

## Title 10

### VEHICLES AND TRAFFIC\*

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\* Code reviser's note: The substantive regulations pertaining to parking and traffic control schedules are maintained in the office of the city engineer and the police department.



## Chapter 10.04

### GENERAL PROVISIONS\*

Sections:

- 10.04.010 Short title
- 10.04.020 Intent and purpose of provisions.
- 10.04.030 Regulation and maintenance of schedules of streets and zones subject to regulatory provisions.
- 10.04.040 Criminal provisions and administrative remedies.

\* For statutory authority for cities to adopt rules and regulations for traffic control, see Veh. Code § 21100.

#### **10.04.010 Short title**

This title (CVMC Title 10) shall be known and may be cited as the “traffic code.” (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.1.1).

#### **10.04.020 Intent and purpose of provisions.**

A. It is the purpose and intent of the city council in adopting this title to provide a convenient compilation of the rules and regulations governing and controlling the movement of motor vehicles and traffic in Chula Vista. These rules and regulations are further intended to supplement the regulations contained in the Vehicle Code of the state of California in those instances where the subject matter is not covered by state traffic laws, and to adopt local regulations where express power is granted to local authorities to control particular subject matter. It is the purpose of this title to provide standards and guidelines for the administration of motor vehicles and traffic regulations for those departments charged with such responsibility in the city. Certain definitions and regulations contained herein incorporate the exact language of the Vehicle Code of the state of California and should be cited with reference to the code sections of the Vehicle Code as indicated. If any definitions or regulations are not contained herein, or if definitions or regulations contained herein are inconsistent with the Vehicle Code, such definitions or regulations as found in the Vehicle Code as it exists or as it may be amended shall apply.

B. It is further the purpose and intent of the city council by enacting Ordinance 2670, which amends CVMC Title 10 to delegate to the city engineer the responsibility and authority to adopt and promulgate traffic and parking control measures pursuant to the standards promulgated by the California Vehicle Code and the California Depart-

ment of Transportation (Caltrans) Traffic Manual, with the concurrence of the safety commission, that such enactment and process constitute the enactment of an ordinance or resolution when required by the language of certain sections within Division 11 of the California Vehicle Code, through which traffic and parking control is to be exercised and effected within the jurisdictional limits of the city of Chula Vista.

C. It is further the intent of the city council, and it is hereby so authorized, that the city engineer, upon the concurrence of the safety commission pursuant to CVMC 10.04.030, shall have the power and authority to adopt, amend, alter or modify any regulation, as defined by CVMC 10.08.195, which creates or establishes a traffic or parking control measure. Where a traffic or parking control measure has been previously adopted by ordinance or resolution of the city council, that regulation may be hereafter modified or abrogated by the city engineer pursuant to the process outlined in CVMC 10.04.030. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.1.2).

#### **10.04.030 Regulation and maintenance of schedules of streets and zones subject to regulatory provisions.**

A. Subject to subsection (G) of this section, the city council, at the concurrence of the city manager, hereby delegates the authority and responsibility to establish and maintain vehicular and pedestrian traffic and parking control measures, standards and requirements in the public right-of-way to the city engineer after review by the safety commission, unless, on affirmative vote of the majority of the membership of the safety commission, the commission objects to the proposed action by the city engineer, in which case the matter shall be referred to the city council, and the authority as to such matters shall thereafter be revested in the city council to be exercised upon the affirmative vote of at least three members of the city council.

B. The safety commission may not initiate or order the implementation of a traffic control measure, but may recommend to the city engineer the consideration of a proposed traffic or parking control measure. If the city engineer declines to implement a traffic or parking control measure recommended by the safety commission, the safety commission may refer the matter to the city council, and following such referral, the authority to implement or order the particular traffic safety measure recommended by the safety commission shall be vested in the city council.

C. The safety commission shall utilize the standards and procedures established in the California Vehicle Code and the state of California (Caltrans) Traffic Manual in its deliberations and recommendations, but may base its recommendations to the city engineer, or city council when applicable, upon other matters of public policy affecting traffic safety.

D. The city engineer shall exercise the responsibility and authority hereby delegated for the determination, design, administration and enforcement of traffic and parking control measures and installation of devices consistent with the standards and warrants contained in the latest effective edition of the state of California Traffic Manual as amended, a copy of which is on file in the office of the city engineer. The city engineer shall promptly file any amendments to or later editions of the state of California (Caltrans) Traffic Manual or successor manuals promulgated by the state of California pursuant to the authority of the California Vehicle Code and, upon filing, those standards will become applicable to the determinations and regulations adopted by the city engineer.

E. Except as provided in CVMC 10.52.070, no traffic control measure or parking control measure shall be enforceable, nor shall a violation be punishable, until an appropriate traffic control device or parking control device meeting the standards prescribed in subsection (D) of this section is posted or installed. Posting or installation shall be prima facie evidence of the legality of any traffic control measure or parking control measure adopted under this title.

F. Administration and maintenance of records by the city engineer shall be as follows:

1. The city engineer shall maintain all regulations under this title and provide the chief of police copies of all administrative interpretations and determinations made pursuant to this section which govern the installation and administration of traffic control measures and parking control measures in the city of Chula Vista.

2. The city engineer shall maintain a register of all schedules which establish parking and traffic control measures for streets within the city, and shall incorporate into those schedules the streets, zones and intersections and restrictions or limitations previously listed in Schedules I through XVI as were previously codified in this title prior to their repeal by Ordinance 2670. The repeal or amendment of those sections by Ordinance 2670 is intended to merely delete reference to the street designations within the text of the municipal code.

Parking and traffic control measures upon those streets, zones and intersections shall be administered by the city engineer pursuant to this section.

G. Exceptions. The city council reserves the right to enact ordinances and resolutions, and the city engineer shall make recommendations to the council, as appropriate, on the following matters:

1. Traffic control measures budgeted by the city as a capital improvement project budget.

2. Special event regulations establishing and maintaining traffic control measures for special events and community events using the public right-of-way.

3. Regulations adopted pursuant to California Vehicle Code Section 21101(a) and (c).

4. Traffic control measures affecting community businesses, and having an impact on the availability of parking within business districts including, but not limited to, angle parking and installation of parking meters.

5. Parking and traffic regulations on private property and roads pursuant to California Vehicle Code Sections 21107 and 21107.8.

6. Ordinances or resolutions which amend, modify or restrict the authority of the city engineer or which establish policy to guide the city engineer's exercise of authority pursuant to this code.

7. Establishment of parking meter zones and parking fees pursuant to Vehicle Code Section 22508.

8. Establishment of speed limits pursuant to California Vehicle Code Sections 22357 and 22358.

H. Emergency and Road Construction Events. The city engineer's authority regarding the adoption of traffic and parking control measures for emergencies and road construction is as follows:

1. Road Construction. The authority to establish and maintain traffic control measures for road construction events shall be vested solely in the city engineer, unless overruled by the affirmative vote of three members of the city council. Referral to and concurrence of the safety commission are not required. The city engineer shall, under the following circumstances, advise the council a minimum of seven days in advance in writing of the following proposed traffic control measures exercised under the authority of this subsection:

- a. The proposed measure may involve complete road closures on any road;

- b. The proposed measure may involve significant interference with traffic on high volume roads;

c. The proposed measure may involve long-term partial road closures on any road;

d. The proposed measure may involve interference with access to any business;

e. The proposed measure may involve the rerouting of traffic through residential areas.

2. Emergency Traffic Regulations. The city engineer may enact emergency traffic regulations with the concurrence of the chief of police when necessary to immediately preserve the public health, safety and welfare, and shall report the same to the city council within seven days. Emergency traffic regulations shall remain valid and effective until set aside or modified by the city council. Referral to the safety commission is optional. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.04.040 Criminal provisions and administrative remedies.**

A. General Provisions. It is unlawful for any person to disobey the directions of any traffic control device or parking control device within the city of Chula Vista. This section shall be cited as authority except when a more specific provision is contained in the California Vehicle Code or elsewhere in this title, in which case the more specific provisions will be used.

B. Administrative Remedy. Any person who contends that a traffic or parking control measure or device was not promulgated or installed according to the regulations contained in this title or the California Vehicle Code may petition the safety commission to examine the matter, and may appeal that determination to the city council within 10 days following. (Ord. 2670, 1996)

**Chapter 10.08**

**DEFINITIONS\***

Sections:

10.08.010	Definitions.
10.08.020	Alley.
10.08.030	Bicycle.
10.08.031	Bicycle dealer.
10.08.032	Bicycle lane.
10.08.033	Bicycle path.
10.08.034	Bicycle route.
10.08.040	Bus.
10.08.050	Bus loading zone.
10.08.060	Business district.
10.08.070	Council.
10.08.080	Crosswalk.
10.08.090	Curb.
10.08.095	Cyclist.
10.08.100	Divisional island.
10.08.110	Holidays.
10.08.120	Loading zone.
10.08.130	Official time standard.
10.08.140	Park or parking.
10.08.145	Parking control measure.
10.08.146	Parking control device.
10.08.147	Parking enforcement, contract.
10.08.150	Parking meter, individual.
10.08.155	Parking meter, multi-space.
10.08.160	Parkway.
10.08.170	Passenger loading zone.
10.08.180	Pedestrian.
10.08.190	Police officer.
10.08.195	Regulation
10.08.200	Stop or stopping.
10.08.210	Taxicab stand.
10.08.215	Traffic control measure.
10.08.216	Traffic control device.
10.08.220	Vehicle Code.

\* For statutory definition of terms in the Vehicle Code, see Veh. Code § 100, et seq.

**10.08.010 Definitions.**

The following words and phrases, when used in this title, shall for the purpose of this title have the meanings respectively ascribed to them in this chapter. Words and phrases defined herein in the language of the Vehicle Code of the state of California shall be cited by the section number of said Vehicle Code as indicated. Whenever any words or phrases used herein are not defined herein but are defined in the Vehicle Code and amendments

thereto, such definitions shall apply. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3).

**10.08.020 Alley.**

“Alley” means any public highway, having a roadway not exceeding 25 feet in width, which is primarily used for access to the rear or side entrances of abutting property. (Cite Section 110 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(A)).

**10.08.030 Bicycle.**

“Bicycle” means any device upon which any person may ride, propelled by human power through a belt, chain or gears, and having either two or three wheels in tandem or tricycle arrangement, excepting therefrom any such device not more than three feet in height, used by small children. (Ord. 2670 § 1, 1996; Ord. 1830 § 1, 1978; Ord. 973 § 1, 1966; prior code § 19.1.3(B)).

**10.08.031 Bicycle dealer.**

“Bicycle dealer” means any person, firm, partnership or corporation which is engaged wholly or partly in the business of selling bicycles, or buying or taking in trade bicycles for the purposes of resale, selling or offering for sale, or otherwise dealing with bicycles, whether or not such bicycles are owned by such person or entity. The term also includes agents or employees of such person or entity. (Ord. 2670 § 1, 1996; Ord. 1830 § 1, 1978).

**10.08.032 Bicycle lane.**

“Bicycle lane” means any lane within the roadway designated by signs and markings for the operation of bicycles. (Ord. 2670 § 1, 1996; Ord. 1830 § 1, 1978).

**10.08.033 Bicycle path.**

“Bicycle path” means any specifically designated area for bicycle travel, physically separated from the roadway. (Ord. 2670 § 1, 1996; Ord. 1830 § 1, 1978).

**10.08.034 Bicycle route.**

“Bicycle route” means any route recommended for bicycle travel, which may include bicycle paths and public streets for accommodating bicycle riders. (Ord. 2670 § 1, 1996; Ord. 1830 § 1, 1978).

**10.08.040 Bus.**

“Bus” means any motor vehicle, other than a motor truck or truck tractor, designed for carrying more than nine persons including the driver and

used and maintained for the transportation of passengers. (Cite Section 233 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(C)).

**10.08.050 Bus loading zone.**

“Bus loading zone” means the space adjacent to a curb or edge of roadway reserved for the exclusive use of buses during loading and unloading passengers. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(D)).

**10.08.060 Business district.**

“Business district” means that portion of a highway and the property contiguous thereto:

A. Upon one side of which highway, for a distance of 600 feet, 50 percent or more of the contiguous property fronting thereon is occupied by buildings in use for business; or

B. Upon both sides of which highway, collectively, for a distance of 300 feet, 50 percent or more of the contiguous property fronting thereon is so occupied.

A business district may be longer than the distances specified if the above ratio of buildings in use for business to the length of the highway exists. (Cite Section 235 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(E)).

**10.08.070 Council.**

“Council” means the council of the city of Chula Vista. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(F)).

**10.08.080 Crosswalk.**

“Crosswalk” means:

A. That portion of a roadway included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approximately right angles, except the prolongation of such lines from an alley across a street; or

B. Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Notwithstanding the foregoing provisions of this section, there shall not be a crosswalk where local authorities have placed signs indicating no crossing. (Cite Section 275 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(H)).

**10.08.090 Curb.**

“Curb” means the lateral boundary of the roadway, whether such curb be marked by curbing construction or not so marked; the word “curb” as herein used shall not include the line dividing the roadway of a street from parking strips in the center of a street or from tracks or rights-of-way of public utility companies. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(H)).

**10.08.095 Cyclist.**

“Cyclist” means any bicycle operator. (Ord. 2670 § 1, 1996; Ord. 1830 § 1, 1978).

**10.08.100 Divisional island.**

“Divisional island” means a raised island located in the roadway and separating opposing or conflicting streams of traffic. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(I)).

**10.08.110 Holidays.**

“Holidays,” within the meaning of this chapter, are the first day of January, the third Monday in January, the twelfth day of February, the third Monday in February, last Monday in May, the fourth day of July, the first Monday in September, the ninth day of September, the second Monday in October, the eleventh day of November, the twenty-fifth day of December and Thanksgiving Day. When any of the holidays listed in this section fall on Saturday, the preceding Friday shall be deemed to be a holiday in lieu of the day observed, and when any of the holidays listed in this section fall on Sunday, the following Monday shall be deemed to be a holiday in lieu of the day observed. (Ord. 2670, 1996; Ord. 2638 § 1, 1995; Ord. 1663 § 1, 1976; Ord. 973 § 1, 1966; prior code § 19.1.3(J)).

**10.08.120 Loading zone.**

“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. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.4(K)).

**10.08.130 Official time standard.**

Whenever certain hours are named herein, they mean standard time or daylight saving time, as may be in current use in the city. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(L)).

**10.08.140 Park or parking.**

“Park” or “parking” means the standing of a vehicle, whether occupied or not, otherwise than

temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers. (Cite Section 463 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(M)).

**10.08.145 Parking control measure.**

“Parking control measure” means any program, method or system used to regulate the parking of vehicles. It includes the installation of a parking control device. (Ord. 2670, 1996).

**10.08.146 Parking control device.**

“Parking control device” means and includes any sign, marking, curb painting or similar device used to regulate the parking of vehicles, as recognized and prescribed in the California Vehicle Code and the state of California Traffic Manual. The term may be used interchangeably with “sign” within this title. (Ord. 2670, § 1, 1996).

**10.08.147 Parking enforcement, contract.**

“Contract enforcement” shall mean any duly qualified company that the City has entered into a contract with and approved by the Chief of Police to provide enforcement of Chapters 10.52, 10.56 and 10.60 CVMC relating to CVMC infractions only in the parking zones. (Ord. 3138 § 1, 2009).

**10.08.150 Parking meter, individual.**

“Individual 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 for the occupancy of such parking space by any vehicle. (Ord. 3138 § 1, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(N)).

**10.08.155 Parking meter, multi-space.**

“Multi-space parking meter” means a mechanical device installed within the parking zone for the purpose of controlling the period of time for the occupancy of multiple parking spaces. (Ord. 3138 § 1, 2009).

**10.08.160 Parkway.**

“Parkway” means that portion of a street other than a roadway or a sidewalk. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(O)).

**10.08.170 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 passen-

gers. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(P)).

**10.08.180 Pedestrian.**

“Pedestrian” means any person afoot. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(Q)).

**10.08.190 Police officer.**

“Police officer” means every officer of the police department of the city or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(R)).

**10.08.195 Regulation**

The term “regulation,” when used in this title, means one or more ordinances or resolutions that have been or may be adopted by the city council, or a traffic regulation adopted and promulgated by the city engineer pursuant to the authority and procedure contained in CVMC 10.04.030 for the adoption and implementation of traffic and parking control measures. (Ord. 2670 § 1, 1996).

**10.08.200 Stop or stopping.**

“Stop” or “stopping,” when prohibited, means any cessation of movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic control device or signal. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(S)).

**10.08.210 Taxicab stand.**

“Taxicab stand” means a space adjacent to a curb reserved for taxicabs to stand and wait for passengers. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(T)).

**10.08.215 Traffic control measure.**

“Traffic control measure” means any program, method or system used to regulate, warn or guide the movement of traffic, vehicles and pedestrians, as recognized and prescribed in the California Vehicle Code and the state of California Traffic Manual. It includes the installation of traffic control devices. (Ord. 2670 § 1, 1996).

**10.08.216 Traffic control device.**

“Traffic control device” means any sign, marking or device used to regulate, warn or guide the movement of traffic, pedestrians and vehicles, including, but not limited to, signs, pavement

markings and other markers as may apply, but it excludes roadway design features delineated in California Vehicle Code Section 440. The term may be used interchangeably with “sign” within this title. (Ord. 2670 § 1, 1996).

**10.08.220 Vehicle Code.**

“Vehicle Code” means the Vehicle Code of the state, as amended. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.1.3(U)).

**Chapter 10.12****TRAFFIC ADMINISTRATION\***

## Sections:

- 10.12.010 Police department powers and duties.
- 10.12.020 City engineer powers and duties.
- 10.12.030 Emergency regulations.

\* For statutory provisions authorizing cities to adopt rules and regulations for traffic control, and to regulate traffic by using police officers, see Veh. Code § 21100.

**10.12.010 Police department powers and duties.**

The police department shall:

A. Enforce the provisions of this traffic code and all the state vehicle laws applicable to street traffic in this city, make arrests for traffic violations, investigate traffic accidents and cooperate with the city engineer and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions and carry out those duties imposed upon said department by this chapter; and

B. Cooperate with the city engineer in conducting studies of high accident frequency locations and determining remedial measures; and

C. Maintain a suitable system of filing required traffic accident reports. Accidents, reports or cards referring to them shall be filed chronologically. Such reports shall be available for the use and information of the city engineer; and

D. Prepare annually a traffic report which shall be filed with the city council. Such a report shall contain information on traffic matters in this city as follows:

1. The number of traffic accidents, the number of people killed, the number of persons injured and other pertinent traffic accident data,

2. The number of traffic accidents investigated and other pertinent data on the safety activities of the police department,

3. The plans and recommendations of the department for future traffic safety activities. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.2.1).

**10.12.020 City engineer powers and duties.**

The city engineer shall:

A. Except where reserved by the city council pursuant to council policy or as set forth in CVMC 10.04.030(G), the city engineer, with the concur-

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rence of the safety commission, shall have the power to adopt traffic and parking control measures and install, modify or alter traffic and parking control devices; and

B. Determine the installation, proper timing and maintenance of official traffic control devices, conduct engineering analysis of traffic accidents and devise remedial measures, conduct engineering investigation of traffic conditions, and cooperate with other city officials in the development of ways and means to improve traffic conditions. Whenever, by the provisions of this code, a power is granted to the city engineer or a duty imposed upon him, the power may be exercised or the duty performed by his deputy or by a person authorized in writing by him. Whenever the city engineer makes a determination authorized by this chapter, pursuant to the provisions of the California Vehicle Code, the violation of which is a misdemeanor, said determination shall promptly be filed in writing by the city engineer, with a copy filed with the chief of police, so that enforcing officials shall be aware of any changes or modifications of regulatory determinations; and

C. Initiate and recommend necessary legislation for the efficient operation of traffic and the prevention of traffic accidents; and

D. Maintain schedules relating to parking and traffic control measures and devices on city streets as provided by regulations promulgated pursuant to this code. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.2.2).

#### **10.12.030 Emergency regulations.**

A. The police department is empowered to enforce regulations necessary to make effective the provisions of this code. In the event of fire, emergency or special events, the police department is empowered to establish and enforce temporary traffic regulations.

B. For the purpose of minimizing traffic hazards and traffic congestion and for the promotion of public safety, the city engineer is authorized to establish any traffic regulation for a trial period of eight months, notwithstanding the provisions of CVMC 10.04.030(G); provided, that:

1. Prior to the commencement of any trial period, a copy of the proposed regulation shall be sent by the city engineer to the council, together with a statement of the reasons therefor; and

2. Such trial period shall begin upon the posting of signs or other appropriate notices to the public.

C. If a resolution embodying such regulation, or any part thereof, is not approved after the eight-month trial period, such regulation shall cease to be effective.

D. The city engineer may test traffic control devices under actual traffic conditions.

E. Regulations to control the direction of movement of traffic and the parking of vehicles on streets within the city shall be enacted pursuant to the authority of this section. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.2.3).

## Chapter 10.16

### ENFORCEMENT OF TRAFFIC LAWS\*

#### Sections:

- 10.16.010 Traffic direction – Authorized – Emergency authority.
- 10.16.020 Traffic direction – By unauthorized persons prohibited.
- 10.16.030 Compliance with lawful orders required.
- 10.16.040 Traffic direction – Special authority for large gatherings.
- 10.16.050 Noncompliance deemed misdemeanor.
- 10.16.060 Interference with or obstruction of lawful actions prohibited.
- 10.16.070 Applicability and scope of regulations.
- 10.16.080 Exemptions – Designated.
- 10.16.090 Exemptions – Requirement to exercise due care not affected.
- 10.16.100 Exemptions – Parking or standing of certain vehicles permitted when.

\* For statutory provisions authorizing cities to adopt rules and regulations for traffic control, see Veh. Code § 21100.

#### **10.16.010 Traffic direction – Authorized – Emergency authority.**

Officers of the police department and such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand, audible or other signal, in conformance with traffic laws, except that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department or members of the fire department may direct traffic as conditions may require, notwithstanding the provisions to the contrary contained in this chapter or the Vehicle Code. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.1(A)).

#### **10.16.020 Traffic direction – By unauthorized persons prohibited.**

No person other than an officer of the police department or members of the fire department or a person authorized by the chief of police or a person authorized by law shall direct or attempt to direct traffic by voice, hand, or other signal, except that persons may operate, when and as herein provided, any mechanical pushbutton signal erected by the city engineer. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.1(B)).

#### **10.16.030 Compliance with lawful orders required.**

It is unlawful for any person to fail or refuse to comply with any lawful order, signal or direction of a traffic or police officer or a member of the fire department or a person authorized by the chief of police or by law. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.1(C)).

#### **10.16.040 Traffic direction – Special authority for large gatherings.**

At places where large numbers of people and vehicles are to gather or have gathered, nothing in this chapter shall be construed to prevent any police officer from prohibiting any person from parking any vehicle upon or using any street or sidewalk, or from prohibiting any pedestrian from using any street or sidewalk, and said police officer shall have authority to direct the parking of vehicles in any reasonable manner, way or direction, and it is hereby declared to be unlawful for any person to fail to promptly obey said police officer's order, signal or command, regardless of any other provision of this chapter. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.1(D)).

#### **10.16.050 Noncompliance deemed misdemeanor.**

It is a misdemeanor for any person driving any vehicle or other conveyance upon any street, or any pedestrian, to do any act forbidden, or to fail to perform any act required, under this title. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.2(A)).

#### **10.16.060 Interference with or obstruction of lawful actions prohibited.**

No person shall interfere with or obstruct in any way any police officer or other officer or employee of this city in their enforcement of the provisions of this title. The removal, obliteration or concealment of any chalk mark or other distinguishing mark used by any police officer or other employee or officer of this city in connection with the enforcement of the parking regulations of this title shall, if done for the purpose of evading the provisions of this title, constitute such interference or obstruction. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.2(B)).

#### **10.16.070 Applicability and scope of regulations.**

The provisions of this title shall apply to the operator of any vehicle owned by or used in the ser-

vice of the United States government, this state, any county, or any city, and it is unlawful for any such operator to violate any of the provisions of this title, except as otherwise permitted or exempted in this chapter or in the California Vehicle Code, or required by federal law. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.2(C)).

**10.16.080 Exemptions – Designated.**

The provisions of this title regulating the operation, parking and standing of vehicles shall not apply to the following authorized emergency vehicles when operated in the manner specified herein pursuant to the requirements of the Vehicle Code, as amended. An authorized emergency vehicle is:

A. Any publicly owned ambulance, lifeguard or lifesaving equipment; and

B. Any publicly owned vehicle operated by the following persons, agencies or organizations:

1. Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code,

2. Any police department, sheriff's department or the California Highway Patrol,

3. The district attorney of any county or any district attorney investigator,

4. Any constable or deputy constable engaged in law enforcement work,

5. Peace officer personnel of the Department of Justice; and

C. Any vehicle owned by the state, or any bridge and highway district, equipped and used either for fighting fires, or towing or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment; and

D. Any state-owned vehicle used in responding to emergency fire, rescue or communications calls and operated either by the California Disaster Office or by any public agency or industrial fire department to which the California Disaster Office has assigned such vehicle; and

E. Any state-owned vehicle operated by a fish and game warden; and

F. Any vehicle owned or operated by any department or agency of the United States government, when such department or agency is engaged primarily in law enforcement work and the vehicle is used in responding to emergency calls, or when such vehicle is used in responding to emergency fire, ambulance or lifesaving calls. (Cite Vehicle Code Section 165.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.3(A)).

**10.16.090 Exemptions – Requirement to exercise due care not affected.**

The foregoing exemptions shall not, however, relieve the operator of any such vehicle from the obligation to exercise due care for the safety of others or the consequences of his willful disregard of the safety of others. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.3(B)).

**10.16.100 Exemptions – Parking or standing of certain vehicles permitted 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 repair work or any vehicle owned or operated by the United States Post Office while in use for the collection, transportation or delivery of United States mail. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.3(C)).

**Chapter 10.20****ACCIDENT REPORTS\***

## Sections:

- 10.20.010 Required when.  
 10.20.020 Contents required.  
 10.20.030 Delay in filing permitted when – Time limit.

\* For statutory provisions regarding accidents and accident reports, see Veh. Code § 20000, et seq.

**10.20.010 Required when.**

The operator of a vehicle or the person in charge of any animal involved in any accident resulting in damage to any property, publicly owned or owned by a public utility, including, but not limited to, any fire hydrant, parking meter, lighting post, telephone pole, electric light or power pole, or any accident resulting in damage to any tree, traffic control device or other property of a like nature located in or along any street, shall, within 24 hours after such accident, make a written report of such damage to the police department of the city. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.4(A)).

**10.20.020 Contents required.**

Every such report shall state the time when, and the place where, the accident took place, the name and address of the person owning and of the person operating or in charge of such vehicle or animal, the license number of every such vehicle, and shall briefly describe the property damage in such accident. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.4(B)).

**10.20.030 Delay in filing permitted when – Time limit.**

The operator of any vehicle or the person in charge of any animal involved in an accident shall not be subject to the requirements or penalties of this section, if, and during the time, he is physically incapable of making a report, but in such event, he shall make a report as required in CVMC 10.20.010 within 24 hours after regaining ability to make such report. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.3.4(C)).

**Chapter 10.24****TRAFFIC CONTROL DEVICES\***

## Sections:

- 10.24.010 Installation – City engineer powers and duties.  
 10.24.020 *Repealed.*  
 10.24.030 *Repealed.*  
 10.24.040 *Repealed.*  
 10.24.050 Obedience required – Exceptions.  
 10.24.060 *Repealed.*  
 10.24.070 *Repealed.*  
 10.24.080 Street name signs required when.  
 10.24.090 Removal, relocation or discontinued operation authorized when.  
 10.24.100 *Repealed.*  
 10.24.110 *Repealed.*  
 10.24.120 *Repealed.*  
 10.24.130 Curb painting – When authorized.  
 10.24.140 Curb painting – Red authorized for certain driveway areas when.  
 10.24.150 Traffic barriers and signs – Compliance required.  
 10.24.160 New pavement and marking use restrictions.  
 10.24.170 Traffic barriers and signs – Approved type – Tampering with prohibited.

\* For statutory authority for local governments to place and maintain traffic control devices as required by statute or as necessary to implement statutes or local ordinances, see Veh. Code §§ 21351 – 21356; for provisions concerning traffic signals, signs and markings, see Veh. Code § 21350, et seq.

**10.24.010 Installation – City engineer powers and duties.**

The city engineer shall install and maintain official traffic control devices when and as required to make effective the provisions of this title. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.4.1(A)).

**10.24.020 Installation – When authorized by Vehicle Code required.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.1(B)).

**10.24.030 Installation – Additional devices authorized by city.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.1(C)).

**10.24.040 Required for enforcement purposes when.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.2).

**10.24.050 Obedience required – Exceptions.**

The operator of any vehicle or train shall obey the instructions of any official traffic control device placed in accordance with this chapter, 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. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.4.3).

**10.24.060 Installation – Locations where required.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.4(A)).

**10.24.070 Methods for determining location.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.4(B)).

**10.24.080 Street name signs required when.**

Whenever the city engineer installs and maintains, or causes to be installed and maintained, an official traffic signal at any intersection, he shall likewise erect and maintain at such intersection street name signs clearly visible to traffic approaching from all directions, unless such street name signs have previously been placed and are maintained at any said intersection. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.4.4(C)).

**10.24.090 Removal, relocation or discontinued operation authorized when.**

The city engineer is authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by the Vehicle Code or this title whenever he shall determine in any particular case that the conditions which warranted or required the installation no longer exist or obtain. (Ord. 973 § 1, 1966; prior code § 19.4.5).

**10.24.100 Lane marking.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.6).

**10.24.110 Roadway signs and markings.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.7).

**10.24.120 Hours of operation.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.4.8).

**10.24.130 Curb painting – When authorized.**

No person, unless authorized by the city engineer, shall paint any street or curb surface; provided, however, that this section shall not apply to the painting of numbers on a curb surface by any person who has complied with the provisions of any resolution or ordinance of this city pertaining thereto. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.4.9).

**10.24.140 Curb painting – Red authorized for certain driveway areas when.**

A. Vehicles parked adjacent to private driveways, in some cases, create hazardous obstructions to the line of sight of motorists entering and exiting from such driveways.

B. It is the purpose and intent of the council to mitigate the dangers arising from the inability to observe approaching vehicles, especially on heavily trafficked streets, by providing red curb clearance adjacent to such driveways. Such red curb shall be authorized only when the narrowness of the driveway, or the nature and volume of the traffic on the street into which the driveway allows vehicles to pass, combined with the regular parking of vehicles adjacent to the driveway, indicate a need to maintain sight clearance adjacent to the driveway.

C. Upon application by the property owner or occupant and payment of the required fee(s), the city engineer may cause to be painted or repainted a red curb for a minimum distance of 18 inches on each side of a driveway to a maximum distance as determined by the city engineer. (Ord. 2670 § 1, 1996; Ord. 2506 § 1, 1992; Ord. 1597 § 1, 1974; Ord. 1546 § 1, 1974; Ord. 973 § 1, 1966; prior code § 19.4.10).

**10.24.150 Traffic barriers and signs – Compliance 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 regulation of the city; or

B. By any public utility; or

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. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.8.6).

**10.24.160 New pavement and marking use restrictions.**

No person shall ride or drive any animal or vehicle over or across any newly made pavement or freshly painted markings in any street when a traffic control device installed pursuant to CVMC 10.24.150 is in place warning persons not to drive over or across such pavement or marking, or indicating that the street or portion thereof is closed. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.8.7).

**10.24.170 Traffic barriers and signs – Approved type – Tampering with prohibited.**

No person, public utility or department in the city shall erect or place any barrier or sign on any street unless said sign is of a type approved by the city engineer, and no person shall disobey the instructions of, remove, tamper with or destroy any barrier or sign lawfully placed on any street, pursuant to CVMC 10.24.150, by any person, public utility or by any department of the city. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.8.10).

**Chapter 10.28****DRIVING RULES\***

## Sections:

- 10.28.010 Funeral procession restrictions.
- 10.28.020 *Repealed.*
- 10.28.030 *Repealed.*
- 10.28.040 Commercial vehicles prohibited on private ways – Exception.
- 10.28.050 Riding or driving on sidewalks prohibited when.
- 10.28.060 Limited access roadways – Unauthorized entrances or exits prohibited.
- 10.28.070 Freeway use restrictions.
- 10.28.080 *Repealed.*
- 10.28.090 Toy vehicle use restrictions – Skateboard defined.
- 10.28.100 Intoxicated persons – Operation or control of vehicles prohibited.
- 10.28.110 Railway gates and barriers.
- 10.28.120 Trains not to block crossings – Exception.
- 10.28.130 Vehicle operation on private property – Permission required.
- 10.28.140 Private roads and parking lots – Intent and purpose of provisions.
- 10.28.150 Private roads and parking lots – Rules and regulations – Establishment procedure.
- 10.28.160 Private roads and parking lots – Rules and regulations – Initiating resolution – Hearing – Notice.
- 10.28.170 Private roads and parking lots – Rules and regulations – Form and content of resolution.
- 10.28.180 Private roads and parking lots – Rules and regulations – Posting.

\* For statutory authority for cities to apply public driving law to private roads, see Veh. Code §§ 21107 and 21107.5.

**10.28.010 Funeral procession restrictions.**

No operator of any vehicle shall drive between the vehicles comprising a funeral procession or a parade; provided, that such vehicles are conspicuously so designated. The directing of all vehicles and traffic on any street over which such funeral procession or parade wishes to pass shall be subject to the orders of the police department. (Authorized by Section 21100 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.8.1).

**10.28.020 Motorcycle operation regulations.**

*Repealed by Ord. 2670, 1996. (Ord. 973 § 1, 1966; prior code § 19.8.2).*

**10.28.030 Clinging to moving vehicle prohibited.**

*Repealed by Ord. 2670, 1996. (Ord. 973 § 1, 1966; prior code § 19.8.3).*

**10.28.040 Commercial vehicles prohibited on private ways – Exception.**

No person shall operate or drive a commercial vehicle in, on or across any private driveway approach or 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 such driveway is prohibited. For the purpose of this section, a “commercial vehicle” shall mean a vehicle having a rated capacity in excess of one-half ton. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.8.4).

**10.28.050 Riding or driving on sidewalks prohibited when.**

No person shall ride, drive, propel or cause to be propelled any vehicle or animal across or upon any sidewalk excepting over permanently constructed driveways and excepting when it is necessary for any temporary purpose to drive a loaded vehicle across a sidewalk; provided further, that said area be substantially protected by wooden planks two inches thick, and written permission be previously obtained from the city engineer. Such wooden planks shall not be permitted to remain upon such sidewalk area during the hours from 6:00 p.m. to 6:00 a.m. (Ord. 973 § 1, 1966; prior code § 19.8.5).

**10.28.060 Limited access roadways – Unauthorized entrances or exits prohibited.**

No person shall drive a vehicle onto or from any limited access roadway or freeway except at such entrances and exits as are lawfully established. (Ord. 973 § 1, 1966; prior code § 19.8.8).

**10.28.070 Freeway use restrictions.**

No person shall drive or operate any bicycle, motor-driven cycle, or any vehicle which is not drawn by a motor vehicle upon any street established as a freeway as defined by state law, nor shall any pedestrian walk across or along any such street so designated and described except in space set aside for the use of pedestrians, provided official signs are in place giving notice of such restric-

tions. (Authorized by Section 21960 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.8.9).

**10.28.080 Blocking intersections prohibited.**

*Repealed by Ord. 2670, 1996. (Ord. 973 § 1, 1966; prior code § 19.8.11).*

**10.28.090 Toy vehicle use restrictions – Skateboard defined.**

“Skateboard” for the purposes of this chapter means any toy or device upon which a person may ride standing or sitting, which coasts, glides, or is propelled by human power, and which is a board or other surface mounted on one or more wheels.

A. It is unlawful for any person to skate, or use or ride any roller skates, coaster, skateboard, toy vehicle or other similar device, upon or over any public street, bridge, underpass, sidewalk space, sidewalk, or public property within the business district of the city. “Business district” is defined by the California Vehicle Code as “that portion of a highway and the property contiguous thereto (a) upon one side of which highway, for a distance of 600 feet, 50 percent or more of the contiguous property fronting thereon is occupied by building in use for business, or (b) upon both sides of which highway, collectively, for a distance of 300 feet, 50 percent or more of the contiguous property fronting thereon is so occupied. A business district may be longer than the distances specified in this section if the above ratio of buildings in use for business to the length of the highway exists.”

B. No person shall ride any of the above-described devices within any parking structure or upon any public grounds where people are assembled, including but not limited to trolley stations, Civic Center complex, library complex, and shopping centers. This chapter does not preclude the riding of skateboards within areas designated for such activity.

C. No person shall ride any of the above-described devices within any privately owned property without the written permission from the property owner. (Ord. 2670 § 1, 1996; Ord. 2304 § 1, 1989; Ord. 973 § 1, 1966; prior code § 19.16.1).

**10.28.100 Intoxicated persons – Operation or control of vehicles prohibited.**

It is unlawful for any person under the influence of intoxicating liquor, narcotic drugs, amphetamine or derivative thereof, or other dangerous drugs, to a degree which would render him incapable of safely driving a vehicle, to be in or about any

vehicle to which he has right of access or control while such vehicle is in or upon any street or any other public place in the city, unless said vehicle is under the immediate control or operation of a person not under the influence of intoxicating liquor or the above-mentioned drugs. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.16.2).

**10.28.110 Railway gates and barriers.**

No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.18.1).

**10.28.120 Trains not to block crossings – Exception.**

No person shall cause or permit any railway train or railway car or similar vehicle on rails to stop or stand or to be operated in such a manner as to prevent the use of any street for the purposes of travel for a period of time longer than 10 minutes, except that this provision shall not apply to railway cars, trains or similar vehicles 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. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.18.2).

**10.28.130 Vehicle operation on private property – Permission required.**

No person shall operate or drive any motor vehicle over or upon any private property, or leave any vehicle upon such property, without having, and upon request of a peace officer displaying, written permission of the owner of such property, or permission from the person entitled to possession thereof for the time being, or the authorized agent of either, except that this section shall not apply to public or private parking lots. (Ord. 2670 § 1, 1996; Ord. 1538 § 1, 1974; Ord. 973 § 1, 1966; prior code § 19.10.11).

**10.28.140 Private roads and parking lots – Intent and purpose of provisions.**

It is the intent and purpose of the city council, by the adoption of CVMC 10.28.140 through 10.28.180, to provide a procedure for establishing rules and regulations regulating vehicular traffic on privately owned and maintained roads and parking lots located within the city, in accordance with the authorization contained in Sections 21107 and 21107.5 of the California Vehicle Code. Such rules

and regulations are necessitated by reported incidences of unsafe vehicular movements upon privately owned roads and parking lots which are not presently subject to the provisions of the traffic code of the city or of the California Vehicle Code. (Ord. 2670 § 1, 1996; Ord. 1195 § 1, 1969; prior code § 19.2401).

**10.28.150 Private roads and parking lots – Rules and regulations – Establishment procedure.**

The imposition of rules and regulations governing the movements of vehicles contained in the traffic code of the city and the California Vehicle Code may be applied to any privately owned and maintained road and parking lot within the boundaries of the city; provided, that a resolution establishing such rules and regulations for specified roads and parking lots has been adopted by the city council in accordance with the procedures established herein. Such rules and regulations shall not become effective until signs giving notice thereof are posted on the private roads and parking lots to be affected. The rules and regulations which may be thus imposed by resolutions encompass all provisions of the traffic code and the California Vehicle Code including, but not limited to, parking and stopping regulations, speed and movement of vehicles. (Ord. 2670 § 1, 1996; Ord. 1195 § 1, 1969; prior code § 19.2402).

**10.28.160 Private roads and parking lots – Rules and regulations – Initiating resolution – Hearing – Notice.**

A request for a resolution to be adopted by the city council establishing set rules and regulations on private roads and parking lots may be initiated by the chief of police, the director of public works or by the owners of the private roads or parking lots. Upon receipt of such a request, the city clerk shall set the matter for hearing before the city council by giving notice thereof by publication in a newspaper of general circulation, printed and published in the city, by one publication at least 10 days prior to the date of the hearing. (Ord. 2670 § 1, 1996; Ord. 1195 § 1, 1969; prior code § 19.2402(1)).

**10.28.170 Private roads and parking lots – Rules and regulations – Form and content of resolution.**

Subsequent to consideration of evidence presented at said public hearing, the city council may adopt a resolution having certain rules and regulations on the subject of private roads or parking lots.

Said resolution shall specify the type of rule or regulation. The city council shall also make a finding that the subject road or parking lot, although privately owned and maintained, is of such a nature and character so as to constitute an openly and publicly used road or parking lot, allowing the public movement of vehicles thereon. (Ord. 2670 § 1, 1996; Ord. 1195 § 1, 1969; prior code § 19.2402 (2)).

**10.28.180 Private roads and parking lots – Rules and regulations – Posting.**

Rules and regulations established by said resolution shall become effective at such time as the road or parking lot has been posted with appropriate signs giving notice thereof. (Ord. 2670 § 1, 1996; Ord. 1195 § 1, 1969; prior code § 19.2402(3)).

**Chapter 10.30**

**SPEED CONTESTS**

Sections:

- 10.30.010 Purpose.
- 10.30.020 Definitions.
- 10.30.030 Spectator at illegal speed contest or exhibitions of speed – Violation.
- 10.30.040 Enforcement procedure.
- 10.30.050 Penalties.

**10.30.010 Purpose.**

A. The council for the city of Chula Vista finds and declares that pursuant to California Vehicle Code Section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal.

B. Motor vehicle speed contests and exhibitions of speed are more commonly known as street races or drag races. Streets within the city of Chula Vista have been the site of continuing and escalating illegal street racing over the past several years.

C. Such street racing threatens the health and safety of the public, interferes with pedestrian and vehicular traffic, creates a public nuisance, and interferes with the right of private business owners to enjoy the use of their property within the city of Chula Vista.

D. In the past five years, the city of Chula Vista has experienced 11 collisions with vehicles involved in street racing. Those collisions claimed the lives of 14 community members.

E. The illegal street races occur on a regular basis on various streets within the county of San Diego as well as in Chula Vista. Specifically, racers and spectators gather on these streets late at night and in the early morning hours, blocking the streets and sidewalks to traffic, forming a racetrack area, placing bets, and otherwise encouraging, aiding and abetting the racing process.

F. Illegal street racers accelerate to high speeds without regard to oncoming traffic, pedestrians, or vehicles parked or moving nearby. The racers drive quickly from street to street, race for several hours, and then move to other locations upon the arrival of the police.

G. Those who participate in this illegal activity are very sophisticated, using their cell phones, police scanners, and other electronic devices to communicate with each other to avoid arrest. They also use the Internet to provide information on where to race, and give advice on how to avoid detection and prosecution. Traffic accidents, prop-

erty crimes, and calls for police service have increased dramatically. In some cases, illegal street races attract hundreds of spectators.

H. The mere presence of spectators at these events fuels the illegal street racing and creates an environment in which these illegal activities can flourish.

I. This chapter targets a very clear, limited population and gives proper notice to individuals as to what activities are lawful and what activities are unlawful. In discouraging spectators, the act of organizing and participating in illegal street races will be discouraged. (Ord. 2894 § 1, 2003).

### **10.30.020 Definitions.**

“Illegal motor vehicle speed contest” or “illegal exhibition of speed” means any speed contest or exhibition of speed referred to in California Vehicle Code Sections 23109(a) and 23109(c).

“Preparations” for the illegal motor vehicle speed contest or exhibition of speed include, but are not limited to, situations in which:

1. A group of motor vehicles or individuals have arrived at a location for the purpose of participating in or being spectators at the event;
2. A group of individuals have lined one or both sides of a public street or highway for the purpose of participating in or being a spectator at the event;
3. A group of individuals have gathered on private property open to the general public without the consent of the owner, operator, or agent thereof for the purpose of participating in or being a spectator at the event;
4. One or more individuals have impeded the free public use of a public street or highway by actions, words, or physical barriers for the purpose of conducting the event;
5. Two or more vehicles have lined up with motors running for an illegal motor vehicle speed contest or exhibition of speed;
6. One or more drivers is revving their engine or spinning their tires in preparation for the event;
7. An individual is stationed at or near one or more motor vehicles serving as a race starter.

“Spectator” means any individual who is present at an illegal motor vehicle speed contest or exhibition of speed, or at a location where preparations are being made for such activities, for the purpose of viewing, observing, watching, or witnessing the event as it progresses.

Spectator includes any individual at the location of the event without regard to whether the individ-

ual arrived at the event by driving a vehicle, riding as a passenger in a vehicle, walking, or arriving by some other means. (Ord. 2894 § 1, 2003).

### **10.30.030 Spectator at illegal speed contest or exhibitions of speed – Violation.**

A. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor subject to a maximum of six months in jail and a fine of \$1,000.

B. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor subject to a maximum of six months in jail and a fine of \$1,000.

C. An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within 200 feet of the location of the event, or within 200 feet of the location where preparations are being made for the event.

D. Exemption. Nothing in this section prohibits law enforcement officers or their agents from being spectators at illegal motor vehicle speed contests or exhibitions of speed in the course of their official duties. (Ord. 2894 § 1, 2003).

### **10.30.040 Enforcement procedure.**

Upon any violation of CVMC 10.30.030(A) through 10.30.030(D), a peace officer may issue a citation to any person who is a spectator. If cited the person shall appear in court as directed in the citation. (Ord. 2894 § 1, 2003).

### **10.30.050 Penalties.**

Violations of CVMC 10.30.030(A) through 10.30.030(D) shall be punished in accordance with Chapter 1.20 CVMC. (Ord. 2894 § 1, 2003).

**Chapter 10.32****THROUGH STREETS AND STOP INTERSECTIONS\***

## Sections:

- 10.32.010 Signs required when – Location generally.
- 10.32.020 Designated.
- 10.32.030 Vehicles emerging from alley, driveway or building – Stop required.

\* For statutory provisions regarding the proper location of stop signs, see Veh. Code § 21355.

**10.32.010 Signs required when – Location generally.**

Whenever any regulation 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 railroad crossing at which vehicles are required to stop, the city engineer shall erect and maintain stop signs as follows: A stop sign shall be erected on each and every 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. Every such sign shall conform with, and shall be placed as provided in, the Vehicle Code. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.7.1).

**10.32.020 Designated.**

A. Those streets and parts of streets established by regulation to be through streets for the purposes of this section as described in CVMC 10.52.030 shall be listed in Schedule II of the register maintained by the city engineer.

B. The provisions of this section shall also apply to one or more entrances to intersections as established by regulation, as described in CVMC 10.52.030 and listed in Schedule II.

C. The provisions of this section shall apply at those highway railway grade crossings established by regulation. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.7.2).

**10.32.030 Vehicles emerging from alley, driveway or building – Stop required.**

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 or driveway. A stop sign or other traffic control device is not required to be posted in order for this section to be operative. (Cite Section 21461 Vehicle Code.) (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.7.3).

**Chapter 10.36**

**YIELD RIGHT-OF-WAY STREETS\***

Sections:

10.36.010 Designated – Schedule XIII.

\* For statutory authority for cities to place and maintain traffic control devices as required by statute or as necessary to implement local ordinances, see Veh. Code §§ 21351 – 21356.

**10.36.010 Designated – Schedule XIII.**

In accordance with Chapter 10.32 CVMC and pursuant to regulation, when appropriate signs have been erected giving notice of yield right-of-way regulations, drivers of vehicles shall yield right-of-way at the intersections listed in Schedule XIII of the register maintained by the city engineer. (Ord. 2670, 1996; Ord. 1260 § 1, 1970; Ord. 973 § 1, 1966; prior code § 19.22.1).

**Chapter 10.40****TURNING MOVEMENTS\***

## Sections:

- 10.40.010 Turning markers or indications – Placement authorized.
- 10.40.020 Turning markers or indications – Driver obedience required.
- 10.40.030 Restricted turns – Sign placement authorized when.
- 10.40.040 Restricted turns – Driver to obey signs.
- 10.40.050 Right turns at certain stop signals – Prohibited when.
- 10.40.060 Right turns at certain stop signals – Driver to obey signs.

\* For statutory provisions authorizing cities to prohibit the making of any turning movements at intersections, see Veh. Code § 22113.

**10.40.010 Turning markers or indications – Placement authorized.**

The city engineer is authorized to place traffic control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections. The city engineer is authorized to locate and indicate more than one lane of traffic from which drivers of vehicles may make right-hand or left-hand turns. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.5.1(A)).

**10.40.020 Turning markers or indications – Driver obedience required.**

When authorized traffic control devices are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such devices. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.5.1(B)).

**10.40.030 Restricted turns – Sign placement authorized when.**

The city engineer, by regulation, may designate those intersections at which drivers of vehicles shall not make a right, left or U-turn, and the city engineer shall place proper traffic control devices 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 devices, or they may be removed when such turns are per-

mitted. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.5.2).

**10.40.040 Restricted turns – Driver to obey signs.**

Whenever authorized traffic control devices are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of the traffic control device. (Cite Section 21461 Vehicle Code.) (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.5.3).

**10.40.050 Right turns at certain stop signals – Prohibited when.**

By regulation, the city engineer may designate those signal-controlled intersections at which drivers of vehicles shall not make a right turn against a traffic signal “stop” indication. The city engineer shall place proper traffic control devices at such intersections. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.5.4(A)).

**10.40.060 Right turns at certain stop signals – Driver to obey signs.**

No driver of a vehicle shall make a right turn against a red or stop signal at any intersection at which traffic control devices give notice of such restriction. (Cite Section 21461 Vehicle Code.) (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.5.4(B)).

**Chapter 10.44****ONE-WAY STREETS AND ALLEYS\***

## Sections:

- 10.44.010 Sign placement authorized.  
 10.44.020 Designated – Schedule I.

\* For statutory authority for cities to designate the direction of traffic as one-way over highways within their jurisdiction, see Veh. Code § 21657.

**10.44.010 Sign placement authorized.**

Whenever any regulation designates any one-way street or alley, the city engineer shall place and maintain traffic control devices giving notice thereof, and no such regulations shall be effective unless such traffic control devices are in place. Traffic control devices indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. Streets so designated shall be described in Schedule I, maintained in the register of the city engineer. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.6.1).

**10.44.020 Designated – Schedule I.**

In accordance with CVMC 10.44.010, pursuant to regulation, when appropriate traffic control devices have been posted, traffic shall move only in the direction as indicated upon the streets listed in Schedule I of the register maintained by the city engineer. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.22.1).

**Chapter 10.48****SPEED REGULATIONS\***

## Sections:

- 10.48.010 State speed laws applicable when.  
 10.48.020 Established speed limits in certain zones – Designated.  
 10.48.030 *Repealed.*  
 10.48.040 *Repealed.*  
 10.48.050 *Repealed.*  
 10.48.060 Regulation by traffic signals authorized.

\* For statutory authority for municipalities to change the state speed limits under certain conditions, see Veh. Code §§ 22357 – 22363.

**10.48.010 State speed laws applicable when.**

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within the city, except as this chapter, as authorized by state law, hereby declares and determines upon the basis of engineering and traffic investigation that certain other speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared by regulation when signs are in place giving notice thereof. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.19.1).

**10.48.020 Established speed limits in certain zones – Designated.**

Pursuant to California Vehicle Code Sections 22357 and 22358, where it is determined upon the basis of an engineering and traffic survey investigation, the city council may increase or decrease state speed limits. Said altered speed limits shall be effective, upon installation by the city engineer, of appropriate traffic control devices giving notice thereof. Designated speed limits shall be listed in a Schedule X of a register maintained in the offices of the city engineer. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.19.2).

**10.48.030 Increased speed limits in certain zones – Designated – Schedule IX.**

*Repealed by Ord. 2670, 1996.* (Ord. 2667, 1996; Ord. 2666 § 1, 1996; Ord. 2664 § 1, 1996; Ord. 2663 § 1, 1996; Ord. 2660 § 1, 1996; Ord. 2635 § 1, 1995; Ord. 2606 § 1, 1994; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.48.040 Decreased speed limits in certain zones – Authorized.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.19.3).

**10.48.050 Decreased speed limits in certain zones – Designated – Schedule X.**

*Repealed by Ord. 2670, 1996.* (Ord. 2615 § 1, 1994; Ord. 2590 § 1, 1994; Ord. 2567 § 1, 1993; Ord. 2563 § 1, 1993; Ord. 2553 § 1, 1993; Ord. 2544 § 1, 1993; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.48.060 Regulation by traffic signals authorized.**

The city 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. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.19.4).

**Chapter 10.52****STOPPING, STANDING AND PARKING\***

## Sections:

- 10.52.010 Stopping, standing or parking – Applicability of provisions.
- 10.52.020 Stopping, standing or parking – Scope of provisions.
- 10.52.030 Special stops required – Schedule II – Through streets and stop intersections.
- 10.52.040 Stopping, standing or parking – Within or on parkways – Prohibited.
- 10.52.050 No stopping zones and no parking areas – Authorized.
- 10.52.060 No stopping zones and no parking areas – Driver obedience required.
- 10.52.070 No parking areas – Designated.
- 10.52.080 No parking areas – Near fire hydrants or fire stations.
- 10.52.090 Commercial vehicles – Parking in residential districts prohibited when.
- 10.52.100 Storage of vehicles or camper bodies on streets prohibited – Time limit.
- 10.52.110 Parking for advertising or demonstration purposes prohibited when.
- 10.52.120 Repairing or greasing of vehicles prohibited where.
- 10.52.130 Washing or polishing of vehicles prohibited when.
- 10.52.140 No parking areas – Property adjacent to schools – Authorized when.
- 10.52.150 No parking areas – Property adjacent to schools – Driver obedience required.
- 10.52.160 No parking areas – Alleys – Exceptions permitted when.
- 10.52.170 No parking areas – Narrow streets – Authorized when.
- 10.52.180 No parking areas – Narrow streets – Driver obedience required.
- 10.52.190 Parking on grades – Wheels to be blocked when.
- 10.52.200 Peddlers and vendors – Parking permitted when – Time limit.
- 10.52.210 *Repealed.*
- 10.52.220 Emergency parking – Authorized when – Procedure.
- 10.52.230 Emergency parking – Driver obedience required.
- 10.52.240 *Repealed.*
- 10.52.250 Standing or parking – Applicability of provisions.

- 10.52.260 Parking – Scope of provisions.
- 10.52.270 Parking prohibited at all times on certain streets – Driver obedience required.
- 10.52.280 *Repealed.*
- 10.52.290 Parking – Prohibited during certain hours on certain streets – Driver obedience required.
- 10.52.300 *Repealed.*
- 10.52.310 Stopping, standing or parking – Prohibited during certain hours on certain streets – Driver obedience required.
- 10.52.320 *Repealed.*
- 10.52.330 Parking – Time limited on certain streets – Driver obedience required.
- 10.52.340 *Repealed.*
- 10.52.350 Parallel parking – Permitted on one-way streets – Generally.
- 10.52.360 Parallel parking – Prohibited on one-way roadways when.
- 10.52.370 *Repealed.*
- 10.52.380 Parallel parking – Exception for certain commercial vehicles.
- 10.52.390 Diagonal parking – Required when – Procedure.
- 10.52.400 *Repealed.*
- 10.52.410 Diagonal parking – Applicability of provisions – Exceptions.
- 10.52.420 Motorcycles – Parallel parking permitted when.
- 10.52.430 Motorcycles – Diagonal parking permitted when.
- 10.52.440 Motorcycles – Applicability of provisions – Exceptions.
- 10.52.450 Parking – Prohibited during certain hours of certain days on certain streets for the purpose of street sweeping – Driver obedience required.
- 10.52.460 *Repealed.*
- 10.52.470 Parking – Scope of restrictions.
- 10.52.480 Municipal parking lots – Designated – Manner of parking required – Schedule XV.
- 10.52.485 Municipal parking lots – Sleeping or camping prohibited.
- 10.52.490 Prohibitions regarding parking of overheight vehicles – Schedule IX.

\* For statutory provisions regarding the proper location for the erection of stop signs, see Veh. Code § 21355; for statutory provisions authorizing local authorities to prohibit or restrict the parking or standing of vehicles on certain streets during all or a portion of the day, see Veh. Code § 22507; for statutory provisions

authorizing the prohibition of all-night parking, see Veh. Code § 22507.5; for statutory provisions authorizing impounding of cars left parked for 72 consecutive hours or more, see Veh. Code § 22652.

CROSS REFERENCES: Loading Zones, see Ch. 10.60 CVMC. Abandoned Vehicles, see Ch. 10.80 CVMC. Off-Street Parking and Loading, see Ch. 19.62 CVMC. Bicycles, see Ch. 10.72 CVMC.

#### **10.52.010 Stopping, standing or parking – Applicability of provisions.**

The provisions of this chapter prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times herein specified, 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. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.10.1(A)).

#### **10.52.020 Stopping, standing or parking – Scope of provisions.**

The provisions of this chapter 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 or regulations prohibiting or limiting the standing or parking of vehicles in specified places or at specified times. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.1(B)).

#### **10.52.030 Special stops required – Schedule II – Through streets and stop intersections.**

In accordance with CVMC 10.32.010 and 10.32.020, pursuant to regulations and when appropriate traffic control devices have been erected giving notice of special stops, drivers of vehicles shall stop at every intersection before entering any of the streets or portions of streets, or one or more entrances to the intersections listed in Schedule II of the register maintained by the city engineer. (Ord. 2670, 1996; Res. 17646, 1994; Res. 17418, 1994; Res. 17335, 1993; Res. 17334, 1993; Res. 17212, 1993; Res. 16586, 1992; Res. 16192, 1991; Ord. 973 § 1, 1966; prior code § 19.22.1).

#### **10.52.040 Stopping, standing or parking – Within or on parkways – Prohibited.**

No person shall stop, stand, park or place a vehicle, boat, trailer, camper or any other property within any parkway. (Ord. 2670 § 1, 1996; Ord. 2176 § 1, 1986; Ord. 973 § 1, 1966; prior code § 19.10.2).

**10.52.050 No stopping zones and no parking areas – Authorized.**

The City Engineer is authorized to maintain, by appropriate parking control devices, 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. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.3(A)).

**10.52.060 No stopping zones and no parking areas – Driver obedience required.**

When curb markings or parking control devices are in place, no operator of any vehicle shall stop, stand or park such vehicle adjacent to any such legible curb marking or parking control device in violation of any of the provisions of this chapter. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.3(B)).

**10.52.070 No parking areas – Designated.**

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

1. In any area established by regulation as a no parking area, where such area is indicated by official parking control devices or red paint on the curb;
2. On a sidewalk;
3. Within an intersection;
4. Within a crosswalk;
5. Alongside or opposite any street excavation or obstruction when such standing, stopping or parking would obstruct traffic;
6. On the roadway side of any vehicle stopped or parked at the edge or curb of the street;
7. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
8. Upon, along or across any railroad track in such manner as to hinder, delay or obstruct the movement of any car traveling upon such track;
9. Within any divisional island unless authorized and clearly indicated with appropriate signs and markings;
10. In front of a public or private driveway or within eight feet of the end of the curb radius leading thereto;
11. Within 20 feet of a crosswalk at an intersection;
12. Within 20 feet of the end of the curb radii at an intersection;

13. Within 30 feet of the approach to any flashing signal, stop sign or traffic control signal located at the side of the roadway;

14. Within three feet of or in front of that portion of a curb which has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk;

15. Within any of those places delineated by Section 22500 of the Vehicle Code.

B. No person shall move a vehicle not lawfully under his control into any such prohibited area or more than 18 inches away from a curb.

C. For the purpose of minimizing traffic hazards and traffic congestion, the City Engineer is authorized to establish no parking or stopping zones. The length of these zones is not to exceed 200 feet.

D. Any vehicle parked in violation of any of the foregoing sections may be towed or otherwise removed at the owner's expense if a sign is posted giving notice of the removal. The City Engineer is authorized to post signs giving notice of removal, where necessary.

E. Enforcement Policy. When in the judgment of the traffic officer it is reasonable and practical to do so, the owner, driver, or other responsible party shall be requested to move the car prior to being towed, but not prior to being ticketed. (Ord. 2670, 1996; Ord. 2627 § 1, 1995; Ord. 973 § 1, 1966; prior code § 19.10.4).

**10.52.080 No parking areas – Near fire hydrants or fire stations.**

It is unlawful for any person to park a vehicle within 15 feet of any fire hydrant or entrance to a fire station within the city, except as otherwise indicated by a parking control device. (Ord. 2670, 1996; prior code § 14.11).

**10.52.090 Commercial vehicles – Parking in residential districts prohibited when.**

A. No person shall park any commercial vehicle as defined in subsection (B) of this section having a manufacturer's gross vehicle weight rating of 10,000 pounds or more in any residential district (which includes parking on private property), except:

1. While actually loading or unloading property; or
2. While such vehicle is parked in the actual performance of a service to property in the block in which such vehicle is parked.

B. For the purposes of this section, certain terms shall be defined as follows:

1. "Commercial vehicle" shall mean single vehicles whose primary use is for commercial purposes and having more than two axles or combination of vehicles having more than two axles; a single vehicle or combination of vehicles 20 feet or more in length; or a single vehicle or combination of vehicles six feet, eight inches or more in width, and shall include, but shall not be limited to, dump trucks, moving vans, tractors, pole, or pipe dollies.

2. "Residential district" shall mean any block in which over 50 percent of the ground level buildings fronting on said block are residential dwellings. Said dwellings may be single-unit structures or multiunit structures. (Ord. 2670, 1996; Ord. 2190 § 1, 1987; Ord. 2176 § 2, 1986; Ord. 2024 § 1, 1983; Ord. 973 § 1, 1966; prior code § 19.10.5).

**10.52.100 Storage of vehicles or camper bodies on streets prohibited – Time limit.**

A. No camper body which has been detached from a motor vehicle shall be left standing on a city street at any time.

B. No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of 72 hours.

C. Vehicles or camper bodies parked in violation of this section may be removed and impounded as authorized by CVMC 10.80.120 and Vehicle Code Section 22651. (Ord. 2670, 1996; Ord. 2033 § 1, 1983; Ord. 973 § 1, 1966; prior code § 19.10.6).

**10.52.110 Parking for advertising or demonstration purposes prohibited when.**

No vehicle displaying advertising matter for the primary purpose of commercial advertising, as prohibited by CVMC 5.08.030 through 5.08.060, shall park upon any residential street or public parking area in this City. This prohibition shall not apply to a vehicle being offered for sale. (Ord. 3138 § 2, 2009; Ord. 2946 § 1, 2004; Ord. 2670 § 1, 1996; Ord. 2255 § 1, 1988; Ord. 973 § 1, 1966; prior code § 19.10.7).

**10.52.120 Repairing or greasing of vehicles prohibited where.**

No person shall build or cause to be built, rebuild or cause to be rebuilt, grease or cause to be greased, or perform any maintenance including changing of oil or flushing radiators on any vehicle or any part thereof upon any public street or public parking area in the City. Except for temporary emergency

repairs, no person shall repair or cause to be repaired any vehicle upon a public street. (Ord. 3138 § 2, 2009; Ord. 2670, 1996; Ord. 1744 § 1, 1977; Ord. 973 § 1, 1966; prior code § 19.10.8).

**10.52.130 Washing or polishing of vehicles prohibited when.**

No person shall wash or cause to be washed, or polish or cause to be polished, any vehicle or any part thereof upon any public street or public parking area in the City when a charge is made for such service. (Ord. 3138 § 2, 2009; Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.9).

**10.52.140 No parking areas – Property adjacent to schools – Authorized when.**

The City Engineer is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property, when such parking would interfere with traffic or create a hazardous situation. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.10(A)).

**10.52.150 No parking areas – Property adjacent to schools – Driver obedience required.**

When official signs are erected prohibiting parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.10.10(B)).

**10.52.160 No parking areas – Alleys – Exceptions permitted when.**

No person shall stop, stand or park any vehicle in any alley within the City except for the purpose of expeditiously loading or unloading passengers or materials, or when a service is being performed to or on property abutting such alley, which requires the immediate and necessary presence of a vehicle during the time such service is actually being performed. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.10.12).

**10.52.170 No parking areas – Narrow streets – Authorized when.**

The City Engineer is authorized to place parking control devices or markings indicating no parking upon any street when the width of the roadway does not exceed 25 feet, or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed 30 feet. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.13(A)).

**10.52.180 No parking areas – Narrow streets – Driver obedience required.**

When official parking control devices or markings prohibiting parking are erected upon narrow streets, as authorized herein, no person shall park a vehicle upon any such street in violation of any such parking control device or marking. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.13(B)).

**10.52.190 Parking on grades – Wheels to be blocked when.**

No person shall park or leave standing any vehicle unattended on a highway when upon any grade exceeding three percent without blocking the wheels of said vehicle by turning them against the curb or by other means which prevents the vehicle from rolling. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.14).

**10.52.200 Peddlers and vendors – Parking permitted when – Time limit.**

Except as otherwise provided in this chapter, no person shall stand or park any vehicle, wagon or pushcart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this city, except that such vehicles, wagons or pushcarts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed 10 minutes at any one place. The provisions of this section shall not apply to persons delivering such articles upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution. (Ord. 973 § 1, 1966; prior code § 19.10.15(A)).

**10.52.210 Peddlers and vendors – Parking and standing prohibited.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.10.15(B)).

**10.52.220 Emergency parking – Authorized when – Procedure.**

Whenever the city engineer determines that an emergency is likely to result from traffic congestion caused by the holding of public or private assemblages, gatherings, or functions, or for other reasons, the city engineer shall 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 engineer shall direct during the time such temporary

signs are in place. Such signs shall remain in place only during the existence of such emergency and the city engineer shall cause such signs to be removed promptly thereafter. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.16(A)).

**10.52.230 Emergency parking – Driver obedience required.**

When parking control devices 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 provisions of the parking control device. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.10.16(B)).

**10.52.240 Commercial vehicles – Display of warning devices required when.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.10.17).

**10.52.250 Standing or parking – Applicability of provisions.**

The provisions of this chapter prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official parking control devices, 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 other official traffic control device. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.1).

**10.52.260 Parking – Scope of provisions.**

The provisions of this chapter imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.11.2).

**10.52.270 Parking prohibited at all times on certain streets – Driver obedience required.**

Except upon Sundays and holidays specified in CVMC 10.08.110, it is unlawful to park a vehicle at any time upon any street upon which a parking control device prohibiting such parking has been installed by the city engineer by regulation adopted pursuant to CVMC 10.04.030. The city engineer shall maintain within a register a Schedule III which lists the streets or portions thereof upon which the prohibitions of this section are in effect. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.3).

**10.52.280 Parking – Prohibited at all times on certain streets – Schedule III.**

*Repealed by Ord. 2670, 1996.* (Res. 17470, 1994; Res. 17336, 1993; Res. 17240, 1993; Res. 17220, 1993; Res. 17003, 1993; Res. 16799, 1992; Res. 16585, 1992; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.52.290 Parking – Prohibited during certain hours on certain streets – Driver obedience required.**

Except upon Sundays and holidays specified in CVMC 10.08.110, it is unlawful to park a vehicle between the hours specified of any day upon any street upon which a parking control device prohibiting or regulating such parking has been installed by the city engineer by regulation adopted pursuant to CVMC 10.04.030. The city engineer shall maintain within a register a Schedule IV which lists the streets or portions thereof upon which the restrictions and prohibitions within this section are in effect. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.4).

**10.52.300 Parking – Prohibited during certain hours on certain streets – Schedule IV.**

*Repealed by Ord. 2670, 1996.* (Res. 16191, 1991; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.52.310 Stopping, standing or parking – Prohibited during certain hours on certain streets – Driver obedience required.**

Except upon Sundays and holidays specified in CVMC 10.08.110, it is unlawful to stop, stand or park a vehicle between the hours specified of any day upon any of the streets or portions of a street upon which a parking control device regulating such parking has been installed by the city engineer by regulation adopted pursuant to CVMC 10.04.030. The city engineer shall maintain within a register a Schedule V which lists the streets or portions thereof upon which the restrictions and prohibitions of this section are in effect. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.5).

**10.52.320 Stopping, standing, or parking – Prohibited during certain hours on certain streets – Schedule V.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.52.330 Parking – Time limited on certain streets – Driver obedience required.**

Except upon Sundays and holidays specified in CVMC 10.08.110, it is unlawful to park a vehicle for longer than the time specified upon a parking control device regulating such parking on any street upon which such a parking control device regulating such parking has been installed by the city engineer by regulation adopted pursuant to CVMC 10.04.030, except in accordance with the directions of the parking control device. The city engineer shall maintain within a register a Schedule VI which lists the streets or portions thereof upon which the restrictions and prohibitions of this section are in effect. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.6).

**10.52.340 Parking – Time limited on certain streets – Schedule VI.**

*Repealed by Ord. 2670, 1996.* (Res. 17692, 1994; Res. 16792, 1994; Res. 17645, 1994; Res. 17644, 1994; Res. 17471, 1994; Res. 17359, 1994; Res. 17241, 1993; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.52.350 Parallel parking – Permitted on one-way streets – Generally.**

Subject to other and 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 parking control devices are in place prohibiting such stopping or standing. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.7(A)).

**10.52.360 Parallel parking – Prohibited on one-way roadways when.**

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 side of such one-way roadway unless signs are in place permitting such standing or parking. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.7(B)).

**10.52.370 Parallel parking – On one-way streets and roadways – Determination authority.**

*Repealed by Ord. 2670, 1996.* (Ord. 973 § 1, 1966; prior code § 19.11.7).

**10.52.380 Parallel parking – Exception for certain commercial vehicles.**

The requirement of parallel parking imposed by CVMC 10.52.350 through 10.52.380 shall not apply to any commercial vehicle actually engaged in the process of loading or unloading freight or goods, in which case such vehicle may be backed up to the curb; provided, that such vehicle does not extend beyond the center line of the street and does not block traffic thereby. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.11.7(D)).

**10.52.390 Diagonal parking – Required when – Procedure.**

It is unlawful at any time to park a vehicle upon any street or portion thereof designated as a diagonal parking zone, upon which a parking control device regulating such parking has been installed by the City Engineer by regulation adopted pursuant to CVMC 10.04.030, except as follows: The vehicle shall be parked at an angle to the curb specified by the parking control device, and entirely within the limits of the allotted space, with the front wheel nearest the curb not more than six inches from the curb. The City Engineer shall maintain within a register a Schedule VIII which lists the streets or portions thereof upon which the restrictions and prohibitions of this section are in effect. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.11.8(A)).

**10.52.400 Diagonal parking – Permitted where – Schedule VIII.**

*Repealed by Ord. 2670, 1996.* (Res. 17643, 1994; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.52.410 Diagonal parking – Applicability of provisions – Exceptions.**

The provisions of CVMC 10.52.390 shall not apply to a vehicle actually engaged in the process of loading or unloading passengers, freight or goods, in which event the provisions applicable in CVMC 10.52.350 through 10.52.380 shall be complied with. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.11.8(B)).

**10.52.420 Motorcycles – Parallel parking permitted when.**

It is unlawful for the operator of any motorcycle to park said motorcycle parallel to the curb as defined in this chapter in any space designated by pavement markings or indicated by meters, unless said motorcycle is parked entirely within the limits of the allotted space and at least one wheel or fender

is touching the right-hand curb. Where no curb or barriers bound any roadway, right-hand parallel parking is required unless otherwise indicated; provided further, that no more than one vehicle of any type may be parked within any allotted parking space. (Ord. 2670 § 1, 1996; Ord. 1595 § 1, 1974; Ord. 1201 § 1, 1969; prior code § 19.11.9(1)).

**10.52.430 Motorcycles – Diagonal parking permitted when.**

It is unlawful for the operator of any motorcycle to park said motorcycle except at the angle to the curb indicated by parking control devices or pavement markings allotting space to parked vehicles, and entirely within the limits of said allotted space, with the front or rear wheel of said vehicle within 18 inches of the curb; provided further, that no more than one vehicle of any type may be parked within such allotted space. (Ord. 2670, 1996; Ord. 1595 § 1, 1974; Ord. 1201 § 1, 1969; prior code § 19.11.9(2)).

**10.52.440 Motorcycles – Applicability of provisions – Exceptions.**

The provisions of CVMC 10.52.420 and 10.52.430 shall not apply to a vehicle actually engaged in the process of loading or unloading passengers, freight or goods, in which event the provisions applicable in CVMC 10.52.350 through 10.52.380 shall be complied with. (Ord. 2670, 1996; Ord. 1595 § 1, 1974; Ord. 1201 § 1, 1969; prior code § 19.11.9(3)).

**10.52.450 Parking – Prohibited during certain hours of certain days on certain streets for the purpose of street sweeping – Driver obedience required.**

It is unlawful to park a vehicle on any street during the times specified for street cleaning upon which a parking control device regulating and prohibiting such parking has been installed on each block of that street in its entirety by the City Engineer, restricting parking between certain hours on certain days of the week by regulation adopted pursuant to CVMC 10.04.030. The City Engineer shall maintain within a register a Schedule XIV which lists the streets upon which the restrictions and prohibitions concerning street sweeping regulations are in effect. (Ord. 2670, 1996; Ord. 2261 § 2, 1988).

**10.52.460 Parking – Prohibited during certain hours of certain days on certain streets for the purpose of street sweeping.**

*Repealed by Ord. 2670, 1996. (Ord. 2261 § 3, 1988).*

**10.52.470 Parking – Scope of restrictions.**

No section of this chapter shall be construed as permitting any parking in violation of any other provisions of this title. (Ord. 2670 § 1, 1996; Ord. 2261 § 1, 1988; Ord. 973 § 1, 1966; prior code § 19.17.15).

**10.52.480 Municipal parking lots – Designated – Manner of parking required – Schedule XV.**

Pursuant to Vehicle Code Section 22519, the following areas are designated as off-street public parking lots owned or operated by the City. It is unlawful for any vehicle to park in a municipal parking lot except in accordance with the angle to the curb indicated by signs or pavement markings allotting space to parked vehicles and entirely within the limits of said allotted space, with the front wheel nearest the curb and within six inches of said curb or other stop, and in accordance with the time limits indicated on signs erected in the area by the City Engineer pursuant to regulation adopted under CVMC 10.04.030. The City Engineer shall maintain within a register a Schedule XV listing the restrictions applicable to these locations.

Designated Parking Lot	Location
No. 1	Near southwest corner of Landis and E Streets
No. 2	Northeast corner of Landis and Davidson Streets
No. 3	200 block of Landis (North of F Street)
No. 4	340 F Street (Near southwest corner of E Street)
No. 5	Near southeast corner of Third and Madrona
No. 6	Northwest corner of Church and Madrona Streets
No. 7	Southwest corner of Church and Center Streets
No. 8	281 – 287 Church Avenue (between Church and Del Mar Streets)

Designated Parking Lot	Location
No. 9	Southwest corner of Church and Davidson Streets
No. 10	Northwest corner of Church and Davidson Streets
No. 11	222 Church Avenue (between E and Davidson Streets)
NPSC	Norman Park Senior Center (between F and Center Streets)
City Hall Employee Lot	North side of F Street, west of intersection with Fourth Avenue
Chula Vista Community Park Lot	South of Chula Vista Community Park and west of Eastlake Parkway
City Employee Lot	West of Maxwell Road and north of Main Street at the John Lippit Public Works Center
Ken Lee Lot	West of Fourth Avenue and south of F Street
Police Department Parking Structure	East of Fourth Avenue and south of F Street

(Ord. 3138 § 2, 2009; Ord. 2983 § 1, 2004; Ord. 2670, 1996; Ord. 2488 § 1, 1991; Ord. 2436 § 1, 1991).

**10.52.485 Municipal parking lots – Sleeping or camping prohibited.**

A. No person shall sleep or camp in a vehicle on the grounds of any city-owned, leased, or operated parking lot listed in CVMC 10.52.480. Signs expressing this parking restriction and the City’s right to remove or impound an offending vehicle shall be posted at each entrance of a parking lot by the City Engineer.

B. For purposes of this section, “to camp” shall be defined as establishing or maintaining a temporary, including overnight, place for sleeping, which includes, but is not limited to, the use, or storage for use, of sleeping bags, bedding materials, blankets, sheets, or other nonclothing items utilized or available for use to maintain warmth and comfort for sleep in a vehicle.

C. Vehicles in violation of this section may be removed and impounded as authorized by CVMC 10.80.120 and California Vehicle Code Section 22651. (Ord. 2923 § 1, 2003).

**10.52.490 Prohibitions regarding parking of overheight vehicles – Schedule IX.**

A. It is unlawful to park an overheight vehicle, as defined in subsection (D) of this section, upon any street or portion thereof upon which a parking control device regulating the parking of overheight vehicles has been installed by the City Engineer pursuant to regulation adopted under CVMC 10.04.030 and subsection (B) of this section. The City Engineer shall maintain within a register a Schedule IX which lists the streets or portions thereof upon which the restrictions and prohibitions of this section are in effect.

B. Pursuant to California Vehicle Code Sections 22507 and 21360, the City Engineer may establish by regulation those locations where parking of overheight vehicles is to be restricted based upon the sight obstruction posed by an overheight vehicle to vehicles entering the roadway from an intersection. Parking restrictions shall be limited to a maximum distance of 100 feet from the point of curb return of the intersection along the roadway.

C. As used in this CVMC 10.52.490, the term “intersection” shall include, in addition to the meaning prescribed by the California Vehicle Code Section 365, an intersection with a roadway of a major use driveway from a multifamily residential facility or shopping or business center, or any similar use which generates a traffic flow at least equal to that encountered at the intersection of a minor street with the affected roadway.

D. As used in subsection (A) of this section, the term “overheight vehicle” means any vehicle with a height of six feet or more at any point, including the load, cab or body, when measured from the roadway.

E. The City Engineer may prescribe procedures for full cost recovery of the installation of parking control devices at intersections from private property. (Ord. 2670, 1996).

**Chapter 10.56****PARKING METERS, PARKING METER ZONES AND PERMIT PARKING**

## Sections:

- 10.56.010 *Repealed.*
- 10.56.020 Meters – Installation and maintenance – Rates for use.
- 10.56.030 Meter zones – Established – Regulations generally.
- 10.56.040 Meter zones – Designated – Time limits authorized in zone – Schedule XI.
- 10.56.050 Meter zones – Authorization for establishment.
- 10.56.060 Meters – Placement and removal of posts.
- 10.56.070 Meters – Installation – Authority.
- 10.56.080 Meters – Installation – Location.
- 10.56.090 Meters, individual – Display of time limit.
- 10.56.095 Meters, multi-space – Display of time limit.
- 10.56.100 Meter zone – Manner of parking required.
- 10.56.110 Meter – Driver operations required.
- 10.56.120 Meter zone – Parking unlawful when.
- 10.56.130 Parking meter – Overtime.
- 10.56.140 Parking meter – Extra time prohibited.
- 10.56.150 Parking meter – Time of operation.
- 10.56.160 Parking meter – Tampering with.
- 10.56.180 Meters – Improper use prohibited.
- 10.56.190 Payment by unauthorized person prohibited.
- 10.56.200 Meters – Limitations on use for certain purposes.
- 10.56.210 Rules of evidence – Parking in metered space deemed unlawful when.
- 10.56.220 Rules of evidence – Vehicle deemed parked by owner when.
- 10.56.230 Rules of evidence – Parking in unmetered space deemed owner’s responsibility.
- 10.56.240 Meters – Collection of deposited coins.
- 10.56.250 Meters – Purchase, lease and maintenance jurisdiction.
- 10.56.260 Meters – Use of moneys collected.
- 10.56.270 Permit parking – Established – Administration authority.
- 10.56.280 Permit parking – Form of permit – Authorized when.

- 10.56.290 Permit parking – Areas designated – Schedule XII.
- 10.56.300 Permits or tags – Cost – Period of validity – Prorating permitted when.
- 10.56.310 Permits or tags – Sale procedure – Display of permit.
- 10.56.320 Permits or tags – Issuance and use.

**10.56.010 Vehicle defined.**

*Repealed by Ord. 2670, 1996.* (Ord. 955 § 1, 1965).

**10.56.020 Meters – Installation and maintenance – Rates for use.**

The City Council shall provide for the installation of parking meters including curb or street marking lines, regulation and operation thereof, cause said meters to be maintained in good workable condition, and set the rates for parking in a space regulated by said meters by ordinance. The rates for parking in a space regulated by a meter are as follows:

- A. Thirty (30) Minute Meters. A \$0.25 deposit up to the maximum time limit established for the zone in which the meter is located; or
- B. Two, Three and Four Hour Meters. A \$0.25 deposit for each 30-minute interval or a \$0.50 deposit for each one-hour interval up to the maximum legal time limit established for the zone in which the meter is located; or
- C. Ten (10) Hour Meters. A \$0.25 deposit for each one-hour period up to the maximum legal time limit established for the zone in which the

meter is located. (Ord. 3138 § 3, 2009; Ord. 3094 § 2, 2007; Ord. 2670, 1996; Ord. 2436 § 2, 1991; Ord. 2367 § 1, 1990; Ord. 2143 § 1, 1986; Ord. 955 § 3, 1965).

**10.56.030 Meter zones – Established – Regulations generally.**

Pursuant to the authority of Vehicle Code Section 22508, parking meter zones and the rate of fees for parking in such zones shall be established in this chapter and applicable to those public parking lots and streets or parts of streets as identified and as described in CVMC 10.56.040, Schedule XI, in which zones the parking of vehicles shall be regulated by parking meters for the duration of time specified in said Schedule XI and for the hours of operation identified in CVMC 10.56.150. (Ord. 3138 § 3, 2009; Ord. 2670, 1996; Ord. 2436 § 3, 1991; Ord. 973 § 1, 1966; prior code § 19.17.1(A)).

**10.56.040 Meter zones – Designated – Time limits authorized in zone – Schedule XI.**

In accordance with CVMC 10.56.030, parking meter zones are hereby established upon those public parking lots and streets or portions of streets described herein in which parking of vehicles shall be regulated by parking meters between the hours and on days specified in CVMC 10.56.150 and upon the signs erected thereon, and for the duration specified below and upon the signs erected thereon, as follows:

**Schedule XI**

<b>Name of Street</b>	<b>Beginning At</b>	<b>Ending At</b>	<b>Side</b>	<b>Duration</b>
Center Street	Third Avenue	Del Mar Avenue	N/S	1 hour
Church Avenue	F Street	E Street	E/W	2 hours
Church Avenue	Center Street	Madrona Street	E/W	2 hours
Del Mar Avenue	F Street	Center Street	East	2 hours
E Street	Garrett Avenue	100 ft. E/E curblines of Landis Avenue	N/S	2 hours
F Street	Garrett Avenue	Del Mar Avenue	North	2 hours
G Street	100 ft. W/W curblines of Third Avenue	100 ft. E/E curblines of Church Avenue	N/S	2 hours
Garrett Avenue	125 ft. S/S curblines of E Street	150 ft. N/N curblines of E Street	East	2 hours
Landis Avenue	F Street	300 ft. N/N curblines of E Street	East	2 hours

**Schedule XI (Continued)**

<b>Name of Street</b>	<b>Beginning At</b>	<b>Ending At</b>	<b>Side</b>	<b>Duration</b>
Landis Avenue	F Street	170 ft. N/N curblines of E Street	West	2 hours
Madrona Street	Third Avenue	125 ft. E/E curblines of Third Avenue	N/S	2 hours
Park Way	125 ft. W/W curblines of Third Avenue	Third Avenue	N/S	2 hours
Third Avenue	E Street	Center Street	East	2 hours
Third Avenue	Center Street	Madrona Avenue	East	30 minutes or 2 hours
Third Avenue	Madrona Avenue	Alvarado Street	East	2 hours
Third Avenue	E Street	Roosevelt Street	West	2 hours

<b>Designated Parking Lot</b>	<b>Location</b>	<b>Duration</b>
No. 1	Near southwest corner of Landis and E Streets	10 hours
No. 2	Northeast corner of Landis and Davidson Streets	4 hours
No. 3	200 block of Landis (north of F Street)	10 hours
No. 4	340 F Street (near southwest corner of E Street)	3 hours Unlimited
No. 5	Near southeast corner of Third and Madrona	4 hours
No. 6	Northwest corner of Church and Madrona Streets	10 hours
No. 7	Southwest corner of Church and Center Streets	10 hours
No. 8	281 – 287 Church Avenue (between Church and Del Mar Streets)	10 hours
No. 9	Southwest corner of Church and Davidson Streets	4 hours
No. 10	Northwest corner of Church and Davidson Streets	10 hours
No. 11	222 Church Avenue (between E and Davidson Streets)	10 hours
NPSC	Norman Park Senior Center (between F and Center Streets)	2 hours

The City Engineer shall maintain within a register a Schedule XI listing the restrictions applicable to these locations where parking meter zones have been established. (Ord. 3138 § 3, 2009; Ord. 2983 § 2, 2004; Ord. 2712 § 1, 1997; Ord. 2670, 1996; Ord. 2623 § 1, 1995; Ord. 2488 § 2, 1991; Ord. 2436 § 4, 1991; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.56.050 Meter zones – Authorization for establishment.**

The City Engineer is hereby authorized, subject to the adoption by the City Council of amendments by ordinance to CVMC 10.56.040 and Schedule XI, to establish parking meter zones and the rate of fees at other locations upon those streets or parts of streets where it is determined upon the basis of an engineering and traffic investigation that the instal-

lation of parking meters shall be necessary to aid in the regulation, control and inspection of the parking of vehicles. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.1(B)).

**10.56.060 Meters – Placement and removal of posts.**

The City Engineer shall cause parking meter posts and appropriate parking control devices to be installed and removed pursuant to this chapter in a parking meter zone. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.17.1(C)).

**10.56.070 Meters – Installation – Authority.**

The City Finance Officer shall cause parking meters to be installed in accordance with the rate of fees adopted by the City Council in a parking meter

zone. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.1(D)).

**10.56.080 Meters – Installation – Location.**

Individual parking meters shall be installed upon the curb or sidewalk or area immediately adjacent to each parking space in a parking meter zone. Each meter shall be placed in such manner as to show or display by sign or signal that the parking space adjacent thereto is or is not legally in use. Multi-space parking meters shall be located within the zone regulated and indicated by appropriate parking control devices. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.2(A)).

**10.56.090 Meters, individual – Display of time limit.**

Each parking meter shall be set to display, after the operational procedure has been completed, a sign or signal indicating legal parking for that period of time conforming to the limit of parking time or portion thereof for which payment has been made for the zone in which said parking meter is installed, and shall continue to operate from the time of the completion of the operational procedure until the expiration of the time fixed as the parking limit or a portion thereof for the parking space for which said meter is placed. Each parking meter shall also be arranged so that upon the expiration of said legal parking time it will indicate by a mechanical operation and by proper signal that the lawful parking period has expired. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.2(B)).

**10.56.095 Meters, multi-space – Display of time limit.**

A multi-space meter shall, after deposit of payment required, dispense a ticket on which the amount of payment deposited, the applicable meter zone/lot for which the ticket is valid, and expiration date and time of valid parking period will be displayed. (Ord. 3138 § 3, 2009).

**10.56.100 Meter zone – Manner of parking required.**

When any vehicle is to be parked within a parking space regulated by a parking meter, the operator of said vehicle shall park within the assigned area designated by marking lines indicating parallel, diagonal, perpendicular, or other such manner of parking.

A. When a parking space regulated by a parking meter is parallel to an adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be alongside of the nearest parking meter.

B. When a parking space regulated by an individual parking meter is diagonal to a curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle directly at and nearest to such meter.

C. When a parking space is regulated by a multi-space meter, any vehicle parked within such parking space shall park in a manner such that the foremost part of the vehicle enters the space prior to the remainder of the vehicle. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.3).

**10.56.110 Meter – Driver operations required.**

Upon parking a vehicle in a parking space regulated by a parking meter, the owner or operator of such vehicle shall immediately make payment in the amount required by CVMC 10.56.020 for the time limit or any fractional portion as may be authorized for the zone in which said parking meter is installed.

A. For an individual parking meter, after the deposit of payment as required by this section, the owner or operator of such vehicle shall turn any crank, knob, handle or other device or perform such other actions as may be required in accordance with the instructions posted on the face of said parking meter.

B. For a multi-space meter, the owner or operator of such vehicle shall select the time period that the vehicle will remain parked in the parking space, make payment in the manner required in accordance with the instructions on said parking meter, remove the ticket dispensed from the parking meter, and place such ticket on the dashboard of said vehicle such that it is clearly visible from the exterior of the vehicle. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.4(A)).

**10.56.120 Meter zone – Parking unlawful when.**

Said parking space may then be used by such vehicle during the legal parking limit or fractional part thereof as may be authorized for the zone in which said parking meter is installed. Said vehicle shall be unlawfully parked if it remains in said space:

A. When the owner or operator has not complied with the operational procedure described in CVMC 10.56.110; or

B. Beyond the legal parking limit or fractional part thereof as indicated by a sign or signal displayed by the individual parking meter; or

C. Beyond the legal parking limit or fractional part thereof as indicated on the ticket dispensed from the multi-space parking meter. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.4(B)).

**10.56.130 Parking meter – Overtime.**

No person shall permit a vehicle to remain parked in any parking meter zone when the meter shows the parking time has expired or the ticket dispensed by the multi-space meter shows the parking time has expired. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 1867 § 2, 1979; Ord. 973 § 1, 1966; prior code § 19.17.4(C)).

**10.56.140 Parking meter – Extra time prohibited.**

A. No person shall permit a vehicle to remain parked beyond the time limit established for any parking meter zone in which the vehicle is parked.

B. No person shall deposit or cause to be deposited in a parking meter any payment for the purpose of increasing or extending the time during which a vehicle is parked beyond the time limit established for the parking meter zone in which the vehicle is parked. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 1867 § 2, 1979; Ord. 973 § 1, 1966; prior code § 19.17.4(D)).

**10.56.150 Parking meter – Time of operation.**

Parking meters shall be operated in parking meter zones every day between the hours of 9:00 a.m. and 6:00 p.m., except Sundays and holidays defined in CVMC 10.08.110. (Ord. 3138 § 3, 2009; Ord. 2670, 1996; Ord. 2436 § 5, 1991; Ord. 1867 § 2, 1979; Ord. 973 § 1, 1966; prior code § 19.17.4 (E)).

**10.56.160 Parking meter – Tampering with.**

It is unlawful and a violation of the provisions of this chapter for any unauthorized person to deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meters installed under the provisions of this chapter. (Ord. 2670 § 1, 1996; Ord. 1867 § 2, 1979; Ord. 973 § 1, 1966; prior code § 19.17.5).

**10.56.180 Meters – Improper use prohibited.**

No person shall deposit or cause to be deposited in any parking meter any defaced, bent or counterfeit coin, slug, coin other than those of the United States, device, or other material or instrument as substitute for a coin of the United States, except parking meter tokens authorized by the city. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.7).

**10.56.190 Payment by unauthorized person prohibited.**

No person, other than the owner or operator of a vehicle, or a member of the Police Department, as authorized in CVMC 10.56.110 through 10.56.150, shall deposit payment in any parking meter without the knowledge or consent of said owner or operator of the vehicle using the parking space regulated by such meter. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.8).

**10.56.200 Meters – Limitations on use for certain purposes.**

No person other than an authorized employee of the City shall attach anything to a parking meter or parking meter standard. No person shall allow a bicycle, newsrack or any other article or thing to lean against a parking meter or a parking meter standard. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.9).

**10.56.210 Rules of evidence – Parking in metered space deemed unlawful when.**

The parking or standing of any motor vehicle in a parking space, at which space the parking meter displays the sign or signal indicating illegal parking, shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this chapter. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.10(A)).

**10.56.220 Rules of evidence – Vehicle deemed parked by owner when.**

The parking or standing of any motor vehicle in a parking space which is controlled or regulated with the aid of a parking meter shall constitute a prima facie presumption that the vehicle has been parked or caused to be parked by the owner of such vehicle. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.10(B)).

**10.56.230 Rules of evidence – Parking in unmetered space deemed owner’s responsibility.**

The parking or standing of any motor vehicle in any parking space upon any street, alley or public place or parking lot in the City shall constitute a prima facie presumption that the vehicle has been parked or caused to be parked by the owner of such vehicle. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.10(C)).

**10.56.240 Meters – Collection of deposited coins.**

The coins deposited in the parking meters shall be collected by duly authorized agents of the City Finance Officer. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.11).

**10.56.250 Meters – Purchase, lease and maintenance jurisdiction.**

The purchasing, leasing, repairing and maintenance of parking meters; the placement and removal of parking meters from parking meter posts; and the payment of any and all expenses relating or incidental thereto shall be under the jurisdiction of the City Finance Officer. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.12).

**10.56.260 Meters – Use of moneys collected.**

All moneys collected from parking meters in the City shall be placed in a special fund, which fund shall be devoted exclusively to any or all of the following purposes:

A. For the purchasing, leasing, installing, repairing, maintaining, operating, removing, regulating and policing of parking meters in this City and for the payment of any and all expenses relating or incidental thereto;

B. For the purchasing, leasing, acquiring, improving, operating and maintaining of off-street parking facilities in the City;

C. For the installation and maintenance of traffic control devices and signals;

D. For the painting and marking of streets and curbs required for the direction of traffic and parking of motor vehicles;

E. For the proper regulation, control and inspection of parking and traffic upon the public streets;

F. To be pledged as security for the payment of principal and interest on off-street parking revenue bonds issued by the City or any parking district organized within the City. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.13).

**10.56.270 Permit parking – Established – Administration authority.**

Notwithstanding any other provisions of this chapter, there is hereby established a system of permit parking which the Finance Officer, or his designee, shall administer subject to the standards and provisions set forth in CVMC 10.56.280 through 10.56.320. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.17.14).

**10.56.280 Permit parking – Form of permit – Authorized when.**

In those parking meter zones and municipal parking lots approved by ordinance of the City Council, described in CVMC 10.56.290 and listed in Schedule XII of the register maintained by the City Engineer, a person may park any vehicle upon any public parking lots, designated by a 10-hour time limit, owned or operated by the City, upon proper display of a valid and current parking permit, in lieu of deposit of payment in the parking meter. (Ord. 3138 § 3, 2009; Ord. 2670, 1996; Ord. 2436 § 6, 1991; Ord. 2131 § 1, 1985; Ord. 973 § 1, 1966; prior code § 19.17.14(A)).

**10.56.290 Permit parking – Areas designated – Schedule XII.**

Pursuant to Vehicle Code Sections 22508 and 22519 and in accordance with CVMC 10.56.270 and 10.56.280, the following areas are also designated as permit parking areas wherein vehicles displaying appropriate parking permits or tags shall be allowed to park in spaces so marked for up to 10 hours (all day).

**Schedule XII**

<b>Parking Zone</b>	<b>Location</b>
Public Parking Lots 1 to 10 (Parking Meter Zones)	See CVMC 10.56.040 for locations

(Ord. 3138 § 3, 2009; Ord. 2983 § 3, 2004; Ord. 2670, 1996; Ord. 2488 § 3, 1991; Ord. 2436 § 7, 1991; Ord. 2131 § 1, 1985; Ord. 973 § 1, 1966; prior code § 19.22.1).

**10.56.300 Permits or tags – Cost – Period of validity – Prorating permitted when.**

For the required fee(s), said parking permits shall be sold to cover a calendar quarter of three months’ duration. Said permits may be obtained at the City Finance Office or other designated location. Applicants must be merchants or employees

of merchants owning or operating businesses within the downtown business area or City officers on behalf of City employees assigned to Norman Park Center. Applicants may request a proration of the quarterly fee if they are purchasing a permit for the balance of the calendar quarter, and such proration shall be made at the sole discretion of the Finance Officer or his designee. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 2506 § 1, 1992; Ord. 2488 § 4, 1991; Ord. 2436 § 8, 1991; Ord. 2131 § 1, 1985; Ord. 973 § 1, 1966; prior code § 19.17.14(B)).

**10.56.310 Permits or tags – Sale procedure – Display of permit.**

The Finance Officer, or his designee, shall establish the necessary procedure for the sale of such permits, and shall obtain the necessary permits which when displayed from the interior of a vehicle shall be clearly visible from the exterior of the vehicle. (Ord. 3138 § 3, 2009; Ord. 2670 § 1, 1996; Ord. 2436 § 9, 1991; Ord. 973 § 1, 1966; prior code § 19.17.14(C)).

**10.56.320 Permits or tags – Issuance and use.**

Such permits or tags shall be issued to the person applying therefor, and may be used on any vehicle owned by the permittee displaying such permit, decal, or tag. (Ord. 2670 § 1, 1996; Ord. 2436 § 10, 1991; Ord. 973 § 1, 1966; prior code § 19.17.14(D)).

**Chapter 10.60**

**LOADING ZONES\***

Sections:

- 10.60.010 Establishment and curb marking authorized – Limitation.
- 10.60.020 Curb loading zones – Permit fees.
- 10.60.030 Curb markings – Color to indicate use – Driver obedience required.
- 10.60.040 Permission to load or unload – Effect and time limits – Enforcement.
- 10.60.050 Yellow loading zones – Use for other purposes prohibited.
- 10.60.060 Passenger loading zones – Use for other purposes prohibited.
- 10.60.070 Bus zones – Location authority.
- 10.60.080 Special passenger loading zones – Establishment – Location – Hours of operation – Use restrictions.
- 10.60.090 Funeral zones – Use restrictions.
- 10.60.100 Taxicab stands – Establishment authority – Curb marking – Use restrictions.

\* For statutory authority for local governments to prohibit or restrict the parking or standing of vehicles on certain streets during all or a portion of the day, see Veh. Code § 22507.

CROSS REFERENCES: Stopping, Standing and Parking, see Chs. 10.52, 10.56 CVMC. Truck Routes, see Ch. 10.64 CVMC. Off-Street Parking and Loading, see Ch. 19.62 CVMC.

**10.60.010 Establishment and curb marking authorized – Limitation.**

By regulation pursuant to CVMC 10.04.030 and upon payment of required fees, the city engineer may establish the location of loading zones and passenger loading zones as follows: At any place in any business district, and elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.

Loading zones shall be indicated by yellow paint upon the top of all curbs in said zone, and passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones. In no event shall more than one-half of the total curb length in any block be reserved for such purposes. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.12.1).

**10.60.020 Curb loading zones – Permit fees.**

Applicants for a curb loading zone permit shall pay the required fee(s). (Ord. 2670 § 1, 1996; Ord. 2506 § 1, 1992; Ord. 1810 § 1, 1978; Ord. 1205 § 2, 1969; prior code § 27.1102).

**10.60.030 Curb markings – Color to indicate use – Driver obedience required.**

A. Whenever the City Engineer determines the need to install a parking control device to indicate parking or standing regulations, subject to the provisions and limitations of this chapter, the City Engineer shall place the following curb markings to indicate parking or standing regulations:

1. Red means no stopping, standing or parking at any time except as permitted by the Vehicle Code, except that a bus may stop in a red zone marked or signed as a bus zone;

2. Yellow means no stopping, standing or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays specified in CVMC 10.08.110 for any purpose other than the loading or unloading of passengers or materials; provided, that the loading or unloading of passengers shall not consume more than three minutes and the loading or unloading of materials 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 shall not exceed three minutes, such restrictions to apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays specified in CVMC 10.08.110, except said restrictions shall apply at all times when such zone is in front of a hotel or mailbox, or theater when the theater is open;

4. Green means no standing or parking for a period longer than 12 minutes at any time between 9:00 a.m. and 6:00 p.m. on any day except Sundays and holidays specified in CVMC 10.08.110, unless otherwise posted.

B. When the City Engineer, as authorized under this chapter, has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.12.2).

**10.60.040 Permission to load or unload – Effect and time limits – Enforcement.**

A. Permission herein granted to stop or stand a vehicle for the purpose of loading or unloading of

materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor and in no event for more than 20 minutes.

B. The loading or unloading of materials shall apply only to commercial deliveries, 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. Within the total time limits above specified, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading, but without permitting the abuse of the privileges hereby granted. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.12.3).

**10.60.050 Yellow loading zones – Use for other purposes prohibited.**

No person shall stop, stand or park a vehicle in any yellow loading zone for any purpose other than loading or unloading passengers or material for such time as is permitted in CVMC 10.60.040. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.12.4).

**10.60.060 Passenger loading zones – Use for other purposes prohibited.**

No person shall stop, stand or park a vehicle in any passenger loading zone for any purpose other than the loading or unloading of passengers for such time as is specified in CVMC 10.60.040. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.12.5).

**10.60.070 Bus zones – Location authority.**

The City Engineer may establish by regulation the location of bus zones opposite curb space for the loading and unloading of buses or common carriers of passengers, and said zones shall normally be established on the far side of an intersection. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.12.6).

**10.60.080 Special passenger loading zones – Establishment – Location – Hours of operation – Use restrictions.**

The City Engineer may, by regulation, establish special passenger loading zones, not more than 60 feet in length, located between two approved portable signs in front of or adjacent to, and within the

projected real property boundaries, of any church, theater, club or place of public assembly. Said signs shall be provided and paid for by the church, theater, club or place of public gathering for which they are used, and shall be of a size and design approved by the City Engineer.

Special passenger loading zones shall be in effect during those hours and days when the expeditious loading or unloading of passengers is required in connection with public gatherings at the locations for which they are established, and no operator of any vehicle shall stop, stand or park said vehicle in any such zone when the approved signs, as herein provided, are in place, for any period of time longer than is necessary for the loading or unloading of passengers and in no event to exceed three minutes. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.12.7).

**10.60.090 Funeral zones – Use restrictions.**

No operator of any vehicle shall stop, stand or park said vehicle for any period of time longer than is necessary for the loading or unloading of passengers and not to exceed three minutes at any place between portable signs placed within the projected real property boundaries of any undertaking establishment, private residence or any public or private place at any time during or within 40 minutes prior to the beginning of any funeral or funeral service, unless the operator of said vehicle is directed by or has received permission from the director or other person in charge of such funeral or funeral service to park such vehicle in such place. The director or person in charge shall place prior to and during the time limit herein specified two portable signs of a size and design approved by the City Engineer, one at each end of such funeral zone upon the sidewalk or on the pavement area within two feet of the curb. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.12.9).

**10.60.100 Taxicab stands – Establishment authority – Curb marking – Use restrictions.**

The City Engineer, by regulation, may establish the location of taxicab stands. The curb surface within each taxicab stand shall be painted white and marked “taxicab stand” in black lettering, or shall be designated by signs of a type and size approved by the City Engineer. No operator of any vehicle, other than a taxicab or automobile for hire, shall park said vehicle in such taxicab stand. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.12.10).

**Chapter 10.62**

**PARKING VIOLATIONS AND ENFORCEMENT**

Sections:

- 10.62.010 Parking enforcement – Authorized agents.
- 10.62.020 Enforcement – Written notice of violation – Contents – Placement.
- 10.62.030 Civil and late payment penalties and fees.

**10.62.010 Parking enforcement – Authorized agents.**

A. Every police officer and every City employee, and every volunteer (designated by the Chief of Police) charged with enforcement of the provisions of Chapters 10.52, 10.56 and 10.60 CVMC relating to illegal parking and time limitations in parking meter zones, the provisions of the California Vehicle Code, and the other laws of the state applicable to parking violations within the City, shall have the duty, when any vehicle is illegally parked, to issue written notice of violation thereof stating the state vehicle license number, make of such vehicle, the time and date of such illegal parking, meter number, street location, and a reference to the appropriate section of the code and the amount of the penalty for the violation.

B. Contract Enforcement. The City may enter into a contract with a duly qualified company, approved by the Chief of Police, to provide enforcement of Chapters 10.52, 10.56 and 10.60 CVMC relating to CVMC infractions only. (Ord. 3138 § 4, 2009; Ord. 3094 § 1, 2007; Ord. 2923 § 2, 2003; Ord. 2670 § 1, 1996; Ord. 2638 § 1, 1995; Ord. 2490 § 1, 1991; Ord. 2136 § 1, 1985; Ord. 2097 § 1, 1985; Ord. 1960 § 1, 1981; Ord. 1867 § 3, 1979).

**10.62.020 Enforcement – Written notice of violation – Contents – Placement.**

When any vehicle is illegally parked, an authorized agent may issue written notice of violation, in conformance with Vehicle Code Section 40202. The peace officer or person authorized to enforce parking laws and regulations shall securely attach to the vehicle a notice of parking violation setting forth the violation including reference to the section of this code or of the Public Resources Code, the local ordinance, or the federal statute or regulation so violated; the date; the approximate time thereof; the location where the violation occurred;

a statement printed on the notice indicating that the date of payment is required to be made not later than 21 calendar days from the date of citation issuance; and the procedure for the registered owner, lessee or rentee to deposit the parking penalty or, pursuant to Vehicle Code Section 40215, contest the citation. The notice of parking violation shall also set forth the vehicle license number and registration expiration date if they are visible, the last four digits of the vehicle identification number, if that number is readable through the windshield, the color of the vehicle, and, if possible, the make of the vehicle. The notice of parking violation, or copy thereof, shall be considered a record kept in the ordinary course of business of the issuing agency and the processing agency and shall be prima facie evidence of the facts contained therein. The notice of parking violation shall be served by attaching it to the vehicle either under the windshield wiper or in another conspicuous place upon the vehicle so as to be easily observed by the person in charge of the vehicle upon the return of that person. (Ord. 3138 § 4, 2009).

**10.62.030 Civil and late payment penalties and fees.**

A. Base penalty amounts for the following Chula Vista Municipal Code violations shall be \$12.00 if paid within 30 days of the notice of violation: CVMC 10.56.100; 10.56.110; 10.56.120; 10.56.140.

B. Base penalty amounts for the following Chula Vista Municipal Code violations shall be \$50.00 if paid within 30 days of the notice of violation: CVMC 10.52.485.

C. Base penalty amounts for the following Chula Vista Municipal Code violations and California Vehicle Code violations shall be \$25.00 if paid within 30 days of the notice of violation: CVMC 10.52.100; 10.52.110; 10.52.120; 10.52.130; 10.52.200; 10.52.210; 10.52.240; 10.52.330; 10.52.390; 10.52.420; 10.52.430; 10.52.480; 10.56.130; 10.56.310. California Vehicle Code Sections 2113(a); 22515; 22520.

D. Base penalty amounts for the following Chula Vista Municipal Code violations and California Vehicle Code violations shall be \$35.00 if paid within 30 days of the notice of violation: CVMC 10.52.040; 10.52.060; 10.52.070(A)(1) – (14); 10.52.090; 10.52.150; 10.52.160; 10.52.180; 10.52.190; 10.52.230; 10.52.270; 10.52.290; 10.52.310; 10.52.360; 10.52.450; 10.60.030; 10.60.050; 10.60.060; 10.60.080; 10.60.090; 10.60.100. California Vehicle Code Sections

21211; 22500(a) – (h); 22500(j), (k); 22500.1; 22514; 22516; 22517.

E. Base penalty amounts for the following California Vehicle Code violations shall be \$25.00. The base penalty will be reduced to \$10.00 upon submission of proof of correction within the time frames specified in the Vehicle Code of the state of California: California Vehicle Code Sections 5200; 5201; 5204(a).

F. The base penalties for the following California Vehicle Code violations shall be as set forth below:

California Vehicle Code Sections 4462(b) – \$100.00; 22500(i) – \$250.00; 22500(l) – \$275.00; 22507.8 – \$330.00; 22522 – \$275.00; 22523 – \$100.00; 22526 – \$50.00.

G. The base penalties for Chula Vista Municipal Code and California Vehicle Code violations not listed above shall be \$35.00 if paid within 30 days of the notice of violation, unless the penalty amount is set by the Vehicle Code of the state of California.

H. The owner or operator may mail such payments to the City's Director of Finance within the time established herein, but shall be responsible for delivery thereof to the office of the Director of Finance.

I. Late Payment Penalties. All base penalties under \$250.00 listed in subsections (B) through (F) of this section shall double if not paid within 30 days of the notice of violation, unless specifically restricted by the Vehicle Code of the state of California. The penalty for violations listed in subsection (A) of this section shall be \$35.00 if the penalty is not paid within 30 days of the notice of violation.

J. Failure to Pay. Failure to pay the appropriate penalty as provided herein or failure to contest the violation pursuant to Sections 40200.7 and 40215 of the Vehicle Code of the state of California will result in either notification of the Department of Motor Vehicles, which agency shall collect the maximum penalties and fee(s) established hereby at such time as the owner or operator seeks to register his vehicle in accordance with the provisions of Section 4760 of the Vehicle Code of the state of California, or if applicable, in legal proceedings being instituted in court against the person responsible for the unpaid penalties and fees in accordance with the provisions of Section 40220 of the Vehicle Code of the state of California. For those citations that remain unpaid beyond 30 days and for which a hold is placed on the registration by the Department of Motor Vehicles, an additional

\$10.00 fee shall be assessed. (Ord. 3138 § 4, 2009; Ord. 3094 § 1, 2007; Ord. 2923 § 2, 2003; Ord. 2670 § 1, 1996; Ord. 2638 § 1, 1995; Ord. 2490 § 1, 1991; Ord. 2136 § 1, 1985; Ord. 2097 § 1, 1985; Ord. 1960 § 1, 1981; Ord. 1867 § 3, 1979).

## Chapter 10.64

### TRUCK ROUTES\*

#### Sections:

- 10.64.010 Compliance required when.
- 10.64.020 Exemptions – Commercial delivery vehicles.
- 10.64.030 Exemptions – City of Chula Vista, public utility, solid waste, and contractors' vehicles.
- 10.64.040 *Repealed.*

\* For provisions of the Vehicle Weights Limits Act generally, see Veh. Code § 35551.

CROSS REFERENCES: Street Overloads, see Ch. 12.08 CVMC. Loading Zones, see Ch. 10.60 CVMC.

#### **10.64.010 Compliance required when.**

Except when provided in CVMC 10.64.020 and 10.64.030, it is unlawful to operate a vehicle weighing in excess of 10,000 pounds except upon a truck route designated within the City limits. This section is effective when signs marked "truck route" have been installed along the designated truck routes, and the City Engineer has installed signage at each vehicular point of entry into Chula Vista restricting vehicles in excess of 10,000 pounds to designated truck routes. The City Engineer shall maintain within a register Schedule VII listing all streets or portions of streets that are designated "truck routes." (Ord. 3033 § 1, 2006; Ord. 2670, 1996; Ord. 2482 § 1, 1991; Ord. 2024 § 1, 1983; Ord. 973 § 1, 1966; prior code § 19.13.1(A)).

#### **10.64.020 Exemptions – Commercial delivery vehicles.**

The provisions of this chapter shall not prohibit any commercial vehicle coming from an unrestricted street, or portion thereof, as enumerated or described in CVMC 10.64.040 and Schedule VII, from having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.13.1(B)).

**10.64.030 Exemptions – City of Chula Vista, public utility, solid waste, and contractors’ vehicles.**

The provisions of this chapter shall not be applicable to any vehicle owned by the City of Chula Vista, a public utility or a licensed contractor while necessarily in use in the construction, installation or repair of any public facility or utility; to any vehicle subject to the provisions of Sections 1031 through 1036, inclusive, of the California Public Utilities Code; or to any vehicle used for the collection and transportation of garbage and solid waste. (Ord. 2815, 2000; Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.13.1(C)).

**10.64.040 Load restrictions upon vehicles using certain streets – Schedule VII.**

*Repealed by Ord. 3033 § 2, 2006.* (Ord. 2670, 1996; Ord. 2482 § 1, 1991; Ord. 973 § 1, 1966; prior code § 19.22.1).

**Chapter 10.68****EMERGENCY VEHICLES\***

(Repealed by Ord. 2670, 1996)

\* For statutory provisions regarding emergency vehicles, see Veh. Code § 21806, which preempts this chapter.

**Chapter 10.72****BICYCLES\***

## Sections:

- 10.72.010 Compliance required – Failure deemed misdemeanor.
- 10.72.020 Responsibility of parent or guardian of child.
- 10.72.030 Regulations applicable when.
- 10.72.040 License – Required.
- 10.72.050 License – Application – Fee.
- 10.72.060 License – Records to be kept.
- 10.72.070 Dealers – Serial numbers – Required.
- 10.72.090 Bicycle dealers – Bicycle sales reports required.
- 10.72.100 License – Renewal.
- 10.72.110 License plate – Attachment to bicycle frame required.
- 10.72.120 Rental agency requirements.
- 10.72.130 License – Mechanical inspection prerequisite.
- 10.72.140 Compliance with traffic laws required when.
- 10.72.150 Obedience to traffic control devices required.
- 10.72.160 Turning movements – Obedience to signs required when.
- 10.72.170 Tampering with or destroying certain frame numbers prohibited – Exception.
- 10.72.180 Parking zones – Establishment authority – Use restrictions.
- 10.72.190 Operation upon sidewalks.

\* Prior legislation: Prior code §§ 19.12.8 and 19.21.1 through 19.21.11; Ord. 973.

**10.72.010 Compliance required – Failure deemed misdemeanor.**

It is an infraction for any person to do any act forbidden, or to fail to perform any act required, by CVMC 10.72.020 through 10.72.130 and 10.72.170. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.020 Responsibility of parent or guardian of child.**

The parent or guardian of any child shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.030 Regulations applicable when.**

These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.040 License – Required.**

No person who resides within the city shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate is attached thereto as provided herein. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.050 License – Application – Fee.**

Application for a bicycle license and license plate or license indicia furnished by the state shall be made upon a form provided by the city and retained by the chief of police and shall be accompanied by the required fee(s).

Said fees shall be used to defray the cost of administering the bicycle licensing program or to reimburse bicycle dealers for any services which they may provide. In addition, the fees may be used to improve bicycle safety programs and establish bicycle facilities, including bicycle paths and lanes. (Ord. 2670 § 1, 1996; Ord. 2506 § 1, 1992; Ord. 2109 § 1, 1985; Ord. 1844 § 1, 1978; Ord. 1641 § 1, 1975).

**10.72.060 License – Records to be kept.**

The city shall maintain records of each bicycle registered. Such records shall include, but not be limited to, the license number, the serial number of the bicycle; the make, type, and model of the bicycle; and the name and address of the licensee. Records shall be maintained by the licensing agency during the period of validity of the license or upon notification that the bicycle is no longer to be operated. Each bicycle retailer shall supply to each purchaser a record of the following information: name of retailer, address of retailer, year and make of bicycle, and serial number of bicycle. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.070 Dealers – Serial numbers – Required.**

After December 31, 1974, no bicycle retailer shall sell any new bicycle in this state unless such bicycle has permanently stamped or cast on its frame a serial number unique to the particular bicycle of each manufacturer. Serial numbers shall be

stamped or cast in the head of the frame, either side of the seat down-post tube, or the bottom sprocket bracket. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.090 Bicycle dealers – Bicycle sales reports required.**

Any person buying, selling or trading used bicycles within the city is required to make a report to the licensing agent within 30 days, giving the name, address and telephone number of all persons either buying, selling or trading used bicycles, and the bicycle manufacturer, type, frame number and bicycle license number, if any. (Ord. 2670 § 1, 1996; Ord. 1830 § 2, 1978; Ord. 1641 § 1, 1975).

**10.72.100 License – Renewal.**

Licenses must be renewed every three years. Renewal of a bicycle license shall be indicated by a supplementary adhesive device affixed on or near the indicia. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.110 License plate – Attachment to bicycle frame required.**

The license plate or indicia shall be firmly attached to the frame of the bicycle for which it is issued, and no person shall remove a license plate from a bicycle during the period for which it is issued, except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in the city. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.120 Rental agency requirements.**

A rental agency shall not rent or offer any bicycle for rent unless said bicycle is licensed and a license plate is attached thereto as provided herein, and such bicycle is equipped with the lamps and other equipment required in this chapter, or under state law. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.130 License – Mechanical inspection prerequisite.**

The chief of police, or an officer assigned such responsibility, shall inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he determines is in unsafe mechanical condition. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.140 Compliance with traffic laws required when.**

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this chapter and except as to those provisions of laws and ordinances which by their nature can have no application. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.150 Obedience to traffic control devices required.**

Any person operating a bicycle shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.160 Turning movements – Obedience to signs required when.**

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the directions of any such signs, except where such person dismounts from the bicycle to make such turn, in which event such person shall then obey the regulations applicable to pedestrians. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.170 Tampering with or destroying certain frame numbers prohibited – Exception.**

It is unlawful for any person to willfully or maliciously remove, destroy, alter or mutilate the number of any bicycle frame licensed pursuant to this chapter. It shall also be unlawful for any person to remove, destroy, alter or mutilate any license plate, seal or registration pursuant to this chapter; provided, however, that nothing in this chapter shall prohibit the police department from stamping numbers on the frames of bicycles on which no serial number can be found or on which said number may be illegible or insufficient for identification purposes. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.180 Parking zones – Establishment authority – Use restrictions.**

The city engineer may, by regulation, establish bicycle parking zones in areas adjacent to the curbs, not more than 36 feet in length, as necessary to provide facilities for the temporary parking of

bicycles. Whenever a bicycle parking zone is so established, the city engineer is authorized to place appropriate signs giving notice that parking of other vehicles is prohibited during such hours of such days, and no person shall stop, stand or park any vehicle other than a bicycle in such zone when said signs are in place, contrary to the directions or provisions of such signs. (Ord. 2670 § 1, 1996; Ord. 1641 § 1, 1975).

**10.72.190 Operation upon sidewalks.**

Persons may operate bicycles upon sidewalks within residential areas; provided, however, no person shall ride a bicycle upon a sidewalk within business districts as described by this code, nor shall any person ride upon any other sidewalk within this city which has been posted by the city engineer with signs prohibiting such riding. (Ord. 2670, 1996; Ord. 1830 § 3, 1978).

## Chapter 10.76

### PEDESTRIANS\*

#### Sections:

- 10.76.010 Crosswalks – Establishment authority – Marking.
- 10.76.020 Crosswalks – Location restrictions.
- 10.76.030 Crosswalks – Use prohibition authorized when.
- 10.76.040 Crosswalks – Use required in business districts.
- 10.76.050 Obedience to pedestrian traffic signals required.
- 10.76.060 School safety patrol regulations.
- 10.76.070 School pedestrian lane requirements.

\* For statutory provisions authorizing certain municipal regulation of pedestrians, see Veh. Code §§ 21961, 21106 and 21109.

#### **10.76.010 Crosswalks – Establishment authority – Marking.**

The city 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 all intersections where the city engineer determines that there is a particular hazard to pedestrians crossing the roadway, subject to the limitation contained in CVMC 10.76.020. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.9.1(A)).

#### **10.76.020 Crosswalks – Location restrictions.**

Other than crosswalks at intersections, no crosswalk shall be established in any block which is less than 600 feet in length and such crosswalk shall be located as nearly as practicable at mid-block. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.9.1(B)).

#### **10.76.030 Crosswalks – Use prohibition authorized when.**

The city engineer may place signs at or adjacent to an intersection in respect to any crosswalk directing that pedestrians shall not cross in the crosswalk so indicated. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.9.1(C)).

#### **10.76.040 Crosswalks – Use required in business districts.**

No pedestrian shall cross a roadway, other than by a crosswalk, in any business district. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.9.2).

#### **10.76.050 Obedience to pedestrian traffic signals required.**

Pedestrians shall obey the indications of special traffic signals installed for pedestrians only and shall disregard the indication of a vehicular traffic signal at any location where special pedestrian traffic signals are in place. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.9.3).

#### **10.76.060 School safety patrol regulations.**

The chief of police is authorized to appoint crossing guards or a school safety patrol to direct traffic at school crossings by means of lawful orders, signs or semaphores. Such persons shall wear a distinctive garb or insignia indicating such appointment. No minor other than a member of the school safety patrol shall direct or attempt to direct traffic unless authorized to do so by order of the chief of police. (Ord. 2670 § 1, 1996; Ord. 973 § 1, 1966; prior code § 19.20.1).

#### **10.76.070 School pedestrian lane requirements.**

It is unlawful for any person driving or operating, propelling or causing to be propelled, any vehicle to fail to stop at a limit line placed in advance of a school pedestrian lane where any signal, flagman or person is stationed giving warning that children are about to cross or are crossing the street; it is unlawful to proceed until such signal has stopped, raised or been removed, or the flagman or the person stationed at such pedestrian lane has given a signal to go or has left the locality. (Ord. 2670, 1996; Ord. 973 § 1, 1966; prior code § 19.20.2).

**Chapter 10.80****ABANDONED VEHICLES\***

## Sections:

- 10.80.010 Purpose and intent of provisions – Vehicle declared nuisance when.
- 10.80.020 *Repealed.*
- 10.80.030 Exemptions from applicability – Scope.
- 10.80.040 *Repealed.*
- 10.80.050 Enforcement authority – Right of entry.
- 10.80.060 Abatement – Costs – Procedure generally – Notices required.
- 10.80.070 Abatement – Public hearing required when – Notice – Manager or his or her designee authority.
- 10.80.080 *Repealed.*
- 10.80.090 Disposal of vehicle – Time requirements.
- 10.80.100 Notification and transfer of evidence required when.
- 10.80.110 Costs – Assessment and collection procedures.
- 10.80.120 Removal of vehicles from streets authorized when.

\* For statutory provisions regarding local ordinances dealing with removal of abandoned vehicles from highways, see Veh. Code § 22660; for provisions regarding removal of vehicles in general, see Veh. Code § 22650, et seq.

CROSS REFERENCE: Stopping, Standing and Parking, see Chs. 10.52, 10.56 CVMC. Tow Trucks, see Ch. 5.58 CVMC.

**10.80.010 Purpose and intent of provisions – Vehicle declared nuisance when.**

The purpose and intent of the council in adopting CVMC 10.80.010 through 10.80.120 is to establish procedures pursuant to Sections 22660 to 22664 of the California Vehicle Code for the abatement, removal and disposal, as public nuisances, of abandoned, wrecked, dismantled or inoperative vehicles or vehicle parts from private or public property, not including highways, and the recovery of the cost of administration and removal thereof pursuant to the provisions of Section 38773.5 of the Government Code of the state of California. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2301).

**10.80.020 Definitions.**

*Repealed by Ord. 2718 § 1, 1998.* (Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2302).

**10.80.030 Exemptions from applicability – Scope.**

The provisions of CVMC 10.80.010 through 10.80.120 shall not apply to:

A. A vehicle, or parts thereof, which is completely enclosed within a building in a lawful manner, or otherwise stored in a lawful manner behind a solid fence, gate or wall not less than six feet in height, and where it is not readily visible from the street or other public or private property; or

B. A vehicle, or parts thereof, which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, or a junkyard, when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise. This exception shall not, however, authorize the maintenance of a public or private nuisance as defined under the provisions of law and elsewhere in the code. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2303).

**10.80.040 Regulations not exclusive.**

*Repealed by Ord. 2718 § 1, 1998.* (Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2304).

**10.80.050 Enforcement authority – Right of entry.**

Provisions of this chapter shall be administered by regularly salaried full-time employees of the city, except that the removal of vehicles from property may be by any other duly authorized person. Any such authorized person may enter upon private property for the purposes specified in this section to examine a vehicle, and remove or cause to be removed the vehicle declared to be a nuisance pursuant to this chapter. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2305).

**10.80.060 Abatement – Costs – Procedure generally – Notices required.**

Any vehicle located on property other than a highway may be removed as a public nuisance and disposed of in accordance with the following procedures:

A. Not less than 10 days prior to any removal or disposal of a vehicle, a notice of intention to abate and remove the vehicle as a public nuisance shall be issued, unless the property owner and the owner of the vehicle have signed releases authorizing removal and waiving further interest in the vehicle. The notice shall contain a statement of the hearing rights of the owner of the vehicle and of the owner of the property on which the vehicle is located. The statement shall include notice to the property owner that he may appear in person at a hearing or may submit a sworn statement denying responsibility for the presence of the vehicle on the land, with his reason for such denial, in lieu of appearing. The notice of intention to abate shall be mailed, by registered or certified mail, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owners of record unless the vehicle is in such condition that identification numbers are not available to determine ownership.

B. The cost of removal and disposal of any vehicle and the administrative cost thereof may be charged against the person who is determined to be responsible for the maintenance of the vehicle as a public nuisance.

C. The vehicle may be disposed of by removal to a scrapyard, automobile dismantler's yard or any suitable site for processing as scrap. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2306).

**10.80.070 Abatement – Public hearing required when – Notice – Manager or his or her designee authority.**

A. Upon request by the owner of the vehicle or the owner of the land on which the vehicle is located, a public hearing shall be held before the city manager or designee. This request shall be made to the manager or his designee within 10 days after the mailing of the notice of intention to abate and remove the vehicle.

B. The owner of the land on which the vehicle is located may appear in person at the hearing. Instead of making an appearance, he may present a sworn written statement, in time for consideration at the hearing, denying responsibility for the presence of the vehicle on the land, with his reasons for his denial. This statement shall be construed as a request for a hearing which does not require the presence of the owner submitting the request. 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 costs of administration or removal of the vehicle shall not be assessed against the property upon which the vehicle is located or collected from the landowner. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2307(A)).

**10.80.080 Appeal of decision – Public hearing – Notice – Board of appeals and advisors authority.**

*Repealed by Ord. 2718 § 1, 1998.* (Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2307(B)(1)).

**10.80.090 Disposal of vehicle – Time requirements.**

Five days after adoption of the order declaring the vehicle or parts thereof to be a public nuisance, five days from the date of mailing of notice of the decision if such notice is required by CVMC 10.80.010 through 10.80.120, or 15 days after such action of the manager or designee authorizing removal following appeal, the vehicle or parts thereof may be disposed of by removal to a scrapyard or automobile dismantler's yard. After a vehicle has been removed, it shall not thereafter be reconstructed or made operable. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668 § 1, 1996; Ord. 1338 § 1, 1971; prior code § 19.2307(B)(2)).

**10.80.100 Notification and transfer of evidence required when.**

Within five days after the date of removal of the vehicle or parts thereof, notice shall be given to the Department of Motor Vehicles identifying the vehicle or parts thereof removed. At the same time there shall be transmitted to the Department of Motor Vehicles any evidence of registration available, including registration certificates, certificates of title and license plates. Any licensed dismantler or commercial enterprise acquiring vehicles removed pursuant to this section shall be excused from the reporting requirements of Section 11520 of the California Vehicle Code; and any fees and penalties which would otherwise be due to the Department of Motor Vehicles are hereby waived; provided, that a copy of the resolution or order authorizing disposition of the vehicle is retained in the dismantler's or commercial enterprise's business records. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668, 1996; Ord. 1338 § 1, 1971; prior code § 19.2307(B)(3)).

### **10.80.110 Costs – Assessment and collection procedures.**

If the administrative costs and the cost of removal which are charged against the owner of a parcel of land pursuant to Section 38771, et seq., of the Government Code and Chapter 1.30 CVMC are not paid within 30 days of the date of the order, or the final disposition of an appeal therefrom, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and shall be transmitted to the tax collector for collection. Said assessment shall have the same priority as other city taxes. (Ord. 2670 § 1, 1996; Ord. 2668, 1996; Ord. 1676 § 1, 1976; Ord. 1338 § 1, 1971; prior code § 19.2307(B)(4)).

### **10.80.120 Removal of vehicles from streets authorized when.**

Any regularly employed and salaried officer of the police department may remove or cause to be removed:

A. Any vehicle which is parked or left standing upon a street or highway for 72 or more consecutive hours;

B. Any vehicle which is parked on a highway in violation of any provision of this title, the Vehicle Code or other law or ordinance forbidding standing or parking, when the use of such highway or a portion thereof is necessary for the cleaning, repair or construction of the highway or for the installation of underground utilities, and signs giving notice that such vehicle may be removed are erected and placed at least 24 hours prior to the removal;

C. Any vehicle parked upon a highway which has been authorized by the council or other competent authority for a purpose other than the normal flow of traffic, or for the movement of equipment, articles or structures of unusual size, and the parking of said vehicle would prohibit or interfere with such use or movement, providing that signs giving notice that such vehicle may be removed are erected or placed at least 24 hours prior to the removal of such vehicle;

D. Any vehicle parked or left standing, when the city council by resolution or ordinance has prohibited such parking and has authorized the removal by ordinance. No vehicle may be removed unless signs are posted giving notice of the removal. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 2668, 1996; Ord. 973 § 1, 1966; prior code § 19.3.5).

## **Chapter 10.84**

### **PARKING RESTRICTED ON PRIVATE PROPERTY**

Sections:

- 10.84.010 Purpose and intent of provisions – Parked vehicles declared nuisance – When.
- 10.84.020 Parking prohibited on portions of private property.
- 10.84.030 Citation of vehicles parked in prohibited areas.
- 10.84.035 Citation authority.
- 10.84.036 *Repealed.*

#### **10.84.010 Purpose and intent of provisions – Parked vehicles declared nuisance – When.**

The purpose and intent of the council in adopting CVMC 10.84.010 through 10.84.030 is to establish procedures for the notification, citation and removal of vehicles from private property in the front yard, unfenced exterior and parkway areas of the city. (Ord. 2718 § 1, 1998; Ord. 2670 § 1, 1996; Ord. 1676 § 2, 1976).

#### **10.84.020 Parking prohibited on portions of private property.**

No vehicle, vacation trailer, camping trailer, boat, boat trailer, camper or recreational vehicle may be parked or placed within the front yard or exterior side yard (i.e., street side of a corner lot) setback, except as follows:

- A. In a garage or carport.
- B. On a paved driveway.

C. On a dust-free area adjacent to a paved driveway. “Adjacent” shall mean within 10 feet of the edge of the driveway. (Refer to CVMC 19.62.150 for further limitations.) Note: “Dust-free” shall mean grass or decomposed granite/paving per city standards adopted to accomplish a dust-free surface.

D. When parking is not available under subsections (A) through (C) of this section, then consideration shall be given by the zoning administrator to select a parking area on the opposite side of the lot or other appropriate locations on the property as per CVMC 19.62.110. The applicant or other interested persons may appeal the decision of the zoning administrator to the planning commission. The appeal shall be filed in writing with the planning department within 10 days of the administrator’s action, and accompanied by the required appeal

fee(s). Appeals to the city council from the actions of the planning commission shall follow the same procedure.

Unmounted campers and camper shells may not be placed in the front yard, driveway, or unscreened (by solid six-foot-high fence or hedge) exterior side yard setback area for a period of more than 72 hours. (Ord. 2670 § 1, 1996; Ord. 2506 § 1, 1992; Ord. 2176 § 3, 1986; Ord. 1676 § 2, 1976).

**10.84.030 Citation of vehicles parked in prohibited areas.**

Any police officer of the city of Chula Vista or other employee with citation authority may cite a vehicle for a violation of CVMC 10.52.040 and 10.84.020; provided, however, a warning in the form provided by the police department of the city shall first be placed upon the vehicle. Seventy-two (72) hours after the placement of such warning, the citation may be issued. (Ord. 2670 § 1, 1996; Ord. 2176 § 4, 1986; Ord. 1676 § 2, 1976).

**10.84.035 Citation authority.**

The planning and building director, code enforcement officers and other employees designated by the planning and building director shall have the authority to enforce Chapters 10.52, 10.84 and 19.62 CVMC by issuing written notice of the violation. (Ord. 2790, 1999; Ord. 2670 § 1, 1996; Ord. 2176 § 4, 1986).

**10.84.036 Notice of violation.**

*Repealed by Ord. 2718 § 1, 1998.* (Ord. 2670 § 1, 1996; Ord. 2176 § 4, 1986).

**Chapter 10.86**

**PERMIT PARKING IN RESIDENTIAL ZONES**

Sections:

- 10.86.010 Purpose and intent.
- 10.86.020 Permit parking in excess of time limitations.
- 10.86.030 Citation of permit vehicles.

**10.86.010 Purpose and intent.**

The purpose and intent of the city council in adopting CVMC 10.86.010 through 10.86.030 is to establish procedures for the issuance of permits to residential property owners or tenants to enable such persons to park their vehicles in the street adjacent to their homes for periods in excess of the time limitation established for parking on such streets. The city engineer shall maintain within a register a Schedule XVI listing all streets or portions of streets that are designated for "Permit Parking on Certain Residential Streets with Time Limited Parking." (Ord. 2670, 1996; Ord. 1904 § 1, 1980).

**10.86.020 Permit parking in excess of time limitations.**

Any owner or tenant resident of property located on a residential street which has time-limited parking may obtain at no cost, by showing proof of residence and vehicle registration at said address, a permit from the city engineer which authorizes said vehicle to be parked on residential streets, as designated on said permit, where a time limitation has been imposed, in excess of said time limitation. (Ord. 2670, 1996; Ord. 2638 § 1, 1995; Ord. 1904 § 1, 1980).

**10.86.030 Citation of permit vehicles.**

Police officers or other persons charged with the duty of enforcement of traffic regulations in the city shall not issue citations to any vehicle displaying the authorized permit issued by the city engineer regardless of the length of time that said vehicle may be parked on any residential street on which a two-hour parking time limitation has been imposed; provided, however, such permits shall not authorize parking in excess of the 72-hour limitation as imposed by CVMC 10.52.100. (Ord. 2670, 1996; Ord. 1904 § 1, 1980).