

## **Title 10**

### **VEHICLES AND TRAFFIC\***

#### **Chapters:**

- 10.04 Definitions**
- 10.08 Traffic Regulations and Enforcement**
- 10.12 Traffic-Control Devices**
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- 10.20 Stopping, Standing and Parking**
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\*Prior legislation: 1960 code §§ 5A.31, 13.11, 13.12, 13.13, 13.21, 13.22, 13.23, 13.51, 13.53 and 13.72.



**Chapter 10.04****DEFINITIONS**

## Sections:

- 10.04.010 Application of terms.
- 10.04.020 Alley.
- 10.04.030 Bicycle parking zone.
- 10.04.040 Holidays.
- 10.04.050 Crossing guard.
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- 10.04.080 Park.
- 10.04.090 Parkway.
- 10.04.100 Passenger loading zone.
- 10.04.110 Pedestrian.
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- 10.04.130 Stop.
- 10.04.140 Stop or stand.
- 10.04.150 Taxi stand.
- 10.04.160 Traffic.
- 10.04.170 Traffic-control devices.
- 10.04.180 Traffic engineer.
- 10.04.200 Vehicle Code definitions applicable.

**10.04.010 Application of terms.**

For the purposes of this title, unless it is plainly evident from the context that a different meaning is intended, certain terms used in said title are defined as set out in this chapter. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.020 Alley.**

“Alley” means a public highway which does not exceed 30 feet in width between property lines. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.030 Bicycle parking zone.**

“Bicycle parking zone” means that space exclusively reserved for the parking of bicycles. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.040 Holidays.**

## A. “Holidays” are:

1. January 1st, New Year’s Day;
2. Third Monday in January, Martin Luther King, Jr. Day;
3. Third Monday in February, President’s Day;
4. Last Monday in May, Memorial Day;
5. July 4th, Independence Day;
6. First Monday in September, Labor Day;

7. November 11th, Veteran’s Day;
8. Last Thursday in November, Thanksgiving Day;
9. December 25th, Christmas Day.

B. If January 1st, July 4th, November 11th or December 25th falls upon a Saturday, the Friday preceding shall be observed as a holiday; if any of said dates falls upon a Sunday, the following Monday shall be observed as a holiday. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.050 Crossing guard.**

“Crossing guard” means a person designated by the police chief to assist school children while crossing streets in the city at designated intersections, and who while on duty wears an insignia indicating his authority. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.060 Loading zone.**

“Loading zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.070 Official time standard.**

Whenever certain hours are named in this title, they shall mean standard time or daylight saving time, as may be in current use in the city. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.080 Park.**

“Park” means the standing of a vehicle, whether occupied or not, other than temporarily for a period of less than 30 seconds for the purpose of and while actually engaged in loading or unloading passengers or materials. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.090 Parkway.**

“Parkway” means that portion of a street other than a roadway or a sidewalk. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

**10.04.100 Passenger loading zone.**

“Passenger loading zone” means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

## **10.04.110**

### **10.04.110 Pedestrian.**

“Pedestrian” means any person afoot. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.120 Police officer.**

“Police officer” means every sworn member of the police department, police reserves, or any employee of the city authorized by the chief of police to direct or regulate traffic or to make arrests for violations of traffic regulations. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.130 Stop.**

“Stop,” when required, means complete cessation of movement. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.140 Stop or stand.**

“Stop” or “stand,” when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.150 Taxi stand.**

“Taxi stand” means a public place alongside the curb of a street or elsewhere in the city which has been designated as reserved exclusively for the use of taxicabs. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.160 Traffic.**

“Traffic” means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street for the purpose of travel. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.170 Traffic-control devices.**

“Traffic-control devices” means all signs, signals, markings and devices not inconsistent with Chapters 10.04 through 10.44 LMC, placed or erected under Chapters 10.04 through 10.44 LMC, as authorized by the Vehicle Code of the state or by the authority of said chapters. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.180 Traffic engineer.**

“Traffic engineer” means the city engineer or his/her designee. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

### **10.04.200 Vehicle Code definitions applicable.**

In addition to the definitions set forth in this chapter, all definitions of words and phrases set forth in the Vehicle Code of the state are hereby incorporated in this title as though set forth in full herein. (Ord. 1787 § 1, 2006; 1960 code § 13.1)

## Chapter 10.08

### TRAFFIC REGULATIONS AND ENFORCEMENT

Sections:

- 10.08.010 Enforcement – Police department powers and duties.
- 10.08.020 Direction of traffic – Fire department personnel authorized when.
- 10.08.030 Crossing guard – School crossings.
- 10.08.040 Authorized emergency vehicles – Applicability limitations.
- 10.08.050 Government, county and city vehicles – Applicability limitations.
- 10.08.060 Speed regulated by traffic signals.
- 10.08.120 Repossessed vehicles – Report to police department required.
- 10.08.130 Direction of traffic by unauthorized persons prohibited – Exception.
- 10.08.140 Intoxicated persons prohibited in or about vehicles.
- 10.08.150 Alcoholic beverages in private parking lots.

**10.08.010 Enforcement – Police department powers and duties.**

A. It shall be the duty of the members of the police department, or such persons as are assigned by the chief of police, to enforce all street traffic laws of the city and all of the state vehicle laws applicable to street traffic in the city.

B. Members of the police department, or such officers as are assigned by the chief of police, are hereby authorized to direct all traffic by voice, hand or signal, in conformance with traffic laws; provided, that in the event of a fire or other emergency, or to expedite traffic or to safeguard pedestrians, members of the police department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws. (Ord. 1787 § 1, 2006; 1960 code § 13.2)

**10.08.020 Direction of traffic – Fire department personnel authorized when.**

Members of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat, or in the immediate vicinity. (Ord. 1787 § 1, 2006; 1960 code § 13.3)

**10.08.030 Crossing guard – School crossings.**

A. All operators of vehicles shall obey all signals and instructions of crossing guards when they are acting at regular established school crossings; provided, that the crossing guards at the time are wearing some insignia indicating their authority.

B. Any operator of a vehicle who fails to obey the signal or instructions of a crossing guard shall be deemed guilty of a misdemeanor. (Ord. 1787 § 1, 2006; 1960 code § 13.9)

**10.08.040 Authorized emergency vehicles – Applicability limitations.**

A. The provisions of this title regulating the operation, parking and standing of vehicles shall not apply to any vehicle of the police or fire departments, any public ambulance, or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this section is operated in the manner specified in the Vehicle Code of the state in response to an emergency call.

B. The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his willful disregard of the safety of others. (Ord. 1787 § 1, 2006; 1960 code § 13.5)

**10.08.050 Government, county and city vehicles – Applicability limitations.**

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state, any county or city, and it is unlawful for any such driver to violate any of the provisions of this title except as otherwise permitted in said title or by state statute. (Ord. 1787 § 1, 2006; 1960 code § 13.6)

**10.08.060 Speed regulated by traffic signals.**

The traffic engineer is authorized 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. 1787 § 1, 2006; 1960 code § 13.10)

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### **10.08.120 Repossessed vehicles – Report to police department required.**

A. Every person in the city who repossesses any motor vehicle sold, exchanged or financed by such person shall, immediately after such repossession, make out and file, either in person or by authorized agent, at the city police department, a full and complete report of the repossession of such vehicle. Such report shall be written and shall contain the name and address of the person making such repossession, the name and address of the person from whom such repossession was made, the make, the state license number, motor number, style and seating capacity of the motor vehicle repossessed. Such report shall not be required when repossession is made with the knowledge of the person in charge of such vehicle.

B. Any person violating this section shall be guilty of a misdemeanor. Penalties for misdemeanors shall be as set forth in Penal Code Section 19. (Ord. 1787 § 1, 2006; Ord. 1217 § 9, 1986; 1960 code § 13.8)

### **10.08.130 Direction of traffic by unauthorized persons prohibited – Exception.**

No person other than a member of the police department or a person assigned by the chief of police, person authorized by the city for construction activity, or person authorized by law shall direct or attempt to direct traffic, by voice, hand or other signal, except that persons may operate any mechanical pushbutton signal that may be erected, when and as provided in this title. (Ord. 1787 § 1, 2006; 1960 code § 13.4)

### **10.08.140 Intoxicated persons prohibited in or about vehicles.**

It is unlawful for any person to be in an intoxicated or drunken condition in or about any automobile, motorcycle, streetcar or other vehicle while the same is on any public highway, road, street, sidewalk, lane, alley, public grounds, public place, or in the incorporated limits of the city. (Ord. 1787 § 1, 2006; 1960 code § 13.24)

### **10.08.150 Alcoholic beverages in private parking lots.**

No person shall drink or have in his/her possession an open container of any alcoholic beverage on that portion of private property which is open to the public and is used or intended to be used for the

parking or storage of motor vehicles by customers or employees of any commercial or industrial establishment, without the express permission of the owner, his agent, or the person in lawful possession thereof. (Ord. 1787 § 1, 2006; Ord. 1263 § 1, 1988)

## Chapter 10.12

### TRAFFIC-CONTROL DEVICES

#### Sections:

- 10.12.010 Placement and maintenance – Traffic engineer authority.
- 10.12.020 Signs required for enforcement of laws.
- 10.12.040 Hours of operation.
- 10.12.050 Driver obedience required.
- 10.12.060 Lane markings for roadways.
- 10.12.070 Distinctive roadway markings required when.
- 10.12.080 One-way streets and alleys.
- 10.12.100 Shrubbery obstructing visibility at intersections – Removal authorized when.

#### **10.12.010 Placement and maintenance – Traffic engineer authority.**

A. The traffic engineer shall have the power and duty to place and maintain, or cause to be placed and maintained, official traffic-control devices when and as required under this title to make effective the provisions of said chapters.

B. Whenever the Vehicle Code of the state requires, for the effectiveness of any provision thereof, that traffic-control devices be installed to give notice to the public of the application of such law, the traffic engineer is hereby authorized to install or cause to be installed the necessary devices, subject to any limitations or restrictions set forth in the law applicable thereto.

C. The traffic engineer may also place and maintain, or cause to be placed and maintained, such additional traffic-control devices as he/she may deem necessary to regulate traffic or to guide or warn traffic, but he/she shall make such determination only upon the basis of traffic engineering principles and traffic investigations, and in accordance with such standards, limitations and rules as may be set forth in this chapter or as may be determined by other ordinance or resolution of the legislative body of this city. (Ord. 1787 § 1, 2006; 1960 code § 13.26)

#### **10.12.020 Signs required for enforcement of laws.**

No provision of the Vehicle Code of the state or of this title for which signs are required shall be enforced against an alleged violator unless appro-

priate signs are in place and sufficiently legible to be seen by an ordinarily observant person, giving notice of such provisions of the traffic laws. (Ord. 1787 § 1, 2006; 1960 code § 13.27)

#### **10.12.040 Hours of operation.**

The traffic engineer 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 title. (Ord. 1787 § 1, 2006; 1960 code § 13.33)

#### **10.12.050 Driver obedience required.**

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this chapter, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle when responding to emergency calls. (Ord. 1787 § 1, 2006; 1960 code § 13.28)

#### **10.12.060 Lane markings for roadways.**

The traffic engineer is authorized to mark centerlines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles, and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the highway. (Ord. 1787 § 1, 2006; 1960 code § 13.30)

#### **10.12.070 Distinctive roadway markings required when.**

The traffic engineer is authorized to place and maintain distinctive roadway markings, as described in the Vehicle Code of the state, on those streets or parts of streets where the volume of traffic or the vertical or other curvature of the roadway renders it hazardous to drive on the left side of such marking or signs and markings. Such marking, or signs and markings, shall have the same effect as similar markings placed by the State Department of Public Works pursuant to provisions of the Vehicle Code of the state. (Ord. 1787 § 1, 2006; 1960 code § 13.31)

#### **10.12.080 One-way streets and alleys.**

Whenever any provision of this code or other ordinance or resolution of the city designates any one-way street or alley, the traffic engineer shall place and maintain signs giving notice thereof, and

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no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (Ord. 1787 § 1, 2006; 1960 code § 13.40)

### **10.12.100 Shrubbery obstructing visibility at intersections – Removal authorized when.**

Whenever the traffic engineer finds that any hedge, shrubbery or tree growing in a parkway obstructs the view of any intersection, or any traffic upon the streets approaching such intersection, he/she shall cause the hedge, shrubbery or tree to be immediately removed or reduced in height. (Ord. 1787 § 1, 2006; 1960 code § 13.25)

## Chapter 10.16

### TURNING MOVEMENTS

Sections:

- 10.16.010 Turning markers – Placement authority and driver obedience.
- 10.16.020 Restricted turn signs – Placement authority and driver obedience.
- 10.16.030 Right turns against stop signal – Prohibited where.

#### **10.16.010 Turning markers – Placement authority and driver obedience.**

A. The traffic engineer is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and the traffic engineer is authorized to allocate and indicate more than one lane of traffic from which drivers of vehicles may make right or left turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by law.

B. When authorized markers, buttons or other indications are placed within an intersection, indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the direction of such indications. (Ord. 1787 § 1, 2006; 1960 code §§ 13.35 and 13.36)

#### **10.16.020 Restricted turn signs – Placement authority and driver obedience.**

A. The traffic engineer is hereby authorized 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.

B. Whenever authorized signs are erected indicating that no right, left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (Ord. 1787 § 1, 2006; 1960 code §§ 13.37 and 13.38)

#### **10.16.030 Right turns against stop signal – Prohibited where.**

The traffic engineer is hereby authorized to determine those intersections within any business

or residence district at which drivers of vehicles shall not make a right turn against a red or stop signal, and shall erect proper signs giving notice of such prohibition. No driver of a vehicle shall disobey the directions of any such sign. (Ord. 1787 § 1, 2006; 1960 code § 13.39)

## Chapter 10.20

### STOPPING, STANDING AND PARKING

#### Sections:

- 10.20.010 Applicability of provisions – Exceptions.
- 10.20.020 City-owned, public utility and post office vehicles exempt when.
- 10.20.030 Stop and yield right-of-way signs – Placement authorized when.
- 10.20.040 Stop required when emerging from alley, driveway or building.
- 10.20.060 Stopping, standing or parking – Curb marking designations.
- 10.20.070 Stopping, standing or parking – Parkway restrictions.
- 10.20.080 Unattended vehicles – Keys to be removed.
- 10.20.090 Parking spaces to be marked.
- 10.20.100 Parallel parking.
- 10.20.110 Angle parking.
- 10.20.120 Parking – On grades.
- 10.20.140 Parking – In alleys.
- 10.20.150 Parking – Commercial vehicles.
- 10.20.170 Parking – Vehicles transporting explosives or flammable materials.
- 10.20.180 Limited or prohibited parking zones.
- 10.20.210 Parking vehicle for sale of or repairs prohibited – Exception.
- 10.20.220 Parking or camping in vehicle on public street or highway prohibited.
- 10.20.230 Storing vehicles on streets – Time limit – Removal authorized when.
- 10.20.240 Vehicles left for repair or service – Parking restrictions.
- 10.20.250 Temporary and emergency parking signs and barricades.
- 10.20.260 City property – Parking restrictions.
- 10.20.270 Private property – Parking restrictions.
- 10.20.280 Obstructing streets or municipal parking lots prohibited.
- 10.20.290 Bicycle parking spaces.
- 10.20.300 Bus zones.
- 10.20.310 Taxi stands.
- 10.20.330 Loading zones and passenger loading zones – Use restrictions.
- 10.20.350 Parking violations – Evidence – Notice and citation procedure.

## 10.20.010

### 10.20.010 Applicability of provisions – Exceptions.

A. The provisions of this title prohibiting the stopping, standing or parking of a vehicle shall apply except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with directions of a police officer or official traffic-control device.

B. The provisions of this title imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code of the state or of this title prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

C. This title is meant to and hereby does provide the authority to tow vehicles that are not in compliance with the city's ordinances or resolutions prohibiting stopping, standing, or parking. Persons authorized to tow such vehicles include the city's peace officers and regularly employed and salaried employees engaged in directing traffic or enforcing parking laws and regulations. (Ord. 1949 § 1, 2011; Ord. 1787 § 1, 2006; 1960 code § 13.44)

### 10.20.020 City-owned, public utility and post office vehicles exempt when.

The provisions of this title regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while necessarily in use for construction or maintenance work upon the streets of the city, or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail. (Ord. 1787 § 1, 2006; 1960 code § 13.41)

### 10.20.030 Stop and yield right-of-way signs – Placement authorized when.

Whenever any provision of this code, other ordinance or resolution of the city, or the traffic engineer designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, or any intersection at which vehicles are required to yield the right-of-way, or any railroad grade crossing at which vehicles are required to stop, the traffic engineer shall erect and maintain stop signs and yield right-of-way signs as follows:

A stop sign shall be erected on each street intersecting such through street or portion thereof so designated, and at those entrances of other intersections where a stop is required, and at any railroad grade crossing so designated; and a yield right-of-way sign shall be erected at those entrances of intersections where motorists are required to yield the right-of-way. Every such sign shall conform with and shall be placed as provided in Sections 21353 and 21354 of the Vehicle Code of the state. (Ord. 1787 § 1, 2006; 1960 code § 13.42)[

### 10.20.040 Stop required when emerging from alley, driveway or building.

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway. (Ord. 1787 § 1, 2006; 1960 code § 13.43)

### 10.20.060 Stopping, standing or parking – Curb marking designations.

A. The traffic engineer is hereby authorized, subject to the provisions and limitations of this title, to place, and when required herein shall place, signs or the following curb markings to indicate parking or standing regulations, and such curb markings shall have the meanings as set forth in this section:

1. RED shall mean no stopping, standing or parking at any time, except as permitted by the Vehicle Code of the state, and except that a bus may stop in a red zone marked or signed as a bus zone.

2. YELLOW shall mean no stopping, standing or parking at any time except for the purpose of loading or unloading passengers or freight for the time specified by signs.

3. WHITE shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers, which shall not exceed three minutes, and such restrictions shall apply at all times.

4. GREEN shall mean time-limited parking and/or no parking during certain hours as specified by signs.

5. BLUE shall indicate parking limited exclusively to the vehicles displaying a disabled placard.

**10.20.070 Stopping, standing or parking – Parkway restrictions.**

No person shall stop, stand or park a vehicle within any parkway, except on a permanent or temporary driveway. (Ord. 1787 § 1, 2006; 1960 code § 13.46)

**10.20.080 Unattended vehicles – Keys to be removed.**

No person shall leave a motor vehicle, except a commercial motor vehicle, unattended on any street, alley, used-car lot or unattended parking lot without first stopping the engine, and removing and taking the key from the vehicle; provided, however, that any violation of this section shall not mitigate the offense of stealing any motor vehicle, nor shall this section or any violation thereof be admissible as evidence affecting recovery in any civil action for theft of such motor vehicle, or the insurance thereon, nor have any other bearing in any civil action. Whenever any police officer finds any such motor vehicle standing in violation of this section, such police officer is authorized to remove the keys therefrom and deliver the same to the police station. (Ord. 1787 § 1, 2006; 1960 code § 13.45)

**10.20.090 Parking spaces to be marked.**

A. The traffic engineer is authorized to install and maintain parking space markings to indicate parking spaces adjacent to curbs where authorized parking is permitted.

B. When such parking space markings are placed in the highway, subject to other and more restrictive limitations, no vehicle shall be stopped, left standing or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible. (Ord. 1787 § 1, 2006; 1960 code § 13.61)

**10.20.100 Parallel parking.**

A. Subject to other and more restrictive limitations, a vehicle may be stopped or parked within 18 inches of the left-hand curb facing the direction of traffic movement upon any one-way street unless signs are erected prohibiting such stopping or standing.

B. In the event a highway includes two 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 in place permitting such standing or parking.

C. The traffic engineer is authorized to determine when standing or parking shall be prohibited upon the left-hand side of any one-way street or alley, or when standing or parking may be permitted upon the left-hand side of any one-way roadway of a highway having two or more separate roadways, and shall erect signs giving notice thereof.

D. The requirement of parallel parking in this section shall not apply in the event any commercial vehicle is actually engaged in the process of loading or unloading freight or goods, in which case that vehicle may be backed up to the curb; provided, that such vehicle does not block traffic. (Ord. 1787 § 1, 2006; 1960 code § 13.49)

**10.20.110 Angle parking.**

A. Whenever the traffic engineer or any provision of this code or other ordinance or resolution of the city designates and describes any street or portion thereof upon which angle parking shall be permitted, the traffic engineer shall mark such street indicating the angle at which vehicles shall be parked.

B. When markings are in place indicating angle parking, as herein provided, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such markings, with the front wheel within 18 inches of the curb or edge of the roadway. (Ord. 1787 § 1, 2006; Ord. 1365 § 6, 1991; 1960 code § 13.50)

**10.20.120 Parking – On grades.**

No person shall park or leave standing any vehicle unattended on a highway when upon any grade exceeding three percent within any business or residential district without blocking the wheels of such vehicle by turning them against the curb, or by other means. (Ord. 1787 § 1, 2006; 1960 code § 13.60)

**10.20.140 Parking – In alleys.**

When official signs prohibiting such parking are in place, no person shall stop, stand or park a vehicle for any purpose other than loading or unloading of materials in any alley. Such parking shall not exceed 20 minutes. In no event shall the driver of the vehicle leave less than one traffic lane for unob-

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structed passage. When an alley is designated as a one-way alley, such parking by vehicles shall be permitted on the right side only. (Ord. 1787 § 1, 2006; 1960 code § 13.57)

### 10.20.150 Parking – Commercial vehicles.

A. No person shall stop, park or leave standing any vehicle, whether attended or unattended, on the roadway side of any vehicle stopped, parked or standing at the curb edge of a highway except when necessary to avoid conflict with the other traffic or in compliance with the directions of a police officer or traffic-control device.

B. No person shall stop, park or leave standing any commercial vehicle for the purpose of loading, delivering or unloading of freight or materials in any business district between the hours of 9:00 a.m. and 6:00 p.m. unless such vehicle is parked so that both right-hand wheels are parallel with and within 18 inches of the curb, or unless such vehicle is legally parked in any angle-parking space.

C. The chief of police shall, in case of undue hardship, such as extremely large commercial vehicles or commercial vehicles at the terminal of a long haul, issue a permit for parking to load or unload even though curb space may not be readily available. Permits, when issued, shall contain the make and type of vehicle, the license number, the name of the applicant, the location where and time when the permit shall be in effect, and the manner of parking or other restrictions necessary to ensure the usual flow of traffic. The permit shall be attached to the windshield of the vehicle at all times when the permit is in effect. (Ord. 1787 § 1, 2006; 1960 code § 13.55)

### 10.20.170 Parking – Vehicles transporting explosives or flammable materials.

It is unlawful for any person to leave standing any truck, tank truck or trailer arranged or designed for the transportation of flammable gases or liquids, or explosives of any kind or description, unattended on any street in the city between the hours of 6:00 p.m. and 5:00 a.m. of the day following, unless such vehicle is in service between such hours. (Ord. 1787 § 1, 2006; 1960 code § 13.71)

### 10.20.180 Limited or prohibited parking zones.

A. The traffic engineer shall designate those streets or portions of streets upon which parking shall be prohibited at all times, or during certain hours, or upon which parking shall be limited to a certain period of time by appropriate signs or curb markings.

B. When authorized signs or curb markings are in place giving notice of such prohibition or limitation, no person shall stop, stand or park any vehicle in violation of such signs or markings. (Ord. 1787 § 1, 2006; 1960 code § 13.58)

### 10.20.210 Parking vehicle for sale or repairs prohibited – Exception.

No person shall park a vehicle upon any roadway for the principal purpose of servicing, repairing or otherwise working on such vehicle, except repairs necessitated by an emergency. (Ord. 1787 § 1, 2006; 1960 code § 13.48)

### 10.20.220 Parking or camping in vehicle on public street or highway prohibited.

Notwithstanding any other provision of this title, or any other city ordinance, rule or regulation, it is unlawful to park a trailer coach, camper, mobile home or other vehicle upon any public street or highway within the city with the intent to camp or live in same while so parked. (Ord. 1787 § 1, 2006; 1960 code § 13.73)

### 10.20.230 Storing vehicles on streets – Time limit – Removal authorized when.

No person who owns or has possession, custody, or control of any vehicle, boat, trailer, or equipment shall park such vehicle upon any street or alley for more than a consecutive period of 72 hours. The intent of this section is to limit the storage of vehicles to 72 consecutive hours. Successive acts of parking shall be presumed to be a single act of parking within the meaning of this section when the vehicle is moved merely for the purpose of avoiding the parking limitations prescribed by this section.

Twice during any one calendar year, out-of-town visitors may park a recreational vehicle (motor home) on the street for a period not to exceed 10 consecutive days, provided said vehicle is not used for camping or habitation purposes.

In the event a vehicle is parked or left standing upon a street in excess of a consecutive period of 72 hours, as defined above, any member of the police department authorized by the chief of police may remove such vehicle from the street in the manner and subject to the requirements of the Vehicle Code of the state. The vehicle owner may also be subject to issuance of an administrative citation for violating any provision of this section. (Ord. 1787 § 1, 2006; Ord. 1755 § 1, 2005; 1960 code § 13.47)

**10.20.240 Vehicles left for repair or service – Parking restrictions.**

No person shall park, cause to be parked or allow to be parked on any street a motor vehicle or any service vehicle left under his control or in his possession for service or repair, except along the side of the street adjacent to and directly in front of his place of business. (Ord. 1787 § 1, 2006; 1960 code § 13.63)

**10.20.250 Temporary and emergency parking signs and barricades.**

A. Whenever the chief of police determines that an emergency traffic congestion is likely to result from the holding of public or private assemblages, gatherings or functions, or for other reasons, the chief of police shall have power and authority to authorize temporary signs, devices or barricades to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys as the chief of police shall direct during the time such temporary signs are in place. Such signs, devices or barricades shall remain in place only during the existence of such emergency, and the chief of police shall cause such signs to be removed promptly thereafter.

B. When signs, devices or barricades authorized by the provisions of this section are in place giving notice thereof, no person shall operate, park or stand any vehicle contrary to the directions and provision of such signs. (Ord. 1787 § 1, 2006; 1960 code § 13.62)

**10.20.260 City property – Parking restrictions.**

A. Whenever the city manager or his/her designee determines that the orderly, efficient conduct of the city's business requires that parking or standing of vehicles on city property owned or con-

trolled by the city be prohibited, limited or restricted, the traffic engineer shall have the power and authority to order signs to be erected or posted, or curb markings to be placed indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs or curb markings authorized by the provisions of this section are in place giving notice thereof, no person shall park or stand any vehicle contrary to the directions or provisions of such signs or curb markings. (Ord. 1787 § 1, 2006; 1960 code § 13.64)

**10.20.270 Private property – Parking restrictions.**

A. It is unlawful for any person to operate, drive or leave any vehicle in, over or upon any private property without the express permission of the owner or occupant thereof.

B. No vehicles shall be parked or stored in the front yard of any residential property except on a driveway or driveway extension. No more than two recreational vehicles may be parked or stored in the front yard of a residential property at the same time, except that an inoperable vehicle which is screened by a fitted car cover that is maintained in good repair may be parked or stored in place of one of the two allowable vehicles.

C. For the purposes of this section, "driveway" shall mean a surface area improved by means of application of concrete, asphalt, bricks, interlocking pavers or other impermeable material approved by the zoning administrator leading to a city-approved garage or carport, or other parking area acceptable to the city.

D. For the purposes of this section, "driveway extension" shall mean that area of the front yard adjacent to the public right-of-way, and between the driveway and its nearest side property line, that is improved for use in a manner substantially similar to the driveway.

E. For the purposes of this section, "recreational vehicle" shall mean a recreational vehicle as that term is defined in subdivision (a) of 18010 of the California Health and Safety Code, and shall also include truck campers, camping trailers, trailers, boats, personal watercraft, motorcycles, all-terrain vehicles, and similar vehicles that can be propelled, moved or drawn upon a highway.

F. In no event shall any vehicle be parked or stored within 20 feet of the intersection of a line

## 10.20.280

tangent to the right-of-way line of two intersecting streets, or where it obstructs the view of vehicle or pedestrian traffic.

G. Any vehicle determined to be in violation of any part of this section may be authorized to be removed by a peace officer or salaried city employee. (Ord. 1920 § 1, 2010; Ord. 1787 § 1, 2006; Ord. 1754 § 1, 2005; 1960 code § 13.64a)

### 10.20.280 Obstructing streets or municipal parking lots prohibited.

No person shall operate or stand or park any vehicle on any street or in any parking lot owned or controlled by the city in such a manner as to obstruct the free use of such street or parking lot. (Ord. 1787 § 1, 2006; 1960 code § 13.65)

### 10.20.290 Bicycle parking spaces.

A. The traffic engineer is authorized to designate and establish bicycle parking spaces for use at such places and during such times as he may deem suitable and necessary. The traffic engineer may also authorize the placing of bicycle parking racks in the spaces so designated.

B. When official signs or markings restricting parking to bicycles only are in place, bicycles shall be parked only in such places, and it is unlawful for any person to park or stand any vehicle other than a bicycle or other nonmotorized two-wheeled vehicle in such space. (Ord. 1787 § 1, 2006; 1960 code § 13.66)

### 10.20.300 Bus zones.

A. "Bus," as used in this section, means any motorbus or motor coach used as a common carrier of passengers.

B. The traffic engineer is authorized to establish bus zones for the loading and unloading of buses or common carriers of passengers, and to determine the location thereof subject to the limitations set forth herein.

C. Bus zones shall normally be established on the far side of an intersection.

D. Such bus zones shall be indicated by signs or a red line upon the top of the curb.

E. No bus shall stand in any bus zone longer than necessary to load or unload passengers.

F. No person shall stop, stand or park any vehicle except a bus in any bus zone. (Ord. 1787 § 1, 2006; Ord. 1365 § 7, 1991; 1960 code § 13.68)

### 10.20.310 Taxi stands.

A. The traffic engineer is authorized to determine the location of and to mark taxi stands.

B. Such taxi stands shall be indicated by signs or a white line stenciled with the words "TAXI ONLY" upon the tops of all curbs and places specified for taxicabs only.

C. No driver of any taxicab shall park or stand the same upon any public highway in any business district in the city for any period of time longer than is necessary to discharge or receive passengers then occupying or then waiting for such taxicab; provided, that a taxicab may be parked in a taxi stand established pursuant to subsection A of this section.

D. When official signs or markings designating such taxi stands are in place, no person other than the driver of a taxicab shall park or stand any vehicle in any taxi stand. (Ord. 1787 § 1, 2006; 1960 code § 13.67)

### 10.20.330 Loading zones and passenger loading zones – Use restrictions.

A. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials shall apply only to commercial vehicles, and shall not extend beyond the time necessary therefor, shall not extend beyond the time indicated by signs, and in no event for more than 20 minutes.

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

C. 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 minutes.

D. The provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading, but without permitting abuse of the privileges hereby granted. (Ord. 1787 § 1, 2006; 1960 code § 13.54)

### 10.20.350 Parking violations – Evidence – Notice and citation procedure.

A parking violation shall be subject to civil penalty. If a vehicle is unattended during the time of violation, the peace officer or person authorized to enforce parking laws and regulations shall securely attach to the vehicle a notice of parking violation in

accordance with Vehicle Code Section 40202 and following. The following procedure shall be observed:

A. During the time of such illegal parking, a notice thereof shall be securely attached to such vehicle, setting forth the fact of such illegal parking, including reference to the section of this chapter so violated, the approximate time thereof, and the location where such violation occurred. Such notice shall be attached to such vehicle either on the steering post or front-door handle thereof, or in such other conspicuous place upon the vehicle as to be easily observed by the person in charge of such vehicle upon his return thereto.

1. Notice of Illegal Parking. The notice of illegal parking shall contain the information required by the Vehicle Code, and shall inform such registered owner that for a period of 21 calendar days from the issuance of a notice of parking violation or 14 calendar days from the mailing of a notice of delinquent parking violation, the registered owner may request an initial review of the notice by the police department.

2. Initial Review. Pursuant to Vehicle Code Section 40215(a), the registered owner may request initial review of the notice of parking violation or notice of delinquent parking violation. The police department shall cancel the notice of parking violation or notice of delinquent parking violation if, following the initial review, the police department is satisfied that:

- a. The violation did not occur;
- b. The registered owner was not responsible for the violation; or
- c. Extenuating circumstances make dismissal of the citation appropriate in the interest of justice.

The police department shall mail the results of the initial review to the person contesting the notice.

3. Administrative Hearing. Pursuant to Vehicle Code Section 40215(b), if the registered owner is dissatisfied with the results of the initial review, he or she may request an administrative hearing of the violation no later than 21 calendar days following the mailing of the results of the initial review, which shall be conducted by the police department. The examiner's decision following the administrative hearing may be personally delivered to the person by the examiner or sent by first-class mail.

4. Appeal. The administrative decision may be appealed to the municipal court within 30 days after its mailing or its receipt pursuant to Vehicle Code Section 40230. (Ord. 1787 § 1, 2006; Ord. 1519 § 1, 1998; 1960 code § 13.69)

**Chapter 10.24**

**TRUCK ROUTES**

installation or repair of any public utility or street. (Ord. 1787 § 1, 2006; Ord. 1718 § 2, 2004; Ord. 1365 § 9, 1991; 1960 code § 13.14)

Sections:

- 10.24.010 Truck routes designated.
- 10.24.020 Weight limits for commercial vehicles imposed on certain streets – Exceptions.

**10.24.010 Truck routes designated.**

Isabel Avenue, Kitty Hawk Road between Jack London Boulevard and Airway Boulevard, Airway Boulevard between Kitty Hawk Road and Interstate 580, and East Stanley Boulevard west of Isabel Avenue, within the corporate limits of the city, are hereby declared to be and are established as truck routes, which shall remain unrestricted by any ordinance or regulation of the city as to weight limits or types of vehicles, so long as this section shall remain in effect. (Ord. 1787 § 1, 2006; Ord. 1718 § 1, 2004; Ord. 1365 § 8, 1991; 1960 code § 13.14)

**10.24.020 Weight limits for commercial vehicles imposed on certain streets – Exceptions.**

A. It is unlawful for any person to drive or place, or cause to be driven or placed, any commercial vehicle for hire upon any street in the city, except those streets designated as truck routes in LMC 10.24.010, when such vehicle is of a gross weight in excess of 6,000 pounds. Excepting:

1. Any vehicle which is subject to the provisions of Sections 1031 through 1036 of the Public Utilities Code of the state;

2. A commercial vehicle for hire coming from an unrestricted street having ingress and egress by direct route to and from such restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted street for which a building permit has previously been obtained;

3. Any vehicle owned by a public utility, licensed contractor or a municipal corporation while necessarily being used in the construction,

**Chapter 10.28****MISCELLANEOUS DRIVING  
REGULATIONS**

## Sections:

- 10.28.010 Vehicles not to block intersections or crosswalks.
- 10.28.020 Obedience to traffic signs and barriers required.
- 10.28.030 Driving over new pavement or street markings prohibited.
- 10.28.040 Following fire apparatus prohibited.
- 10.28.050 Driving over fire hose prohibited.
- 10.28.060 Driving through funeral processions prohibited.
- 10.28.070 Driving on sidewalks, pedestrian/bike trails, parks and arroyos prohibited – Exceptions.
- 10.28.080 Clinging to moving vehicles prohibited.

**10.28.010 Vehicles not to block intersections or crosswalks.**

It is unlawful for the operator of any vehicle to enter an intersection or a marked crosswalk unless there is sufficient space on the side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians. (Ord. 1787 § 1, 2006; 1960 code § 13.83)

**10.28.020 Obedience to traffic signs and barriers required.**

No person shall operate a vehicle contrary to the directions or provisions of any barrier or sign erected:

- A. Pursuant to the provisions of any ordinance of the city;
- B. By any public utility;
- C. By any department of the city; or
- D. By any other person pursuant to law or contract with the city; nor shall any unauthorized person move or alter the position of any such barrier or sign. (Ord. 1787 § 1, 2006; 1960 code § 13.87)

**10.28.030 Driving over new pavement or street markings prohibited.**

No person shall ride or drive any animal or any vehicle over or across any newly made pavement or freshly painted markings in any street when a barrier, sign, cone-marker or other warning device

is in place warning persons not to drive over or across such pavement or marking. (Ord. 1787 § 1, 2006; 1960 code § 13.86)

**10.28.040 Following fire apparatus prohibited.**

It is unlawful for the operator of any vehicle, other than one on official business, to follow any fire apparatus traveling in response to a fire alarm closer than one block, or to drive into or park any vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (Ord. 1787 § 1, 2006; 1960 code § 13.84)

**10.28.050 Driving over fire hose prohibited.**

No vehicle shall be driven over any unprotected hose of the fire department when it is laid down on any street or private driveway, without the consent of the fire chief or the assistant in command. (Ord. 1787 § 1, 2006; 1960 code § 13.81)

**10.28.060 Driving through funeral processions prohibited.**

No driver of a vehicle shall drive between vehicles constituting a funeral procession while they are in motion, and when the vehicles in such processions are conspicuously so designated. (Ord. 1787 § 1, 2006; 1960 code § 13.80)

**10.28.070 Driving on sidewalks, pedestrian/bike trails, parks and arroyos prohibited – Exceptions.**

No motor vehicle, motorized bicycle, motorized skateboard, or motorized scooter shall be driven within sidewalk areas, trails, public parks, parkways, or paths, channels or arroyos, unless such vehicle or device is within an area specifically authorized for such use, or is operated by an authorized person employed by the public agency maintaining or controlling such property. (Ord. 1787 § 1, 2006; 1960 code § 13.85)

**10.28.080 Clinging to moving vehicles prohibited.**

Any person riding upon any bicycle, motorcycle, coaster, roller-skates, or any toy vehicles, shall not attach the same or himself to any moving vehicle upon any roadway. (Ord. 1787 § 1, 2006; 1960 code § 13.82)

**Chapter 10.32**

**PEDESTRIANS**

Sections:

- 10.32.010 Crosswalks – Established by traffic engineer.
- 10.32.030 Standing in roadways prohibited – Exceptions.

**10.32.010 Crosswalks – Established by traffic engineer.**

A. The traffic engineer is authorized to mark and maintain crosswalks, and to designate them by appropriate signs and/or markings upon the surface of the roadway.

B. The traffic engineer may place signs at or adjacent to an intersection in respect to any unmarked crosswalk, directing that pedestrians shall not cross at that location. (Ord. 1787 § 1, 2006; 1960 code § 13.88)

**10.32.030 Standing in roadways prohibited – Exceptions.**

No person shall stand in any roadway other than in a crosswalk if such action interferes with the lawful movement of traffic. This provision shall not apply to any public officer or employee, or employee of a public utility when necessarily upon a street in line of duty. (Ord. 1787 § 1, 2006; 1960 code § 13.91)

**Chapter 10.36**

**TOY VEHICLES**

Sections:

- 10.36.010 Persons on rollerskates or toy vehicles – Prohibited when.
- 10.36.020 Persons on rollerskates or toy vehicles – Business district restrictions.
- 10.36.030 Persons on skateboards.

**10.36.010 Persons on rollerskates or toy vehicles – Prohibited when.**

No person upon rollerskates or a skateboard or riding in or by means of any coaster or motorized toy vehicle or similar device shall go upon any roadway. (Ord. 1787 § 1, 2006; Ord. 1304 § 1, 1989; 1960 code § 13.18)

**10.36.020 Persons on rollerskates or toy vehicles – Business district restrictions.**

No person shall skate with rollerskates or a skateboard or propel any coaster-brake or motorized wagons or toy vehicles upon and along any street, sidewalk, or other public place, or on or in a place open to the public within any business district. (Ord. 1787 § 1, 2006; Ord. 1599 § 1, 2000; Ord. 1304 § 2, 1989; 1960 code § 13.17)

**10.36.030 Persons on skateboards.**

Any person riding a skateboard at any skateboard facility shall wear a helmet, elbow pads, and knee pads. (Ord. 1787 § 1, 2006; Ord. 1599 § 2, 2000)

**Chapter 10.44****BICYCLES**

## Sections:

- 10.44.010 Definitions.
- 10.44.020 Statutory provisions adopted by reference.
- 10.44.030 License – Required.
- 10.44.040 License – Application – Attachment to bicycle.
- 10.44.050 License – Fees – Renewal.
- 10.44.060 Sales by dealers – Report and recordkeeping requirements.
- 10.44.070 Rental agency requirements.
- 10.44.080 Police department records.
- 10.44.090 Bicycle lanes – Establishment.
- 10.44.100 Bicycle lanes – Cyclist to ride at right side.
- 10.44.120 Bicycle lanes – Stopping restrictions for riders.
- 10.44.130 Riding on sidewalks and playgrounds – Restrictions.
- 10.44.140 Violation by minor – Responsibility of parent or guardian.
- 10.44.150 Violation by minor – Penalty.

**10.44.010 Definitions.**

A. “Bicycle” is as defined in Section 39000 of the Vehicle Code of the state.

B. “Bicycle lane” means that portion of a roadway set aside by striping for the use of bicycles, and so designated as provided in LMC 10.44.100.

C. “Bicycle path” means a pathway for bicycles and pedestrians that has been physically separated from a roadway. (Ord. 1787 § 1, 2006; 1960 code § 5A.1)

**10.44.020 Statutory provisions adopted by reference.**

In addition to the provisions of this chapter, all provisions of the California Vehicle Code pertaining to operation of a bicycle shall be observed whenever a bicycle is operated upon any street or sidewalk, or upon any public path set aside for the exclusive use of bicycles. (Ord. 1787 § 1, 2006; 1960 code § 5A.3)

**10.44.030 License – Required.**

It is unlawful for any person to operate or use a bicycle unlicensed by either the city of Livermore or the state of California upon any of the streets, al-

leys or public highways of the city. (Ord. 1787 § 1, 2006)

**10.44.040 License – Application – Attachment to bicycle.**

A. Upon written application, any bicycle may be licensed and registered, as provided in this chapter. The city shall provide all necessary materials for licensing and registration, and provide registration opportunities at times and places convenient to the public.

B. The license shall be attached to the bicycle, and shall remain attached as long as the license is in force. (Ord. 1787 § 1, 2006)

**10.44.050 License – Fees – Renewal.**

A. The license fee to be paid for each bicycle shall be \$1.00 per year, and shall be paid in advance to cover a three-year period. If a license or registration card is lost, mutilated, destroyed or stolen, the licensee shall obtain another license or registration card without charge. Each license-renewal fee shall be \$1.00 per year, and shall be paid in advance to cover a three-year period.

B. All fees collected under this chapter shall be accounted for in accordance with accepted accounting practices, and shall be used for the support of the bicycle license program, to improve bicycle safety programs, and to establish bicycle facilities. (Ord. 1787 § 1, 2006)

**10.44.060 Sales by dealers – Report and recordkeeping requirements.**

A. All persons engaged in the business of buying secondhand bicycles are required to make written reports, within 24 hours of a purchase, to the city police department, giving the name and address of the persons from whom each bicycle is purchased, the description of each bicycle purchased, the frame number thereof, and the number of the license found thereon, if any.

B. All persons engaged in the business of selling new or secondhand bicycles are required to maintain a record of all sales, the record to be available for police department review during business hours. The record shall include the name and address of each person to whom the bicycle was sold, the kind of bicycle sold, together with a description and frame number thereof, and the number of the license attached thereto, if any. (Ord. 1787 § 1, 2006)

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### 10.44.070 Rental agency requirements.

A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto as provided in this chapter. (Ord. 1787 § 1, 2006)

### 10.44.080 Police department records.

The city police department shall keep the bicycle license records required by the California Vehicle Code. (Ord. 1787 § 1, 2006)

### 10.44.090 Bicycle lanes – Establishment.

The traffic engineer is authorized to erect or place signs upon any street or adjacent to any street in the city indicating the existence of a bicycle lane or path, and otherwise regulating the operation and use of vehicles and bicycles with respect thereto as the same are consistent with the state law. The bicycle lane shall be designated on the roadway by appropriate painting, reflectorized buttons, or in such manner as the city engineer shall determine will provide sufficient notice of the existence of such bicycle lane. When such signs are in place, no person shall disobey the same. (Ord. 1787 § 1, 2006; 1960 code § 5A.30)

### 10.44.100 Bicycle lanes – Cyclist to ride at right side.

While proceeding in a bicycle lane or path, a bicyclist must ride in the furthestmost right-hand portion of the lane or path, when possible. (Ord. 1787 § 1, 2006; 1960 code § 5A.33)

### 10.44.120 Bicycle lanes – Stopping restrictions for riders.

A bicyclist may stop in a bicycle lane or path after giving the appropriate signal in the manner provided in Chapter 6 (commencing with Section 22100) of the Vehicle Code; providing, that he has not blocked the path or lane, such that at least one moving bicyclist may pass by him and still be in the path or lane. (Ord. 1787 § 1, 2006; 1960 code § 5A.32)

### 10.44.130 Riding on sidewalks and playgrounds – Restrictions.

A. No person shall ride a bicycle upon a sidewalk except in residential areas, or where such riding is permitted.

B. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian, and shall give audible signal before overtaking and passing such pedestrian.

C. No person shall ride or operate a bicycle upon any playground, park or school ground where children are playing under supervision in an organized activity, without the permission of the person having supervision of the playground, park or school ground. (Ord. 1787 § 1, 2006; 1960 code § 5A.6)

### 10.44.140 Violation by minor – Responsibility of parent or guardian.

It is unlawful to violate any of the provisions of this chapter or of the California Vehicle Code pertaining to operation of bicycles. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any child or ward to violate any of the provisions of this chapter. Violation of this chapter is an infraction. (Ord. 1787 § 1, 2006; 1960 code § 5A.2)

### 10.44.150 Violation by minor – Penalty.

Where this chapter or the provisions of the California Vehicle Code pertaining to operation of bicycles have been violated by persons under the age of 18 years, in lieu of fine, and in lieu of filing charges in juvenile court, the chief of police or his duly appointed representative shall notify the parents of the violator of the offense, and require of the violator any of the following, or any combination thereof:

A. Have the parents of the violator deprive the violator of the bicycle for a period not to exceed 30 days;

B. Have the bicycle equipment inspected at the police department within five days of any equipment violation;

C. Obtain a city bicycle license immediately;

D. Read the city bicycle ordinance and write a composition about bicycle use;

E. Take an examination on bicycle use and safety. (Ord. 1787 § 1, 2006)

**Chapter 10.48****ABANDONED VEHICLES**

## Sections:

- 10.48.010 Findings and statutory authority.
- 10.48.020 Definitions.
- 10.48.030 Exclusions.
- 10.48.040 Administration and enforcement authority.
- 10.48.050 Chapter provisions not exclusive.
- 10.48.060 Abandoned vehicles prohibited when.
- 10.48.070 Removal of nuisance vehicle – Notice of intention to abate required.
- 10.48.080 Intention to abate – Public hearing requirements – Evidence.
- 10.48.090 Abatement ordered when – Costs – Conditions.
- 10.48.100 Removal and disposal – Notice requirements.
- 10.48.110 Costs – Set by city council.
- 10.48.120 Costs – Assessment.

**10.48.010 Findings and statutory authority.**

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

The accumulation and storage of wrecked, abandoned, dismantled or inoperative vehicles or parts thereof on private or public property, not including highways, is found to create a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects, and to be injurious to the health, safety and general welfare. Therefore, the presence of a wrecked, abandoned, dismantled or inoperative vehicle or part thereof on private or public property, not including highways, except as expressly hereinafter permitted, is hereby declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter. (Ord. 1787 § 1, 2006; 1960 code § 13A.1)

**10.48.020 Definitions.**

As used in this chapter:

A. “Highway” means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. “Highway” includes “street.”

B. “Public property” does not include “highway.”

C. “Vehicle” means a device by which any person or property may be propelled, moved or drawn upon a highway, except a device moved by human power or used exclusively upon stationary rails or tracks. (Ord. 1787 § 1, 2006; 1960 code § 13A.2)

**10.48.030 Exclusions.**

A. This chapter shall not apply to:

1. A vehicle or part thereof which is located behind a solid fence six feet in height and which is not visible from the street or other public or private property;

2. A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, a junk dealer, or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.

B. Nothing in this section shall authorize the maintenance of a public or private nuisance as defined under provisions of law other than Chapter 10 (commencing with Section 22650) of Division 11 of the Vehicle Code and this chapter. (Ord. 1787 § 1, 2006; 1960 code § 13A.3)

**10.48.040 Administration and enforcement authority.**

The provisions of this chapter shall be administered and enforced by the Livermore police department, except that the removal of vehicles or parts thereof from property may be by any person so authorized to act by resolution of the city council. Any police officer, or other person authorized by the city council to remove vehicles or parts thereof, may enter upon private property to examine a vehicle or parts thereof, obtain information as to the identity of a vehicle, and remove or cause the removal of a vehicle or part thereof declared to be a public nuisance pursuant to this chapter. (Ord. 1787 § 1, 2006; 1960 code § 13A.5)

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### 10.48.050 Chapter provisions not exclusive.

This chapter is not the exclusive regulation of wrecked, abandoned, dismantled or inoperative vehicles within the city. It shall supplement and be in addition to the other regulatory codes, statutes and ordinances heretofore or hereafter enacted by the city, the state, or any other legal entity or agency having jurisdiction. (Ord. 1787 § 1, 2006; 1960 code § 13A.4)

### 10.48.060 Abandoned vehicles prohibited when.

It is unlawful and a misdemeanor for any person to abandon, park, store or leave, or permit the abandonment, parking, storing or leaving of any licensed or unlicensed vehicle or part thereof which is in a wrecked, abandoned, dismantled or inoperative condition upon any private property or public property, not including highways, within the city for a period in excess of 15 days, unless such vehicle or part thereof is completely enclosed as stated in this chapter, or unless such vehicle is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, or a junkyard. (Ord. 1787 § 1, 2006; 1960 code § 13A.12)

### 10.48.070 Removal of nuisance vehicle – Notice of intention to abate required.

A. A notice of intention to abate and remove any vehicle or part thereof as a public nuisance shall be given prior to abatement and removal thereof, unless the property owner and the owner of the vehicle have signed releases authorizing removal and waiving further interest in the vehicle or part thereof. Such notice shall contain a statement of the hearing rights of the owner of the property on which the vehicle or part thereof is located, and the owner of the vehicle. The statement shall include notice to the property owner that he may appear in person at a hearing or may submit a sworn written statement denying responsibility for the presence of the vehicle on the land, with his reasons for such denial, in lieu of appearing. The notice of intention shall be mailed, by registered or certified mail, to the owner of the land as shown on the last equalized assessment roll, to the occupant of the land, and to the last registered and legal own-

ers of record unless the vehicle is in such condition that identification numbers are not available to determine ownership.

B. If any of the foregoing notices are returned undelivered by the United States Post Office, the hearing shall be continued to a date not less than 10 days from the date of such return.

C. Notice of such hearing shall also be given to the California Highway Patrol, identifying the vehicle or part thereof proposed for removal, such notice to be mailed at least 10 days prior to the public hearings. (Ord. 1787 § 1, 2006; 1960 code § 13A.7)

### 10.48.080 Intention to abate – Public hearing requirements – Evidence.

A. A public hearing shall be held before the police department vehicle abatement hearing officer upon request for such a hearing by the owner of the vehicle or the owner or occupant of the land on which such vehicle is located. The request must be made to the chief of police within 10 days after the mailing of the notice of intention to abate and remove the vehicle. If the owner of the land on which the vehicle is located submits a sworn written statement denying responsibility for the presence of the vehicle on his land within such time period, this statement shall be construed as a request for hearing which does not require the presence of the owner submitting such request. If such a request is not received within such period, the police department or other persons authorized by the city council shall have the authority to remove the vehicle.

B. The owner of the land on which the vehicle is located may appear in person at the hearing, or present a sworn written statement denying responsibility for the presence of the vehicle on the land, with his reasons for such denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that he has not subsequently acquiesced in its presence, then the city shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located, or otherwise attempt to collect such cost from such owner.

C. The vehicle abatement hearing officer shall hear all facts and testimony he or she deems pertinent. Such facts and testimony may include testimony on the condition of the vehicle or part thereof, and the circumstances concerning its loca-

tion on the said private property or public property. The hearing officer shall not be limited by the technical rules of evidence. (Ord. 1787 § 1, 2006; 1960 code § 13A.8)

**10.48.090 Abatement ordered when – Costs – Conditions.**

A. At the conclusion of the public hearing, the hearing officer may find that a vehicle or part thereof has been wrecked, abandoned, dismantled, or is inoperative on private or public property and in violation of this chapter, and order the same removed from the property as a public nuisance and disposed of as hereinafter provided. The hearing officer may determine the administrative costs and the costs of removal to be charged against the owner of the parcel of land on which the vehicle or part thereof is located. The order requiring removal shall include a description of the vehicle or part thereof and the correct identification number and license number of the vehicle, if known. If, after such hearing, it is determined that the vehicle was placed on the land without the consent of the owner thereof and that such owner has not subsequently acquiesced in its presence, the hearing officer shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located, or otherwise attempt to collect such costs from such landowner.

B. The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. The hearing officer may delay the time for removal of the vehicle or part thereof if, in his opinion, the circumstances justify it.

C. Any person requesting notice in writing of the decision of the hearing officer, whether formally appearing at such hearing or not, shall be so notified. (Ord. 1787 § 1, 2006; 1960 code § 13A.9)

**10.48.100 Removal and disposal – Notice requirements.**

A. Five days after the adoption of the order declaring the vehicle or part thereof to be a public nuisance, or five days from the date of the mailing of the notice of the decision of the hearing officer, if notice is required as provided in LMC 10.48.090, the vehicle or part may be disposed of by the removal to a scrap yard or automobile dismantling yard of such. After a vehicle has been removed, it

shall not thereafter be reconstructed or made operable unless it is a vehicle which qualifies for either horseless carriage license plates or historical value license plates, pursuant to Section 5004 of the Vehicle Code, in which case the vehicle may be reconstructed or made operable.

B. Within five days after the date of removal of the vehicle or part thereof, notice shall be given to the State Department of Motor Vehicles, identifying the vehicle or part thereof removed. At the same time there shall be transmitted to the Department of Motor Vehicles any evidence of registration available, including registration certificates, certificates of title, and license plates. (Ord. 1787 § 1, 2006; 1960 code § 13A.10)

**10.48.110 Costs – Set by city council.**

The city council shall, from time to time as necessary, determine and fix the charges to be assessed as administrative costs, excluding the actual cost of removal of any vehicle or part thereof, under this chapter. (Ord. 1787 § 1, 2006; 1960 code § 13A.6)

**10.48.120 Costs – Assessment.**

If the administrative costs and the cost of removal which are charged against the owner of a parcel of land pursuant to LMC 10.48.110 are not paid within 30 days of the date of the order, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code, and shall be transmitted to the tax collector for collection. Such assessment shall have the same priority as other city taxes. (Ord. 1787 § 1, 2006; 1960 code § 13A.11)

**10.50.010**

**Chapter 10.50**

**CRUISING**

C. Buses and other vehicles being driven for business purposes. (Ord. 1787 § 1, 2006; Ord. 1178 § 1, 1985)

Sections:

10.50.010 Definitions.

10.50.020 Prohibited.

10.50.030 Exceptions.

**10.50.010 Definitions.**

The following definitions apply to this chapter:

A. "Central traffic area" means the area bordered by and including Chestnut Street from Junction Avenue to North P Street; North P Street to Railroad Avenue; Railroad Avenue to Stanley Boulevard; Stanley Boulevard to Murrieta Boulevard; Murrieta Boulevard to Fourth Street; Fourth Street to Maple Street; Maple Street to First Street; First Street to Old First Street; Old First Street to Junction Avenue and Junction Avenue to Chestnut Street. This area shall be clearly identified by signs that briefly and clearly state the appropriate provisions of the Vehicle Code and this chapter.

B. "Cruising" means driving a motor vehicle on a highway past a traffic-control point, designated by a peace officer, under conditions in which traffic is congested at or near the control point, three or more times in one direction within a three-hour period after having driven past the control point two times within the same period and having been given adequate written notice after the second passing, that passing the control point a third time under the same conditions stated in this chapter shall constitute a violation of this chapter.

C. "Highway" and "motor vehicle" are defined in Sections 360 and 415, respectively, of the Vehicle Code. (Ord. 1787 § 1, 2006; Ord. 1178 § 1, 1985)

**10.50.020 Prohibited.**

Cruising in the central traffic area shall constitute an infraction. (Ord. 1787 § 1, 2006; Ord. 1178 § 1, 1985)

**10.50.030 Exceptions.**

This chapter shall not apply to the following vehicles:

- A. In-service emergency vehicles;
- B. Taxicabs for hire;