

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.05**TRAFFIC REGULATIONS¹**

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10.05.010 Definitions.

A. As used in this chapter:

1. **Editor's note:** For statutory provisions regarding the authority of the city relative to vehicles and traffic, see Vehicle Code section 21100 et seq.; for provisions regarding the uniformity of traffic laws and applicability to municipalities, see Vehicle Code section 21.

Coach means a motor bus, motor coach, trackless trolley, or passenger stage used as a common carrier of passengers.

Curb means the lateral boundary of the roadway whether marked by curbing construction or not. *Curb* does not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracts or rights-of-way of public utility companies.

Divisional island means the raised island located in the roadway and separating opposing or conflicting streams of traffic.

Holiday means the city-recognized holidays as designated by city council resolution.

Loading zone means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Parking meter means a mechanical device installed within or upon the curb or sidewalk area, immediately adjacent to a parking space, for the purpose of controlling the period of time occupancy of such parking meter space by any vehicle.

Parkway means that portion of a street other than a roadway or a sidewalk.

Passenger loading zone means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Pedestrian means any person afoot.

Police officer means and includes every officer of the police department or any officer authorized to direct or regulate traffic, or to make arrests for violations of traffic regulations.

B. Whenever words or phrases used in this chapter are not defined, but are defined in the Vehicle Code, the Vehicle Code definitions apply. (1991 code § 8.2)

10.05.020 City traffic engineer – Established.

The office of city traffic engineer is established. The city traffic engineer is appointed by the council. He or she shall exercise the powers and duties as provided in this title and in the traffic regulations of this city. (1991 code § 8-3.1)

10.05.030 City traffic engineer – Powers and duties.

The city traffic engineer shall determine the installation and proper timing and maintenance of traffic-control devices and signals, conduct engineering analyses of traffic accidents and devise remedial measures, conduct engineering and traffic investigations of traffic conditions and cooperate with other city officials in the development of ways and means to improve traffic conditions, and carry out the powers and duties imposed by the city. (1991 code § 8-3.2)

10.05.040 One-way streets and alleys – Designation by traffic engineer.

Whenever an ordinance or resolution designates a one-way street, the city traffic engineer shall place and maintain a sign giving notice, and regulation is not effective unless the sign is in place. A sign indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (1991 code § 8-6.1)

10.05.050 Stop intersections – Installation designated.

Whenever an ordinance or resolution designates a street as a through street, or an intersection at which vehicles are required to stop at one or more entrances to it, or a railroad grade crossing at which vehicles are required to stop, the city traffic engineer shall place and maintain stop signs as follows: A stop sign shall be placed on each street intersecting the through street so designated and at those entrances to other intersections where a stop is required and at a railroad grade crossing so designated; provided, however, stop signs shall not be erected or maintained at an entrance to an intersection when the entrance is controlled by an official traffic-control signal. Every such sign shall conform with and shall be placed as provided in the Vehicle Code. (1991 code § 8-7.1)

10.05.060 Stop intersections – Stop at through street or stop sign.

A. Those streets established by resolution of the council are declared to be through streets for the purposes of this section.

B. This section applies at one or more entrances to the intersections as such entrances and intersections are established by resolution of the council.

C. This section applies at those highway railway grade crossings as established by resolution of the council. (1991 code § 8-7.2)

10.05.070 Turning movements – Authority to place turning markers.

The city traffic engineer may place official traffic-control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections. The city traffic engineer may locate and indicate more than one lane of traffic from which drivers of vehicles may make right-hand or left-hand turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by law. (1991 code § 8-9.1)

10.05.080 Turning movements – Authority to place restricted turn signs.

The city traffic engineer may 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 and permitted at other hours, in which event the hours shall be plainly indicated on the signs. (1991 code § 8-9.2)

10.05.090 Crosswalks designated by traffic engineer.

A. The city traffic engineer shall establish, designate and maintain crosswalks at intersections and other places by appropriate devices, marks, or lines upon the surface of the roadway as follows: Crosswalks shall be established and maintained at such intersections and at other places where the city traffic engineer determines that there is particular hazard to pedestrians crossing the roadway subject to the limitation contained in subsection B of this section.

B. Other than crosswalks at intersections, no crosswalk may be established in any block which is less than 400 feet in length and if established shall be located as nearly as practicable at mid-block.

C. The city traffic engineer may place signs at or adjacent to an intersection in respect to a crosswalk directing that pedestrians may not cross in the crosswalk so indicated. (1991 code § 8-11.1)

10.05.100 Traffic-control devices – Required for enforcement purposes.

No provision of the Vehicle Code or of this title for which signs are required may be enforced against an alleged violator unless appropriate legible signs are in place giving notice of such provisions of the traffic laws. (1991 code § 8-12.1)

10.05.110 Traffic-control devices – Obedience required.

The operator of a vehicle, bicycle or train shall obey the instructions of any official traffic-control device placed in accordance with this title, unless otherwise directed by a police officer or other authorized person subject to the exceptions granted the operator of an authorized emergency vehicle when responding to emergency calls. (1991 code § 8-12.2)

10.05.120 Traffic-control devices – Installation and maintenance.**A. Authority.**

1. The city traffic engineer may maintain official traffic-control devices when and as required to make this title effective.
2. Whenever the Vehicle Code requires that traffic-control devices be installed to give notice to the public of the application of such law, the city traffic engineer may install the necessary devices subject to limitations or restrictions set forth in the applicable law.
3. The city traffic engineer may maintain additional traffic-control devices as he or she considers necessary or proper to regulate traffic or to guide or warn traffic, but he or 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 set forth in this chapter or as may be determined by ordinance or resolution of the council.

B. Designated.

1. The city traffic engineer is directed to install and maintain official traffic signals at those intersections and other places where traffic 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 city traffic engineer shall ascertain and determine the locations where signals are required by field investigation, traffic counts and other traffic information as may be pertinent and his or her determination shall be made in accordance with traffic engineering and safety standards and instructions set forth in the California Maintenance Manual issued by the Division of Highways of the Department of Transportation.
3. Whenever the city traffic engineer installs and maintains an official traffic signal at an intersection, he or she shall maintain at the intersection street name signs clearly visible to traffic approaching from all directions. (1991 code § 8-12.3)

10.05.130 Traffic-control devices – Removal, relocation or discontinuance.

The city traffic engineer may remove, relocate or discontinue the operation of a traffic-control device not specifically required by the Vehicle Code or this title whenever he or she determines that the conditions which required the installation no longer exist. (1991 code § 8-12.4)

10.05.140 Traffic-control devices – Hours of operation.

The city traffic engineer shall determine the hours and days during which each traffic-control device shall be in operation, except where hours or days are specified in this title. (1991 code § 8-12.5)

10.05.150 Traffic-control devices – Lane marking.

The city traffic engineer may 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. (1991 code § 8-12.6)

10.05.160 Traffic-control devices – Distinctive roadway markings.

The city traffic engineer may place and maintain distinctive roadway markings as described in the Vehicle Code on streets where the volume of traffic or the vertical or other curvature of the roadway makes 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 Department of Transportation pursuant to the Vehicle Code. (1991 code § 8-12.7)

10.05.170 Unauthorized painting of curbs.

No person may paint a street or curb surface. This section does not apply to painting numbers on a curb surface by a person who complies with a resolution or ordinance authorizing it. (1991 code § 8-12.8)

10.05.180 Directing traffic – Authority of police officials.

Each officer of the police department and every other member of the department, full-time, part-time or volunteer, is authorized to direct 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, the officer or other member of the department may direct traffic as conditions require. (1991 code § 8-13.1)

10.05.190 Directing traffic – Authority of police where crowds gather.

At a place where large numbers of people and vehicles may gather or have gathered, a police officer may prohibit a person from parking a vehicle upon or using a street or sidewalk, and may prohibit a pedestrian from using a street or sidewalk. The police officer may direct the parking of vehicles in any reasonable manner, way, or direction. It is unlawful for a person to fail to promptly obey the police officer's order, signal or command, regardless of any other provision of this title. (1991 code § 8-13.2)

10.05.200 Directing traffic – Persons other than officials shall not direct traffic.

No person other than a person authorized by law may direct traffic by voice, hand or other signal, except that a person may operate when provided any mechanical push button signal erected by order of the city traffic engineer. (1991 code § 8-13.3)

10.05.210 Obstructions – Trains prohibited from obstructing crossings.

No person may cause or permit a railway train, railway car, or similar vehicle on rails to stop, stand, or to be operated in such a manner as to prevent the use of a street for the purposes of travel for a period of time longer than 10 minutes, except that this provision does not apply to a railway train, railway car, or similar vehicle on rails while blocking or obstructing a crossing because of an accident which requires the operator of the train, car, or similar vehicle on rails to stop at or near the scene of the accident. (1991 code § 8-14.2)

10.05.220 Cruising – Definitions.

As used in PHMC § 10.05.220 through § 10.05.250:

Core area means the following areas in the city:

- A. Contra Costa Boulevard bordered by Second Avenue South in the north and by the I-680 interchange in the south;
- B. Gregory Lane from Contra Costa Boulevard to Pleasant Hill Road;
- C. Golf Club Road from Contra Costa Boulevard to Paso Nogal;
- D. Cleaveland Road from Woodworth Lane to Boyd Road.

Cruise or cruising means the repetitive driving of a motor vehicle past a traffic-control point in traffic which is congested at or near the traffic-control point, as determined by the ranking peace officer on duty within the affected area, within a specified time period and after the vehicle operator has been given an adequate written notice that further driving past the traffic-control point shall be in violation of PHMC § 10.05.220 through § 10.05.250.

Highway and *motor vehicle* are defined in California Vehicle Code sections 360 and 415, respectively. (Ord. 574 § 1, 1985; 1991 code § 8-15.1)

10.05.230 Cruising prohibited.

- A. Cruising is prohibited in the core area.
- B. No person shall be guilty of cruising unless:
 - 1. That person has passed the same traffic-control point twice within a two-hour period and has been given written notice on the first driving trip past a traffic-control point that further driving past the traffic-control point shall be a violation of this PHMC § 10.05.220 through § 10.05.250; and
 - 2. Notice is posted on the streets subject to cruising controls as set forth in PHMC § 10.05.240. (Ord. 574 § 1, 1985; 1991 code § 8-15.2)

10.05.240 Cruising – Signs.

Signs shall be erected at the beginning and end of the portion of the street subject to cruising control that briefly and clearly state the appropriate provisions of PHMC § 10.05.220 through § 10.05.250. (Ord. 574 § 1, 1985; 1991 code § 8-15.3)

10.05.250 Cruising – Exclusions.

PHMC § 10.05.220 through § 10.05.250 do not apply to in-service emergency vehicles, taxicabs for hire and buses. (Ord. 574 § 1, 1985; 1991 code § 8-15.4)

10.05.260 Commercial vehicles using private driveways.

- A. No person may operate a commercial vehicle in, on, or across a private driveway approach, sidewalk area, or the driveway itself without the consent of the owner or occupant of the property if a sign or markings are in place indicating that the use of the driveway is prohibited.
- B. For the purpose of this section, *commercial vehicle* means a vehicle having a rated capacity in excess of 3/4 ton. (1991 code § 8-16.1)

10.05.270 Driving through funeral procession or parade.

No operator of a vehicle may drive between the vehicles comprising a funeral procession or a parade, if the vehicles are conspicuously so designated. The directing of vehicles and traffic on a street over which a funeral procession or parade wishes to pass is subject to the orders of the police department. (1991 code § 8-16.2)

10.05.280 Limited access roadways.

No person may drive a vehicle onto or from a limited access roadway except at such entrances and exits as are lawfully established. (1991 code § 8-16.3)

10.05.290 New pavement and markings.

No person may ride or drive an animal or vehicle over or across newly made pavement or freshly painted markings on a street when a barrier sign, cone marker, or other warning device is in place warning persons not to drive over or across the pavement or marking, or when the warning device is in place indicating that the street is closed. (1991 code § 8-16.4)

10.05.300 Restricting use of freeways.

No person may drive or operate a bicycle, motor-driven cycle, or vehicle which is not drawn by a motor vehicle upon a street established as a freeway as defined by state law, nor may a pedestrian walk across or along the street so designated except in space set aside for the use of pedestrians, if an official sign is in place giving notice of such restrictions. (1991 code § 8-16.5)

10.05.310 Riding or driving on sidewalk.

No person may ride, drive, or propel a vehicle or animal across or upon a sidewalk except over a permanently constructed driveway and except when it is necessary for a temporary purpose to drive a loading vehicle across a sidewalk. To do so, the sidewalk area shall be substantially protected by metal ramps or wooden planks two inches thick, and written permission must be obtained from the city traffic engineer. The wooden planks shall not be permitted to remain upon such sidewalk area from 6:00 p.m. to 6:00 a.m. (1991 code § 8-16.6)

10.05.320 Riding bicycles or animals.

Every person riding a bicycle or riding or driving an animal upon a highway has the rights and is subject to the duties applicable to the driver of a vehicle by this title, except provisions which by their very nature can have no application. (1991 code § 8-16.7)

10.05.330 Living or sleeping in vehicles on public property.

No person shall live or sleep in a vehicle on public property. However, the prohibition against sleeping shall not apply to public areas in which vehicle camping is allowed. Nor shall it apply where a person slept in a vehicle on a one-time basis to avoid falling asleep while driving; or where a person slept in a vehicle no more than four consecutive nights to avoid imminent peril. Upon establishment that a person slept in a vehicle on public property, it shall be that person's burden to establish one of the above exceptions applies. (Ord. 687 § 1, 1993; 1991 code § 8-16.9)

10.05.340 Excessive acceleration of vehicle.

No person operating a motor vehicle within the city shall accelerate the vehicle in a manner that causes audible noise by tire friction on pavement or causes the tires of the vehicle to leave skid marks on the pavement, except when the acceleration is reasonably necessary to avoid a collision. (Ord. 753 § 1, 2000; 1991 code § 8-16.10)

10.05.350 Barriers and signs – Placement.

No person, public utility, or department in the city may place a barrier or sign on a street unless of a type approved by the city traffic engineer or may disobey the instructions, remove, tamper with, or destroy a barrier or sign lawfully placed on a street. (1991 code § 8-17.1)

10.05.360 Barriers and signs – Obedience.

No person may operate a vehicle contrary to the directions of a barrier or sign erected:

- A. Under any ordinance of the city;
- B. By a public utility;
- C. By a city; or
- D. By any other person pursuant to law or contract with the city.

It is unlawful for an unauthorized person to move or alter the position of a barrier or sign. (1991 code § 8-17.2)

10.05.370 Movement of heavy vehicles and equipment – Permit required.

A. No person may operate upon a city street any vehicle with a load in excess of those permitted by the Vehicle Code without a written permit from the city traffic engineer.

B. The city traffic engineer may, by written permit, authorize a load in excess of those allowed for in the Vehicle Code if, in his or her judgment, the street upon which the vehicle is to be operated can safely withstand the additional weight, or if the applicant will guarantee payment to the city of all costs of repair to the street damaged by the movement of the load. The city traffic engineer may grant the permit upon such conditions and upon depositing such bond as he or she in his or her discretion may require. (1991 code § 8-18.1)

10.05.380 Movement of heavy vehicles and equipment – Flange wheel machinery.

No person may operate on a city street any vehicle, piece of equipment, or machinery which has lugs, cleats, flanges, or other projections on the wheels or tracks. If the tread of the track has projections or corrugations, a filler block shall be placed on each section so that a flat bearing surface is in contact with the pavement at all times. (1991 code § 8-18.2)

10.05.390 Washing or polishing vehicles.

No person may wash or polish a vehicle upon a public street when a charge is made for this service. (1991 code § 8-19)

Chapter 10.10**SPECIAL SPEED ZONES**

Sections:

- 10.10.010 Increasing state speed limit in certain zones.
- 10.10.020 Decreasing state speed limit in certain zones.
- 10.10.030 Decreasing state law speed between districts.
- 10.10.040 Regulation of speed by traffic signals.

10.10.010 Increasing state speed limit in certain zones.

It is determined upon the basis of an engineering and traffic investigation that the speed permitted by state law upon the streets is less than is necessary for safe operation of vehicles thereon by reason of the destination and sign posting of the streets as through highways or by reason of widely spaced intersections, and it is declared that the prima facie speed limit shall be as set forth in this chapter on those streets or parts of streets designated when signs are erected giving notice thereof. (1991 code § 8-10.1)

10.10.020 Decreasing state speed limit in certain zones.

It is determined upon the basis of an engineering and traffic investigation that the speed permitted by state law outside of business and residence districts as applicable upon the streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is declared that the prima facie speed limit shall be as set forth in this chapter on those streets or parts of streets designated when signs are erected giving notice thereof. (1991 code § 8-10.2)

10.10.030 Decreasing state law speed between districts.

Reference is made to the portions of streets the state speed law of 65 miles per hour is applicable to, for a distance of not exceeding 2,000 feet in length between districts, either business or residential, and it is determined upon the basis of an engineering and traffic investigation that the speed permitted by state law upon the described portions of the streets which are not state highways is greater than is reasonable or safe under the conditions found to exist upon the described portions of such streets, and it is declared that the prima facie speed limit shall be as set forth in this chapter on those portions of streets designated when signs are erected giving notice thereof. (1991 code § 8-10.3)

10.10.040 Regulation of speed by traffic signals.

The city traffic engineer may 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 signs giving notice of this. (1991 code § 8-10.4)

Chapter 10.15

PARKING

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Article II. Downtown Area Parking

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Article III. Parking on Private Property

- 10.15.300 No parking without permission.
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Article IV. Exemption of Certain Vehicles

- 10.15.320 Exemption of certain vehicles.

Article I. Generally

10.15.010 Scope.

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

B. The provisions of this chapter imposing a time limit on standing or parking do not relieve a person from the duty to observe other and more restrictive provisions of the Vehicle Code or the ordinances of this city prohibiting or limiting the standing or parking of vehicles in specified places or at specified times. (1991 code § 8-4.1)

10.15.020 No parking areas.

No operator of a vehicle may stop, stand, park, or leave it standing in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or other authorized officer, or traffic sign or signal:

- A. Within a divisional island unless authorized and clearly indicated with appropriate signs or markings;
- B. On either side of a street between the projected property lines of a public walk, public steps, street, or thoroughfare terminating at such street, when such area is indicated by appropriate signs or by red paint upon the curb surface;
- C. In any area where the city traffic engineer determines that the parking or stopping of a vehicle would constitute a traffic hazard or would endanger life or property, when such area is indicated by appropriate signs or by red paint upon the curb surface;
- D. In an area established by resolution of the council as a no parking area, when such area is indicated by appropriate signs or by red paint upon the curb surface;
- E. Upon, along, or across a railway track in such manner as to hinder, delay, or obstruct the movement of a car traveling upon the track;
- F. In an area where the parking or stopping of a vehicle would constitute a traffic hazard or would endanger life or property;
- G. On a street where the use of the street is necessary for the cleaning, repair, or construction of the street or the installation of underground utilities, or where the use of the street is authorized for a purpose other than the normal flow of traffic, or where the use of the street is necessary for the movement of equipment, articles or structures of unusual size, and the parking of the vehicle would interfere with such use or movement; provided, the signs giving notice of such no parking are placed at least 24 hours before the effective time of such no parking;
- H. At a place within 20 feet of a point on the curb immediately opposite the mid-block end of a safety zone, when that place is indicated by appropriate signs or by red paint upon the curb surface;
- I. At a place within 20 feet of a crosswalk at an intersection in any business district when that place is indicated by appropriate signs or by red paint upon the curb surface, except that a bus may stop at a designated bus stop;
- J. Within 20 feet of the approach to a traffic signal, boulevard stop sign, or official electric flashing device. (1991 code § 8-4.2)

10.15.030 Stopping or standing in parkways prohibited.

No person may stop, stand, or park a vehicle within a parkway. (1991 code § 8-4.3)

10.15.040 No stopping zones.

A. The city traffic engineer shall designate established no stopping zones by placing and maintaining signs indicating that stopping of vehicles is prohibited and indicating the hours and days when stopping is prohibited.

B. During the hours and on the days designated on the signs, it is unlawful for the operator of a vehicle to stop on a street established by resolution of the council as a no stopping zone. (1991 code § 8-4.4)

10.15.050 Maintenance of no stopping and no parking areas.

A. The city traffic engineer may maintain by appropriate signs or by paint upon the curb surface all no stopping zones, no parking areas and restricted parking areas, as defined and described in this chapter.

B. When curb markings or signs are in place, no operator of a vehicle may stop, stand, or park the vehicle adjacent to a legible curb marking or sign in violation of this chapter. (1991 code § 8-4.5)

10.15.060 Parking time restrictions.

The city traffic engineer shall designate restricted parking areas by placing and maintaining signs, parking meters or curb markings indicating that parking on certain streets during all or certain hours of the day is prohibited or indicating that parking is permitted for a limited time period. When authorized signs, parking meters or curb markings are in place, no operator of a vehicle may stop, stand, or park adjacent to the legible curb marking, sign or parking meter in violation of it. (Ord. 767 § 1, 2002; Ord. 692 §§ 1, 2, 1993; 1991 code § 8-4.6)

10.15.070 Parking parallel on one-way streets.

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

B. If a highway includes two or more separate roadways and traffic is restricted to one direction, no person may stand or park a vehicle upon the left-hand side of the one-way roadway unless signs are in place permitting such standing or parking.

C. The city traffic engineer may determine when standing or parking is prohibited upon the left-hand side of a one-way street or when standing or parking may be permitted upon the left-hand side of a 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 imposed by this section does not apply to a commercial vehicle actually engaged in loading or unloading freight or goods, and in this case the vehicle may be backed up to the curb if it does not extend beyond the centerline of the street and does not block traffic. (1991 code § 8-4.7)

10.15.080 Diagonal parking.

A. On streets established by resolution of the council as diagonal parking zones, when signs or pavement markings are in place indicating diagonal parking, it is unlawful for the operator of a vehicle to park it except:

1. At the angle to the curb indicated by signs or pavement markings allotting space to parked vehicles and entirely within the limits of the allotted space;
2. With the front wheel nearest the curb within six inches of the curb.

B. This section does not apply when a vehicle is actually engaged in the process of loading or unloading passengers, freight or goods, in which event the provisions applicable to PHMC Chapter 10.25 shall be complied with. (1991 code § 8-4.8)

10.15.090 Right-of-way for curb parking.

A. In this section, *limited curb parking space* means an area open for lawful parking alongside of and adjacent to a curb and which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time.

B. A person seeking to park his or her vehicle in a limited curb parking space, whose vehicle arrives at the parking space before any other vehicle, and who proceeds beyond the space a distance not more than 10 feet for the purpose of backing his or her vehicle into it, has the right-of-way over another person driving or attempting to drive directly into the limited curb parking space or who in any manner obstructs the limited curb parking space. The driver of the other vehicle shall yield the right-of-way to the driver who first arrived at the parking space. (1991 code § 8-4.9)

10.15.100 Parking space markings.

A. The city traffic engineer may install and maintain parking space markings to indicate parking spaces adjacent to curbs where authorized parking is permitted provided that parking meter zones shall be established by ordinance.

B. When parking space markings are placed on the street, subject to other and more restrictive limitations, no vehicle may be stopped, left standing, or parked other than within a single space unless the size or shape of the vehicle makes compliance impossible. (1991 code § 8-4.10)

10.15.110 City property.

A. Whenever the city manager determines that the orderly, efficient conduct of the city's business requires that parking or standing of vehicles on city property be prohibited, limited, or restricted, the city manager may order a sign to be placed indicating that the parking of vehicles is prohibited, limited or restricted.

B. When a sign authorized by this chapter is in place giving notice of the restriction, no person may park or stand a vehicle contrary to the directions of the sign.

C. The city may issue a citation to a person who violates the posted restrictions, or remove the vehicle if the sign gives notice of the removal, or both. (Veh. Code §§ 22651(n) and 21113). (Ord. 781 § 1, 2004; 1991 code § 8-4.11)

10.15.120 Parking adjacent to schools.

A. The city traffic engineer may place signs indicating no parking upon that side of a street adjacent to school property when such parking would in his or her opinion interfere with traffic or create a hazardous situation.

B. When official signs are placed prohibiting parking upon that side of a street adjacent to school property, no person may park a vehicle in that place. (1991 code § 8-4.12)

10.15.130 Parking of commercial vehicles.

A. No person shall park a commercial vehicle or commercial equipment, having a manufacturer's gross vehicle weight rating of 10,000 pounds or more, in any residential area for longer than three hours subject to the following exceptions. Commercial vehicles may park in residential areas as long as reasonably necessary to load or unload, or service a residence.

B. For the purposes of this section, *manufacturer's gross vehicle weight rating* means the weight in pounds of the chassis of the vehicle together with lubricants, water in radiator, and fuel in tank(s), plus the weight of the cab or driver's compartment, body, special chassis and body equipment and payload as authorized by the chassis manufacturer.

C. For the purposes of this section, *commercial vehicle* is defined as a vehicle designed, used and maintained primarily for the transportation for hire, compensation or profit, or a vehicle for the transportation of property. Pickup trucks and small utility vehicles are exempt from this section unless they are converted to stake side trucks and used exclusively for hauling. Some of the vehicles regulated under this chapter are: dump trucks, flatbed or stake-side trucks, semi-truck tractors, moving vans, delivery trucks, earth-moving equipment, tow trucks, tractors, equipment trailers and carriers, poles and pipe dollies. (Ord. 631 § 1, 1989; 1991 code § 8-4.13)

10.15.140 Parking on grades.

No person may park or leave standing a vehicle unattended on a street when upon a grade exceeding 3% without blocking the wheels of the vehicle by turning them against the curb or by other means. (1991 code § 8-4.16)

10.15.150 Narrow streets.

A. The city traffic engineer may place signs or markings indicating no parking upon a street when the width of the roadway does not exceed 20 feet, or upon one side of a street when the width of the roadway does not exceed 30 feet.

B. When official signs or markings prohibiting parking are placed upon narrow streets as authorized, no person may park a vehicle in violation of any such sign or marking. (1991 code § 8-4.17)

10.15.160 Parking – Peddlers and vendors.

A. No person may stand or park a vehicle, wagon, or pushcart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited, offered for sale, bartered or exchanged, or a lunch wagon or eating car or vehicle, on any portion of a street except at the request of a bona fide purchaser for a period of time not to exceed 10 minutes at any one place. This does not apply to a person delivering articles upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.

B. No person may park or stand on a street a 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 city traffic engineer. The permit shall designate the specific location at which the cart may stand.

C. No person may park or stand a vehicle or wagon used or intended to be used in the transportation of property for hire on a street while awaiting patronage without a written permit to do so from the city traffic engineer. The permit shall designate the specific location where the vehicle may stand.

D. Whenever a permit is granted under this section and a particular location to park or stand is specified, no person may park or stand a vehicle, wagon, or pushcart on a location other than as designated in the permit. In the event that the holder of a permit is convicted of violating this section the city shall revoke the permit, and no permit may thereafter be issued to that person until six months elapse from the date of revocation. (1991 code § 8-4.18)

10.15.170 Bicycle parking zone.¹

When the city traffic engineer determines that the establishment of a bicycle parking zone is reasonably necessary or desirable for the regulation of traffic or to provide facilities for the temporary parking of bicycles or to safeguard life or property, he or she may set aside a space on the street not more than 36 feet in length for the parking of bicycles. When a bicycle parking zone is established, the city traffic engineer shall place signs giving notice that parking of other vehicles is prohibited. No person may stop, stand, or park any other vehicle in front of the zone while signs are in place. (1991 code § 8-4.19)

10.15.180 Emergency parking signs.

A. Whenever the city traffic engineer determines that an emergency traffic congestion is likely to result from the holding of public or private assemblage, gathering or function, or for other reason, the city traffic engineer may order temporary signs to be erected or posted indicating that the operation, parking, or standing of vehicles is prohibited on such streets and alleys as the city traffic engineer directs during the time temporary signs are in place. Such signs shall remain in place only during the existence of the emergency and the city traffic engineer shall have the signs removed promptly.

B. When signs authorized by this subsection are in place giving notice thereof, no person may operate, park, or stand a vehicle contrary to the directions and provisions of such signs. (1991 code § 8-4.20)

10.15.190 Removal of vehicles.

Any officer or other authorized employee of the police department may have removed:

A. A vehicle parked or left standing upon a street for 72 or more consecutive hours.

B. A vehicle parked or left standing upon a street between 7:00 a.m. and 7:00 p.m. when such parking or standing is prohibited by ordinance or resolution, and signs are posted giving notice of removal;

C. A vehicle parked or left standing upon a street where the use of the street is necessary for the cleaning, repair, or construction of the street or for the installation of underground utilities or where the use of the street is authorized for a purpose other than the normal flow of traffic or where the use of the street is necessary for the movement of equipment, articles, or structures of unusual size, and parking would prohibit or interfere with such use or movement. However, signs giving notice that a vehicle may be removed must be placed at least 24 hours before the removal. (1991 code § 8-4.21)

Article II. Downtown Area Parking**10.15.200 Definitions.**

Business hours means the period from one hour before a business is open for customers until the business' closing time for customers. For parking spaces designated for users of automated teller machines, employee, tenant or other noncustomer reserved parking, *business hours* means 24 hours a day unless otherwise specified by signage in the off-street parking lot.

Mail-in parking fee means a fee for parking in an off-street parking lot affixed to a vehicle whose driver is not authorized by signs to park in the off-street parking lot for no fee.

Notice of a parking fee means a written document affixed to a vehicle which notifies the vehicle driver of a mail-in parking fee that is due as a result of unauthorized parking in an off-street parking lot.

1. **Editor's note:** For further provisions regarding bicycles, see PHMC Chapter 10.30.

Off-street parking lot means privately owned property that is generally held open to the public for the parking of vehicles.

Person means a natural person, firm, company, corporation, partnership, or association.

Private parking operator means a person who owns or controls, or person who acts on behalf of a person who owns or controls, an off-street parking lot. (Ord. 766 § 1, 2002; 1991 code § 8-34.1)

10.15.210 Application to core area.

- A. This article applies to the downtown area as defined in the Downtown Specific Plan.
- B. The city council may by resolution designate other areas of the city where this article shall be applicable. (Ord. 766 § 1, 2002; 1991 code § 8-34.2)

10.15.220 Mail-in fees – Issuance of notice of parking fees.

- A. During normal business hours a private parking operator may charge a mail-in parking fee to owners of vehicles parked in the lot without authorization.
- B. No mail-in parking fee shall be charged by a private parking operator outside of normal business hours for parking spaces designated for customer parking only during business hours. (Ord. 766 § 1, 2002; 1991 code § 8-34.3)

10.15.230 Amount of fee.

The mail-in parking fee charged under this article shall not exceed the initial amount of bail for violation of PHMC § 10.15.020 (parking in red zone) which is currently \$20.00. Late fees of \$15.00 may be charged if the initial mail-in parking fee remains unpaid after 21 days from date of issuance of the notice of parking fee. The private parking operator is not authorized to add any charges from the Department of Motor Vehicles to the late fee authorized above. (Ord. 766 § 1, 2002; 1991 code § 8-34.4)

10.15.240 Signs.

In addition to meeting the requirements of PHMC § 10.15.220, signs shall be posted as required by this section.

- A. No mail-in parking fee shall be charged and no notice of parking fee shall be issued unless there are signs in place substantially in the form required by this article.
- B. Signs shall contain a statement that the parking is restricted. For example:

- Parking for XXX Customers Only
- Free Parking for XXX Customers Only
- This space reserved for XXX
- Parking for Employees or Tenants Only
- Parking Lot Closed – Valet Parking Only
- XXX Minute Parking Only

C. Signs shall contain a statement with the fee for unauthorized parking. For example:

All Unauthorized Parking \$20

Immediate \$20 Fee for Unauthorized Parking

D. Signs shall contain a statement with the hours the parking restrictions are in force during which a mail-in parking fee may be charged. For example:

\$20 Fee for All Unauthorized Parking Enforced During All
Business Hours

Reserved Parking Restrictions Enforced 24 Hours a Day

Timed Parking Restrictions Enforced 7:00 a.m. to 9:30 p.m.

E. Signs must be posted at each entrance and exit to the lot, and must be visible from each restricted parking space. Where different restrictions apply to parking spaces with common entrances and exits, the restrictions applicable to each space shall be clearly delineated.

F. The city traffic engineer is hereby authorized to approve sign locations and to establish uniform sign sizes, colors, sizes of lettering, and other information that may be required on all signs in order to be in compliance with this section. If the city traffic engineer establishes such criteria, all signs required by this section shall be brought into compliance within 60 days. The city traffic engineer may authorize signs that vary from subsections B through D of this section and such signs shall be deemed to be in compliance with this section.

G. Signs which indicate that a customer may park for no fee shall indicate whether the authorized parking is only for the time the customer is on the premises or whether it is for a limited duration of time. In the absence of such designation, a customer shall not be charged a mail-in parking fee.

H. Nothing in this section shall be construed as to modify the authority of the city to issue citations for violations of this title regarding traffic and motor vehicles. (Ord. 766 § 1, 2002; 1991 code § 8-34.5)

10.15.250 Notice of parking fees.

A. Each notice of parking fee shall:

1. Contain at the top of the notice in at least 12-point print the words "INVOICE" followed by "PARKING FEE IMPOSED BY XXX" (inserting the name and street address of the property owner or business whose customers are designated to use the customer-only parking).
2. Contain in at least 10-point print the listed Pleasant Hill telephone number of the business or property owner whose customers are designated to use the customer-only parking and the listed telephone number of the private parking operator.
3. Where the reserved parking space is for someone other than a customer, the information required by the first two subsections shall be replaced with the corresponding information of the person who owns or controls the reserved parking space.
4. End with the legend, in at least 12-point type, "This parking fee notice is not issued by the City of Pleasant Hill."
5. State that the business or property owner identified in subsection A of this section may cancel the mail-in parking fee at any time for any reason.

B. No notice of parking fee shall display any feature that resembles a City of Pleasant Hill parking citation or city logo. The notice of parking fee shall be a color distinctive from a city parking citation. The chief of police shall approve the color or colors of the notice of parking fee. (Ord. 766 § 1, 2002; 1991 code § 8-34.6)

10.15.260 Dispute resolution procedures.

Every private parking operator issuing notices of parking fees shall establish a written dispute resolution policy for contested parking charges. A copy of the current policy shall be filed with the chief of police. Every such policy shall contain the provision that allows the business or property owner who has issued the notice of parking fee, or authorized notices to be issued, to cancel the notice and parking fee at any time for any reason. The availability of this cancellation remedy shall be printed on every notice. (Ord. 766 § 1, 2002; 1991 code § 8-34.7)

10.15.270 Registration.

A. Every private parking operator who issues notices of parking fees shall register with the chief of police before doing business in the city.

B. The registration shall include:

1. The name, address and telephone number of the private parking operator.
2. The names, home and business addresses and telephone numbers of each person owning 10% or more of the business.
3. The City of Pleasant Hill business license number of the business.
4. A list of all off-street parking lots where mail-in parking fees are charged, which shall be updated within one month of any change.
5. The name, address and telephone number of each contact person or person authorized to resolve disputes for each off-street parking lot.
6. A copy of the dispute resolution procedures required under PHMC § 10.15.260.
7. A list of all employees currently employed by the private parking operator at the time of registration. The private parking operator shall update any changes in the employee list within 30 days.
8. Such other information as may enable the chief to determine compliance with this article. (Ord. 766 § 1, 2002; 1991 code § 8-34.8)

10.15.280 Unauthorized business practices.

A. No private parking operator shall:

1. Utilize the Denver boot or other similar device that is attached to the vehicle and which immobilizes the vehicle;
2. Pay any employee or independent contractor a salary or fee that is in any way based on the number of notices of private parking fees they issue;
3. Take any action or threaten to take any action to collect, or contact another person who takes or threatens to take any action to collect, an unpaid notice of a parking fee, other than to seek establishment of the debt in a small claims court or other judicial proceeding;
4. Report or threaten to report an unpaid notice of a parking fee to a credit bureau or a collection agency unless a small claims court or other judicial proceeding has established the debt.

B. All persons employed by a private parking operator shall wear uniforms that identify them as private parking enforcement officers or private security officers. The uniform, badge or insignia shall be separate and distinct in appearance from uniforms, badges or insignia worn by local law enforcement agencies and shall be subject to prior approval by the chief of police. Private parking operator staff must wear the approved uniform during any enforcement activities. (Ord. 766 § 1, 2002; 1991 code § 8-34.9)

10.15.290 Compliance with this section.

It shall be unlawful, and an unfair business practice within the meaning of Business and Professions Code section 17200, for any person to charge a mail-in parking fee or to issue or cause to be issued a notice of parking fee that is not in compliance with this article. A notice of parking fee that does not comply with this article is invalid. (Ord. 766 § 1, 2002; 1991 code § 8-34.10)

Article III. Parking on Private Property

10.15.300 No parking without permission.

No person may operate or drive or leave a vehicle in, over or upon private property without permission of the owner or the person entitled to possession of the private property. (Ord. 715 § 1, 1997; 1991 code § 8-48.1)

10.15.310 No parking of commercial vehicles on private property.

A. No person may park a commercial vehicle having a manufacturer's gross vehicle weight rating of 6,000 pounds or more on private property in any land use district zoned other than limited industrial (LI), except:

1. When a commercial vehicle is being loaded or unloaded at or adjacent to a loading dock, not to exceed a period of 48 hours.
2. When a commercial vehicle is associated with and necessary to performing a service at the private property.
3. When a commercial vehicle is registered to or leased to the business at which it is parked, in conjunction with the day-to-day operation of an authorized business in any of the following districts: professional and administrative office (PAO); retail business (RB); neighborhood business (NB); general commercial (C); or planned unit development (PUD).

B. For purposes of this section, a *commercial vehicle* means a vehicle of a type required to be registered under the Vehicle Code, used or maintained for the transportation of persons for hire, compensation or profit, or designed, used or maintained primarily for the transportation of property.

C. For purposes of this section, *manufacturer's gross vehicle weight rating* means the weight in pounds of the chassis of a truck or truck tractor with lubricants, radiator full of water, full fuel tank or tanks plus the weights of the cab or driver's compartment, body, special chassis and body equipment and pay load as authorized by the chassis manufacturer. (Ord. 715 § 1, 1997; 1991 code § 8-48.2)

Article IV. Exemption of Certain Vehicles

10.15.320 Exemption of certain vehicles.

A. The provisions of this chapter regulating the operation, parking and standing of vehicles do not apply to vehicles operated by the police or fire department, a public ambulance, public utility vehicle or private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when it is operated in the manner specified by the Vehicle Code in response to an emergency call.

B. The exemptions in subsection A of this section do not relieve the operator from obligation to exercise due care for the safety of others or the consequences of his or her willful disregard of the safety of others.

C. The provisions of this chapter regulating the parking or standing of vehicles do not apply to a vehicle of a city department or public utility while necessarily in use for construction or repair work, or a vehicle owned or operated by the United States Post Office Department while in use for the collection, transportation, or delivery of United States mail. (1991 code § 8-49)

Chapter 10.20

COMMERCIAL VEHICLES¹

Sections:

- 10.20.010 Parking or driving commercial vehicles over 6,000 pounds (three tons) prohibited except on certain streets.
- 10.20.020 Signs required.
- 10.20.030 Exceptions.
- 10.20.040 Truck weight limits.
- 10.20.050 Exceptions.

10.20.010 Parking or driving commercial vehicles over 6,000 pounds (three tons) prohibited except on certain streets.

A. No person shall drive or park a commercial vehicle exceeding a maximum gross weight of 6,000 pounds (three tons) on any street within the city except for the following streets:

1. Buskirk Avenue;
2. Contra Costa Boulevard;
3. Geary Road;
4. Gregory Lane;
5. Grayson Road between Pleasant Hill Road and Taylor Boulevard;
6. Monument Boulevard;
7. North Main Street;
8. Pleasant Hill Road, north of Gregory Lane;
9. Taylor Boulevard.

B. For purposes of this section, a commercial vehicle is a vehicle used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. (Ord. 714 § 1, 1997; 1991 code § 8-5.1)

10.20.020 Signs required.

The city traffic engineer shall erect and maintain appropriate signs on those streets affected by designating the streets identified in PHMC § 10.20.010 as permitted routes for the movement of vehicles exceeding a minimum gross weight limit of 6,000 pounds (three tons). (Ord. 714 § 1, 1997; 1991 code § 8-5.2)

10.20.030 Exceptions.

The following vehicles are excepted from the provisions of PHMC § 10.20.010:

- A. A passenger bus under the jurisdiction of the Public Utilities Commission;
- B. A vehicle owned by a public utility while necessarily in use in the construction, installation or repair of a public utility;
- C. A vehicle making a pickup or delivery of goods, wares or merchandise from or to property located on a restricted street, or for the purpose of delivering materials to be used in the repair, alteration, remodeling or construction of a building on a restricted street, for which a building permit has been obtained;

1. Prior legislation: Portions of 1978 code §§ 8.32.760, 8.32.770 and Ords. 57 and 651.

D. An emergency vehicle, recreational motor home, or garbage truck operating under a current franchise agreement with the city. (Ord. 714 § 1, 1997; 1991 code § 8-5.3)

10.20.040 Truck weight limits.

Subject to the exceptions in PHMC § 10.20.050, commercial vehicles will be regulated by city council resolution, which is on file in the police department. (Ord. 651 § 1, 1990; 1991 code § 8-5.4)

10.20.050 Exceptions.

In addition to vehicles excepted from coverage by state law, emergency vehicles, recreational motor homes and garbage trucks operating under a current franchise agreement with the city are excepted from the weight restrictions in PHMC § 10.20.030. (Ord. 651 § 1, 1990; 1991 code § 8-5.5)

Chapter 10.25

LOADING AND UNLOADING¹

Sections:

- 10.25.010 Scope.
- 10.25.020 Loading zones established.
- 10.25.030 Curb markings designated.
- 10.25.040 Yellow loading zone.
- 10.25.050 Passenger loading zone.
- 10.25.060 Bus and coach zones.
- 10.25.070 Special passenger loading zone.

10.25.010 Scope.

- A. Permission granted in this chapter to stop or stand a vehicle for loading or unloading materials applies only to commercial vehicles and does not extend beyond the time necessary therefor, and in no case for more than 20 minutes.
- B. The loading or unloading of materials applies only to commercial deliveries, the delivery or pickup of express and parcel post packages and United States mail.
- C. Permission granted in this chapter to stop or park for loading or unloading passengers includes the loading or unloading of personal baggage but does not extend beyond the time necessary therefor and in no event for more than three minutes.
- D. Within the total time limits specified in this section, this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privilege granted. (1991 code § 8-8.1)

10.25.020 Loading zones established.

- A. The city traffic engineer may determine and mark loading zones and passenger loading zones as follows:
 - 1. At any place in a business district;
 - 2. Elsewhere in front of the entrance to a place of business or in front of a hall or place used for the purpose of public assembly.
- B. In no event shall more than one-half of the total curb length in a block be reserved for loading zone purposes.
- C. A loading zone shall be indicated by yellow paint upon the top of all curbs in the zone.
- D. A passenger loading zone shall be indicated by white paint upon the top of all curbs in the zone. (1991 code § 8-8.2)

10.25.030 Curb markings designated.

- A. The city traffic engineer may place, and when required shall place, the following curb markings to indicate parking or standing regulations, and curb markings have the meanings as set forth:
 - 1. Red means no stopping, standing, or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.

1. **Editor's note:** For provisions regarding taxicab stands, see PHMC Chapter 6.10.

2. Yellow means no stopping, standing, or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, if the loading or unloading of passengers does not take more than three minutes and the loading or unloading of materials does not take more than 20 minutes.

3. White means no stopping, standing, or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mailbox, which does not exceed three minutes. These restrictions apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays and except as follows:

- a. When the zone is in front of a hotel or in front of a mailbox, the restrictions apply at all times;
- b. When the zone is in front of a theater, the restrictions apply at all times except when the theater is closed.

B. When the city traffic engineer has placed curb markings, no person may stop, stand, or park a vehicle adjacent to the legible curb marking in violation of this section. (1991 code § 8-8.3)

10.25.040 Yellow loading zone.

No person may stop, stand, or park a vehicle in a yellow loading zone for any purpose other than loading or unloading passengers or material for such time as permitted in PHMC § 10.25.010. (1991 code § 8-8.4)

10.25.050 Passenger loading zone.

No person may stop, stand, or park a vehicle in a passenger loading zone for any purpose other than the loading or unloading of passengers for such time as specified in PHMC § 10.25.010. (1991 code § 8-8.5)

10.25.060 Bus and coach zones.

A. The city traffic engineer may establish bus zones opposite curb space for the loading and unloading of buses or common carriers of passengers.

B. Coach zones shall normally be established on the far side of an intersection. (1991 code § 8-8.6)

10.25.070 Special passenger loading zone.

A. No operator of a vehicle may stop, stand, or park the vehicle in a special passenger loading zone when approved permanent or portable signs are in place for a period of time longer than is necessary for the loading or unloading of passengers and not to exceed three minutes.

B. A special passenger loading zone is an area adjacent to the curb, not more than 60 feet in length, located between two approved permanent or portable signs in front of or adjacent to, and within the projected real property boundaries of, a church, theater, club, or place of business or public gathering. The signs shall be provided and paid for by the church, theater, club or place of business or public gathering for which they are used and must be approved by the city traffic engineer. (1991 code § 8-8.7)

Chapter 10.30**BICYCLES AND SKATEBOARDS¹**

Sections:

- 10.30.010 License.
- 10.30.020 Regulations for the operation of bicycles.
- 10.30.025 Regulations for the operation of skateboards and skates.
- 10.30.030 Removal or alteration of distinguishing marks.
- 10.30.040 Abandoned bicycles.
- 10.30.050 Sale or transfer of ownership.
- 10.30.060 Dealer's reports.

10.30.010 License.

A. Required. No person may operate or use a bicycle, propelled wholly or in part by muscular power, upon a street or public highway of the city without first obtaining a license from the chief of police.

B. Application. A person desiring a bicycle license shall apply to the chief of police on a form furnished by him or her. The application shall be filed in triplicate and shall contain such information as may be required by the chief of police as to the applicant and the description of the bicycle licensed. The chief of police shall not issue a license unless the bicycle complies with the requirements prescribed for safe mechanical condition.

C. Fees. The fee for a permanent license and the fee for a transfer of ownership or issuance of a new license after loss or theft is set by city council resolution.

D. Issuance. Upon approval of the application and payment of the license fee, the chief of police shall issue a bicycle license sticker and registration slip. The license permits the bicycle to be operated in the city and is not limited as to duration.

E. Form. The chief of police shall fix the size, form and character of the bicycle license sticker and registration slip. The license sticker shall be affixed to the bicycle in the manner designated by the chief of police.

F. Change of address. Every person in possession of a licensed bicycle who changes his or her address shall notify the chief of police in writing within 15 days of the change.

G. Loss of license or registration. The licensee shall report the loss or theft of a license sticker within 15 days. Upon receipt of the report, the chief of police shall cancel the license and issue a new license sticker to the licensee. Upon the loss of a registration slip, the licensee shall apply for a duplicate slip. The chief of police shall issue a duplicate slip without fee. (1991 code § 5-4.1)

10.30.020 Regulations for the operation of bicycles.

A. Rights and duties of operators. Every person riding a bicycle upon a public place in the city has the rights and is subject to the duties applicable to the driver of a vehicle by state law and by ordinance of the city, except those provisions which by their very nature can have no application.

1. **Editor's note:** For statutory provisions regarding the operation of bicycles, see Vehicle Code section 21200 et seq.; for provisions regarding the authority of a city to license and regulate the operation and equipment of bicycles, see Vehicle Code section 21206. For provisions regarding the applicability of traffic regulations to persons riding bicycles, see PHMC § 10.05.320; for provisions regarding bicycle parking zones, see PHMC § 10.15.170; for provisions regarding the disposition of lost bicycles held by the city, see PHMC Chapter 5.15.

B. Subject to pedestrian regulations. Bicycles may be walked subject to all provisions of law applicable to pedestrians.

C. Riding on roadway or sidewalk.

1. Every person riding a bicycle on the roadway shall ride as near to the right-hand side of the roadway as practicable. Persons riding bicycles upon the roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles. Whenever a person is riding a bicycle on a sidewalk, he or she shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing the pedestrian.

2. No person shall ride a bicycle:

a. On a sidewalk or walkway within any of the following land use districts, when signs have been posted as described in subsection C.3 of this section:

- i. The retail business land use district;
- ii. The downtown area as defined in the Downtown Specific Plan;
- iii. The neighborhood business district;
- iv. The retail area of any mixed use district; or
- v. The retail area of any planned unit district (PUD).

b. On city-owned property (such as City Hall, the police department and the public services center).

c. In any public parking lot or structure, except to park a bicycle where permitted by a bicycle parking zone.

d. Upon any playground, park, or school ground where children are playing without the permission of the person having supervision of the playground, park or school ground. (Veh. Code § 21206.)

3. Before bicycle riding may be prohibited on private property under subsection C.2.a of this section, the property owner must (a) post a sign approved by the city at each major entrance to the property and (b) submit a letter to the police department authorizing police enforcement of this section on the private property.

D. Speed limits. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

E. Yielding right-of-way.

1. The driver of a bicycle emerging from an alley, driveway or building, upon approaching a sidewalk or the sidewalk area, shall yield the right-of-way to any pedestrian approaching on the sidewalk or sidewalk area, and upon entering a bicycle lane shall yield the right-of-way to all bicycles approaching upon the lane, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

2. Upon approaching an intersection any person riding or operating a bicycle shall yield the right-of-way to all vehicles within or approaching such intersection, except that all vehicles which must stop before entering an intersection because of a stop sign, and all vehicles making a left-hand turn at an intersection, shall not proceed into the intersection nor make such a turn without first yielding the right-of-way to all bicycles within or approaching the intersection and shall proceed only when it is safe to do so.

F. Bicycle lanes. (Veh. Code § 21207.)

1. No person shall ride or operate a bicycle upon a roadway adjacent to which or upon which bicycle lanes have been designated, except within such bicycle lane or except as otherwise permitted by the provisions of this chapter.

2. No person shall ride or operate a bicycle within a bicycle lane in any direction except that permitted of vehicular traffic traveling on the same side of the roadway; provided, that bicycles may proceed either way along a lane where arrows appear on the surface of the lane designating two-way traffic.

3. Once having entered a bicycle lane, no person riding or operating a bicycle shall leave such lane except at intersections; provided, however, that such person may leave a bicycle lane upon dismounting from a bicycle, walking the same, and leaving subject then to all laws applicable to pedestrians; provided, further, that such person may leave the bicycle lane between intersections in order to make a U-turn, where such a turn is permissible for vehicular traffic or to turn into driveways on the right-hand or left-hand side of the

bicycle lane. Upon leaving a bicycle lane, the rider or operator of such bicycle shall yield the right-of-way to all vehicles and shall not leave the bicycle lane until it is safe to do so.

4. No person shall drive a vehicle upon or across a bicycle lane except to enter a driveway and except to park such vehicle or leave a parking space. No person shall drive or cross a bicycle lane as permitted by this subsection except after giving right-of-way to all bicycles within the lane.

G. Parking. No person shall park a bicycle upon a street other than upon the roadway against the curb, or in a bicycle rack, or against a building or at the curb in such a manner as to afford the least obstruction to pedestrian traffic. (Veh. Code § 21210.)

H. Helmets. A person under 18 years of age may not ride a bicycle, or be a passenger on or behind a bicycle, without wearing a helmet. This subsection applies to those on a street, bikeway, public bicycle path or trail. (Veh. Code § 21212.) (Ord. 817 § 2, 2006; 1991 code § 5-4.2)

10.30.025 Regulations for the operation of skateboards and skates.

A. Definitions. In this section:

Skateboard is a vehicle constructed of wood, plastic, metal, fiberglass, or other material which has wheels attached to it. For the purposes of this section, *skateboard* includes roller skates, in-line roller skates and scooters.

B. Riding prohibited in certain areas.

1. No person shall ride a skateboard:

a. On a sidewalk, walkway, plaza, bench, paseo or anywhere within any of the following land use districts, when signs have been posted as described in subsection B.2 of this section:

- i. The retail business land use district;
- ii. The downtown area as defined in the Downtown Specific Plan;
- iii. The neighborhood business district;
- iv. The retail area of any mixed use district; or
- v. The retail area of any planned unit district (PUD).

b. On city-owned property (such as City Hall, the police department and the public services center).

c. In any public parking lot or structure.

d. On any public street in one of the land use districts listed in subsection B.1.a of this section, except to cross the street. (Veh. Code § 21967.)

2. Before skateboard riding may be prohibited on private property under subsection B.1.a of this section, the property owner must (a) post a sign approved by the city at each major entrance to the property and (b) submit a letter to the police department authorizing police enforcement of this section on the private property.

3. No motorized skateboard may be ridden on a sidewalk, roadway, bikeway, bicycle path or trail, equestrian trail, hiking or recreational trail. (Veh. Code § 21968.)

C. Helmets. A person under 18 years of age may not ride a skateboard on a street, bikeway, public bicycle path or trail without wearing a helmet. (Veh. Code § 21212.) (Ord. 817 § 3, 2006)

10.30.030 Removal or alteration of distinguishing marks.

A. No person shall:

1. Willfully remove, destroy, mutilate, or alter the manufacturer's serial number, or the city's serial number on any license plate and registration card during the period the license plate and registration card are operative; or

2. Buy, sell, receive, dispose of, or conceal a bicycle or bicycle equipment from which the manufacturer's nameplate, serial number, or other distinguishing mark is removed, defaced, covered, altered, or destroyed.

B. The chief of police may place a police department serial number on a bicycle if the serial number is obliterated or defaced, and the possessor has satisfactory proof of ownership. (1991 code § 5-4.3)

10.30.040 Abandoned bicycles.

The chief of police shall sell all abandoned bicycles and unidentified bicycles remaining in the possession of the department for at least 90 days at a public auction to the highest bidder as provided in PHMC Chapter 5.15. (1991 code § 5-4.4)

10.30.050 Sale or transfer of ownership.

Every person who sells a licensed bicycle or transfers the ownership of a licensed bicycle shall report the sale or transfer by returning to the chief of police the registration slip issued to the person as licensee together with the name and address for the new owner. The report shall be made within 15 days after sale or transfer. (1991 code § 5-4.5)

10.30.060 Dealer's reports.

A. Purchases. Every person engaged in the business of buying used bicycles in the city shall make a monthly report to the chief of police on a form provided by the city, setting forth as to each bicycle purchased:

1. The name and address of each seller;
2. The manufacturer;
3. The description and frame number; and
4. The number of the license plate, if any.

B. Sales. Every person engaged in the business of selling new or used bicycles in the city shall make a monthly report to the chief of police on a form provided by the city, setting forth as to each bicycle sold:

1. The name and address of each purchaser;
2. The manufacturer;
3. The description and frame number; and
4. The number of the license plate, if any. (1991 code § 5-4.6)

