

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2006 NOV 29 PM: 6:52

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: December 5, 2006

RE: Supplemental Report On An Ordinance Amending Oakland Municipal Code Title 10, Chapter 10.36, Section 10.36.140 To Clarify And Comprehensively Set Forth Parking Meter Zones Throughout The City Of Oakland

SUMMARY

At the November 28, 2006 Finance and Management Committee, the Committee requested revisions to the staff report and ordinance to address the following two issues:

- 1) The parking meter zone update (Exhibit A) to amend the O.M.C. includes street segments that currently do not contain parking meters. Although staff has assured the Committee that new meters will not be installed in the future without due process, the Committee has requested that any installation of parking meters at new locations shall require Council resolution in the future regardless of location in or out of an ordained parking meter zone.
- 2) Time restrictions for parking meters (one-half hour, one hour, two hours, or five hours) are not stated in the parking meter zone update (Exhibit A) to amend the O.M.C.

RESPONSE TO ISSUES


- 1) A new provision will be added requiring City Council resolution whenever parking meters are installed in new locations, regardless of whether the new location is in a parking meter zone previously ordained by the City Council (O.M.C. Article 10.36.141). State law requires that parking meter zones be established by ordinance. The City has so established parking meter zones throughout the City including some blocks that do not currently have meters. Under the current O.M.C., new meters could be installed on meter zoned blocks without further action by the City Council. The proposed amendment will require Council approval of both metered zones and new meter locations. The new requirement will not apply to the replacement of meters with new or updated meters or new meter technology or systems at existing meter locations.
- 2) The O.M.C. will be revised to state that the specific time restriction for a parking meter will be displayed on that parking meter, at that parking meter space, or as established by the City Administrator by regulation.

Item #: _____
City Council
December 5, 2006

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council accept this Supplemental Report.

Respectfully submitted,

for 

RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Wladimir Wlassowsky, P.E.
Manager, Transportation Services Division

Prepared by:
Joe Wang, P.E.
Supervising Transportation Engineer

APPROVED AND FORWARDED
TO THE CITY COUNCIL:



OFFICE OF THE CITY ADMINISTRATOR

Item #: _____
City Council
December 5, 2006

City Attorney

OAKLAND CITY COUNCIL
ORDINANCE No. _____ C.M.S.

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE TITLE 10, CHAPTER 10.36, SECTION 10.36.140 TO CLARIFY AND COMPREHENSIVELY SET FORTH PARKING METER ZONES THROUGHOUT THE CITY OF OAKLAND

WHEREAS, the California Vehicle Code requires local authorities to establish parking meter zones by ordinance; and

WHEREAS, the City of Oakland has established parking meter zones throughout the City by ordinance over the years; and

WHEREAS, City of Oakland parking meter zones were first codified and published in the Oakland Traffic Code and then republished in Section 10.36.140 in a single comprehensive set of City ordinances known as the Oakland Municipal Code in 1997; and

WHEREAS, the list of parking meter zones adopted by ordinances published in Section 10.36.140 may be incomplete; and

WHEREAS, the Finance and Management Agency Parking Enforcement Division and Public Works Agency Transportation Services Division want to ensure that a complete list of parking meter zones within the City of Oakland is published in the Oakland Municipal Code; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. ~~Oakland Municipal Code, Title 2, Chapter 10.36 Amended.~~ Oakland Municipal Code Title 10, Chapter 10.36 is amended adding and deleting text as follows:

~~10.36.140. *Parking Meter Zones* is hereby amended to reinstate and list the parking meter zones as described and illustrated on Exhibit A attached hereto and made a part hereof.~~

~~10.36.141. *Parking Meter Locations.* City Council resolution shall be obtained prior to the installation of parking meters in any new location. City Council approval of parking meter locations shall be a separate requirement from the requirement to establish parking meter zones by ordinance. Notwithstanding the foregoing, the requirements of this Article shall not apply to the replacement of existing meters with new or updated meters or new meter technologies or systems.~~

- Deleted: Parking Meter Zone
- Deleted: ,
- Deleted: Article 10.36, Time Limits? ... Mark? [1]
- Deleted: Section
- Deleted: Article
- Inserted: Article
- Deleted: Article
- Deleted: approval
- Deleted:
- Inserted:

10.36.060 Parking in excess of parking time limits prohibited.

~~Notwithstanding the fact that a parking meter shall indicate legal parking, It is unlawful for any person to park or leave standing any vehicle in any area of parking space for a period of time in excess of parking time limits prescribed and established by or pursuant to any provisions of this title, designated on any parking meter or any parking meter space or as established by the City Administrator by regulation.~~

~~Notwithstanding any provisions of this title or of any resolution of the city, when one-hour parking meters are installed in any area which by the provisions of this title is limited to parking for any other period of time, any parking meter space so designated is declared to be in a one-hour parking area; when two-hour parking meters are installed, any parking meter space so designated is declared to be in a two-hour parking area; and when five-hour meters are installed, any parking meter space so designated is declared to be in a five-hour parking area. (Prior traffic code § 124)~~

Section 2. Remaining Provisions Unchanged. Except as amended herein, all provisions, articles, sections, subsections, sentences, clauses or phrases of Oakland Municipal Code Title 10, Chapter 10.36 shall remain unchanged and in full force and effect.

Section 3. Severability. If any article, section, subsection sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of remaining portions which shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES –

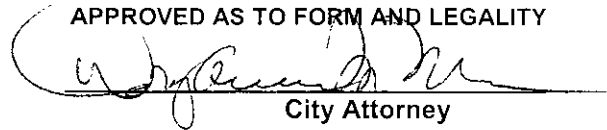
ABSENT –

ABSTENTION –

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

APPROVED AS TO FORM AND LEGALITY

OFFICE OF THE CITY CLERK



City Attorney

2006 NOV 30 5:16:52

OAKLAND CITY COUNCIL
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PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California