



**SECTION 1. RECITALS.** The above recitals are true and correct and made a part of this ordinance.

**SECTION 2. CEQA.** Approval of the amendments is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

**SECTION 3. AMENDMENT OF CODE.** Title 6, Chapters 6-1 and 6-2 of the San Leandro Municipal Code are hereby amended to read as provided in Exhibit A, which is incorporated herein and made a part hereof, with additions in underline and deletions in strikethrough text.

**SECTION 4. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

**SECTION 5. EFFECTIVE DATE AND PUBLICATION.** This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.

2882512.1

**Exhibit A**  
**San Leandro Municipal Code**  
**Proposed Changes**

**CHAPTER 6-1 TRAFFIC CONTROL**

**ARTICLE 4. PARKING (GENERAL)**

**6-1-415 ANGLE PARKING.**

The City Manager may designate these streets on which angle parking shall be permitted, provided that the City Manager shall mark or sign any such street indicating the angle at which vehicles shall be parked. To park a vehicle in any orientation other than at the angle to the curb or edge of the roadway indicated by signs or markings, or in any Parking Space equipped with a Parking Meter in any orientation other than with the front of the vehicle closest to the Parking Meter or curb, unless the space is expressly designated for "back in only" Parking. ~~When signs or markings are in place indicating angle parking as herein provided, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.~~ A list of the streets on which angle parking is permitted shall be maintained in the Traffic Code.

**ARTICLE 5. NO PARKING AND LIMITED PARKING (ALL VEHICLES)**

**6-1-505 CURB MARKINGS.**

Whenever the City Manager, or designee, designates parking prohibitions or restrictions and directs the placement of curb markings designating such prohibitions or restrictions, the following colors only shall be used, and the colors indicate as follows:

(a) RED indicates no stopping, standing, or parking, except that a bus may stop in a red zone marked or sign posted as a bus loading zone.

(b) ~~YELLOW indicates no stopping, standing, or parking at any time between the hours of 8:00 a.m. and 5:00 p.m. of any day except Sunday and holidays, unless otherwise provided in this subsection, for any purpose other than loading or unloading freight onto or from a commercial vehicle, or passengers, in an expeditious manner, and in no case for more than twenty (20) minutes for loading or unloading freight onto or from a commercial vehicle, nor for more than three (3) minutes for loading or unloading passengers, except as otherwise indicated by signs placed pursuant to ordinance. Notwithstanding the foregoing to the contrary, Sunday and holidays shall not be excepted from the parking restrictions of this subsection whenever streets or portions thereof are designated with curb markings or signs indicating that Sunday and holidays are not excepted.~~

YELLOW indicates no stopping, standing, or parking, except for the purpose of active loading or unloading passengers or freight, during any time in which parking is restricted or prohibited at that yellow zone. Non-commercial vehicles shall not be parked in a yellow zone in excess of a period of three minutes, during which the operator must be in attendance, under any circumstances during times when parking is restricted at a yellow zone.

(c) WHITE indicates no stopping, standing, or parking, for any purpose other than loading or unloading passengers or depositing mail in an adjacent mailbox in an expeditious manner, and in no case for more than three (3) minutes. ~~This restriction shall be effective between the hours of 8:00 a.m. and 5:00 p.m. of any day except Sunday and holidays, except that it shall be effective at all times in front of a police station, fire station, hospital, mailbox, post office, hotel, rooming house, theater open for business, or apartment house of five (5) or more stories in height, and except as otherwise indicated by signs placed pursuant to ordinance.~~ This restriction shall be in effect during all times unless limited to specified hours and/or days by posted signs.

(d) GREEN indicates no stopping, standing, or parking, for a period of time greater than the specified time limit and/or days by posted signs, ~~twenty four (24) minutes between the hours of 9:00 a.m. and 9:00 p.m. of any day except Sunday and holidays, and except as otherwise indicated by signs placed pursuant to ordinance.~~

(e) BLUE indicates parking limited exclusively to the vehicles of physically handicapped persons, which vehicles display either a distinguishing license plate or a placard issued pursuant to California Vehicle Code Section 22511.5.

## **ARTICLE 8. MISCELLANEOUS**

### **6-1-810 OBSTRUCTION OF ENFORCEMENT.**

No person shall obstruct the enforcement of this Chapter by any officer or employee of the City of San Leandro by:

- (a) removing, obliterating or concealing any distinguishing mark placed by any such officer or employee on any vehicle in the course of enforcing any provision of this Chapter, or;
- (b) moving any vehicle from any parking space on any street or municipal parking lot where parking is limited as to time to any other parking space on any street or municipal parking lot where parking is limited as to time for the purpose of evading any such parking time limitation established by or pursuant to any provision of this Chapter.
  - i. For the purpose of Parking regulations other than a violation of 6-1-405(a) (Parking Prohibited for More than 72 Hours), a vehicle must be moved a minimum of one-tenth of a mile during the limited parking period; otherwise, it shall be deemed to have remained stationary.

## **CHAPTER 6-2 PARKING METER AND TOW AWAY ZONES**

### **ARTICLE 1. PARKING METER ZONES**

#### **6-2-100 PARKING METER ZONES**

- (a) Parking Meter Zones. The City Council, on the recommendation of the City Manager, shall by resolution from time to time as traffic conditions require, designate parking meter zones, upon such streets or portions of streets of the City of San Leandro as are selected for the location of parking meter zones; and the City Manager shall cause parking meters to be installed and shall cause parking meter spaces to be designated within parking meter zones, as hereinafter provided. The City Council, on recommendation of the City Manager, may modify or eliminate parking meter zones.

Unless otherwise permitted by signs, no person shall stop, stand or park a vehicle in a parking meter zone between the hours designated within the parking meter zone of any day for longer than the prescribed period. For purposes of this section, the term parking meter zone means an area in which signs, parking meters or curb markings prescribe a designated period for parking of vehicles.

- (b) Variations. When temporary special parking or traffic conditions require different hours or days of parking restrictions, the City Manager may vary the hours and days during which the restrictions in the parking meter zones shall be in effect, and, when authorized signs are in place giving notice thereof, no person shall stop, stand, or park any vehicle contrary to the direction or provisions of such signs.
- (c) Off-Street Parking Meter Zones. The City Council may by resolution establish off-street parking meter zones, including any land owned, leased, or controlled by the City, as traffic and parking conditions require. Such resolution shall also establish the fees for parking in such off-street parking meter zones.

#### **6-2-105 PARKING METERS.**

The City Manager shall cause parking meters to be installed in all parking meter zones upon the curb, sidewalk or other area immediately adjacent to or near each parking space. ~~Each parking meter shall be installed in such manner as to indicate by visual signal that the regulated parking space is or is not legally in use and by visual register the remaining period of time of such legal use after deposit of fees therein as hereinafter prescribed.~~

No person shall park a vehicle in a parking meter zone, except as otherwise permitted by this chapter, without immediately depositing payment corresponding to the parking space occupied such lawful payment as is permitted or required by such parking meter, and when required by directions on the meter setting in operation the timing mechanism thereof, unless the parking meter indicates at the time such vehicle is parked that an unexpired portion remains of the period of time for which a payment has previously been deposited.

Each parking meter shall ~~bear an inscription~~ indicate the period of time that a vehicle may legally be stopped, parked or left standing in the regulated parking space.

When any vehicle is parked in any space alongside of or next to a single-space parking meter which is located in accordance with the provisions of this chapter, or when any vehicle is parked in any space or zone adjacent to which a multi-space parking meter is located in accordance with the provisions of this chapter, the operator of said vehicle shall, upon entering said parking space or zone, immediately cause to be deposited in the appropriate denomination, or otherwise immediately purchase time using an approved method of payment, according to the time interval desired within the maximum limit and the posted parking rates.

#### **6-2-110 PARKING SPACES.**

The City Manager shall cause each parking space within a parking meter zone to be marked with white lines designating such parking space. No person shall stop, park or leave standing any vehicle in a parking meter zone in any manner other than wholly within a parking space so designated.

#### **6-2-115 DEPOSIT OF FEES.**

Any person who shall stop, park or leave standing a vehicle in a parking space in a parking meter zone shall immediately thereupon deposit fees as hereinafter prescribed in the parking meter adjacent to or near such parking space.

#### **6-2-120 TIME EXPIRED.**

No person shall stop, park or leave standing any vehicle in a parking space in a parking meter zone at any time during which the parking meter signal indicates that the parking space is not legally in use except during such time as is reasonably necessary to deposit fees in such parking meter. ~~The parking meter zones are as follows:~~  
No person shall purchase time from any parking meter using any method of payment for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space or zone adjacent to which said parking meter is placed.

~~———— (a) ———— **Twenty-four Minute Zones:** Those streets and municipal parking lots or portions thereof as designated by the City Council by ordinance are hereby established as twenty-four (24) minute parking meter zones between the hours of 9:00 a.m. and 6:00 p.m. of every day except Sundays and holidays.~~

~~———— (b) ———— **One Hour Zones:** Those streets and municipal parking lots, or portions thereof, as designated by the City Council by ordinance are hereby established as one hour parking meter zones between the hours of 9:00 a.m. and 6:00 p.m. of every day except Sundays and holidays.~~

~~———— (c) ———— **Two Hour Zones:** Those streets and municipal parking lots, or portions thereof, as designated by the City Council by ordinance are hereby established as two (2) hour parking meter zones between the hours of 9:00 a.m. and 6:00 p.m. of every day except Sundays and holidays.~~

~~\_\_\_\_\_ (d) **Five Hour Zones:** Those streets and municipal parking lots, or portions thereof, as designated by the City Council by ordinance are hereby established as five (5) hour parking meter zones between the hours of 9:00 a.m. and 6:00 p.m. of every day except Sundays and holidays.~~

~~\_\_\_\_\_ (e) **Ten Hour Zones:** Those streets and municipal parking lots, or portions thereof, as designated by the City Council by ordinance are hereby established as ten (10) hour parking meter zones between the hours of 8:00 a.m. and 6:00 p.m. of every day except Sundays and holidays.~~

#### **6-2-125 TIME LIMIT.**

No person shall stop, park or leave standing any vehicle in a parking space in a parking meter zone for a period of time greater than that prescribed for such parking space.

Any vehicle parked at an inoperable or broken parking meter shall be permitted to park for the maximum time period permitted for that parking meter.

#### **6-2-130 UNLAWFUL DEPOSITS.**

No person shall deposit or cause to be deposited in any parking meter any defaced or bent coin, or any slug, metallic device or other substitute for United States coin.

#### **6-2-135 DAMAGING METERS.**

No person shall deface, injure, tamper with, open or ~~wilfully~~ willfully break, destroy or impair the usefulness of any parking meter.

#### **6-2-140 PARKING METER FEES.**

The parking meter fees for the parking meter zones established in this Article shall be in conformance with the latest adopted City user fees and service charges.

#### **6-2-145 USE OF REVENUE.**

The revenue raised by the collection of parking meter fees shall be paid into the treasury of this City, and shall be used for costs of acquisition, installation and maintenance of parking meters, municipal parking lots and traffic control devices; costs of regulation of traffic and parking; and other related costs.

### **ARTICLE 3. RESIDENTIAL PARKING PERMIT PROGRAM**

#### **6-2-310 DEFINITIONS.**

Unless the context otherwise requires, the terms used in the Article shall have the following meanings:

(a) “Designated residential parking permit area” means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this Article.

(b) “Non-residential vehicle” means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this Article, for the specific area in which it is parked.

(c) ~~“Fourteen (14) day visitor~~ Visitor permit” means a parking permit issued pursuant to this Article or an ordinance enacted pursuant to the authority granted herein, which shall exempt the vehicle from parking time restrictions established pursuant to this chapter for a period of fourteen (14) days, beginning upon the date ~~indicated~~ upon the face of said permit authorized.

#### **6-2-315 PARKING PERMIT EXEMPTION.**

(a) A motor vehicle ~~on which is displayed~~ that has been assigned a valid residential parking permit as provided for herein shall be permitted to stand or be parked in the residential parking permit area for which the permit has been issued without being limited by time restrictions established pursuant to this Article or any resolution hereunder. Any vehicle that ~~does not display~~ has not been issued a valid parking permit shall be subject to the residential parking permit regulation and consequent penalties in effect for such area.

(b) A residential parking permit or any other permit as designated by the Council shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential parking permit area.

(c) This Article shall not be interpreted or applied in a manner that shall abridge or alter regulations established by authority other than this Article.

#### **6-2-320 DESIGNATION OF A RESIDENTIAL PARKING PERMIT AREA.**

(a) There shall be two (2) alternative processes by which the City Council can consider any area for designation as a residential parking permit area:

(1) Resident's Petition. The City Council shall consider for designation as a residential parking permit area any proposed area for which a petition has been submitted that meets and satisfies both requirements and any administrative guidelines adopted by the City Council.

(2) The City Council or City Manager shall consider for designation as a residential parking permit area a location that satisfies both requirements and any administrative guidelines adopted by the City Council.

(i) The City Council or City Manager shall initiate the process for establishing the area as a residential parking permit area.

(ii) A notice of intent to establish permit parking shall be sent to all addresses within the proposed residential parking permit area.

(b) Upon receipt by the City Council of a resident's petition with at least 75% of the residential addresses within the designated area or upon City Council or City Manager initiation as described above, the Engineering and Transportation Department shall do the following:

(1) Undertake or cause to be undertaken any surveys or studies which it deems necessary;

(2) Refer the matter to the Planning Commission for review in its capacity as the Traffic Advisory Commission; and

(3) Present to the City Council for consideration a resolution that would establish a residential parking permit area based upon the aforementioned proposal and studies, including all regulations and time restrictions determined by the City Council to be reasonable and necessary in such area.

(c) The City Council may, by resolution, modify a designated residential parking permit area in any manner consistent with this Article.

#### **6-2-325 ISSUANCE OF PERMITS.**

(a) Residential parking permits shall be issued by the Finance Department in accordance with requirements set forth in this Article. ~~Each such permit shall be designed to state or reflect thereon the identification of~~ Permits will be valid in the particular residential parking permit area for which it is issued.

(b) The Finance Department and Engineering and Transportation Departments are authorized to issue such rules and regulations necessary to implement this Article that are consistent with it.

#### **6-2-330 RESIDENTIAL PARKING PERMIT.**

(a) The City Manager, or his or her designee, shall issue residential parking permits with a term not to exceed one year to residents that comply with the requirements set forth in this Article.

(b) A residential parking permit may be issued only to an applicant who can demonstrate that he or she is currently a resident of the area for which the permit is to be issued.

(c) Proof of motor vehicle ownership or vehicle use and control and valid registration shall be demonstrated in a manner determined by the City Manager or his or her designee. Permits are not valid for non-motorized vehicles (i.e. trailers).

(d) The City Council may, by resolution, limit the number of permits issued to any resident or dwelling unit if such limitation would further the goals of the residential permit parking program.

#### **6-2-335 VISITOR PERMITS.**

(a) A visitor parking permit may be used on resident or nonresident vehicles. The City Council may, by resolution, authorize the issuance of visitor parking permits in any residential permit parking area. When authorized, visitor parking permits may be issued under the following conditions:

(1) The applicant for a visitor parking permit has not reached the limits, if any, set by the City Council.

(2) Such other conditions and restrictions that the City Council by resolution imposes or that the City Manager, or his or her designee, deems appropriate.

~~(a)(b) Visitor permits must be registered with the City and comply with permit regulations to be valid in A visitor permit shall clearly display the date upon which it becomes effective, the name of the permit holder, the signature of the permit holder, and shall designate the particular residential parking permit area for which it applies.~~

~~(b)(c)~~ (c) A fourteen (14) day visitor permit shall, for the period of fourteen (14) days, commencing upon the date ~~indicated upon the face of said permit~~ authorized, exempt the applicable vehicle from parking time restrictions established pursuant to this Article.

#### **6-2-340 ESTABLISHMENT OF RESIDENTIAL PARKING PERMIT AREA.**

Upon adoption by the City Council of a resolution designating a residential parking permit area, street parking in the area shall be limited for a period as determined by the Engineering and Transportation Director with input from the area residents and as may be specifically posted; provided, however, that unlimited parking shall be allowed by vehicles for which a residential or visitor's parking permit has been obtained ~~and displayed~~ in accordance with requirements of the ordinance unless otherwise designated.

#### **6-2-345 POSTING OF RESIDENTIAL PARKING PERMIT AREA.**

Upon adoption by the City Council of a resolution designating a residential parking permit area and after at least sixty percent (60%) of the households have purchased permits, the Director of the Engineering and Transportation Department, or his or her designee, shall cause appropriate signs to be erected in the area, indicating prominently thereon the area prohibition or time limitation, period of its application, and conditions under which permit parking shall be exempt therefrom.



## **6-2-355 PENALTIES, LIABILITY AND ENFORCEMENT.**

This chapter shall be enforced pursuant to Chapter 1-12 of the San Leandro Municipal Code. The following acts shall constitute fraudulent use of a permit punishable by a fine to be prescribed by City Council resolution and/or revocation of any permit currently held. Violations of this Article shall include, but are not limited to, the following:

- (a) Falsely representing oneself as eligible for a parking permit or furnishing false information in an application therefor.
- (b) Copying, reproducing, or otherwise bringing into existence counterfeit parking permit or permits without written authorization from the Finance Director.
- (c) Knowingly using or displaying a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a residential parking permit area.
- (d) Changing dates on a visitor parking permit without written authorization from the Finance Director.
- (e) Knowingly committing any act that is prohibited by the terms of this Chapter or any ordinance or resolution enacted by authority granted by this Chapter.

## **ARTICLE 4. ELECTRIC VEHICLE CHARGING STATIONS**

### **6-2-405 PARKING AT PUBLIC ELECTRIC VEHICLE CHARGING STATIONS.**

Each electric vehicle parking stall will be clearly marked with signage. When so marked, it is unlawful to park in a designated electric vehicle charging station parking stall unless the vehicle is a actively charging electric vehicle.