

## MISSING ORIGINAL LEGISLATION

Resolution / Ordinance Number: 12961 -

City Council Meeting Date July 28, 2009

Agenda Item No. 9

Recorded Vote 8 Ayes

Draft received for packet

Council amended legislation at the meeting

### **Responsible Contact Information**

Department Finance & Management Agency

Contact Person/Ext. Kip Walsh x7494

Notes (if any)

---

---

---

**DRAFT**

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

2009 JUL 16 PM 5:34  
**ORDINANCE No. \_\_\_\_\_ C.M.S.**

**ORDINANCE AMENDING OAKLAND MUNICIPAL CODE SECTIONS 10.48.010 "SCHEDULE OF PARKING FINES" TO DECREASE THE CITY OF OAKLAND FINE FOR CALIFORNIA STATE VEHICLE CODE SECTION 22522 "SIDEWALK ACCESS RAMP WITHIN THREE (3) FEET" FROM \$320 (THREE HUNDRED TWENTY DOLLARS) TO \$275 (TWO HUNDRED SEVENTY-FIVE DOLLARS)**

**WHEREAS**, the City of Oakland collects fines for violations of the Oaklar forth in Title 10 of the Oakland Municipal Code; and

**WHEREAS**, the City of Oakland has a duty to enforce parking violations as Municipal Code; and

*Handwritten notes:*  
~~FI~~ FI  
7/28  
CC  
9

**WHEREAS**, on July 7, 2009, the City of Oakland adopted Ordinance No. 1 Oakland Municipal Code Section 10.48.010 "Schedule of Parking Fines," which increase to the fine for California State Vehicle Code 22522; "Sidewalk Access Ramp Within Three (3) Feet" from \$275 (two hundred seventy-five dollars) to \$320 (three hundred twenty dollars); and

**WHEREAS**, further analysis of the fine resulted in a recommendation to return the fine to its previous amount of \$275 (two hundred seventy-five dollars); and

**WHEREAS**, a Public Hearing was held on July 21, 2009 to review the proposed change to the fines; now, therefore

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

**Section 1.** Oakland Municipal Code (O.M.C.) Section 10.48.010 "Schedule of Parking Fines" is hereby amended as set forth below. Additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of ordinances not cited or not shown in underscoring or strike-through type are not changed.

State Vehicle Code Section	Description	Current CVC Fine	Proposed CVC Fine	Pass Through Surcharge (Remitted to Alameda County)	Total New Fine Amount
22522	Sidewalk Access Ramp within 3'	\$320.00	\$275.00	\$10.00	\$285.00

**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 as provided in section 216 of the Charter of the City of Oakland.

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

**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: \_\_\_\_\_