


Farah Hussein (Jun 3, 2025 14:49 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

ORDINANCE: (1) AMENDING OAKLAND MUNICIPAL CODE 10.48.010 TO INCREASE FINES FOR PARKING CITATIONS CONSISTENT WITH PREVIOUS CITY COUNCIL DIRECTION; (2) ADOPTING A FINE OF \$40 FOR CALIFORNIA VEHICLE CODE 22500(N) IN SUPPORT OF DAYLIGHTING; (3) AMENDING OAKLAND MUNICIPAL CODE 10.48.010 CONSISTENT WITH OAKLAND ORDINANCE 12607; (4) AMENDING OAKLAND MUNICIPAL CODE 10.48.010 TO RESOLVE INCONSISTENCIES BETWEEN OAKLAND MUNICIPAL CODE 10.48.010, THE OAKLAND MUNICIPAL CODE AND THE CALIFORNIA VEHICLE CODE AND (5) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, the City of Oakland (City) periodically amends and updates its parking fines to account for the various cost increases relating to municipal programs, services and activities; and

WHEREAS, the City recognizes that the parking system should be actively managed to maximize efficient use of a public resource, according to Oakland's Parking Principles (Resolution No. 84664 C.M.S.); and

WHEREAS, the City of Oakland Department of Transportation (OakDOT) is tasked with managing public parking to balance the diverse needs of Oakland's visitors, merchants, commuters and residents and with improving transportation choices and minimizing parking demand, congestion, and pollution (OakDOT Strategic Plan); and

WHEREAS, the City Council approved budget for Fiscal Years 2023-2025 included two year-over-year increases of five percent for parking fines as an inflation adjustment (Resolution 89804 C.M.S.); and

WHEREAS, Assembly Bill (AB) 413 established new rules for "daylighting" intersections to increase driver sight distances and improve pedestrian visibility. California Vehicle Code (CVC) § 22500(n) implements AB 413 by making it illegal to park, stop or stand within twenty feet on the approach side of a marked or unmarked crosswalk; and

WHEREAS, establishing a fine of \$40 for violation of CVC § 22500(n) will allow the City to enforce this CVC section, thereby increasing pedestrian safety; and

WHEREAS, a fine in the amount of \$40.00 for violation of CVC § 22500(n) prohibiting parking within 20 feet of a crosswalk on the approach side is consistent with the enforcement authority granted by AB 413 and does not require signage or curb markings; and

WHEREAS, CVC Division 18, Chapter 1 establishes penalties for various vehicle code violations, including minimum and maximum fine amounts; and

WHEREAS, in preparing this report, staff referenced CVC Division 18, Chapter 1 to ensure all proposed fines fall within the minimum and maximum amounts set forth therein. The fine for violating CVC § 22511 was found to be below the minimum required and is therefore proposed to be increased from \$80 to \$100; and

WHEREAS, the proposed fees and charges that are imposed for a specific government service, benefit or product, or regulatory program are provided directly to the payer and not provided to those not charged, and do not exceed the reasonable costs to the City of providing the service, benefit or product, or regulatory program; and

WHEREAS, Oakland Municipal Code (OMC) § 10.48.010 included City Traffic Code Section 10.08.150 and 10.16.070, both were formerly repealed by Ordinance 12607 and therefore removed from § 10.48.010; and

WHEREAS, OMC § 10.48.010 included City Traffic Code Section 10.28.290, the correct City Traffic Code Section is 10.28.280 and therefore § 10.48.010 was amended to accurately reflect the correct City Traffic Code; and

WHEREAS, OMC § 10.48.010 included State Vehicle Code Section 22500.I, the correct State Vehicle Code Section is 22500(i) and therefore § 10.48.010 was amended to accurately reflect the correct State Vehicle Code Section; and

WHEREAS, OMC § 10.48.010 included State Vehicle Code Section 22500.L, the correct State Vehicle Code Section is 22500(l) and therefore § 10.48.010 was amended to accurately reflect the correct State Vehicle Code Section; and

WHEREAS, OMC § 10.48.010 included State Vehicle Code Section 22507.8A, the correct State Vehicle Code Section is 22507.8(a) and therefore § 10.48.010 was amended to accurately reflect the correct State Vehicle Code Section; and

WHEREAS, OMC § 10.48.010 included State Vehicle Code Section 22507.8B, the correct State Vehicle Code Section is 22507.8(b) and therefore § 10.48.010 was amended to accurately reflect the correct State Vehicle Code Section; and

WHEREAS, OMC § 10.48.010 included State Vehicle Code Section 22507.8C, the correct State Vehicle Code Section is 22507.8(c) and therefore § 10.48.010 was amended to accurately reflect the correct State Vehicle Code Section; and

WHEREAS, OMC § 10.48.010 included State Vehicle Code Section 22520, Assembly Bill 1561 in 1997 repealed State Vehicle Code Section 22520 and replaced it with State Vehicle Code Section 21718 and therefore § 10.48.010 was amended to accurately reflect the correct State Vehicle Code Section; and

WHEREAS, these actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges) because CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses or obtaining funds for capital projects, necessary to maintain service within existing service areas. Additionally, these actions are not a project which has the potential for causing a significant effect on the environment, pursuant to Section 15061(b)(3) of the CEQA Guidelines because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 10.48.010 Of The OMC Is Amended To Read As Follows (Additions Are Indicated By Underscoring And Deletions Are Indicated By Strike-Through Type; Any Portions Not Cited Or Not Shown In Underscoring Or Strike-Through Type Are Not Changed):

CHAPTER 10.48.010 SCHEDULE OF PARKING FINES

A. The following schedule sets specific fines for Oakland traffic code violations:

City Traffic Code Section	Description	Fine
10.08.150	Obstructing normal flow of traffic	\$28.00
10.16.070	Parking on private property	\$35.00
<u>10.16.090</u>	Failure to cramp wheels on grade	\$32.00 <u>\$35.00</u>
<u>10.16.110</u>	Obedience to signs and barriers	\$70.00 <u>\$77.00</u>
<u>10.28.020</u>	No parking in parkway	\$55.00 <u>\$61.00</u>
<u>10.28.030</u>	Abandoned/using street for storage	\$250.00 <u>\$276.00</u>
<u>10.28.040</u>	Parking vehicle wrong on a one-way street	\$40.00 <u>\$44.00</u>

10.28.040A	Over 18" from curb	\$60.00 \$66.00
10.28.040B	Parked wrong way on a two-way street	\$60.00 \$66.00
10.28.040D	Parking within parking space markings	\$55.00 \$61.00
10.28.050	Angle parking (within markings)	\$35.00 \$39.00
10.28.060	Angle parking unloading—Must have permit	\$32.00 \$35.00
10.28.070	No parking adjacent to school	\$122.00 \$135.00
10.28.080	No stopping/parking in signed zone (narrow street)	\$30.00 \$33.00
10.28.090C	No parking within 20' of signal or stop sign	\$32.00 \$35.00
10.28.100	Emergency—No parking (temporary signs)	\$32.00 \$35.00
10.28.120	Parking commercial vehicles in residential district—Over 10,000 pounds	\$270.00 \$298.00
10.28.130	Parking of commercial vehicles—7,000 to 10,000 pounds	\$270.00 \$298.00
10.28.150	Key in ignition	\$32.00 \$35.00
10.28.160	Parking prohibited—Unattached trailer	\$90.00 \$99.00
10.28.170	Parking prohibited—Tall vehicles	\$50.00 \$55.00
10.28.180	One-hour zone	\$70.00 \$77.00
10.28.190	Two-hour zone	\$70.00 \$77.00
10.28.210	Four-hour zone	\$70.00 \$77.00
10.28.240	No parking—Certain hours	\$53.00 \$58.00
10.28.250	No parking any time	\$70.00 \$77.00
10.28.260	No parking 3 a.m.—6 a.m.	\$32.00 \$35.00
10.28.2890	No parking—Traffic island or median divider	\$105.00 \$116.00
10.32.020	Parking for official cars (City Hall press vehicles)	\$32.00 \$35.00
10.32.030	Parking for official cars (City Hall Administration Building)	\$35.00 \$39.00
10.32.100	Parking for official cars (OPD and county of Alameda)	\$35.00 \$39.00
10.32.130	Parking for official cars (Fire Department)	\$35.00 \$39.00

10.32.140	Parking for official cars (county cars)	\$35.00 <u>\$39.00</u>
10.32.150	Parking for official cars (U.S. mail vehicle)	\$35.00 <u>\$39.00</u>
10.32.170	Parking by permit—City cars and authorized City employees	\$35.00 <u>\$39.00</u>
10.32.180	Traffic in parks	\$32.00 <u>\$35.00</u>
10.36.020	Parking over space markings	\$55.00 <u>\$61.00</u>
10.36.030 A	Meters	\$35.00 <u>\$39.00</u>
10.36.030 B	Valid parking receipt not displayed	\$55.00 <u>\$61.00</u>
10.36.050 A and B	Parking meter violation—Expired	\$45.00 <u>\$50.00</u>
10.36.060	Meter—Overtime (meter feeding)	\$45.00 <u>\$50.00</u>
10.36.100	Meter—Expired—Off-street meter	\$45.00 <u>\$50.00</u>
10.40.020A1	No parking—Red Zone	\$70.00 <u>\$77.00</u>
10.40.020A4	No parking—Green Zone	\$80.00 <u>\$88.00</u>
10.40.030B	Special zones—Sign posted for loading/unloading passengers or materials	\$50.00 <u>\$55.00</u>
10.40.060	No parking in Yellow Zones	\$80.00 <u>\$88.00</u>
10.40.070	No parking in White Zones	\$80.00 <u>\$88.00</u>
10.40.080	Standing in alley	\$32.00 <u>\$35.00</u>
10.40.090E	No parking—Bus zone	\$252.00 <u>\$278.00</u>
10.40.100	Bus to park/stop within 18 of curb	\$40.00 <u>\$44.00</u>
10.40.110	No parking—Taxi zone	\$50.00 <u>\$55.00</u>
10.44.120A	Residential permit parking zone	\$70.00 <u>\$77.00</u>
10.52.010	Certain vehicles prohibited	\$32.00 <u>\$35.00</u>
10.56.270	Parking prohibited	\$32.00 <u>\$35.00</u>
10.56.290	No Parking in Red Zones (Airport Ground Traffic)	\$50.00 <u>\$55.00</u>
10.56.300	No Parking in Green Zones (Airport Ground Traffic)	\$50.00 <u>\$55.00</u>
10.56.310	No Parking in Yellow Zones (Airport Ground Traffic)	\$50.00 <u>\$55.00</u>
10.56.320	No Parking in White Zones (Airport Ground Traffic)	\$50.00 <u>\$55.00</u>
10.56.330	Improper parking	\$32.00 <u>\$35.00</u>
10.56.350	Parallel parking	\$32.00 <u>\$35.00</u>

10.56.360	Parking in Cross Walk (Airport Ground Traffic)	\$50.00 <u>\$55.00</u>
10.64.170	Misdemeanor to abandon or keep vehicles of type regulated by this chapter	\$250.00 <u>\$276.00</u>
10.64.180	Misdemeanor to fail to remove vehicles after order to do so	\$250.00 <u>\$276.00</u>

CHAPTER 10.48.010(B) SCHEDULE OF PARKING FINES

B. The following schedule sets specific fines for State Vehicle Code violations:

State Vehicle Code Section	Description	Fine
4461(b)	Improper lending of distinguishing placards and special license plates	\$510.00 <u>\$562.00</u>
4461(c)	Improper display of, and misuse or abuse of distinguishing placards and special license plates	\$510.00 <u>\$562.00</u>
4461(d)	Parking in designated spaces while misusing distinguishing placards and special license plates	\$510.00 <u>\$562.00</u>
4463(c)	Use of a counterfeit, forged, altered or mutilated placard or special license plate	\$510.00 <u>\$562.00</u>
5200	Missing license plates	\$90.00 <u>\$99.00</u>
5204(a)	Current tabs not attached	\$80.00 <u>\$88.00</u>
21113(a)	Parking on public grounds	\$65.00 <u>\$72.00</u>
21211(b)	No parking-Bike lane	\$105.00 <u>\$116.00</u>
22500	Improper parking, citation category not specified	\$110.00 <u>\$121.00</u>
22500(a)	No parking—Intersection	\$85.00 <u>\$94.00</u>
22500(b)	No parking—Crosswalk	\$105.00 <u>\$116.00</u>
22500(c)	No parking—Safety zone (red zone between stop bar and right-hand curb)	\$85.00 <u>\$94.00</u>
22500(d)	No parking within 15 of fire station driveway	\$85.00 <u>\$94.00</u>
22500(e)	No parking—Driveway	\$85.00 <u>\$94.00</u>
22500(f)	No parking—Sidewalk	\$105.00 <u>\$116.00</u>
22500(g)	No parking—Obstructing construction traffic	\$60.00 <u>\$66.00</u>
22500(h)	No parking—Double parked	\$105.00 <u>\$116.00</u>

22500(j)	No parking—Tunnel	\$60.00 \$66.00
22500(k)	No parking—Bridge	\$60.00 \$66.00
<u>22500(n)</u>	<u>No parking—Within 20’ of marked or unmarked crosswalk</u>	<u>\$40.00</u>
22500.1	No parking—Fire lane	\$100.00 \$110.00
22500.I 22500(i)	Bus Zone	\$280.00 \$309.00
22500.L 22500(l)	Wheelchair Access	\$280.00 \$309.00
22502	18" from curb (or distance from curb)	\$60.00 \$66.00
22505	No parking—State highway areas	\$50.00 \$55.00
22507.8	Disabled person parking space	\$368.00 \$406.00
22507.8A 22507.8(a)	Disabled person parking space	\$368.00 \$406.00
22507.8B 22507.8(b)	Disabled person parking space	\$368.00 \$406.00
22507.8C 22507.8(c)	Disabled parking—Hatch marks	\$368.00 \$406.00
22511	No parking when not actively charging electric vehicle	\$73.00 \$100.00
22513	No solicitation by tow truck	\$110.00 \$121.00
22514	No parking—Fire hydrant	\$100.00 \$110.00
22515	Improper parking—Wheels not blocked/brakes not set	\$70.00 \$77.00
22516	Locked vehicle—Person unable to escape	\$100.00 \$110.00
22520 21718	No parking on freeway	\$260.00 \$287.00
22520.5	Vending on freeway prohibited	\$260.00 \$287.00
22521	No parking on/near railroad track	\$75.00 \$83.00
22522	Three feet from sidewalk access ramp	\$313.00 \$345.00
22658(a)	Removal from private property	\$50.00 \$55.00
22951	No street/alley parking from off-street lot	\$40.00 \$44.00
23333	No parking—Vehicular crossing	\$70.00 \$77.00

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each

section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

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,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

Date of Attestation: _____

NOTICE AND DIGEST

ORDINANCE: (1) AMENDING OAKLAND MUNICIPAL CODE 10.48.010 TO INCREASE FINES FOR PARKING CITATIONS CONSISTENT WITH PREVIOUS CITY COUNCIL DIRECTION; (2) ADOPTING A FINE OF \$40 FOR CALIFORNIA VEHICLE CODE 22500(N) IN SUPPORT OF DAYLIGHTING; (3) AMENDING OAKLAND MUNICIPAL CODE 10.48.010 CONSISTENT WITH OAKLAND ORDINANCE 12607; (4) AMENDING OAKLAND MUNICIPAL CODE 10.48.010 TO RESOLVE INCONSISTENCIES BETWEEN OAKLAND MUNICIPAL CODE 10.48.010, THE OAKLAND MUNICIPAL CODE AND THE CALIFORNIA VEHICLE CODE AND (5) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

This Ordinance authorizes the City Administrator to amend the Oakland Municipal Code to increase parking fines by approximately ten percent to account for inflation. It also adds a new \$40 citation for violations of California Vehicle Code section 22500(N), which prohibits parking within 20 feet of an intersection. In addition, this Ordinance makes multiple changes to the parking citations section of the Municipal Code to ensure consistency with previously adopted ordinances and the California Vehicle Code.