

## MISSING ORIGINAL LEGISLATION

Resolution / Ordinance Number: 12975

City Council Meeting Date October 20, 2009

Agenda Item No. 10.4

Recorded Vote 8 Ayes

Draft received for packet

Council amended legislation at the meeting

### **Responsible Contact Information**

Department City Council

Contact Person/Ext. Jennie Gerard x 7023

Notes (if any)

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FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 SEP 24 PM 8:00

APPROVED AS TO FORM AND LEGALITY

**DRAFT**  
City Attorney

# OAKLAND CITY COUNCIL

ORDINANCE NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY: Councilmember Patricia Kernighan

**AN ORDINANCE AMENDING OAKLAND MUNICIPAL CODE SECTION 10.36.050 TO INCREASE THE EXEMPTED TIME PERIOD FOR A PARKING METER ZONE VIOLATION BY CHANGING THE START TIME FROM 8:00 P.M. TO 6:00 P.M., 7:00 P.M., OR OTHER TIME SPECIFIED BY COUNCIL**

**WHEREAS**, Oakland Municipal Code section 10.36.050 makes illegal parking in a parking meter zone if the parking meter shows that the parking time has expired; and

**WHEREAS**, Oakland Municipal Code section 10.36.050 specifies violations are exempted; and

**WHEREAS**, on July 7, 2009, the Oakland City Council adopted amending Oakland Municipal Code section 10.36.050, changing time period for a parking meter violation from six p.m. to eight

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**OPTION 1**

[**WHEREAS**, The Oakland City Council wishes to return to the previous start time of six p.m. for the exempted time period for a parking meter violation; now, therefore]

**OPTION 2**

[**WHEREAS**, The Oakland City Council wishes to change the start time for the exempted time period for a parking meter violation to seven p.m.; now, therefore]

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

**SECTION 1.** Oakland Municipal Code (O.M.C.) section 10.36.050 "Parking Meter Indication That Space is Illegally in Use" is hereby amended to add, delete, or modify sections as set forth below (additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of the regulations not cited or not shown in underscoring or strike-through type are not changed).

- A. It is illegal for any person to park or leave standing any vehicle in any parking meter zone on any street at any time during which the parking meter shows, indicates, registers, or displays that the parking space is illegally in use except during the time necessary to deposit United States coins in said parking meter so as to show, indicate, register, display, or permit legal parking and excepting also during the time from ~~eight p.m.~~ OPTION 1:

six p.m.] [*OPTION 2: seven p.m.*] to eight a.m., and excepting also all holidays as defined in Section 10.36.090 when indicated by appropriate signs located on the parking meter. When five-hour meters are installed, such meters shall show, indicate, register, display, or permit legal parking during a twenty-four (24) hour period, seven days a week, when indicated by appropriate signs located on the parking meters.

**SECTION 2.** Severability. If any article, section, subsection, sentence, clause or phrase of this ordinance or exhibit 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 3.** Effective Date. This ordinance shall become effective immediately upon adoption if upon final passage it passes with six or more affirmative votes. It will take effect seven days after final passage if it is adopted with five affirmative votes.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

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

DATE OF ATTESTATION: \_\_\_\_\_