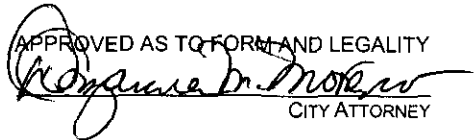


2005 NOV -1 PM 4: 12

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

ORDINANCE NO. = 12775 C.M.S.

**ORDINANCE AMENDING OAKLAND MUNICIPAL CODE, TITLE 10,
CHAPTER 10.36, ARTICLE 10.36.030, *PARKING METER ZONES*, TO
DELETE OBSOLETE PARKING METER FEE PROVISIONS**

Whereas, the California Vehicle Code §22508 requires the elected body of a local jurisdiction to adopt parking meter fees by ordinance; and

Whereas, the Oakland City Council has established parking meter fees by adopting the City of Oakland Master Fee Schedule Ordinance, which is adopted annually; and

Whereas, Oakland Municipal Code, Title 10, Chapter 10.36, Article 10.36.030 sets forth obsolete parking meter fees and, therefore, should be amended; now, therefore,

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

Section 1. Delete obsolete provisions of Oakland Municipal Code. Oakland Municipal Code Title 10, Chapter 1.36, Article 10.36.030 is hereby amended as follows:

10.36.030 Deposit of coins – Amount of time corresponds to value of coins.

When any vehicle shall be parked in any parking space adjacent to which a parking meter is located in accordance with the provisions of this chapter, the operator of said vehicle upon so parking shall, and it is unlawful to fail to, deposit immediately one or more coins of the United States in such parking meter and, when required by the directions on the parking meter, the operator of such vehicle, after deposit of the proper coin or coins of the United States, shall also set in operation the timing mechanism, if any, on such parking meter, and failure to deposit such proper coin or coins and to set the timing mechanism, if any, in operation when so required shall be unlawful. Any such operator who, upon so parking, deposits coins in such parking meter in an amount greater than is legally required does so at his or her own convenience, and the city shall not be liable for any refund therefor.

Parking meter fees shall be established annually in the City of Oakland Master Fee Schedule Ordinance. ~~One-half hour on-street parking meters shall show legal parking during a designated period of time corresponding to the amount of United States coins deposited, based upon fifteen (15) minutes for five cents (\$.05) or multiples thereof to and including ten cents (\$.10) for one-half hour. One-hour on-street parking meters shall show legal parking during a designated period of time corresponding to the~~

~~amount of United States coins deposited, based upon fifteen (15) minutes for five cents (\$.05) or multiples thereof and including forty cents (\$.40) for two hours. Five-hour on-street parking meters shall show legal parking during a designated period of time corresponding to the amount of United States coins deposited, based upon fifteen (15) minutes for five cents (\$.05), thirty (30) minutes for ten cents (\$.10) or multiples thereof, sixty (60) minutes for twenty cents (\$.20) or multiples thereof, to and including one dollar (\$1.00) for five hours. The one-half, one, two, and five-hour meters shall be designated to receive nickels, dimes and quarters. (Prior traffic code § 422)~~

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, Article 10.36.030 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, (DATE), 20(YEAR)

DEC 19 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID
AND PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

Introduction Date: **DEC 5 2006**

ATTEST:



LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

NOTICE AND DIGEST

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE TITLE 10, CHAPTER 10.36, ARTICLE 10.36.030, *PARKING METER ZONES*, TO DELETE OBSOLETE PARKING METER FEE PROVISIONS

This ordinance will amend Oakland Municipal Code Title 10, Chapter 10.36, Article 10.36.030, which, among other things, sets forth obsolete parking meter fees. The purpose of this amendment is to delete the obsolete fees provisions and add a reference to the City of Oakland Master Fee Schedule Ordinance which is adjusted annually to reflect Oakland's current fees including parking meter fees.