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OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE SECTION 10.48.010 "SCHEDULE OF PARKING FINES" TO INCREASE CALIFORNIA VEHICLE CODE PARKING FINES, AND AMENDING O.M.C. SECTION 10.36.050 "PARKING METER INDICATION THAT SPACE IS ILLEGALLY IN USE", TO INCREASE THE PARKING METER HOURS, AND AMENDING O.M.C. SECTION 10.36.090 "HOLIDAYS IN PARKING METER ZONES ON STREETS" TO INCREASE THE DAYS OF THE WEEK DURING WHICH A PARKING SPACE CAN BE ILLEGALLY IN USE, AND AMENDING O.M.C. SECTION 10.48.010 "SCHEDULE OF PARKING FINES" TO INCREASE PARKING FINES RELATED TO ILLEGAL TRUCK PARKING

WHEREAS, the City of Oakland collects fines for violations of the Oakland Traffic Code as set forth in Title 10 of the Oakland Municipal Code; and

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

WHEREAS, the City of Oakland seeks to raise certain State Vehicle Code fines set in Oakland Municipal Code Section 10.48.010 "Schedule of Parking Fines;" and

WHEREAS, the City of Oakland seeks to increase the hours during which it is illegal to park a vehicle in a parking meter zone, as set forth in Oakland Municipal Code Section 10.36.050; and

WHEREAS, the City of Oakland seeks to increase the days of the week during which it is illegal to park a vehicle in parking meter zone, as set forth in Oakland Municipal Code Section 10.36.090 and;

WHEREAS, the City of Oakland seeks to raise the fines for illegal truck parking set in Oakland Municipal Code Section 10.48.010 "Schedule of Parking Fines;" and

WHEREAS, a Public Hearing was held on June 16, 2009 to review these proposed changes; 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.

Oakland Traffic Code Section	Description	Fine	
10.28.120	Parking commercial vehicles in residential district--Over 10,000 pounds	\$122.00	<u>250.00</u>
10.28.130	Parking of commercial vehicles--7,000 to 10,000 pounds	\$122.00	<u>250.00</u>

Section 2 Oakland Municipal Code (O.M.C.) section 10.48.010 "Schedule of Parking Fines State Vehicle Code Section" 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	Fine	
22500	Improper parking, citation category not specified	\$30.00	<u>\$110.00</u>
22500(a)	No parking--Intersection	\$30.00	<u>\$85.00</u>
22500(b)	No parking--Crosswalk	\$30.00	<u>\$85.00</u>
22500(c)	No parking--Safety zone (red zone between stop bar and right-hand curb)	\$30.00	<u>\$85.00</u>
22500(d)	No parking within 15 of fire station driveway	\$30.00	<u>\$85.00</u>
22500(e)	No parking--Driveway	\$30.00	<u>\$85.00</u>
22500(f)	No parking--Sidewalk	\$30.00	<u>\$100.00</u>
22500(g)	No parking--Obstructing construction traffic	\$30.00	<u>\$60.00</u>
22500(h)	No parking--Double parked	\$30.00	<u>\$75.00</u>
22500(j)	No parking--Tunnel	\$30.00	<u>\$60.00</u>
22500(k)	No parking--Bridge	\$30.00	<u>\$60.00</u>
22500.1	No parking--Fire lane	\$30.00	<u>\$100.00</u>
22500.l	Bus Zone		<u>\$280.00</u>
22500.L	Wheelchair Access		<u>\$280.00</u>
22502	18" from curb (or distance from curb)	\$30.00	<u>\$60.00</u>

22505	No parking--State highway areas	\$30.00—	\$50.00
22507.8	Disabled Parking Space		\$335.00
22513	No solicitation by tow truck	\$30.00—	\$110.00
22514	No parking--Fire hydrant	\$30.00—	\$100.00
22515	Improper parking--Wheels not blocked/brakes not set	\$30.00—	\$70.00
22516	Locked vehicle--Person unable to escape	\$30.00—	\$100.00
22520	No parking on freeway	\$30.00—	\$260.00
22520.5	Vending on freeway prohibited	\$30.00—	\$260.00
22521	No parking on/near railroad track	\$30.00—	\$75.00
22522	Sidewalk Access Ramp within 3'		\$330.00
22523	Abandoning Vehicle on Street		
22951	No street/alley parking from offstreet lot	\$30.00—	\$40.00
23333	No parking--Vehicular crossing	\$30.00—	\$70.00

(Ord. 12898 § 1 (part), 2008; Ord. 12814 § 1, 2007; Ord. 12813 § 1 (part), 2007;

Ord. 12510 § 1, 2003; Ord. 12508, 2003; Ord. 12473 § 1, 2003; Ord. 12472, 2003;

Ord. 12339 § 2, 2001; Ord. 12170 § 2, 1999; Ord. 12038 § 3, 1998; Ord. 11985 § 1, 1997;

Ord. 11975 § 1, 1997; amended during 1997 codification; Ord. 11792-A § 2, 1995; prior traffic code § 401)

Section 3 Oakland Municipal Code (O.M.C.) section 10.36.050 "Parking Meter Indication That Space is Illegally in Use" 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.

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 ~~six p.m.~~ eight 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 4. Oakland Municipal Code (O.M.C.) section 10.36.090 "Holidays on Parking Meter

Zones on Streets” 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.

Notwithstanding other provisions of this title to the contrary and for the purpose of this chapter only, the following days are defined as holidays in parking meter zones, on streets in the city: ~~every Sunday~~, January 1st, third Monday in January (Martin Luther King Jr.'s birthday), third Monday in February (Washington's birthday), last Monday in May (Memorial Day), July 4th, first Monday in September (Labor Day), Thanksgiving Day and December 25th. ~~If any of the foregoing days, except Sunday, falls upon a Sunday, the Monday following is a holiday.~~

Section 5. 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 6. Effective Date. This ordinance shall become effective on July 1, 2009.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

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