8657.

authority.

2. The Director of Emergency Services shall designate the order of succession to that office, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the City Council.

3. The Assistant Director shall, under the supervision of the Director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of this City and shall have such other powers and duties as may be assigned by the Director. (Ord. 181, 2-17-86; 1994 Code; Ord. 275, 12-11-95)

4-2-5: EMERGENCY ORGANIZATION: All officers and employees of this City, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations and persons who may, by agreement or operations of law, including persons impressed into service under the provisions of this Chapter, be charged with duties incident to the protection of life and property in this City during such emergency, shall constitute the emergency organization of the City. (Ord. 181, 2-17-86)

4-2-6: EMERGENCY PLAN: The Disaster Council shall be responsible for the development of the City Emergency Plan, which Plan shall provide for the effective mobilization of all of the resources of this City, both public and private, to meet any condition constituting a local emergency, state of emergency or state of war emergency and shall provide for the organization, powers and duties, services and staff of the emergency organization. Such Plan shall take effect upon adoption by resolution of the City Council. (Ord. 181, 2-17-86)

4-2-7: EXPENDITURES: Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City. (Ord. 181, 2-17-86)

4-2-8: VIOLATIONS AND PENALTIES: It shall be a misdemeanor punishable as provided in Section 1-5-1 of this Code, during an emergency, to:

- A. Wilfully obstruct, hinder or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this

Chapter or in the performance of any duty imposed upon him by virtue of this Chapter.

- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this Chapter if such act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this City or to prevent, hinder or delay the defense or protection thereof.
- C. Wear, carry or display, without authority, any means of identification specified by the emergency agency of the State. (Ord. 181, 2-17-86; 1994 Code)

CHAPTER 3

FIRE CODE

SECTION:

- 4-3-1: Adoption of Uniform Fire Code
- 4-3-2: Responsibility for Fire
- 4-3-3: Violations and Penalties
- 4-3-4: List of Infractions Designated

4-3-1: ADOPTION OF UNIFORM FIRE CODE:

- A. Code Adopted: Except as hereinafter provided and in this Chapter, the *Uniform Fire Code, 1994 Edition*, prepared by the International Conference of Building Officials and the Western Fire Chiefs Association, including Appendices I-C through V-A and excluding all other appendices, is hereby adopted by reference as the Fire Code of the City. The Fire Code is hereby amended to conform to Exhibit "A" of Ordinance No. 274U.
- B. Copy on File: A copy of the Fire Code of the City, including a copy of Exhibit "A" of Ordinance No. 274U shall be maintained in the office of the City Clerk and shall be made available for public inspection while the Code is in force.
- C. Definition of Terms: Whenever the terms "Building Code", "Plumbing Code", "Mechanical Code", "Electrical Code" or "Uniform Building Code" are used in the Fire Code, these terms shall mean the building regulations of the City¹. (Ord. 255, 7-13-92, eff. 8-12-92; Ord. 274U, 12-28-95)

4-3-2: RESPONSIBILITY FOR FIRE: Any person who, personally or through another, wilfully, negligently, or in violation of law sets a fire, allows a fire to be set or allows a fire kindled or attended by the person to escape from his or her control, allows any hazardous material to be handled, stored or transported in a manner not in accordance with the Fire Code or nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the Chief or

¹ See Title 5, Chapter 5 of this Code.

wilfully or negligently allows the continuation of a violation of the Fire Code and amendments thereto is liable for the expense of fighting the fire or for the expenses incurred during a hazardous materials incident, and such expense shall be a charge against that person. (Ord. 255, 7-13-92, eff. 8-12-92; Ord. 274U, 12-28-95)

4-3-3: VIOLATIONS AND PENALTIES:

- A. Every person violating any provision of the Fire Code of the City or of any permit or license granted under that Code, or any rule, regulation or policy promulgated pursuant to that Code, is guilty of a misdemeanor, punishable as set forth in Section 1-5-1(A) of this Code, unless such violation is otherwise declared to be an infraction by Section 4-3-4 of this Chapter. Each such violation is a separate offense for each and every day during any portion of which such violation is committed.
- B. Every violation declared to be an infraction by Section 4-3-4 of this Chapter is punishable as set forth in Section 1-5-1(B) of this Code.
- C. For purposes of subsection B of this Section, a forfeiture of bail shall be deemed a violation. (Ord. 255, 7-13-92, eff. 8-12-92; Ord. 274U, 12-28-95)

4-3-4: LIST OF INFRACTIONS DESIGNATED: In accordance with Section 4-3-3 of this Chapter, the violation of the following sections of the Fire Code shall be infractions:

<u>Section</u>	<u>Offense</u>
105.8	Failure to obtain permit
901.4.4	Building numbering
902.2.4.1	Obstructing access roadway
902.2.4.2	Trespassing on a closed road
1001.5.1	Failure to maintain alarm system
1001.5.2	Failure to notify Fire Department
1001.6.2	Tampering with fire hydrant
1003	Fire extinguishing systems
1102.3	Open fires
1103	Waste combustibles
1105	Asphalt kettles
1109.3.2.1	Sweating pipe
1109.4	"No smoking" sign
1109.5	Discarding burning objects
1109.6	Hot ashes and other dangerous materials
1115.3	Fire prevention regulations - Marina
1115.5	Portable fire protection equipment - Marina

1115.7 Access - Marina
1117.2 Clearance of brush - Structure

Section

Offense

1118.17 Fire roads and firebreaks
1207.3 Door-locking devices
1207.6 Exit doors readily distinguishable
1210.3 Stairway - Storage under
1212.4 "Exit" sign illumination
2903.4.2 Waste oil storage
3004.2 Lumber yards - Housekeeping
3005.2 Lumber yards - Weeds
3213 Exit illumination
3219.2 Housekeeping - Vegetation
3219.3 Housekeeping - Flammable material storage
3404 Access to area
3601.6 Fire extinguisher - Dry cleaning plant
3601.7 No smoking - Dry cleaning plant
4501.4 Smoking prohibited
4501.5 Welding warning signs
4502.3.3 Discarded filter pads
4502.8.2 Portable fire protection equipment
4502.9 Operations and maintenance
4503.7.1 Portable fire extinguisher
4503.8.5 Dip tank covers
4504.3.2 Signs - " Dangerous "
4504.4 Maintenance - Electrostatic apparatus
4505.6.1 Maintenance - Powder coating
4506.6 "No smoking" sign
4606.2 "No smoking" - Fruit ripening room
4607 Housekeeping - Fruit ripening room
5201.7 Safety rules
7401.5.1 Storage containers - Identification
7401.6 Storage and use of cylinders
7505.4 Cryogenic tank truck - Wheels chocked
7506.2 Cryogenic tank truck - Chock blocks
7607 General requirements (smoking)
7901.7.2 Housekeeping
7902.5.3 Empty containers
7904.3.2.1 Smoking
7904.4.6 "No smoking" sign
7904.4.8 Fire protection
7904.6.4 No smoking
8003.1.2 Hazardous materials signage
8003.1.17 Combustible materials - Clearance
8004.1.9 Hazardous materials - Dispensing, use and handling - Signage
8004.3.5 Combustible materials - Clearance
8208 "No smoking" signs - LPG container
8209 Combustible material - Clearance from LPG container
8506 Extension cords

(Ord. 255, 7-13-92, eff. 8-12-92; 1994 Code; Ord. 274U, 12-28-95)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE E. EQUESTRIANS

SECTION:

- 4-4E-1: Use of Equestrian Trails
- 4-4E-2: Equestrian Use of Roadways
- 4-4E-3: Caution on Passing Animals

4-4E-1: USE OF EQUESTRIAN TRAILS:

- A. Definitions: For purposes of this Article, the terms set forth below shall have the following meanings:

BICYCLE: A device upon which a person may ride, propelled exclusively by human power through a belt, chain or gears and having one or more wheels.

VEHICLE: A device by which a person or property may be propelled, moved or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

- B. Prohibited Uses: Except for equine, emergency vehicles, utility vehicles and vehicles used to provide equestrian services, no vehicle or bicycle shall be permitted on an equestrian trail or equestrian right of way.
- C. Permit: Notwithstanding the provisions of subsection B of this Section, the Building Official may issue a permit allowing use of an equestrian trail by a vehicle upon a showing that no other feasible access to adjacent property exists.
- D. Right of Way: The driver of a vehicle shall yield the right of way to any horseback rider crossing or moving along a roadway.
- E. Signs: The Building Official shall cause signs to be erected at the juncture of all equestrian trails and the City limits which will inform the public of the prohibition contained in this Section. (Ord. 237, 3-11-91; 1994 Code)

4-4E-2: EQUESTRIAN USE OF ROADWAYS:

A. Riding on Roadways: No person shall ride a horse on any roadway, except to cross the same or to move to the nearest bridle trail along a road which has no parkway.

B. Equestrian Crossings:

1. The City Council may post and maintain, or cause to be posted and maintained, signs indicating the intersection of a road and a bridle path or trail to be an equestrian crossing.

2. The driver of a vehicle shall yield the right of way to any horseback rider crossing a roadway at an equestrian crossing so designated. (Ord. 215, 1-19-89)

4-4E-3: CAUTION ON PASSING ANIMALS: The driver of any vehicle approaching any horse-drawn vehicle, any ridden animal or any livestock shall exercise proper control of his vehicle and shall reduce speed or stop as may appear necessary or as may be signaled or otherwise requested by any person driving or riding any animal or by any person in charge of any such livestock in order to avoid frightening and to safeguard any such animal or livestock and to insure the safety of any person driving or riding such animal or in charge of such livestock. (Ord. 215, 1-19-89)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE A. GENERAL TRAFFIC PROVISIONS; DEFINITIONS

SECTION:

- 4-4A-1: Purpose, Scope and Application of Provisions
- 4-4A-2: California Vehicle Code Adopted
- 4-4A-3: Definitions
- 4-4A-4: Throwing Lighted Substance From or Upon Roads or Highways
- 4-4A-5: Exceptions

4-4A-1: PURPOSE, SCOPE AND APPLICATION OF PROVISIONS:

A. Following a duly-noticed public hearing, the City has made the California Vehicle Code applicable to certain private roads not open to public use. This Chapter is adopted to regulate all public and private roads within the City to the extent that the Vehicle Code allows local regulation.

B. This Chapter applies to the following private streets:

Annie Oakley Road	Paradise Valley Road
Ashley Ridge Road	Penland Road
Bridle Trail Road	Robert Guy Road
Clear Valley Road	Rolling View Road
Deep Well Road	Round Meadow Road
Dixon Trail Road	(South of Long Valley Road only)
Eldorado Meadow Road	Saddlecreek Road
Fitzpatrick Road	Scott Robertson Road
Highridge Road	Spring Valley Road
Hilltop Road	Twin Oaks Road
Hoback Glen Road	(portion running north/south only)
Jacob Hamblin Road	Walker Road
Jed Smith Road	Whitman Road
Jim Bridger Road	William Bent Road
John Colter Road	Wingfield Road
John Fremont Road	
John Muir Road	
Kit Carson Road	
Lasher Road	
Lewis and Clark Road	
Little Hollow Lane	
Little Valley Road	
Long Valley Road	
Lupin Hill Road	
Oakfield Road	

(Ord. 215, 1-19-89)

4-4A-2: CALIFORNIA VEHICLE CODE ADOPTED:

A. Code Adopted; Applicability: The provisions of the California Vehicle Code¹ shall be applicable to the roads designated in Section 4-4A-1 of this Article.

B. Signs: The Building Official shall erect appropriate signs at the entrance to the roads of such size, shape and color as to be readily legible during daylight hours from a distance of one hundred feet (100'), to the effect that the road is subject to the provisions of the California Vehicle Code. (Ord. 215, 1-19-89; 1993 Code)

4-4A-3: DEFINITIONS: The following words and phrases, when used in this Chapter, shall, for the purpose of this Chapter, have the meanings respectively ascribed to them in this Section. Whenever any words and phrases used herein are not defined herein but are defined in the Vehicle Code of the State and amendments thereto, such definitions shall apply.²

BUILDING OFFICIAL: That person charged with the responsibility of administering the Traffic Regulations for the City, namely the City Engineer or his designee, or the Traffic Engineer or his designee, as appropriate.

COACH: Any motor bus, motor coach or passenger vehicle used as a common carrier of passengers.

COUNCIL: The Council of the City of Hidden Hills.

SHERIFF: The person appointed by the Council to serve as Sheriff. The City currently engages the Los Angeles County Sheriff's Department to serve as the City's Police Department.

CURB: The lateral boundary of the roadway whether such curb be marked by curbing construction or not so marked; the word "curb", as herein used, shall not include the line dividing the roadway of a street from parking strips in the center of a street, nor from the rights of way of public utility companies.

GROSS WEIGHT: The weight of a vehicle without load plus the weight of any load thereon.

¹ Vehicle Code §1, et seq.

² Vehicle Code §100, et seq.

LOADING ZONE: The space reserved for the exclusive use of vehicles during the loading or unloading of passengers or freight.

OFFICIAL TIME STANDARD: Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in this City.

ORDINANCE: The ordinance, rule or regulation adopted by the local authority relating to the movement of traffic and enforcement thereof.

PARKWAY: That portion of street right of way other than a roadway or a sidewalk, extending a minimum of twelve feet (12') on each side of the paved portion of any road.

PASSENGER LOADING ZONE: The space reserved for the exclusive use of vehicles while receiving or discharging passengers.

POLICE OFFICER: Every officer of the Police Department of the City of Hidden Hills or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PUSHCART: A vehicle propelled by a person but not ridden upon.

VEHICLE CODE: The Vehicle Code of the State of California. (Ord. 215, 1-19-89)

4-4A-4: THROWING LIGHTED SUBSTANCE FROM OR UPON ROADS OR HIGHWAYS: Except for flares placed in conformity with this Title, no person in any vehicle and no pedestrian shall wilfully or negligently throw from or upon any road any lighted cigarette, cigar, ashes or any other flaming or glowing substance. (Ord. 181, 2-17-86)

4-4A-5: EXCEPTIONS: The provisions of this Title regulating the operation, parking and standing of vehicles shall not apply to authorized emergency vehicles operated as specified in the Vehicle Code in response to an emergency call or to vehicles owned by or under contract to the United States of America used for collection, transportation or delivery of the United States mail. (Ord. 215, 1-19-89)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE B. TRAFFIC-CONTROL DEVICES

SECTION:

- 4-4B-1: Authority
- 4-4B-2: Installation of Traffic-Control Devices and Markings
- 4-4B-3: Removal or Relocation of Devices
- 4-4B-4: Hours of Operation
- 4-4B-5: Required Obedience to Official Traffic-Control Devices
- 4-4B-6: Prohibited Acts

4-4B-1: AUTHORITY: The Building Official, as authorized by the City Council, shall place and maintain or cause to be placed and maintained official traffic-control devices upon streets and highways as required under the Vehicle Code¹ or the traffic ordinances of this City to make effective the provisions of the Code or the ordinances and may place and maintain or cause to be placed and maintained such appropriate official traffic-control devices as he may deem necessary to properly indicate and to carry out the provisions of the Code or the ordinances or to warn or guide traffic. (Ord. 215, 1-19-89; 1994 Code)

4-4B-2: INSTALLATION OF TRAFFIC-CONTROL DEVICES AND MARKINGS:

A. Traffic-Control Devices Required for Enforcement: No provision of the Vehicle Code or of this Chapter, for which official traffic-control devices are required, shall be enforced against an alleged violator unless appropriate official traffic-control devices are in place giving notice of such provisions of the traffic laws.

B. Installation of Traffic Signals:

1. The Building Official is authorized by the City Council to install and maintain official traffic signals at those intersections and other places where traffic

¹ Vehicle Code §21351.

conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard.

2. The Building Official shall ascertain and determine the locations where such signals are required by an engineering and traffic survey, and his determinations therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth in the Department of Transportation Traffic Manual.

3. The Building Official shall erect and maintain at each signal-controlled intersection street name signs clearly visible to traffic approaching from all directions. (Ord. 215, 1-19-89; 1994 Code)

C. **Erection of Stop Signs:** Whenever, by ordinance or resolution, the City Council shall designate or describe any road or portion thereof as a through road or any intersection as an intersection at which all vehicles are required to stop before entering, the City Council shall place and maintain or cause to be placed and maintained a stop sign at each and every road intersection with such through road or portion thereof so designated and at all entrances to intersections at which all vehicles are so required to stop. Every such stop sign shall conform with and shall be placed in accordance with the provisions of the Vehicle Code.² (Ord. 181, 2-17-86)

D. **Markings of Traffic Lanes:**

1. The Building Official shall have authority to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

2. The Building Official is authorized by the City Council to place and maintain upon highways distinctive roadway markings as described in the Vehicle Code.³ (Ord. 215, 1-19-89; 1994 Code)

4-4B-3: **REMOVAL OR RELOCATION OF DEVICES:** The Building Official is authorized by the City Council to remove, relocate or discontinue the operation of any traffic-control devices not specifically required by the Vehicle Code or this Chapter

² Vehicle Code §§21400 and 21401.

³ Vehicle Code §21351, et seq.

whenever he shall determine in any particular case that the conditions which warranted or required the installation no longer exist or pertain. (Ord. 215, 1-19-89; 1994 Code)

4-4B-4: HOURS OF OPERATION: The Building Official, as authorized by the City Council, shall determine the hours and days during which any traffic-control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this Chapter. (Ord. 215, 1-19-89; 1994 Code)

4-4B-5: REQUIRED OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES: The driver of a vehicle shall obey the instructions of any official traffic-control device placed in accordance with this Chapter unless directed by a Deputy Sheriff. (Ord. 181, 2-17-86)

4-4B-6: PROHIBITED ACTS:

- A. Damaging or Removing Traffic-Control Devices: No person shall, without the authority of the City Council, deface, damage or remove any official traffic-control device or stop sign placed and maintained in accordance with this Chapter. (Ord. 181, 2-17-86)
- B. Unauthorized Painting of Curbs: No person or agency, unless authorized by the Building Official, shall paint any street or curb surface; provided, however, that this subsection shall not apply to the painting of numbers on a curb surface by any person who has complied with the provisions of any ordinance or resolution of this City pertaining thereto. (Ord. 215, 1-19-89; 1994 Code)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE C. RULES OF THE ROAD

SECTION:

- 4-4C-1: Speed Regulations
- 4-4C-2: Turning Movements
- 4-4C-3: Driving on Right Side of
Roadway; Overtaking and
Passing
- 4-4C-4: One-Way Streets and Alleys
- 4-4C-5: Right of Way
- 4-4C-6: Stop and Yield Intersections
- 4-4C-7: Stop When Traffic Obstructed
- 4-4C-8: Processions
- 4-4C-9: Conduct on Approach of
Emergency Vehicles
- 4-4C-10: Reckless Driving
- 4-4C-11: Coasting Prohibited

4-4C-1: SPEED REGULATIONS:

A. State Speed Laws Applicable¹: The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this City, except where the Building Official, authorized by the local authority, upon the basis of an engineering and traffic survey, determines that other speed limits shall be applicable on specified streets or in certain areas.

B. Authority of Building Official:

1. Whenever the Building Official, as authorized by the City Council, determines upon the basis of an engineering and traffic survey that a speed greater than twenty five (25) miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any street other than a State highway otherwise subject to a prima facie limit of twenty five (25) miles per hour, he may declare a prima facie speed limit of thirty (30), thirty five (35), forty (40), forty five (45), or fifty (50) miles per hour or a maximum speed limit of fifty five (55) miles per hour, whichever is found most appropriate to facilitate the

¹ Vehicle Code §22352.

orderly movement of traffic and is reasonable and safe.

2. Whenever the Building Official, as authorized by the City Council, determines upon the basis of an engineering and traffic survey that the limit of fifty five (55) miles per hour is more than is reasonable or safe upon any portion of any street other than a State highway, where the limit of fifty five (55) miles per hour is applicable, he may declare a prima facie speed limit of fifty five (55), fifty (50), forty five (45), thirty five (35), thirty (30) or twenty five (25) miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe.

3. Whenever the Building Official, as authorized by the City Council, determines upon the basis of an engineering and traffic survey that the limit of fifty five (55) miles per hour is more than is reasonable or safe upon any portion of a highway other than a State highway for a distance of not exceeding two thousand feet (2,000') in length between districts, either business or residence, he may declare a reasonable and safe prima facie limit thereon lower than fifty five (55) miles per hour, but not less than twenty five (25) miles per hour, which declared prima facie speed limit.

4. Speed limits established pursuant to this subsection B shall be effective when appropriate signs giving notice thereof are erected upon said street or highway.

- C. Regulation of Speed by Traffic Signals:² The Building Official is authorized by the City Council to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof. (Ord. 215, 1-19-89; 1994 Code)
- D. Exceeding Speed Limit Not Negligence as Matter of Law: In any civil action, proof of speed in excess of the limits provided herein shall not establish negligence as a matter of law, but in all such actions, it shall be necessary to establish as a fact that the operation of a vehicle at such excess speed constituted negligence. (Ord. 181, 2-17-86)

² See also Article B of this Chapter.

4-4C-2: TURNING MOVEMENTS:

- A. Placement of Devices Altering Normal Course for Turns: The Building Official is authorized by the City Council to place official traffic-control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law.³
- B. Placement of Restricted Turn Signs: The Building Official is authorized by the City Council to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event, the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted.
- C. Limitations on Turning Around: The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district.
- D. Right Turns at Signal-Controlled Intersections: The Building Official is authorized by the City Council to erect appropriate signs prohibiting right turns against a red or "stop" signals at any intersection. (Ord. 215, 1-19-89; 1994 Code)
- E. Required Positions and Method of Turning at Intersections: The driver of a vehicle intending to turn at an intersection shall do so as follows:
1. Right Turns: Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.
 2. Left Turns: The driver of a vehicle intending to turn left at any intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered.
- F. Signals Required:
1. No person shall turn a vehicle from a direct course

³ Vehicle Code §22100, et seq.

or move right or left upon a roadway unless and until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided herein in the event any other vehicle may be affected by such movement.

2. Any signal of intention to turn right or left shall be given continuously during the last one hundred feet (100') traveled by the vehicle before turning.

3. No person shall stop or suddenly decrease the speed of a vehicle on a roadway without first giving an appropriate signal, in the manner provided in this Section, to the driver of any vehicle immediately to the rear when there is opportunity to give such signal. (Ord. 181, 2-17-86)

4-4C-3: DRIVING ON RIGHT SIDE OF ROADWAY; OVERTAKING AND PASSING:

A. Driving on Right Side of Roadway; Exceptions: Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement.

2. When placing a vehicle in a lawful position for, and when such vehicle is lawfully making, a left-hand turn.

3. When the right half of a roadway is closed to traffic while under construction or repair.

B. Passing Vehicles Proceeding in Opposite Directions: Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and except where a roadway has been divided into traffic lanes, each driver shall give to the other at least one-half ($1/2$) of the main traveled portion of the roadway whenever possible.

C. Overtaking Vehicle Proceeding in Same Direction: The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction:

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

2. The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible

sound and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

- D. Limitations on Overtaking on Left: No vehicle shall, at any time, be driven to the left side of the roadway under the following conditions:

1. When the center line of the roadway is marked with a distinctive roadway marking in accordance with this Chapter.

2. When approaching the crest of a grade or upon a curve in the roadway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach in the opposite direction.

3. When approaching within one hundred feet (100') of or when traversing any intersection. (Ord. 181, 2-17-86)

4-4C-4: ONE-WAY STREETS AND ALLEYS:

- A. Designation of One-Way Streets and Alleys: The Building Official is authorized by the City Council to determine and designate one-way streets or alleys and shall place and maintain official traffic-control devices giving notice thereof. No such designation shall be effective unless such devices are in place.

- B. Movement on Streets May be Restricted: The Building Official is authorized by the City Council to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The Building Official may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway. (Ord. 215, 1-19-89; 1994 Code)

4-4C-5: RIGHT OF WAY:

- A. The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different roadway.
- B. When two (2) vehicles enter an intersection from different roadways at the same time, the driver of the vehicle on the left shall yield the right of way to the driver of the vehicle on the right.

- C. This Section shall not apply at intersections controlled by traffic-control signals or stop signs or to vehicles approaching each other from opposite directions, when the driver of one of such vehicles is intending to or is making a left turn. (Ord. 181, 2-17-86)

4-4C-6: STOP AND YIELD INTERSECTIONS:

- A. Signs Erected: The Building Official is authorized by the Council to erect and maintain stop signs, yield signs or other official traffic-control devices to designate through streets or to designate intersections or other roadway junctions at which vehicular traffic on one or more of the roadways should yield or stop and yield before entering the intersection or junction.⁴ (Ord. 215, 1-19-89; 1994 Code)
- B. Obedience to Stop Signs: The driver of any vehicle, upon approaching any entrance of a through road or intersection signposted with a stop sign as provided herein, shall stop at a limit line if marked, otherwise before entering the crosswalk on the near side on the intersection or, if not, then before entering such through road or intersections. (Ord. 181, 2-17-86)

4-4C-7: STOP WHEN TRAFFIC OBSTRUCTED: No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Ord. 215, 1-19-89)

4-4C-8: PROCESSIONS:

- A. Driving Through Processions: No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Section. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.
- B. Drivers in a Procession: Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as practicable and safe.

⁴ See also Section 4-4B-2 of this Chapter.

- C. Identification of Processions: A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other methods as may be determined and designated by the Traffic Enforcement Division.⁵ (Ord. 215, 1-19-89)

4-4C-9: CONDUCT ON APPROACH OF EMERGENCY VEHICLES: Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible under normal atmospheric conditions from a distance of one thousand feet (1,000') to the front of the vehicle:

- A. Vehicles: The driver of every other vehicle shall yield the right of way and shall immediately drive to the right-hand edge or curb of the roadway clear of any intersection and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed.
- B. Pedestrians: All pedestrians upon the roadway shall proceed to the nearest curb or place of safety until the authorized emergency vehicle has passed.
- C. Equestrians: All horseback riders shall dismount and control their animals. (Ord. 215, 1-19-89; 1994 Code)

4-4C-10: RECKLESS DRIVING:

- A. No person shall drive any vehicle upon any road in the City with wilful or wanton disregard for the safety of persons or property. Notwithstanding the provisions of Section 4-4I-6 of this Chapter, any person convicted of a violation of this Section is guilty of reckless driving and, except as is hereinafter in this Section provided, upon conviction thereof, shall be punished by imprisonment in the County jail for not less than five (5) days nor more than ninety (90) days or by a fine of not less than one hundred forty five dollars (\$145.00) nor more than one thousand dollars (\$1,000.00) or by both such fine and imprisonment.
- B. Whenever, as a proximate result of such reckless driving, bodily injury results to any person, then, notwithstanding the provisions of Section 4-4I-6 of this Chapter, a person convicted of a violation of this Section shall, upon conviction thereof, be punished by imprisonment in the County jail for not less than ninety

⁵ Vehicle Code §25251(a)(5).

(90) days nor more than six (6) months or by a fine of not less than two hundred twenty dollars (\$220.00) nor more than one thousand dollars (\$1,000.00) or by both such fine and imprisonment. (Ord. 181, 2-17-86; 1994 Code)

4-4C-11: COASTING PROHIBITED: No motor vehicle, when traveling on downgrade upon any road, shall coast with the gears of such vehicle in neutral. (Ord. 181, 2-17-86)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE D. PARKING REGULATIONS

SECTION:

- 4-4D-1: Designation of No-Parking Zones and No-Parking Spaces
- 4-4D-2: No-Parking Places
- 4-4D-3: Parking Restrictions
- 4-4D-4: Manner of Parking
- 4-4D-5: Peddlers and Vendors
- 4-4D-6: Emergency Parking Signs
- 4-4D-7: Loading and Unloading
- 4-4D-8: Public Carrier Stops and Stands
- 4-4D-9: Blue Curb Parking Spaces
- 4-4D-10: Oversize Vehicle Parking

4-4D-1: DESIGNATION OF NO-PARKING ZONES AND NO-PARKING SPACES:

A. Prohibited and Restricted Zones:

1. The Building Official is authorized by the City Council to determine the location of no-stopping zones and no-parking areas and shall place and maintain appropriate signs or markings indicating the same and stating the hours during which the provisions of this Article and the Vehicle Code are applicable.

2. The Building Official is authorized by the City Council, on the basis of an engineering and traffic survey, to prohibit, regulate or limit stopping, standing or parking of vehicles and shall place and maintain official traffic-control devices indicating the same and stating the hours during which the provisions of this Article and the Vehicle Code are applicable.

B. Zones to be Marked:

1. No-stopping zones and no-parking areas shall be indicated by red paint upon the top of all curbs or by signs in said zones and areas.

2. Time limit parking zones, such as twenty four (24) minute, forty (40) minute, one hour, two (2) hour, etc., shall be indicated by green paint upon the top of all curbs in said zones. Green shall mean no standing or parking for a period of time longer than indicated at any time between nine o'clock (9:00) A.M. and six o'clock (6:00) P.M. on any day except Sunday and holidays.

C. Parking Space Markings: The Building Official is authorized by the local authority to install and maintain parking space markings to indicate parking spaces for on-street and off-street parking.

D. Angle Parking:

1. The Building Official, as authorized by the City Council, shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any Federal-Aid or the State Highway within the City unless the Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

2. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street. (Ord. 215, 1-19-89; 1993 Code)

4-4D-2: NO-PARKING PLACES:

A. No person shall stop, park or leave standing any vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Deputy Sheriff or Fire Department official, in any of the following places:

1. Within an intersection;
2. On a crosswalk;

3. Within fifteen feet (15') of a driveway entrance to any fire station; provided, that this subsection shall not apply in respect to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle;

4. In front of a private driveway;

5. Alongside or opposite any excavation or obstruction when such stopping, standing or parking would obstruct traffic; and

6. On the roadway side of any vehicle stopped, parked or standing at the edge of a road. (Ord. 215, 1-19-89)

- B. No person shall stop, park or leave any vehicle within fifteen feet (15') of a fire hydrant, except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of necessity. This subsection does not apply in respect to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle.
- C. Whenever any Deputy Sheriff finds a vehicle standing upon a road in violation of subsection A or B above, such Deputy Sheriff may move such vehicle or require the driver or other person in charge of such vehicle to move the same to the nearest available position off the paved or improved or main traveled portion of such road. (Ord. 181, 2-17-86)

4-4D-3: PARKING RESTRICTIONS:

A. **Parking in Restricted Areas:** No person shall stop, park or leave standing any vehicle on a street within the City within an area designated for restricted parking by resolution, except in conformance with the resolution. (Ord. 216, 1-19-89)

B. **Obstruction of Roadway:**

1. No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the main traveled portion of a road when it is practicable to

stop, park or so leave such vehicle off such part or portion of said road, but in every event, an unobstructed width of the roadway opposite a standing vehicle shall be left for the free passage of other vehicles, and a clear view of such stopped vehicle shall be available from a distance of two hundred feet (200') in each direction upon said road. This subsection shall not apply to the driver of any vehicle which is disabled in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle on the main traveled portion of a road. (Ord. 181, 2-17-86)

2. No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic. (Ord. 215, 1-19-89; 1993 Code)

C. **Parkways:** No person shall stop, park or leave standing any vehicle within or upon any parkway between the hours of three o'clock (3:00) A.M. and six o'clock (6:00) A.M., provided, the City Clerk may permit parking during such hours when the driveway or drive approach is unavailable for parking due to repair, reconstruction and similar causes. (Ord. 216, 1-19-89)

D. **Alleys:**

1. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

2. No persons shall stop, stand or park a vehicle for any purpose other than the loading or unloading of passengers or freight in any alley.

E. **One-Way Streets:**

1. The Building Official is authorized by the City Council to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles.

2. In the event a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The Building Official is authorized by the local authority to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

F. **Narrow Streets:** The Building Official is authorized by the City Council to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty feet (20') or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty two feet (32').

G. **Parking Adjacent to Schools:** The Building Official is authorized by the City Council to place signs or markings indicating no parking upon either of both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

H. **Parking for Certain Purposes Prohibited:** No person shall park a vehicle upon any roadway for the principal purpose of:

1. Displaying such vehicle for sale.

2. Washing, polishing, greasing or repairing such vehicle except repairs necessitated by an emergency. (Ord. 215, 1-19-89; 1993 Code)

4-4D-4: MANNER OF PARKING:

A. **Parking on Grades:** No person driving or in control of or in charge of a motor vehicle shall permit it to stand on any highway unattended when upon any grade exceeding three percent (3%) within any business or residence district without blocking the wheels of the vehicle by turning them against the curb or by other means. (Ord. 215, 1-19-89)

- B. Unattended Motor Vehicles: No person driving or in control of or in charge of a motor vehicle shall permit it to stand on any road unattended without first effectively setting the brakes thereon and stopping the motor thereof. (Ord. 181, 2-17-86)

4-4D-5: PEDDLERS AND VENDORS: Except as otherwise provided in this Section, no person shall stand or park any vehicle, wagon or pushcart from which goods, wares, merchandise or food are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this City; except, that such vehicles, wagons or pushcarts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten (10) minutes at any one place. The provisions of this subsection shall not apply to persons delivering such articles upon order of or by agreement with a customer from a store or other fixed place of business or distribution.

- A. Peddler's or Vendor's Permit Required: No person shall park or stand on any street any lunch wagon, eating cart or vehicle or pushcart from which articles of food are sold or offered for sale without first obtaining a written permit to do so from the Building Official which shall designate the specific location in which such cart shall stand.
- B. Transportation for Hire Permit Required: No person shall park or stand any vehicle or wagon used or intended to be used in the transportation of property for hire on any street while awaiting patronage for such vehicle or wagon without first obtaining a written permit to do so from the Building Official which shall designate specific location where such vehicle may stand.
- C. Conditions of Permit: Whenever any permit is granted under the provisions of this Section and a particular location to park or stand is specified therein, no person shall park or stand any vehicle, wagon or pushcart on any location other than as designated in such permit.
- D. Revocation of Permit: In the event that the holder of any such permit is convicted in any court jurisdiction for violating any of the provisions of this Section, such

permit shall be forthwith revoked by the Building Official upon the filing of the record of such conviction with such officer, and no permit shall thereafter be issued to such person until six (6) months have elapsed from the date of such revocation. (Ord. 215, 1-19-89; 1993 Code)

4-4D-6: EMERGENCY PARKING SIGNS: Whenever the Building Official determines that an emergency traffic congestion is likely to result from the holding of public or private processions or assemblages, he as authorized by the local authority and shall place temporary signs indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys. Such signs shall remain in place only during the existence of such emergency, and the Building Official shall remove such signs thereafter. (Ord. 215, 1-19-89; 1993 Code)

4-4D-7: LOADING AND UNLOADING:

A. Designation of Loading Zones and Passenger Loading Zones:

1. The Building Official is authorized by the Council to determine the location of loading zones and passenger loading zones and shall place and maintain appropriate signs or markings indicating the same and stating the hours during which the provisions of this Article and the Vehicle Code are applicable.

2. Loading zones shall be indicated by yellow paint upon the top of all curbs in said zones. Yellow shall mean no stopping, standing or parking at any time between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M. of any day except Sunday and holidays for any purpose other than the loading or unloading of passengers, for no more than three (3) minutes, and other than the loading or unloading of freight for no more than twenty (20) minutes.

3. Passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones. White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers or for the purpose of depositing mail in an adjacent

mailbox, which shall not exceed three (3) minutes, and such restrictions shall apply between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M. of any day except Sunday and holidays and except as follows: when such zone is in front of a mailbox, the restrictions shall apply at all times.

B. Effect of Permission to Load or Unload:

1. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of freight shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than twenty (20) minutes.

2. The loading or unloading of freight shall apply only to commercial deliveries, also the delivery or pickup of express and parcel post packages and United States mail.

3. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage but shall not extend beyond the time necessary therefor and in no event for more than three (3) minutes.

4. Within the total time limits above specified, the provisions of this subsection shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

C. Permits for Loading or Unloading at an Angle to the Curb:

1. The Building Official is authorized by the City Council to issue special permits to authorize the backing of a vehicle to the curb for the purpose of loading or unloading property subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property alongside the curb or to the owner of the vehicle and shall grant to such person the privilege as therein stated and herein authorized.

2. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit. (Ord. 215, 1-19-89; 1993 Code)

4-4D-8: PUBLIC CARRIER STOPS AND STANDS:

- A. Building Official to Designate Public Carrier Stops and Stands: The Building Official is authorized by the City Council to establish bus stops, bus stands, taxicab stands and stands for other passenger common-carrier motor vehicles on such streets, in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate official traffic-control devices.
- B. Restricted Use of Bus and Taxicab Stands: No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed; except, that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone. (Ord. 215, 1-19-89)

4-4D-9: BLUE CURB PARKING SPACES:

- A. Designation of Blue Curb Spaces:
1. On-Street Parking: The Building Official, as authorized by the City Council, shall designate special blue curb parking spaces for the purpose of providing on-street parking for exclusive use by disabled persons.
 2. Off-Street/Publicly Owned Facilities: The Building Official, as authorized by the City Council, shall designate parking stalls or spaces in publicly owned, leased or controlled off-street parking facilities for exclusive use of disabled persons.
 3. Off-Street/Private Financed Facilities: The City hereby declares that there are privately owned and operated parking facilities which may reserve parking stalls for exclusive use by disabled persons.

B. Identification of Blue Curb Spaces:

1. On-Street Blue Curb Spaces:

a. Blue curb spaces shall be indicated by blue paint on the curb edge of the paved portion of the street. For further identification, the International Symbol of Access may be painted on the blue curb in white followed by the word "ONLY".

b. In addition, a sign not less than seventeen inches by twenty two inches (17" x 22"), with lettering not less than one inch (1") in height shall be posted stating:

(1) "Unauthorized vehicles not displaying distinguishing license plates or placards issued for physically handicapped persons will be issued citations"; or

(2) "Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons will be towed away at owner's expense. Towed vehicles may be reclaimed at (Address) or by telephoning (Telephone number of the Sheriff's Department)".

c. All signs shall be posted at a height eighty inches (80") from the ground.

2. Off-Street/Publicly Owned Facilities:

a. Designation of blue curb parking stalls in publicly financed off-street parking facilities shall be made by posting immediately adjacent to, and visible from same, a sign consisting of the International Symbol of Access.

b. In addition, a sign not less than seventeen inches by twenty two inches (17" x 22") in size must be posted either at the entrance to the parking facility or immediately adjacent to and visible from the reserved stalls, which states with lettering not less than one inch (1") in height:

(1) "Unauthorized vehicles not displaying

distinguishing license plates or placards issued for physically handicapped persons will be issued citations"; or

(2) "Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons will be towed away at owner's expense. Towed vehicles may be reclaimed at (Address) or by telephoning (Telephone number of the Sheriff's Department)".

c. The operator of the parking facility may then, and only after first contacting the Police Department, cause the removal of a violator's automobile from the stall to the nearest public garage.

d. All signs shall be posted at a height of eighty inches (80") from the ground.

C. Compliance Required: Persons using "blue curb" parking spaces shall comply with the following:

1. Blue curb parking spaces shall be operative twenty four (24) hours a day, Sundays and holidays included.

2. Parking zones for the disabled are subject to any temporary parking prohibitions established by the City. (Ord. 215, 1-19-89; 1993 Code)

4-4D-10: OVERSIZE VEHICLE PARKING:

A. Oversize Vehicle Defined: An oversize vehicle is any vehicle, motorized or nonmotorized, that exceeds twenty five feet (25') in length or exceeds seven feet (7') in width and/or exceeds seven feet (7') in height. Oversize vehicles shall include all buses, truck tractors, semi-trailers, motor trucks, trailers, campers, camp trailers, house cars, trailer coaches and other equipment or machinery regardless of width, length or height.

B. Permitted Parking Areas: Oversize vehicles may be parked or stored on private property in all yard areas except the required front yard setback or any side yard abutting a street right of way. Semi-trailers, camp trailers, campers and/or house cars may be parked on the apron in

front of a yard setback located between the driveway and the side property line closest to the driveway if:

1. The trailer or vehicle does not project over any property line;
2. The parking or storage area has a paved or graveled surface; and
3. The area around said trailers and vehicles is kept clean and free of trash, debris and/or parts.

C. Certain Oversize Vehicles Prohibited:

1. No person shall park and leave standing upon any street or highway in a residential district:

a. Any motor vehicle of a length in excess of twenty five feet (25').

b. Any vehicle used or maintained for the transportation of persons for hire, compensation or profit.

c. Any vehicle designed and used or maintained for the transportation of property, such as buses, motor trucks, trailers, semi-trailers, trailer coaches or truck tractors and similar vehicles of a width in excess of ninety inches (90").

d. Any item of farm machinery or special purpose machine.

2. The above-prohibited vehicles may be parked upon such street or highway while loading or unloading persons and/or property or when such vehicle is parked in connection with or in aid of the performance of a service to or on a property in the block in which such vehicle is parked or to perform repairs of an emergency nature on the motor vehicle itself for a maximum of seventy two (72) consecutive hours. (Ord. 215, 1-19-89)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE E. EQUESTRIANS

SECTION:

- 4-4E-1: Use of Equestrian Trails
- 4-4E-2: Equestrian Use of Roadways
- 4-4E-3: Caution on Passing Animals

4-4E-1: USE OF EQUESTRIAN TRAILS:

- A. Definitions: For purposes of this Article, the terms set forth below shall have the following meanings:

BICYCLE: A device upon which a person may ride, propelled exclusively by human power through a belt, chain or gears and having one or more wheels.

VEHICLE: A device by which a person or property may be propelled, moved or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

- B. Prohibited Uses: Except for equine, emergency vehicles, utility vehicles and vehicles used to provide equine related services, no vehicle or bicycle shall be permitted on an equestrian trail or equestrian right of way.
- C. Permit: Notwithstanding the provisions of subsection B of this Section, the Building Official may issue a permit allowing use of an equestrian trail by a vehicle upon a showing that no other feasible access to adjacent property exists.
- D. Right of Way: The driver of a vehicle shall yield the right of way to any horseback rider crossing or moving along a roadway.
- E. Signs: The Building Official shall cause signs to be erected at the juncture of all equestrian trails and the City limits which will inform the public of the prohibition contained in this Section. (Ord. 237, 3-11-91; 1994 Code; Ord. 275, 12-11-95)

4-4E-2: EQUESTRIAN USE OF ROADWAYS:

A. Riding on Roadways: No person shall ride a horse on any roadway, except to cross the same or to move to the nearest bridle trail along a road which has no parkway.

B. Equestrian Crossings:

1. The City Council may post and maintain, or cause to be posted and maintained, signs indicating the intersection of a road and a bridle path or trail to be an equestrian crossing.

2. The driver of a vehicle shall yield the right of way to any horseback rider crossing a roadway at an equestrian crossing so designated. (Ord. 215, 1-19-89)

4-4E-3: CAUTION ON PASSING ANIMALS: The driver of any vehicle approaching any horse-drawn vehicle, any ridden animal or any livestock shall exercise proper control of his vehicle and shall reduce speed or stop as may appear necessary or as may be signaled or otherwise requested by any person driving or riding any animal or by any person in charge of any such livestock in order to avoid frightening and to safeguard any such animal or livestock and to insure the safety of any person driving or riding such animal or in charge of such livestock. (Ord. 215, 1-19-89)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE F. PEDESTRIANS

SECTION:

- 4-4F-1: Pedestrians' Right of Way at Intersections
- 4-4F-2: Crosswalks Established
- 4-4F-3: Pedestrians' Responsibilities

4-4F-1: PEDESTRIANS' RIGHT OF WAY AT INTERSECTIONS: The driver of a vehicle shall yield the right of way to a pedestrian crossing the roadway at an intersection. (Ord. 181, 2-17-86)

4-4F-2: CROSSWALKS ESTABLISHED:

- A. Designation of Crosswalks: The Building Official, as authorized by the City Council, shall establish, designate and maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadway where, in his opinion, there is particular danger to pedestrians crossing the roadway.
- B. Installation of Signs: The Building Official, as authorized by the City Council, may install signs at or adjacent to an intersection in respect to any crosswalk directing that pedestrians shall not cross in the crosswalk so indicated. (Ord. 215, 1-19-89; 1994 Code)

4-4F-3: PEDESTRIANS' RESPONSIBILITIES:¹

- A. Crossing at Right Angles: Except where otherwise indicated by a crosswalk or other official traffic-control devices, a pedestrian shall cross a roadway at right angles to the curb or by the shortest route to the opposite curb.
- B. Prohibited Crossing: No pedestrian shall cross a roadway other than in a crosswalk marked or unmarked upon any of the designated through streets or parkways. (Ord. 215,

¹ See also Section 4-4C-9(B) of this Chapter.

1-19-89)

- C. Pedestrians to Walk on the Left Side of Roadways: No pedestrian shall walk on any roadway otherwise than close to his left-hand edge of the roadway.
- D. Intoxicated Pedestrians: No pedestrian shall walk on any roadway if he is intoxicated to such an extent as to create a hazard to himself or others. (Ord. 181, 2-17-86; 1994 Code)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE G. VEHICLE EQUIPMENT AND CONDITION

SECTION:

- 4-4G-1: Size, Weight and Loads
- 4-4G-2: Mufflers

4-4G-1: SIZE, WEIGHT AND LOADS:

- A. The Building Official is authorized by the City Council, on the basis of an engineering and traffic survey, to erect and maintain official traffic-control devices on any streets or parts of streets as follows:

1. Gross Weight Limits: To impose gross weight limits as prescribed by the Vehicle Code.¹

2. Truck Restriction: To prohibit the operation of trucks exceeding the limit of pounds gross weight as prescribed in the Vehicle Code; provided, that such devices shall not prohibit necessary local operation on such streets for the purpose of making a pickup or delivery.

- B. The Building Official is authorized by the City Council, on the basis of an engineering and traffic survey, to determine and designate those heavily traveled streets upon which shall be prohibited any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic and shall erect appropriate official traffic-control devices giving notice thereof. (Ord. 215, 1-19-89; 1994 Code)

4-4G-2: MUFFLERS:

- A. Mufflers Required: No person shall operate any motor vehicle on any road within the City unless the vehicle is equipped with an adequate muffler or silencing device in constant operation and properly maintained to prevent any excessive or unusual noise, and no muffler, silencing device or exhaust system shall be equipped with a cutout, bypass or similar device.

¹ Vehicle Code §35550, et seq.

- B. Alteration of Mufflers Prohibited: No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler or silencing device originally installed on the vehicle, and the original muffler or silencing device shall comply with this Section. (Ord. 215, 1-19-89)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE H. BICYCLES

SECTION:

- 4-4H-1: Purpose and Scope
- 4-4H-2: Effect of Regulations
- 4-4H-3: Bicycle Licensing Provisions
- 4-4H-4: Bicycle Equipment
- 4-4H-5: Operation of Bicycles
- 4-4H-6: Bicycle Parking
- 4-4H-7: Bicycle Lanes
- 4-4H-8: Violation and Penalties

4-4H-1: PURPOSE AND SCOPE: The purpose of this Article is to regulate the operation of bicycles on roads located within the City. This Article may be referred to as the City's *BICYCLE REGULATIONS*. (Ord. 181, 2-17-86)

4-4H-2: EFFECT OF REGULATIONS:

- A. Compliance with Provisions Required: It is unlawful for any person to do any act forbidden or fail to perform any act required in this Article.
- B. Parents' Responsibility: The parent of any child or guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Article.
- C. Applicability of Provisions: These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street within this City or upon any path therein set aside for the exclusive use of bicycles, subject to those exceptions stated herein. (Ord. 215, 1-19-89)

4-4H-3: BICYCLE LICENSING PROVISIONS:

- A. License Required: No person who resides within this City shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license indicia is attached thereto as provided herein.

- B. License Application and Fee: Application for a bicycle license shall be made upon a form provided by the City and shall be made to the City Clerk or Sheriff. A license fee, as prescribed by the bicycle licensing authority, shall be paid to the City before each license or renewal thereof is granted.
- C. Inspection of Bicycles: The City Clerk or Sheriff or other authorized official shall inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he determines is in unsafe mechanical condition.
- D. Issuance or Denial of License:
1. The City Clerk or Sheriff, upon receiving proper application therefor, is authorized by the local authority to issue a bicycle license.
 2. The City Clerk or Sheriff shall not issue a license for any bicycle when he knows or has reasonable ground to believe that the applicant is not the owner of or entitled to the possession of such bicycle.
- E. Attachment of License Indicia:
1. The City Clerk or Sheriff, upon issuing a bicycle license, shall also issue a license indicia bearing the license number assigned to the bicycle, the name of the City, the calendar year for which issued and the expiration date thereof.
 2. The City Clerk and Sheriff shall cause such license indicia to be affixed to the front of the seat tube of the bicycle frame.
 3. No person shall remove a license indicia from a bicycle during the period for which issued, except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street or bicycle path in this City.
- F. Renewal of License: Upon the expiration of any bicycle license, the same may be renewed upon application and payment of the fee as prescribed by the bicycle licensing authority.
- G. Transfer of Ownership: Upon the sale or other transfer of a licensed bicycle, the licensee shall follow the respective rules set by the bicycle licensing authority.
- H. License Records: The City Clerk and Sheriff shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued and

the number on the indicia of the bicycle for which issued and a record of all bicycle license fees collected by him. (Ord. 215, 1-19-89; 1994 Code)

4-4H-4: BICYCLE EQUIPMENT:

A. No person shall operate a bicycle on a roadway if:

1. The bicycle is not equipped with a brake which will enable the operator to make one braked wheel skid on dry, level, clean pavement;

2. The bicycle is equipped with handlebars so raised that the operator must elevate his hands above the level of his shoulders in order to grasp the normal steering grip area; or

3. The bicycle is of such size as to prevent the operator from safely stopping the bicycle, supporting it in an upright position with at least one foot on the ground, and restarting it in a safe manner.

B. Every bicycle operated upon any roadway during darkness shall be equipped 1) with a lamp emitting a white light which, while the bicycle is in motion, illuminates the roadway in front of the bicyclist and is visible from a distance of three hundred feet (300') in front and from the sides of the bicycle; 2) with a red reflector on the rear which shall be visible from a distance of five hundred feet (500') to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle; 3) with a white or yellow reflector on each pedal visible from the front and rear of the bicycle from a distance of two hundred feet (200'); and 4) with a white or yellow reflector on each side forward of the center of the bicycle, and with a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles which are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors. A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of three hundred feet (300') in front and from the sides of the bicycle may be used in lieu of the lamp required by this subsection B. (Ord. 215, 1-19-89; 1994 Code)

4-4H-5: OPERATION OF BICYCLES: Every person riding a bicycle upon a roadway or any paved shoulder shall have all the rights and shall be subject to all the applicable provisions of the Vehicle Code. (Ord. 215, 1-19-89; 1994 Code)

4-4H-6: BICYCLE PARKING: No person shall park any bicycle upon the roadway, equestrian or pedestrian trails in such a manner as to constitute a hazard to pedestrians, animals, traffic or property. If there are no facilities available to park bicycles in the vicinity, bicycles may be parked upon equestrian or pedestrian trails in an upright position parallel to and within twenty four inches (24") of the outer edge of the roadway. (Ord. 215, 1-19-89)

4-4H-7: BICYCLE LANES: The Council shall establish bicycle lanes, from time to time, by resolution. The Building Official is authorized by the Council to implement the establishment of the bicycle lanes and paths as designated in said resolution. (Ord. 215, 1-19-89; 1994 Code)

4-4H-8: VIOLATION AND PENALTIES: Every person convicted of a violation of any provision of this Article shall be punishable as an infraction and by removal and detention of the license indicia from such person's bicycle for a period of not to exceed thirty (30) days or by impounding of such person's bicycle for a period not to exceed thirty (30) days or by any combination thereof. (Ord. 215, 1-19-89)

CHAPTER 4

TRAFFIC REGULATIONS

ARTICLE I. ADMINISTRATION AND ENFORCEMENT

SECTION:

- 4-4I-1: Enforcement by Building Official
- 4-4I-2: Emergency and Experimental Regulations
- 4-4I-3: Annual Traffic Safety Report
- 4-4I-4: Authority to Direct Traffic
- 4-4I-5: Obstruction or Interference with Sheriff or Authorized Officers
- 4-4I-6: Violation and Penalties

4-4I-1: ENFORCEMENT BY BUILDING OFFICIAL:

- A. General Duties: It shall be the general duty of the Building Official to determine the installation and proper timing and maintenance of traffic-control devices and signals, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering and traffic survey of traffic conditions and to cooperate with other City officials in the development of ways and means to improve traffic conditions and to carry out the additional powers and duties imposed by ordinances of the City.
- B. Placement of Traffic-Control Devices or Signals: Whenever the Building Official is required or authorized to place or maintain official traffic-control devices or signals, he may cause such devices or signals to be placed or maintained.
- C. Delegation: Whenever, by the provisions of this Chapter, a power is granted to the Building Official or a duty imposed upon him, the power may be exercised or the duty performed by a person authorized, in writing, by him. (Ord. 215, 1-19-89; 1994 Code)

4-4I-2: EMERGENCY AND EXPERIMENTAL REGULATIONS:

- A. Temporary Regulations: The Sheriff, by and with the approval of the Building Official, is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the City and to make and enforce temporary or experimental regulations

to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days.

- B. Testing of Traffic-Control Devices: The Building Official may test traffic-control devices under actual conditions of traffic.
- C. Emergency Placement of Traffic-Control Devices: The Sheriff may authorize the temporary placing of official traffic-control devices when required by an emergency. The Sheriff shall notify the Building Official of his action as soon thereafter as is practicable. (Ord. 215, 1-19-89; 1994 Code)

4-4I-3: ANNUAL TRAFFIC SAFETY REPORT: The Sheriff shall prepare a traffic report which shall be filed with the City Council. Such a report shall contain information on traffic matters in this City as follows:

- A. The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data.
- B. The number of traffic accidents investigated and other pertinent data on the safety activities of the Sheriff.
- C. The plans and recommendations of the Sheriff for future traffic safety activities. (Ord. 215, 1-19-89; 1994 Code)

4-4I-4: AUTHORITY TO DIRECT TRAFFIC:

- A. Authorized Officials: Officers of the Sheriff's Department and such officers as are assigned by the Sheriff are hereby authorized to direct all traffic by voice, hand, audible or other signal in conformance with traffic laws; except, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Sheriff's Department or members of the Fire Department may direct traffic as conditions may require, notwithstanding the provisions to the contrary contained in this Chapter or the Vehicle Code.
- B. Unauthorized Persons: No person other than an officer of the Sheriff's Department or members of the Fire Department or a person authorized by the Sheriff or a person authorized by law shall direct or attempt to direct traffic by voice, hand or other signal; except, that persons may operate, when and as herein provided, any mechanical push button signal erected by order of

the Building Official.

- C. Required Obedience: It is unlawful for any person to do any act forbidden or fail to perform any act required in this Section. (Ord. 215, 1-19-89; 1994 Code)

4-4I-5: OBSTRUCTION OR INTERFERENCE WITH SHERIFF OR AUTHORIZED OFFICERS:

- A. No person shall interfere with or obstruct, in any way, any Sheriff's officer or other officer or employee of this City in their enforcement of the provisions of this Chapter. The removal, obliteration or concealment of any chalk mark or other distinguishing mark used by any police officer or other employee or officer of this City in connection with the enforcement of the parking regulations of this Chapter shall, if done for the purpose of evading the provisions of this Chapter, constitute such interference or obstruction.
- B. It is unlawful for any person to do any act forbidden or fail to perform any act required in this Section. (Ord. 215, 1-19-89)

4-4I-6: VIOLATION AND PENALTIES: Except as provided in Section 4-4C-10 of this Chapter, any person violating any provisions of this Chapter shall be guilty of a misdemeanor, punishable as set out in Section 1-5-1 of this Code. (Ord. 181, 2-17-86; 1994 Code)

CHAPTER 5

NONTRAFFIC VEHICLE REGULATIONS

SECTION:

- 4-5-1: Trespass by Motor Vehicle
- 4-5-2: Disturbance of Peace with Motor Vehicles
- 4-5-3: Violation and Penalties

4-5-1: TRESPASS BY MOTOR VEHICLE:

- A. Private Property: A person shall not operate any type of motor vehicle upon the private property of another within six hundred feet (600') of any building or structure designed for or used for residential or commercial purposes, except a highway or private street, without first obtaining the written permission of the person in lawful possession of the property or, if the property is unoccupied, of the owner.
- B. Public Property: A person shall not operate any type of motor vehicle upon any public property within six hundred feet (600') of any building or structure designed for or used for residential or commercial purposes, except a highway or private street, without first obtaining the written permission of the public entity which is in possession of such property or, if the property is unoccupied, of the public entity which owns the property.
- C. Carrying of Written Permission to Trespass: Every person who operates any type of motor vehicle upon the private property of another or upon any public property and within six hundred feet (600') of any building or structure designed for or used for residential or commercial purposes, except a highway or private street, at all times while so operating shall maintain in his possession the written permission required by this Section; except, that if the same document grants such permission to two (2) or more persons, a person named in such document need not have such document in his possession while another person named in the same document, riding in the same group and not more than three hundred feet (300') from such person, has such document in his possession.
- D. Definition of Private Street: As used in this Section, "private street" means a street over which private

persons have an easement to travel and does not include driveways, paths or other ways over which no one has a right to travel except by license.

E. Exclusions:

1. This Section does not prohibit any act, either expressly authorized or expressly prohibited by either Section 602 of the Penal Code or Section 21113 of the Vehicle Code of the State or by any other State law.

2. This Section does not prohibit the use of such property by:

a. Emergency vehicles;

b. Vehicles of commerce in the course of the conduct of normal business;

c. Vehicles being operated on property devoted to commercial or industrial purposes where such operation is in conjunction with commercial or industrial use and where such operation is expressly or impliedly given by the person in possession of the property;

d. Vehicles operating on property actually used for residential purposes and where such vehicles are there at the express or implied invitation of the owner or occupant; and

e. Vehicles being operated on public or private parking lots where permission to so operate is expressly or impliedly given by the person in possession of the lot. (Ord. 78, 3-3-70)

4-5-2: DISTURBANCE OF PEACE WITH MOTOR VEHICLES:

A. Disturbance Prohibited: A person shall not operate any motor vehicle, including any motorcycle, trail bike, dune buggy, motor scooter or jeep, or the motor thereof on any vacant lot, parking lot, vacant property or acreage so as to disturb the peace or quiet of any neighborhood or person by noise, dust, smoke or fumes caused by such motor vehicle.

B. Exclusions: This Section does not apply to any act prohibited by Section 372 of the Penal Code or prohibited or expressly permitted by any State statute. (Ord. 78, 3-3-70)

4-5-3: VIOLATION AND PENALTIES: The violation of this Chapter by any person shall be deemed to be a misdemeanor and shall be punishable as set forth in Section 1-5-1 of this Code. (Ord. 78, 3-3-70; 1994 Code)

CHAPTER 6

WEAPONS

SECTION:

- 4-6-1: Unlawful Discharge
- 4-6-2: Arrows
- 4-6-3: Air Rifles
- 4-6-4: Violation and Penalties

4-6-1: UNLAWFUL DISCHARGE: It shall be unlawful for any person, other than a peace officer acting in his official line of duty, to shoot, fire or discharge, or for any person to cause or permit to be shot, fired or discharged within the City, any rifle, shotgun, revolver, pistol, firearm, spring gun or other device designed or intended to discharge or capable of discharging any dangerous missile except as hereinafter provided or except when it may be necessary so to do to protect life or property or to destroy or kill any predatory or dangerous animal. (Ord. 181, 2-17-86)

4-6-2: ARROWS: It shall be unlawful within the City for any person to cause or permit any arrow or similar missile to be shot over, along or across any property or easement line within the City or in such manner as to be dangerous to any person. (Ord. 181, 2-17-86)

4-6-3: AIR RIFLES: It shall be lawful to shoot, fire or discharge within the City an air rifle or gun if such air rifle or gun operates only on a single action spring compression or carbon dioxide cartridge and is capable of firing only pellet-type projectiles. No such air rifle or gun shall be fired, shot or discharged over, along or across any property or easement line within the City or in such manner that the firing thereof shall be dangerous to any person. (Ord. 181, 2-17-86)

4-6-4: VIOLATION AND PENALTIES: Any person convicted of a violation of this Chapter shall be punishable as set forth in Section 1-5-1 of this Code. (Ord. 181, 2-17-86; 1994 Code)

CHAPTER 7

EMERGENCY ALARM SYSTEMS

SECTION:

- 4-7-1: Findings and Intent
- 4-7-2: Definitions
- 4-7-3: Alarm Permits
- 4-7-4: Alarm System Requirements
- 4-7-5: False Alarms
- 4-7-6: State Alarm Permit Required of Alarm Agents
- 4-7-7: Violation and Penalties

4-7-1: FINDINGS AND INTENT:

- A. Findings: The City Council hereby finds and declares that there has been a significant rise in the need for and use of emergency alarm systems. As a consequence of this, there has also been significant increase in the number of false alarms reported, resulting in loss of manpower, time and equipment. Such false alarms, whether produced by human error or faulty equipment, create many long-range detrimental effects, such as decreasing the efficiency of police and fire responses and seriously impairing the ability of law enforcement officials to monitor and prevent actual criminal acts.
- B. Intent: It is the intent of the Council in passing and enacting this Chapter to minimize the number of false alarms and the negative effects associated therewith, while at the same time permitting law enforcement officials to use their resources most effectively and efficiently to provide victims of crimes perpetrated against their property, dwellings and other structures.
(Ord. 181, 2-17-86)

4-7-2: DEFINITIONS: For the purpose of this Chapter, the following words and phrases shall have the meanings ascribed below:

ALARM AGENT: Any person who is employed by an alarm business, either directly or indirectly, whose duties include any of the following: selling, maintaining, leasing, servicing, repairing, altering, replacing, moving or installing on or in any building, structure or facility, any alarm system.

ALARM BUSINESS: The business by any individual, partnership,

corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.

ALARM SYSTEM: Any mechanical or electrical device which is designed or used for the detection of an unauthorized entry into a building, structure or facility and for alerting others of the commission of an unlawful act within a building, structure or facility, or both, which emits a sound or transmits a signal or message when actuated that is intended to alert, either directly or indirectly, personnel of the Los Angeles County Sheriff's Department to any emergency situation.

AUDIBLE ALARM SYSTEM: Any audible alarm system that can be heard from the exterior of any structure.

DIRECT DIAL TELEPHONE DEVICE: Any device, including tape dialers, which will automatically dial a telephone number when activated.

FALSE ALARM: Any activation of an alarm system by failure, malfunction, accidental tripping, misoperation, misuse or negligent maintenance by the owner or lessee of the alarm system or his employee or agent of any other activation of an alarm system that results in a response by the Los Angeles County Sheriff's Department where an emergency situation does not exist.

FISCAL YEAR: July 1 to June 30. (Ord. 181, 2-17-86)

4-7-3: ALARM PERMITS:

A. Permit Required; Application: No person shall operate or maintain an alarm system without an alarm permit. Every applicant for an alarm permit shall file with the City Clerk, on forms provided by the City, stating:

1. The name, address and telephone number of the applicant.
2. The address of the property on which the alarm system will be installed.
3. The number of alarm systems to be installed.
4. A description of the types of alarm systems to be installed.
5. The name of the person or company who will install

the alarm system at the location.

6. The name, address and phone number of one person or company who will be available to be contacted in the event of an alarm activation. (Ord. 210, 4-4-88)

- B. Payment of Fee: At the time of filing an application for an alarm permit and at the time of filing an application to renew an alarm permit, the applicant shall pay a fee to be determined by resolution of the City Council.¹ (Ord. 242, 8-26-91)
- C. Expiration; Transferability: An alarm permit may be issued at any time but shall expire December 31 following the date of issuance. Alarm permits shall not be transferable from one person to another or from one location to another.
- D. Change of Address or Phone Number of Contact Person: If the name, mailing address or phone number of the person to be contacted changes, the applicant shall supply corrected information to the City Clerk within five (5) days of the change. (Ord. 210, 4-4-88)

4-7-4: ALARM SYSTEM REQUIREMENTS:

- A. Direct Dial Telephone Services Prohibited: No direct dial telephone device shall be programmed to dial any telephone number in any Sheriff's Department office.
- B. Audible Alarm Requirements:
 - 1. Notice to be Posted: Every person owning or maintaining an audible alarm shall post a notice containing the name and telephone number of the persons to be notified to render repairs or services during any hour of the day or night the audible alarm is activated. Such notice shall be posted near the alarm in such a position so as to be legible from the ground-level adjacent to the building.
 - 2. Auto Shutoff:
 - a. All audible alarm systems shall be installed with an automatic thirty (30) minute shutoff.
 - b. The ringing of any alarm for a period in excess of thirty (30) minutes is hereby declared a public nuisance and subject to summary abatement. (Ord. 181,

¹ See Title 2, Chapter 1 of this Code for collection procedures.

2-17-86)

4-7-5: FALSE ALARMS: If an alarm system emits a false alarm, a service charge shall be billed to and paid by the owner of an alarm system for each false alarm. The amount of the charge shall be determined by resolution of the City Council. (Ord. 242, 8-26-91; 1994 Code)

4-7-6: STATE ALARM PERMIT REQUIRED OF ALARM AGENTS: An alarm agent engaged in alarm business within the City shall carry on his person, at all times while so engaged, a valid alarm permit as issued by the State² and shall display said permit to any City resident, Municipal official or Sheriff upon request. (Ord. 181, 2-17-86; 1994 Code)

4-7-7: VIOLATION AND PENALTIES: Violations of any of the provisions of this Chapter are punishable as set forth in Section 1-5-1 of this Code. (Ord. 181, 2-17-86)

² Bus.&Prof.Code §7593, et seq.

CHAPTER 8

MISCELLANEOUS OFFENSES

SECTION:

- 4-8-1: Intoxication in Public
- 4-8-2: Curfews for Minors

4-8-1: INTOXICATION IN PUBLIC:

- A. Intoxication Prohibited: An intoxicated person or a person in an intoxicated condition shall not wilfully appear, remain or be in or on any place open to public view or other place to which the public is admitted or invited.
- B. Penalties: A violation of this Section is punishable as set forth in Section 1-5-1 of this Code. (Ord. 181, 2-17-86; 1994 Code)

4-8-2. CURFEWS FOR MINORS:

- A. Nighttime Curfew: Every minor who is present in or upon any public or private street, road, drive, alley, or trail; any public or community park or recreation area; any public ground, place, or building; or any vacant lot or abandoned or vacant building between the hour of 10:00 p.m. and the time of sunrise of the following day is guilty of an infraction unless the minor meets one of the exceptions set forth in subsection D of this Section.
- B. Daytime Curfew: Every minor subject to compulsory education or to compulsory continuation education who is present in or upon any public or private street, road, drive, alley, or trail; any public or community park or recreation area; any public ground, place, or building; or any vacant lot or abandoned or vacant building between the hours of 8:30 a.m. and 1:30 p.m. of the same day, on days when the minor's school is in session, is guilty of an infraction unless the minor meets one of the exceptions set forth in subsection D of this Section or: is in possession of a valid, school-issued, off-campus permit giving permission to leave campus; is receiving instruction by a qualified tutor pursuant to Education Code Section 48224; or is otherwise exempt from attendance at a public or private full-time day

school as set forth in the Education Code.

- C. Parental Responsibility: Every custodial person who allows or permits a minor in his or her custody to violate any provision of this Section is guilty of an infraction.
- D. This Section shall not apply if the minor is:
 - 1. Accompanied by a custodial person or by the minor's spouse over eighteen (18) years of age;
 - 2. On an errand directed by, and in possession of a written excuse from, a custodial person or spouse over eighteen (18) years of age;
 - 3. Engaged in or going directly to or returning directly from a school-approved activity or one that is supervised by school personnel, a medical appointment, a religious activity, other lawful educational or recreational activity supervised by adults and sponsored by the school, the city, a civic organization, or a similar entity that takes responsibility for the child;
 - 4. Engaged in a lawful employment activity or in a place in connection with or as required by a business, trade, profession, or occupation in which the minor is lawfully engaged, or going directly to or returning directly from such activity;
 - 5. Engaged in or going directly to or returning directly from any other lawful activity with written permission from a custodial person or spouse over the age of eighteen (18) years of age;
 - 6. Involved in an emergency or seeking medical assistance;
 - 7. Exercising rights protected by the First Amendment of the United States Constitution or Article 1 of the California Constitution, including but not limited to: free exercise of religion, freedom of speech and freedom of assembly;
 - 8. In the right-of-way abutting the minor's residence;
 - 9. In a motor vehicle involved in interstate travel;
 - 10. Emancipated pursuant to State law and California Family Code Section 7000, et seq, including but not limited to the following reasons: married or in the military service;

11. Homeless.

E. Community Service or Parenting Classes for First Offense: On a first offense, the Court may order community service or parenting classes instead of a fine, as may be appropriate.

F. Definitions:

1. The word "emergency" as used in this Section means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes but is not limited to fire, natural disaster, automobile accident, or any other situation requiring immediate action to prevent serious bodily injury or loss of life.

2. The word "minor" as used in this Section means a person under the age of eighteen years.

3. The word "custodial person" as used in this Section means any parent or legal guardian of the minor, or any person eighteen (18) years of age or older who is authorized by such parent or legal guardian with the care and custody of the child.

G. Enforcement Procedures: A police officer shall ask the age of an apparent offender and the reason for being on the premises or property. The officer shall not issue a citation or make an arrest unless the officer reasonably believes that an offense has occurred and that none of the exceptions set forth in this Section apply.

H. Power of Law Enforcement Officers: Nothing in this Section shall be construed as limiting in any way the power or right of law enforcement officers to make investigations, detentions or arrests as would have been permitted had this Section not been enacted.

I. Penalties: A violation of this Section is punishable as set forth in Chapter 5 of Title 1 of this Code. (Ord. 181, 2-17-86; 1994 Code; Ord. 280, 12-9-96; Ord. 285, 8-11-97)

CHAPTER 9

POLICE PERSONNEL AT UNRULY ASSEMBLIES

SECTION:

- 4-9-1: Purpose
- 4-9-2: First Notification of Unruly Assemblage
- 4-9-3: Special Security Assignment and Costs

4-9-1: PURPOSE: This Chapter adopts fees to be paid for extraordinary police costs. (Ord. 211, 5-2-88)

4-9-2: FIRST NOTIFICATION OF UNRULY ASSEMBLAGE: When any loud or unruly assemblage occurs and the Sheriff Deputy at the scene determines that there is a threat to the public peace, health, safety or general welfare, the Deputy shall notify a responsible person who is the owner of the premises, the person in charge of the premises, the person responsible for the assemblage or, if the person is a minor, the parents and guardians of that person, that the responsible person will be held liable for the costs of providing police personnel on special security assignment over and above the normal services provided by the Sheriff to those premises. A first warning shall be deemed to be the normal services provided. The personnel use after the first warning to control the threat to the public peace, health, safety or general welfare are the special security assignment. (Ord. 211, 5-2-88; 1994 Code)

4-9-3: SPECIAL SECURITY ASSIGNMENT AND COSTS:

- A. Costs of Special Security: The costs of the special security assignment shall include personnel and equipment costs expended during the second and any subsequent returns to the premises, including cost for the total number of officers involved and total minutes expended after the officers arrive on the scene. In addition, such costs may include damages to City property and/or injuries to City personnel. (Ord. 211, 5-2-88)
- B. Payment of Fees and Charges: All fees and charges levied for City services described herein shall be due and payable upon presentation.
- C. Collection of Fees and Charges: All fees and charges for

such services shall constitute a valid and subsisting debt in favor of the City and against the responsible person. If an amount remains unpaid after reasonable and practical attempts have been made by the City to obtain payment, a civil action may be filed with the court for the amount due and payable, together with any penalties, any related charges and fees accrued to nonpayment and all fees and charges required to file and pursue such civil action.

- D. Additional Fees for Recovery of Costs: Fees and charges shall be levied for recovering City costs for notification and collection of delinquent accounts and shall be established by resolution of the City Council. Such fees and charges are a part of the fees and charges established for the services rendered and shall be collected as such. (Ord. 211, 5-2-88)

CHAPTER 10

PARKING CITATION PROCESSING

SECTION:

- 4-10-1: Title
- 4-10-2: Definitions
- 4-10-3: Authority to Contract with Outside Agencies
- 4-10-4: Authority to Conduct Administrative Review Process;
Hearing Officer; Procedures
- 4-10-5: Process by Which Parking Citations Must be Issued
- 4-10-6: Parking Penalties
- 4-10-7: Parking Penalties Received by Date Fixed; No
Contest; Request to Contest
- 4-10-8: Parking Penalties Not Received by Date Fixed
- 4-10-9: Notice of Delinquent Parking Violation Contents
- 4-10-10: Copy of Citation Upon Request by Registered Owner
- 4-10-11: Affidavit of Nonliability; Leased or Rented Vehicle
- 4-10-12: Affidavit of Nonliability; Sale
- 4-10-13: Contesting Parking Citation; Procedure
- 4-10-14: Collection of Unpaid Parking Penalties
- 4-10-15: Obligation of Processing Agency Once Parking
Penalty Paid
- 4-10-16: Deposit of Parking Penalties with the City
- 4-10-17: Filing of Annual Reports

4-10-1: TITLE: This Chapter shall be known as the Parking Citation Processing Ordinance of the City of Hidden Hills. (Ord. 266, 11-22-93; 1994 Code)

4-10-2: DEFINITIONS: Except where the context otherwise requires, the definitions provided in this Section shall govern the construction of this Chapter.

"Agency" shall mean the "processing agency" as defined below.

"City" shall at all times refer to the City of Hidden Hills.

"Contestant" shall mean any "operator" or "registered owner" as defined in this Section 4-10-2 who contests a parking citation.

"County" shall mean the County of Los Angeles.

"Department" shall mean the Department of Motor Vehicles.

"Hearing Examiner" shall mean any qualified individual as set

forth in Vehicle Code Section 40215 appointed or contracted by the City to adjudicate parking citation contests administratively.

"Issuing Agency" shall mean the City or its authorized agent that issues parking citations.

"Issuing Officer" shall mean a peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of the California Penal Code or other issuing officer who is authorized to issue a parking citation.

"Operator" shall mean any individual driving and/or in possession of a vehicle at the time a citation is issued or the registered owner.

"Parking Citation" shall mean a notice that is personally given or mailed to the operator, or attached to the operator's vehicle, informing the operator of a parking, equipment and/or other vehicle violation and the operator's right to elect to pay the fine for the violation or contest the citation.

"Parking Penalty" includes, the fine authorized by law for the particular violation, any late payment penalties, administrative fees, assessments, costs of collection as provided by law, and other related fees.

"Processing Agency" shall mean the City or its authorized agent that processes parking citations and issues notices of delinquent parking violations on behalf of the City.

"Registered Owner" shall mean the individual or entity whose name is recorded with the Department of Motor Vehicles as having ownership of a particular vehicle.

"Vehicle" shall mean vehicle as that term is defined in the California Vehicle Code.

"Violation" shall mean any parking, equipment or other vehicle violation as established pursuant to state law or local ordinance. (Ord. 266, 11-22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96)

4-10-3: AUTHORITY TO CONTRACT WITH OUTSIDE AGENCIES: The City may issue and/or process parking citations and notices of delinquent parking violations, or it may enter into a contract with a private parking citation processing agency, or with another city, county, or other public issuing or processing agency.

Any contract entered into pursuant to this Section 4-10-3 shall provide for monthly distribution of amounts collected

between the parties, except amounts payable to the County pursuant to Chapter 12 (commencing with Section 76000) of Title 8 of the California Government Code and amounts payable to the Department pursuant to California Vehicle Code Section 4763. (Ord. 266, 11-22-93; 1994 Code)

4-10-4: AUTHORITY TO CONDUCT ADMINISTRATIVE REVIEW PROCESS; HEARING OFFICER; PROCEDURES: The processing agency may review appeals or other objections to a parking citation pursuant to the procedures set forth in this Section 4-10-4.

- A. For a period of twenty-one (21) calendar days from the issuance of the parking citation, or fourteen (14) calendar days from the mailing of the notice of delinquent parking citation, an operator may request initial review of the notice by the issuing agency. The request for initial review may be made in writing, by telephone or in person.
- B. The initial review by the processing agency shall consist of those procedures as outlined in Section 4-10-13.
- C. If the operator is dissatisfied with the results of the initial review, the operator may contest the parking citation or notice of delinquent parking violation through an administrative hearing review process outlined in Subdivision (1) of paragraph (A) of Section 4-10-13.

In order to contest the parking citation, the operator must deposit with the processing agency the full amount of the parking penalty on or before the twenty-first (21st) calendar day following the mailing to that operator of the results of the processing agency's initial review. At the same time, the operator must provide a written explanation of the reason or reasons for contesting the parking citation on a form provided by the processing agency. If the operator is unable to deposit the full amount of the parking penalty, the operator must provide verifiable and substantial proof of an inability to deposit the parking penalty. Upon presentation of such proof, the processing agency shall proceed with the contest procedure despite the operator's failure to deposit the full amount of the parking penalty. If it is ultimately determined that the operator is not liable for the parking violation, then the full amount of the parking penalty deposited shall be refunded.

The contestant may contest the parking citation either by written declaration, on forms provided by

the processing agency, or by personal appearance before a hearing examiner.

- D. The processing agency shall provide, through an administrative policy a procedure for contesting parking citations and notices of delinquent parking violations. (Ord. 266, 11-22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96)

4-10-5: PROCESS BY WHICH PARKING CITATIONS MUST BE ISSUED:
Parking citations shall be issued in accordance with the following procedures:

- A. If a vehicle is unattended at the time that the parking citation is issued for a parking violation, the issuing officer shall securely attach to the vehicle the parking citation setting forth the violation, including reference to the section of the California Vehicle Code, the City's Municipal Code or other parking regulation violated; the date; the approximate time of the violation; the location of the violation; a statement printed on the notice indicating that payment is required to be made not later than twenty-one (21) calendar days from the date of issuance of the parking citation; and the date by which the operator is to deposit the parking penalty or contest the parking citation pursuant to Section 4-10-13. The citation shall state the amount of the parking penalty and the address of the agent authorized to receive deposit of the parking penalty.

The parking citation shall also set forth the vehicle license number and registration expiration date, if such date is readable; the last four digits of the vehicle identification number, if that number is readable through the windshield; the color of the vehicle; and, if possible, the make of the vehicle.

The parking citation or copy thereof, shall be considered a record kept in the ordinary course of business of the issuing agency and the processing agency, and shall be prima facie evidence of the facts contained therein.

- B. The parking citation shall be served by attaching it to the vehicle either under the windshield wiper or in another conspicuous place upon the vehicle so as to be easily observed by the person in charge of the vehicle upon the return of that person.
- C. Once the parking citation is prepared and attached to

the vehicle pursuant to paragraphs (A) and (B) above, the issuing officer shall file notice of the parking violation with the processing agency.

- D. If during issuance of the parking citation, without regard to whether the vehicle was initially attended or unattended, the vehicle is driven away prior to attaching the parking citation to the vehicle, the issuing officer shall file the notice with the processing agency. The processing agency shall mail, within fifteen (15) calendar days of issuance of the parking citation, a copy of the parking citation to the registered owner.
- E. If within twenty-one (21) calendar days after the parking citation is issued, the issuing agency or the issuing officer determines that, in the interests of justice, the parking citation should be canceled, the issuing agency shall cancel the citation or, if the issuing agency has contracted with a processing agency, shall notify the processing agency to cancel the parking citation. The reason for the cancellation shall be set forth in writing.
- If after a copy of the notice of parking violation is attached to the vehicle, the issuing officer determines that there is incorrect data on the notice, including but not limited to the date or time, the issuing officer may indicate in writing, on a form attached to the original notice, the necessary correction to allow for the timely entry of the notice on the processing agency's data system. A copy of the correction shall be mailed to the registered owner of the vehicle.

Under no circumstances shall a personal relationship with any public official, officer, issuing officer, or law enforcement agency be grounds for cancellation.

- F. If a processing agency makes a finding that there are grounds for cancellation as set forth in the City's administrative policy or, pursuant to any other basis provided by law, then the finding or findings shall be filed with the processing agency, and the parking citation shall be canceled pursuant to Subdivision (1) of paragraph (A) of Section 4-10-13. (Ord. 266, 11-22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96; Ord. 282, 2-24-97)

4-10-6: PARKING PENALTIES:

- A. Parking penalties shall be established by resolution of the City.

B. All parking penalties received by the processing agency shall accrue to the benefit of the City. (Ord. 266, 11-22-93; 1994 Code)

4-10-7: PARKING PENALTIES RECEIVED BY DATE FIXED; NO CONTEST; REQUEST TO CONTEST: If the parking penalty is received by the processing agency and there is no contest by the date fixed on the parking citation, all proceedings as to that parking citation shall terminate.

If the operator contests the parking citation, the processing agency shall proceed in accordance with Section 4-10-13. (Ord. 266, 11-22-93; 1994 Code)

4-10-8: PARKING PENALTIES NOT RECEIVED BY DATE FIXED: If payment of the parking penalty is not received by the processing agency by the date fixed on the parking citation, the processing agency shall deliver to the registered owner a notice of delinquent parking violation pursuant to Section 4-10-9.

Delivery of a notice of delinquent parking violation may be made by personal service or by first class mail addressed to the registered owner of the vehicle as shown on the records of the Department. (Ord. 266, 11-22-93; 1994 Code)

4-10-9: NOTICE OF DELINQUENT PARKING VIOLATION; CONTENTS: The notice of delinquent parking violation shall contain the information required to be included in a parking citation pursuant to Section 4-10-5. The notice of delinquent parking violation shall also contain a notice to the registered owner that, unless the registered owner pays the parking penalty or contests the citation within twenty-one (21) calendar days from the date of issuance of the parking citation or within fourteen (14) calendar days after the mailing of the notice of delinquent parking violation or completes and files an affidavit of nonliability that complies with Section 4-10-11 or Section 4-10-12, the vehicle registration shall not be renewed until the parking penalties have been paid. In addition, the notice of delinquent parking violation shall contain, or be accompanied by, an affidavit of nonliability and information of what constitutes nonliability, information as to the effect of executing an affidavit, and instructions for returning the affidavit to the issuing agency.

If the parking penalty is paid within twenty-one (21) calendar days from the date of issuance of the parking citation or within fourteen (14) calendar days after the mailing of the notice of delinquent parking violation, no late penalty or similar fee shall be charged to the operator. (Ord. 266, 11-

22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96; Ord. 282, 2-24-97)

4-10-10: COPY OF CITATION UPON REQUEST BY REGISTERED OWNER:

- A. Within fifteen (15) calendar days of request, made by mail or in person, the processing agency shall mail or otherwise provide to the registered owner, or the registered owner's agent, who has received a notice of delinquent parking violation, a copy of the original parking citation. The issuing agency may charge a fee sufficient to cover the actual cost of copying and/or locating the original parking citation, not to exceed two (\$2) dollars. Until the issuing or processing agency complies with a request to provide a copy of the parking citation, the processing agency may not proceed to immobilize the vehicle in question merely because the registered owner has received five or more outstanding parking violations over a period of five or more calendar days.
- B. If the description of the vehicle on the parking citation does not substantially match the corresponding information on the registration card for that vehicle, the processing agency shall, on written request of the operator, cancel the notice of parking violation. (Ord. 266, 11-22-93; 1994 Code; Ord. 282, 2-24-97)

4-10-11: AFFIDAVIT OF NONLIABILITY; LEASED OR RENTED VEHICLE: A registered owner shall be released from liability for a parking citation if the registered owner files with the processing agency an affidavit of nonliability in a form satisfactory to the processing agency and such form is returned within thirty (30) calendar days after the mailing of the notice of delinquent parking violation together with proof of a written lease or rental agreement between a bona fide rental or leasing company and its customer which identifies the renter or lessee and provides the operator's driver's license number, name and address. The processing agency shall serve or mail to the renter or lessee identified in the affidavit of nonliability a notice of delinquent parking violation. The processing agency shall inform the renter or lessee that he or she must pay the full amount of the fine, or provide notice to the processing agency that he or she intends to contest the parking citation pursuant to Section 4-10-13 within twenty-one (21) calendar days from the date of issuance of the parking citation or within fourteen calendar (14) days after the mailing of the notice of delinquent parking violation. If the processing agency does not receive payment of the parking citation or does not receive notice of an intent to contest within said period, the processing agency

may proceed against the renter or lessee pursuant to Section 4-10-14. (Ord. 266, 11-22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96; Ord. 282, 2-24-97)

4-10-12: AFFIDAVIT OF NONLIABILITY; SALE. A registered owner of a vehicle shall be released from liability for a parking citation issued to that vehicle if the registered owner served with a notice of delinquent parking violation files with the processing agency, within thirty (30) calendar days of receipt of the notice of delinquent parking violation, an affidavit of nonliability together with proof that the registered owner served with a notice of delinquent parking violation has made a bona fide sale or transfer of the vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged violation. The processing agency shall obtain verification from the Department that the former owner has complied with the requirements necessary to release the former owner from liability pursuant to California Vehicle Code Section 5602.

If the registered owner has complied with California Vehicle Code Section 5602, the processing agency shall cancel the notice of delinquent parking violation with respect to the registered owner.

If the registered owner has not complied with the requirements necessary to release the owner from liability pursuant to California Vehicle Code Section 5602, the processing agency shall inform the registered owner that the citation must be paid in full or contested pursuant to Section 4-10-13. If the registered owner does not comply, the processing agency shall proceed pursuant to Section 4-10-14. (Ord. 266, 11-22-93; 1994 Code; Ord. 282, 2-24-97)

4-10-13: CONTESTING PARKING CITATION; PROCEDURE:

A. If an operator or registered owner contests a parking citation or a notice of delinquent parking violation, the processing agency shall do all of the following:

1. First, either investigate with its own records and staff or request that the issuing agency investigate the circumstances of the citation with respect to the contestant's written explanation of the reason or reasons for contesting the parking citation.

If, based on the results of that investigation, the processing agency is satisfied that the violation did not occur, because the registered owner was not responsible for the violation by virtue of having sold, rented or leased the vehicle, or because legally

supportable or mitigating circumstances as set forth in the City's administrative policy warrant a dismissal, the processing agency shall cancel the parking citation, and make an adequate record of the reason or reasons for canceling the parking citation. The processing agency shall mail the results of the investigation by first class mail to the contestant within ten (10) calendar days of the decision.

2. If the contestant is not satisfied with the results of the investigation provided for in subparagraph 1, the contestant may, within twenty-one (21) calendar days of the mailing of the results of the initial investigation, deposit the amount of the parking penalty and other related fees or provide proof of an inability to deposit the parking penalty, and request an administrative review. An administrative hearing shall be held within ninety (90) calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Article 2 of Chapter 1 of Division 17 of the Vehicle Code. The operator requesting the administrative hearing may request one continuance, not to exceed twenty-one (21) calendar days.

3. If the contestant prevails at the administrative hearing, then the full amount of the parking penalty deposited shall be refunded.

B. The administrative review procedure shall consist of the following:

1. The contestant shall make a written request for administrative review on a form and in a manner satisfactory to the processing agency and may request to contest the parking citation either in person or by written declaration.

2. If the contestant is a minor, that person shall be permitted to appear at a hearing or admit responsibility for a parking citation without the necessity of the appointment of a guardian. The processing agency may proceed against the minor in the same manner as if the minor were an adult.

3. The administrative review shall be conducted before a qualified hearing examiner as defined in Vehicle Code Section 20215 and appointed or contracted by the City to conduct the administrative review.

C. The issuing officer shall not be required to participate in an administrative review. The issuing agency shall

not be required to produce any evidence other than the parking citation or copy thereof, and information received from the Department identifying the registered owner of the vehicle.

This documentation in proper form shall be considered prima facie evidence of the violation.

- D. The hearing examiner's final decision shall be in writing and delivered personally to the contestant or the contestant's agent, or delivered by first class mail within ten (10) working days following the hearing.
- E. If the contestant is not the registered owner of the vehicle, all notices to the contestant required under this 4-10-13 shall also be given to the registered owner by first class mail. (Ord. 266, 11-22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96; Ord. 282, 2-24-97)

4-10-14: COLLECTION OF UNPAID PARKING PENALTIES: Except as otherwise provided below, the processing agency shall proceed under paragraph (A) or paragraph (B), but not both, in order to collect an unpaid parking penalty:

- A. File an itemization of unpaid parking penalties and other related fees with the Department for collection pursuant to the California Vehicle Code Section 4760.
- B. If more than four hundred (\$400) dollars in unpaid parking penalties and other related fees have been accrued by any one registered owner or the registered owner's renter, lessee or sales transferee, proof thereof may be filed with the court which has the same effect as a civil judgment. Execution may be levied and such other measures may be taken for the collection of the judgment as are authorized for the collection of unpaid civil judgments entered against a defendant in an action against a debtor.

The processing agency shall send notice by first-class mail to the registered owner or renter, lessee, or sales transferee indicating that a civil judgment has been filed and the date that the judgment shall become effective. The notice shall also indicate the time: that execution may be levied against that person's assets, that liens may be placed against that person's property, that the person's wages may be garnished, and that other steps may be taken to satisfy the judgment. The notice shall also state that the processing agency will terminate the commencement of a civil judgment

proceeding if all parking penalties and other related fees are paid prior to the date set for hearing. If judgment is entered, then the City may file a writ of execution or an abstract with the court clerk's office identifying the means by which the civil judgment is to be satisfied.

If a judgment is rendered for the processing agency, that agency may contract with a collection agency.

The processing agency shall pay the established first paper civil filing fee at the time an entry of civil judgment is requested.

- C. If the registration of the vehicle has not been renewed for (60) calendar days beyond the renewal date, and the citation has not been collected by the Department pursuant to the California Vehicle Code Section 4760, then the processing agency may file proof of unpaid penalties and fees with the court which has the same effect as a civil judgment as provided above in Subdivision (a).
- D. The processing agency shall not file a civil judgment with the court relating to a parking citation filed with the Department unless the processing agency has determined that the registration of the vehicle has not been renewed for sixty calendar (60) days beyond the renewal date and the citation has not been collected by the Department pursuant to the California Vehicle Code Section 4760. (Ord. 266, 11-22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96; Ord. 282, 2-24-97)

4-10-15: OBLIGATION OF PROCESSING AGENCY ONCE PARKING PENALTY PAID:

- A. If the operator or registered owner served with notice of delinquent parking violation, or any other person who presents the parking citation or notice of delinquent parking violation, deposits the penalty with the person authorized to receive it, the processing agency shall do both of the following:

- 1. Upon request, provide the operator, registered owner, or the registered owner's agent with a copy of the citation information presented in the notice of delinquent parking violation. The processing agency shall, in turn, obtain and record in its records the name, address and driver's license number of the person actually given the copy of the citation information.

2. Determine whether the notice of delinquent parking violation has been filed with Department or a civil judgment has been entered pursuant to 4-10-14.

- B. If the processing agency receives full payment of all parking penalties and other related fees and the processing agency has neither filed a notice of delinquent parking violation nor entered a civil judgment, then all proceedings for that citation shall cease.
- C. If the notice of delinquent parking violation has been filed with the Department and has been returned by the Department pursuant to the provisions of the California Vehicle Code and payment of the parking penalty has been made, along with any other related fees, then the proceedings for that citation shall cease.
- D. If the notice of delinquent parking violation has been filed with the Department and has not been returned by the Department, and payment of the parking penalty for, and any applicable costs of, service in connection with debt collection have been made, the processing agency shall do all of the following:
 - 1. Deliver a certificate of payment to the operator, or other person making payment,
 - 2. Within five (5) working days, transmit the payment information to the Department in the manner described by the Department,
 - 3. Terminate proceedings on the notice of delinquent parking violation,
 - 4. Deposit all parking penalties and other fees as required by law. (Ord. 266, 11-22-93; 1994 Code; Ord. 276U, 2-12-96; Ord. 276, 2-26-96)

4-10-16: DEPOSIT OF PARKING PENALTIES WITH THE CITY: All parking penalties collected, including process service fees and costs related to civil debt collection, shall be deposited to the account of the processing agency, and then remitted to the City, if the City is not also the processing agency.

If the City is not the processing agency, then the City shall enter into an agreement with the processing agency for periodic transfer of parking citation receipts, along with a report setting forth the number of cases processed and the sums received. (Ord. 266, 11-22-93; 1994 Code)

4-10-17: FILING OF ANNUAL REPORTS: The processing agency shall prepare an audited report at the end of each fiscal year setting forth the number of cases processed, and all sums received and distributed, together with any other information that may be specified by the City or its authorized issuing agency or the State Controller. The report is a public record and shall be delivered to the City and its authorized issuing agency. (Ord. 266, 11-22-93; 1994 Code)