

UNIFORM TRAFFIC ORDINANCE

Amended 2019

UNIFORM TRAFFIC ORDINANCE

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ARTICLE III
PUBLIC SAFETY
CHAPTER 2. TRAFFIC RESOLUTIONS
PART 1. UNIFORM TRAFFIC ORDINANCE
DIVISION 1. ADOPTION

3211. UNIFORM TRAFFIC ORDINANCE ADOPTED. There is hereby adopted by reference the following Code for the City, to wit: The Uniform Traffic Ordinance, amended 2006 is hereby adopted by reference and made a part of this Code as though fully set forth herein. Three (3) copies of said Uniform Traffic Ordinance are on file for use and examination by the public in the office of the City Clerk.

3211.1. VIOLATIONS A MISDEMEANOR OR INFRACTION. Any violation of the provisions of the Uniform Traffic Ordinance shall be punishable pursuant to Section 1200 of the Arcadia Municipal Code.

UNIFORM TRAFFIC ORDINANCE

CITY OF ARCADIA

ARTICLE I - DEFINITIONS

Section 1. Definitions of Words and Phrases. The following words and phrases when used in this Ordinance shall for the purposes of this ordinance have the message respectively ascribed to them in this Article.

Section 1.1. Motor Vehicle Code Definitions to be Used. Whenever any words or phrases used herein are not defined, but are defined in the Vehicle Code of the State of California and amendments thereto, such definitions shall apply.

Section 1.2. City Traffic Engineer. A person appointed by the City Manager who shall serve as the City Traffic Engineer with qualification and registration required by the State of California.

Section 1.3. Coach. Any motor bus, motor coach, trackless trolley, or passenger stage used as a common carrier of passengers.

Section 1.4. Council. The City Council of the City of Arcadia

Section 1.5. Curb. The lateral boundary of the roadway whether such curb be marked by curbing construction, or not so marked; the word "curb" as herein used shall not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracks or rights of way of public utility companies.

Section 1.6. Divisional Island. A raised island located in the roadway and separating opposing or confliction streams of traffic.

Section 1.7. Holidays. Within the meaning of the ordinance, holidays are the first of January (New Year's Day), the twelfth of February (Lincoln's Birthday), the third Monday in February (Washington's Birthday/Presidents' Day), the fourth Monday in May (Memorial Day), the fourth day of July (Independence Day), the first Monday in September (Labor Day), the ninth day of September (Admissions Day), the second Monday in October (Columbus Day), the eleventh day of November (Veterans Day), the fourth Thursday of November (Thanksgiving Day), the twenty-fifth day of December (Christmas Day). If the first day of January, twelfth day of February, the fourth day of July, the eleventh day of November, or the twenty-fifth day of December falls upon a Sunday, the Monday following is a holiday. If the eleventh day of November falls upon a Saturday, the preceding Friday is a holiday.

Section 1.8. Loading Zone. The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Section 1.9. Official Time Standard. Whenever certain hours are named herein, they shall mean standard time or daylight saving time as may be in current use in this City.

Section 1.10. Parkway. That portion of a street other than a roadway or a sidewalk.

Section 1.11. Passenger Loading Zone. The space adjacent to a curb reserved for the exclusive use of vehicle during the loading or unloading of passengers.

Section 1.12. Pedestrian. A person afoot.

Section 1.13. Police Officer. Every officer of the Police Department of this City or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Section 1.14. Stop. When required, means complete cessation of movement.

Section 1.15. Vehicle Code. The Vehicle Code of the State of California.

ARTICLE II - TRAFFIC ADMINISTRATION

Section 2. Police Administration. There is hereby established in the Police Department of this City a traffic division to be under the control of the Chief of Police or his/her designee.

Section 2.1. Duty of Police Department. It shall be the duty of the Police Department with such aids as may be rendered by other members of the Police Department to enforce the street traffic regulations of this City and all of the State vehicle laws applicable to street traffic in this City, to make arrests for traffic violations, to investigate traffic accidents and to cooperate with the City Traffic Engineer and other officers of the City in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said division by this ordinance and the traffic ordinances of this City.

Section 2.2. Traffic Accident Studies. Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the Development Services Director in conducting studies of such accidents and determining remedial measures.

Section 2.3. Traffic Accident Reports. The Police Department shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the City Traffic Engineer.

Section 2.4. Annual Traffic Report Submittal. The Chief of Police in conjunction with the Development Services Director shall annually prepare a traffic report which shall be filed with the City Manager. Such a report shall contain information on traffic matters in this City as follows:

- a. The number of traffic accident, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
- b. The number of traffic accident investigated and other pertinent data on the safety activities of the police;
- c. The plans and recommendations of the division for future traffic safety activities.

Section 2.5. City Traffic Engineer. The office of City Traffic Engineer is hereby established in the Development Services Department. The City Traffic Engineer shall be appointed by the City Manager and shall exercise the powers and duties as provided in this Ordinance and in the traffic ordinances of the City. Whenever the City Traffic Engineer is required or authorized to place or maintain official traffic control devices or signals, they may cause such devices or signals to be placed or maintained.

Section 2.6. Powers and Duties of City Traffic Engineer. Delegation. It shall be the general duty of the City Traffic Engineer to determine the installation and proper timing and maintenance of traffic control devices and signals, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering and traffic investigations of traffic conditions and to cooperate with other City officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this City. Whenever, by the provisions of this ordinance a power is granted to the City Traffic Engineer or a duty imposed upon them, the power may be exercised or the duty performed by a deputy or by a person authorized in writing by him.

ARTICLE III - ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

Section 3. Authority of Police and Fire Department/Officials. Officers of the Police Department and such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, audible or other signal in conformance with traffic laws, except that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department or members of the Fire Department may direct traffic as conditions may require, notwithstanding the provisions to the contrary contained in this Ordinance or the Vehicle Code.

Section 3.1. Persons Other Than Officials Shall Not Direct Traffic. No person other than an officer of the Police Department or members of the Fire Department or a person authorized by the Chief of Police or a person authorized by law shall direct or attempt to direct traffic by voice, hand or other signal, except that persons may operate,

when and as herein provided, any mechanical push-button signal erected by order of the City Traffic Engineer.

Section 3.2. Obedience to Police or Authorized Officers. No person shall fail or refuse to comply with or to perform any act forbidden by any lawful order, signal, or direction of a traffic, or police officer, or a member of the Fire Department, or a person authorized by the Chief of Police or by law.

Section 3.3. Traffic Regulations Apply to Persons Riding Bicycles or Animals. Every person riding a bicycle or riding or driving an animal upon a highway has all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Ordinance except those provisions which by their very nature can have no application.

Section 3.4. Obstruction or Interference with Police or Authorized Officers. No person shall interfere with or obstruct in any way any police officer or other officer or employee of this City in their enforcement of the provisions of this Ordinance. The removal, obliteration or concealment of any chalk mark or other distinguishing mark used by any police officer or other employee or officer of this City in connection with the enforcement of the parking regulations of this Ordinance shall, if done for the purpose of evading the provisions of this Ordinance, constitute each interference or obstruction.

Section 3.5. Public Employees to Obey Traffic Regulations. The provisions of this Ordinance shall apply to the operator of any vehicle owned by or used in the service of the United States Government, this state, any county or city, and it shall be unlawful for any said operator to violate any of the provisions of this Ordinance except as otherwise permitted in this Ordinance or by the Vehicle Code.

Section 3.6. Exemption of Certain Vehicles.

- a. The provisions of this Ordinance regulating the operation, parking and standing of vehicles shall not apply to vehicles operated by the Police or Fire Department, any public ambulance or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this section is operated in the manner specified by the Vehicle Code in response to an emergency call.
- b. The foregoing exemptions shall not, however, relieve the operator of any such vehicle from obligation to exercise due care for the safety of others or the consequences of his willful disregard of the safety of others.
- c. The provisions of this Ordinance regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while necessarily in use for construction or repair work or any vehicle owned or operated by the United States Post Office Department while in use for the collection, transportation, or delivery of United States mail.

Section 3.7 Report of Damage to Certain Property.

- a. The operator of a vehicle or the person in charge of any animal involved in any accident resulting in damage to any property publicly owned or owned by a public utility, including but limited to any fire hydrant, parking meter, lighting post, telephone pole, electric light or power pole, or resulting in damage to any tree, traffic control device or other property of a like nature located in or along any street, shall within twenty-four (24) hours after such accident make a written report of such accident to the Police Department of this City.
- b. Every such report shall state the time when and the place where the accident took place, the name and address of the person owning and of the person operating or in charge of such vehicle or animal, the license number of every such vehicle, and shall briefly describe the property damage in such accident.
- c. The operator of any vehicle involved in an accident shall not be subject to the requirements or penalties of this section if and during the time he is physically incapable of making a report, but in such event he shall make a report as required in subdivision (a) within twenty-four (24) hours after regaining ability to make such report.

Section 3.8. When Vehicles May be Removed From Streets. Any regularly employed and salaried officer of the Police Department of this City may remove or cause to be removed:

- a. Any vehicle that has been parked or left upon a street or highway for seventy-two (72) or more consecutive hours.
- b. Any vehicle which is parked or left standing upon a street or highway between the hours of 7:00 a.m. and 7:00 p.m. when such parking or standing is prohibited by ordinance or resolution of this city and signs are posted giving notice of such removal.
- c. Any vehicle which is parked or left standing upon a street or highway where the use of such street or highway or portion thereof is necessary for the cleaning, repair or construction of the street or highway or for the installation of underground utilities or where the use of the street or highway or any portion thereof is authorized for a purpose other than the normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or movement; provided that signs giving notice that such vehicle may be removed are erected or placed at least twenty-four (24) hours prior to the removal.

ARTICLE IV - TRAFFIC CONTROL DEVICES

Section 4. Authority to Install Traffic Control Devices.

- a. The City Traffic Engineer shall have the power and duty to place and maintain or cause to be placed and maintained official traffic control devices when and as required to make effective the provisions of this ordinance.
- b. Whenever the Vehicle Code requires for the effectiveness of any provision thereof that traffic control devices be installed to give notice to the public of the application of such law the City Traffic Engineer is hereby authorized to install or cause to be installed the necessary devices subject to any limitations or restrictions set forth in the law applicable thereto.
- c. The City Traffic Engineer may also place and maintain or cause to place and maintain such additional traffic control devices as he may deem necessary or proper to regulate traffic or to guide or warn traffic, but he shall make such determination only upon the basis of traffic engineering principles and traffic investigations and in accordance with such standards, limitations, and rules as may be set forth in this ordinance or as may be determined by ordinance or resolution of the Council.

Section 4.1. Traffic Control Signs Required for Enforcement Purposes. No provisions of the Vehicle Code or of this ordinance for which signs are required shall be enforced against an alleged violator unless appropriate legible signs are in place giving notice of such provisions of the traffic laws.

Section 4.2. Obedience to Traffic Control Devices. The operator of any vehicle or train shall obey the instructions of any official traffic control device placed in accordance with this ordinance unless otherwise directed by a police officer or other authorized person subject to the exceptions granted the operator of an authorized emergency vehicle when responding to emergency calls.

Section 4.3. Installation of Traffic Signals.

- a. The City Traffic Engineer is hereby directed to install and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard.
- b. The City Traffic Engineer shall ascertain and determine the locations where such signals are required by field investigation, traffic counts and other traffic information as may be pertinent and his determinations therefrom shall be made in accordance with those traffic engineering and

safety standards and instructions set forth in the California Maintenance Manual issued by the State Department of Transportation.

- c. Whenever the City Traffic Engineer installs and maintains an official traffic signal at any intersection, he shall likewise erect and maintain at such intersection street name signs clearly visible to traffic approaching from all directions unless such street name signs have previously been placed and are maintained at any said intersection.

Section 4.4. Lane Marking. The City Traffic Engineer is hereby authorized to mark center lines and lanes upon the surface of the roadway to indicate the course to be traveled by vehicles and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway.

Section 4.5. Distinctive Road Markings. The City Traffic Engineer is authorized to place and maintain distinctive roadway markings as described in the Vehicle Code on those streets or parts of streets where the volume of traffic or the vertical or other curvature of the roadway renders it hazardous to drive on the left side of such marking or signs and markings. Such marking or signs and marking shall have the same effect as similar markings placed by the State Department of Transportation pursuant to provisions of the Vehicle Code.

Section 4.6. Authority to Remove, Relocate and Discontinue Traffic Control Devices. The City Traffic Engineer is hereby authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by the Vehicle Code or this ordinance whenever he shall determine in any particular case that the conditions which warranted or required the installation no longer exist or obtain.

Section 4.7. Traffic Control Devices: Hours of Operation. The City Traffic Engineer shall determine the hours and days during which any traffic control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this ordinance.

Section 4.8. Unauthorized Painting of Curbs. No person, unless authorized by this city, shall paint any street or curb surface; provided, however, that this section shall not apply to the painting of numbers on a curb surface by any person who has complied with the provisions of any resolution or ordinance of this city pertaining thereto.

ARTICLE V - TURNING MOVEMENTS

Section 5. Authority to Place Turning Markers. Intersections. Multiple Lanes. The City Traffic Engineer is authorized to place official traffic control devices within or adjacent to intersections and indicating the course to be traveled by vehicles turning at such intersections, and the City Traffic Engineer is authorized to locate and indicate more than one lane of traffic from which drivers of vehicles may make right or left hand

turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

Section 5.1. Authority to Place Restricted Turn Signs. The City Traffic Engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

Section 5.2. Signal Controlled intersections – Right Turns.

- a. No driver of a vehicle shall make a right turn against a red or stop signal at any intersection which is sign-posted giving notice of such restriction as hereinafter provided in this section.
- b. The City Traffic Engineer shall post appropriate signs giving effect to this section where he determines that the making of right turns against traffic signal "stop" indication would seriously interfere with the safe and orderly flow of traffic.

ARTICLE VI - ONE-WAY STREETS AND ALLEYS

Section 6. The City Traffic Engineer to Sign One-Way Streets and Alleys. Whenever any ordinance or resolution of this City designates any one-way street or alley, the City Traffic Engineer shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

ARTICLE VII - SPECIAL STOPS REQUIRED

Section 7. The City Traffic Engineer to Erect Stop Signs. Whenever any ordinance or resolution of this City designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop, the City Traffic Engineer shall erect and maintain stop signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances to other intersections where a stop is required and at any railroad grade crossing so designated; provided, however, stop signs shall not be erected or maintained at any entrance to an intersection when such entrance is controlled by an official traffic control signal. Every such signal shall conform with, and shall be placed as provided in, the Vehicle Code.

Section 7.1. Stop at Through Street or Stop Sign.

- a. Those streets and parts of streets established by resolution of the Council are hereby declared to be through streets for the purposes of this section.
- b. The provisions of this section shall also apply at one or more entrances to the intersections as such entrances and intersections are established by resolution of the Council.
- c. The provisions of this section shall apply at those highway railway grade crossings as established by resolution of the Council.

Section 7.2. Emerging from Alley, Driveway or Building. The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alley way or driveway.

ARTICLE VIII - MISCELLANEOUS DRIVING RULES

Section 8. Driving Through Funeral Procession. No operator of any vehicle shall drive between the vehicles comprising a funeral procession or a parade, provided that such vehicles are conspicuously so designated. The directing of all vehicles and traffic of any street over which such funeral procession or parade wishes to pass shall be subject to the orders of the Police Department.

Section 8.1. Clinging to Moving Vehicle. No person shall attach himself with his hands, or to catch on, or hold on to with his hands or by other means, to any moving vehicle or train for the purpose of receiving motive power therefrom.

Section 8.2. Commercial Vehicles Using Private Driveways. No person shall operate or drive a commercial vehicle in, on or across any private driveway approach or sidewalk area or the driveway itself without the consent of the owner or occupant of the property, if a sign or markings are in place indicating that the use of such driveway is prohibited.

For the purpose of this section a commercial vehicle shall mean a vehicle having a rated capacity in excess of one-half ton.

Section 8.3. Riding or Driving on Sidewalk. No person shall ride, drive, propel or cause to be propelled any vehicle or animal across or upon any sidewalk excepting over permanently constructed driveways and excepting when it is necessary for any temporary purpose to drive a loaded vehicle across a sidewalk; provided further, that said sidewalk area be substantially protected by wooden planks two inches thick, and written permission be previously obtained from the City Traffic Engineer. Such wooden planks shall not be permitted to remain upon such sidewalk area during the hours from 6:00 p.m. to 6:00 a.m.

Section 8.4. New Pavement and Markings. No person shall ride or drive any animal or any vehicle over or across any newly made pavement or freshly painted markings in any street when a barrier sign, cone-marker or other warning device is in place warning persons not to drive over or across such pavement or marking, or when any such device is in place indicating that the street or any portion thereof is closed.

Section 8.5. Obedience to Barriers and Signs. No person, public utility or department in the City shall erect or place any barrier or sign on any street unless of a type approved by the City Traffic Engineer or disobey the instructions, remove, tamper with or destroy any barrier or sign lawfully placed on any street by any person, public utility, or by any department of the City.

Section 8.6. No Entrance Into Intersection That Would Obstruct Traffic. No operator of any vehicle shall enter any intersection or a marked cross-walk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

Section 8.7. Limited Access. No person shall drive a vehicle onto or from any limited accessway roadway except at such entrances and exits as are lawfully established.

Section 8.8. Restrictions on Use of Freeways. No person shall drive or operate any bicycle, motor driven cycle, or any vehicle which is not drawn by a motor vehicle upon any street established as a freeway, as defined by State Law, nor shall any pedestrian walk across or along any such street so designated and described except in space set aside for the use of pedestrians, provided official signs are in place giving notice of such restrictions.

ARTICLE IX - PEDESTRIAN REGULATIONS

Section 9. Traffic Engineer to Establish Marked Crosswalks.

- a. The City Traffic Engineer shall establish, designate, and maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadways as follows:

Crosswalks shall be established and maintained at all intersections where the City Traffic Engineer determines that there is particular hazard to pedestrians crossing the roadway subject to the limitation contained in (b) of this section.

- b. Other than crosswalks at intersections, no crosswalk shall be established in any block which is less than four hundred (400) feet in length and such crosswalk shall be located as nearly as practicable at mid-block.

- c. The City Traffic Engineer may place signs at or adjacent to an intersection in respect to any crosswalk directing that pedestrians shall not cross in the crosswalk so indicated.

ARTICLE X - STOPPING, STANDING, AND PARKING FOR CERTAIN PURPOSES OR IN CERTAIN PLACES

Section 10. Application of Regulations.

- a. The provisions of this ordinance prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times herein specified, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.
- b. The provisions of this ordinance imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or the ordinances of this City prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

Section 10.1. Stopping or Standing in Parkways Prohibited. No person shall stop, stand, or park a vehicle within any parkway.

Section 10.2. Traffic Engineer to Maintain No Stopping Zones and No Parking Areas. The City Traffic Engineer is hereby authorized to maintain, by appropriate signs or by paint upon the curb surface, all no stopping zones, no parking areas, and restricted parking areas, as defined and described in this ordinance.

When said curb markings or signs are in place, no operator of any vehicle shall stop, stand or park such vehicle adjacent to any such legible curb marking or sign in violation of any of the provisions of this ordinance.

Section 10.3. No Parking Areas. No operator of any vehicle shall stop, stand, park or leave standing such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or other authorized officer, or traffic sign or signal;

- a. Within any divisional island unless authorized and clearly indicated with appropriate signs or markings.
- b. On either side of any street between the projected property lines of any public walk, public steps, street, or thoroughfare terminating at such street, when such area is indicated by appropriate signs or by red paint upon the curb surface.

- c. In any area where the City Traffic Engineer determines that the parking or stopping of a vehicle would constitute a traffic hazard or would endanger life or property, when such area indicated by appropriate signs or by red paint upon the curb surface.
- d. In any area established by resolution of the City Council as a no parking area, when such area is indicated by appropriate signs or by red paint upon the curb surface.
- e. Upon, along, or across any railway track in such manner as to hinder, delay, or obstruct the movement of any car traveling upon such track.
- f. In any area where the parking or stopping of any vehicle would constitute a traffic hazard or would endanger life or property.
- g. On any street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair, or construction of the street or highway or the installation of underground utilities or where the use of the street or highway or any portion thereof is authorized for a purpose other than the normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles, or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or movement; provided that signs giving notice of such no parking are erected or placed at least twenty-four (24) hours prior to the effective time of such no parking.
- h. At any place within twenty (20) feet of a point on the curb immediately opposite the mid-block end of a safety zone, when such place is indicated by appropriate signs or by red paint upon the curb surface.
- i. At any place within twenty (20) feet of a crosswalk at an intersection (in the central traffic district or) in any business district when such place is indicated by appropriate signs or by red paint upon the curb surface except that a bus may stop at a designated bus stop.
- j. Within twenty (20) feet of the approach to any traffic signal, boulevard stop sign, or official electric flashing device.

Section 10.4. Use of Streets for Storage of Vehicles Prohibited. No person who owns or has possession, custody, or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours.

Section 10.5. Parking for Demonstration. No operator of any vehicle shall park said vehicle upon any street in this City for the principal purpose of advertising or displaying it for sale, unless authorized by resolution of the Council.

Section 10.6. Repairing or Greasing Vehicles on Public Streets. No person shall construct or cause to be constructed, repair or cause to be repaired, grease or cause to be greased, dismantle or cause to be dismantled any vehicle or any part thereof upon any public street in this City. Temporary emergency repairs may be made upon a public street.

Section 10.7. Washing or Polishing Vehicles. No person shall wash or cause to be washed, polish or cause to be polished any vehicle or any part thereof upon any public street, public park, public parking lot, or parking lot open to public use in the City, when a charge is made for such service.

Section 10.8. Parking Adjacent to Schools.

- a. The City Traffic Engineering is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.
- b. When official signs are erected prohibiting parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place.

Section 10.9. Parking Prohibited on Narrow Streets.

- a. The City Traffic Engineer is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty (30) feet.
- b. When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking.

Section 10.10. Parking on Grades. No person shall park or leave standing any vehicle unattended on a street or highway when upon any grade exceeding three percent (3%) within the City without blocking the wheels of said vehicle by turning them against the curb or by other lawful means unless a special permit is obtained pursuant to provision of subsection (a) below:

- a. The Chief of Police is authorized to issue exemptions from the requirements of this section provided such vehicle is equipped with a special braking system of a type authorized and recommended by the California Highway Patrol and the Chief of Police.

- b. Any such special permit issued by the Chief of Police shall be null and void if:
 - (1) The brake locking device is not placed in the "on" position in all unattended vehicles; and
 - (2) Such vehicle does not carry a current State of California Department of California Highway Patrol Official Brake Adjustment Certificate issued by a brake inspection station licensed by the California Highway Patrol in compliance with Section 26453 of the California Vehicle Code.

Section 10.11. Unlawful Parking – Peddlers, Vendors.

- a. Except as otherwise provided in this section, no person shall stand or park any vehicle, wagon, or pushcart from which goods, wares, merchandise, fruits, vegetables, or food stuffs are sold, displayed, solicited, or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this City except that such vehicles, wagons, or pushcarts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten (10) minutes at any one place. The provision of this subsection shall not apply to persons delivering such articles upon order of, or by agreement with a customer from a store or other fixed place of business or distribution.
- b. No person shall park or stand on any street any lunch wagon, eating cart or vehicle, or pushcart from which food is sold or offered for sale without first obtaining a written permit to do so from the City Traffic Engineer which shall designate the specific location in which such cart shall stand.
- c. No person shall park or stand any vehicle or wagon used or intended to be used in the transportation of property for hire on any street while awaiting patronage for such vehicle or wagon without first obtaining a written permit to do so from the City Traffic Engineer which shall designate the specific location where such vehicle may stand.
- d. Whenever any permit is granted under the provisions of this section and a particular location to park or stand is specified therein, no person shall park or stand any vehicle, wagon, or pushcart on any location other than as designated in such permit. In the event that the holder of any such permit is convicted in any court of competent jurisdiction for violating any of the provisions of this section, such permit shall be forthwith revoked by the City Traffic Engineer upon the filing of a record of such conviction with such officer and no permit shall thereafter be issued to such person until six (6) months have elapsed from the date of such revocation.

Section 10.12. Emergency Parking Signs.

- a. Whenever the City Traffic Engineer shall determine that an emergency traffic congestion is likely to result from the holding of public or private assemblages, gatherings, or functions, or for other reasons, the City Traffic Engineer shall have the power and authority to order temporary signs to be erected or posted indicating that the operation, parking, or standing of vehicles is prohibited on such streets and alleys as the City Traffic Engineer shall direct during the time such temporary signs are in place. Such signs shall remain in place only during the existence of such emergency and the City Traffic Engineer shall cause such signs to be removed promptly thereafter.
- b. When signs authorized by the provisions of this section are in place giving notice thereof, no person shall operate, park, or stand any vehicle contrary to the directions and provisions of such signs.

Section 10.13. Display of Warning Devices When Commercial Vehicle Disabled. Every motor truck having an unladen weight of four thousand (4,000) pounds or more, and every truck tractor irrespective of weight when operated upon any street or highway during darkness shall be equipped with and carry at least two (2) flares or two (2) red lanterns or two (2) warning lights or reflectors, which reflectors shall be of a type approved by the Department of California Highway Patrol. When any vehicle above mentioned or any trailer or semi-trailer is disabled upon streets or highways outside of any business or residence district within this City and upon which street or highway there is insufficient street lighting to reveal a vehicle at a distance of two hundred (200) feet during darkness, a warning signal of the character indicated above shall be immediately placed at a distance of approximately one hundred (100) feet in advance of, and one hundred (100) feet to the rear of, such disabled which by the driver thereof. The continuous flashing of at least four (4) approved class A-Type I turn signal lamps, at least two (2) toward the front and at least two (2) toward the rear of the vehicle, shall be considered to meet the requirements of this section until the devices mentioned above can be placed in the required locations. The warning signs herein mentioned above shall be displayed continuously during darkness while such vehicle remains disabled upon such street or highway.

Section 10.14. Keys Left in Vehicles. No person shall leave a motor vehicle unattended on any street, alley, used car lot, or unattended parking lot without first stopping the engine, locking the ignition, and removing the ignition key therefrom.

Section 10.15. Handicapped Parking; Private Off-Street Parking Facilities.

- a. The City Council hereby finds and declares that there are privately owned and maintained off-street parking facilities as described in resolutions adopted by the City Council from time to time, that are generally held open for the use of the public for purposes of vehicular parking. No such

resolution shall be adopted without a public hearing thereon and ten (10) days prior written notice to the owner and operator of the privately owned and maintained off-street parking facility involved. Upon adoption of aforesaid resolution, Vehicle Code Section 22507.8 shall apply to any such privately owned and maintained off-street parking facility provided the owner or operator thereof has caused to be posted in a conspicuous place at each entrance to such off-street parking facility a notice not less than seventeen (17) by twenty-two (22) inches in size with lettering no less than one (1) inch in height, to the effect that such off-street parking facility is subject to public traffic regulations and control.

- b. No person shall park or leave standing on such off-street parking facility any vehicle in a stall or space designated for physically handicapped persons, if, immediately adjacent to and visible from such stall or space, there is posted a sign consisting of a profile view of a wheelchair with occupant in white on a blue background, unless the vehicle displays either one of the distinguishing license plates or a placard issued pursuant to Section 22511.5 of the Vehicle Code or to disabled veterans, as specified in Vehicle Code Section 9105. Violation of this subsection (b) shall be punishable as an infraction as specified in Vehicle Code Sections 42001(a) and 42001.5(b).

Section 10.16. Vehicles Transporting Hazardous Materials. A vehicle transporting a hazardous material or substance as identified in Title 49 of the Code of Federal Regulations, as amended from time to time, a copy of which is on file with the Office of the City Clerk, Arcadia Police Department, and Fire Department, which materials and substances are by this reference incorporated herein, must be attended at all times by its driver or a qualified representative of the motor carrier that operates it, and shall not be parked on any highway, highway shoulder, street, alley, public way or public place, or within five (5) feet of the traveled portion thereof, within a residential zone or within one thousand (1,000) feet of any school or hospital or within three hundred (300) feet of any bridge or tunnel, except for brief periods when mechanical or equipment failure or disablement or malfunction of the vehicle, or the necessities of operation require the vehicle to be parked and make it impractical to park the vehicle in any other place.

Section 10.16.1. Same. Repair, maintenance, refuse, utility, termite and pesticide vehicles, fuel delivery, and vehicles delivering life support and health commodities, while servicing residential areas or schools, are exempt from the provisions of Section 10.16. Additionally, such exempt vehicles need not be attended while the drivers are performing duties that are evident and necessary as the operator of the vehicle or the provider of the service.

Section 10.16.2. Same. For the purposes of Section 10.16 and its subsections:

- a. A motor vehicle is attended when the person in charge of the vehicle is on the vehicle, awake, and not in a sleeper berth, or is within one hundred (100) feet of the vehicle and has it within his unobstructed field of view.
- b. A qualified representative of a motor carrier is a person who:
 - (1) Has been designated by the carrier to attend the vehicle.
 - (2) Is aware of the nature of the hazardous material or substance contained in the vehicle he attends.
 - (3) Has been instructed on the procedures he must follow in emergencies concerning hazardous materials or substances.
 - (4) Is authorized to move the vehicle and has the means and ability to do so.

Section 10.16.3. Same. The rules of Section 10.16 and its subsection do not relieve a driver from any obligation imposed by Federal, State, or local laws relating to the transportation of hazardous materials or explosives, motor carrier safety regulations, or the placement of warning signs or devices when a motor vehicle is stopped on a public street or highway.

Section 10.17. Handicapped Parking. Any motorist who fails to display a lawfully issued handicapped placard or permit in their possession thereby causing the issuance and dismissal of a citation for unlawful handicapped parking is in violation of the Uniform Traffic Ordinance.

Section 10.18. Restricted Parking for Vehicles Connected to Electric Charging Stations.

a. Definitions. As used in this section, the below words shall have the meanings ascribed to them herein:

- (1) "Designated Space" shall mean a parking stall or space in an off-street parking facility owned or operated by the City designated by the City Council by ordinance or resolution to be used for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes and that has posted an Electric Vehicle Parking Sign in conformity with this section 10.18.
- (2) "Electric Vehicle Parking Sign" shall mean a sign placed by the City Traffic Engineer or his or her designee at an off-site parking facility containing a Designated Space. An Electric Vehicle Parking Sign

shall be no less than 17 by 22 inches in size with lettering not less than one inch in height that clearly and conspicuously states the following: "Unauthorized vehicles not connected for electric charging purposes will be towed away at owner's expense. Towed vehicles may be reclaimed at Jan's Towing, 1045 W. Kirkwall Road, Azusa, California 91702 or by telephoning (626) 914-1841 or Arcadia Police Department (626) 574-5150." An Electric Vehicle Sign shall be posted either (1) immediately adjacent to, and visible from, a Designated Space, or (2) in a conspicuous place at each entrance to the off-street parking facility containing the Designated Space.

(3) "Garage" shall mean a building or other space wherein the business of storing or safekeeping vehicles of a type to be registered under the Vehicle Code and which belong to members of the general public is conducted for compensation.

b. A person shall not park or leave standing a vehicle in a Designated Space unless the vehicle is connected for electric charging purposes.

c. A person shall not obstruct, block, or otherwise bar access to a Designated Space unless the vehicle is connected for electric charging purposes.

d. The City, as owner or operator of the off-street parking facility containing a Designated Space, after notifying its police department, may cause the removal of a vehicle in violation of subsection (b), subsection (c), or subsection (d), of this section from a Designated Space to the nearest Garage that is owned, leased, or approved for use by the City.

e. The provisions of this section do not exempt a person or his or her vehicle from compliance with any and all other parking regulations set forth in this Uniform Traffic Ordinance or the Arcadia Municipal Code."

ARTICLE XI - STOPPING, STANDING, OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

Section 11. Twenty-Four (24) Minute Parking. Green curb marking shall mean no standing or parking for a period of time longer than twenty-four (24) minutes at any time between 9:00 a.m. and 6:00 p.m. on any day except Sundays and holidays.

When authorized signs, parking meters, or curb markings have been determined by the City Traffic Engineer to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand, or park said vehicle adjacent to any such legible curb marking or sign or parking meter in violation thereof.

Section 11.2. One-Hour Parking. When authorized signs, parking meters, or curb marking have been determined by the City Traffic Engineer to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand, or park said vehicle between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for a period of time longer than one hour.

Section 11.3. Limited-Time Parking. The City Traffic Engineer is authorized to install signs restricting the duration of parking for designated parking impacted areas, where necessary, and the signs shall provide notice thereof that no operator of any vehicle shall stop, stand or park said vehicle for a period longer than the time listed on said signs, subject to any exceptions as listed. Any limited-time parking shall only be enforceable once the City Traffic Engineer has erected sufficient signage describing the duration of parking permissible in designated parking impacted areas.

Section 11.4. Parking Parallel on One-Way Streets.

- a. Subject to other and more restrictive limitations, a vehicle may be stopped or parked within eighteen (18) inches of the left-hand curb facing in the direction of traffic movement upon any one-way street unless signs are in place prohibiting such stopping or standing.
- b. In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are in place permitting such standing or parking.
- c. The City Traffic Engineer is authorized to determine when standing or parking shall be prohibited upon the left-hand side of any one-way street or when standing or parking may be permitted upon the left-hand side of any one-way roadway of a highway having two or more separate roadways and shall erect signs giving notice thereof.
- d. The requirement of parallel parking imposed by this section shall not apply in the event any commercial vehicle is actually engaged in the process of loading or unloading freight or goods, in which case such vehicle may be backed up to the curb, provided that such vehicle does not extend beyond the center line of the street and does not block traffic thereby.

Section 11.5. Diagonal Parking. On any of the streets or portions of streets established by resolution of the Council as diagonal parking zones, when signs or pavement markings are in place indicating such diagonal parking, it shall be unlawful for the operator of any vehicle to park said vehicle except:

- a. At the angle to the curb indicated by signs or pavement markings allotting space to parked vehicles and entirely within the limits of said allotted space;

b. With the front wheels nearest the curb within six (6) inches of said curb.

The provisions of this section shall not apply when such vehicle is actually engaged in the process of loading or unloading passengers, freight or goods, in which event the provisions applicable in Section 11.4 of this ordinance shall be complied with.

Section 11.6. Parking Space Markings. The City Traffic Engineer is authorized to install and maintain parking space markings to indicate parking spaces adjacent to curbings where authorized parking is permitted.

When such parking space markings are placed on the highway, subject to other more restrictive limitations, no vehicle shall be stopped, left standing, or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible.

Section 11.7. No Stopping Zones. The City Traffic Engineer shall designate established no stopping zones by placing and maintaining appropriate signs indicating that stopping of vehicles is prohibited and indicating the hours and day when stopping is prohibited.

During the hours and on the days designated on the signs, it shall be unlawful for the operator of any vehicle to stop said vehicle on any of the streets or parts of streets established by resolution of the Council as no stopping zones.

Section 11.9. Early Morning Parking Prohibited. No person shall park any vehicle of a maximum gross weight limit of six thousand (6,000) pounds or less on any street between the hours of 2:30 a.m. and 5:30 a.m. on any day. (amended Ordinance No. 2236, eff. 3/6/08)

Section 11.9.1. Early Morning Parking of Vehicles of a Gross Weight in Excess of Six Thousand (6,000) Pounds Prohibited. No person shall park any vehicle exceeding a maximum gross weight limit of six thousand (6,000) pounds on any street between the hours of 3:00 a.m. and 6:00 a.m. on any day.

Section 11.9.2. Early Morning Parking Prohibited. No person shall park any vehicle on public parking lots, City or Redevelopment Agency owned property between the hours of 3:00 a.m. and 6:00 a.m. on any day.

Section 11.10. Same. Exception. The provisions of Section 11.9 shall not apply to emergency vehicles nor to a vehicle for which a temporary or annual all night parking permit, issued in accordance with this Article, is in effect.

Section 11.11. Annual All Night Street Parking Permit. Application. Every person desiring an annual all night street parking permit shall file with the City Treasurer a written application on a form to be furnished by the City. Each application shall set forth the following:

- a. The name and residence of the applicant;
- b. The license number, the make, and the model of the vehicle for which such permit is requested;
- c. A statement that there is no parking space available or obtainable upon the property designated as applicant's residence;
- d. A statement that there is no parking space previously provided or available upon the property designated as applicant's residence is now used for any purpose other than for the parking of vehicles;
- e. The period of time for which such permit is requested;
- f. Such additional information as the City may require;
- g. The signature of the applicant.

Section 11.12. Same. Fee. To be acceptable for filing, each such application shall be fully completed as required by the preceding section and shall be accompanied by the payment of a permit fee in the amount of Eighty-Four (\$84.00) Dollars to cover the City's cost incurred in the enforcement of this Article. No portion of any permit fee shall be refunded, whether the application is granted or denied, or whether the permit issued thereunder is subsequently revoked or modified.

Section 11.13. Same. Same. Proration. Such permit shall be reduced by Seven (\$7.00) Dollars for each month of the calendar year that shall have already elapsed at the time of filing of such application. A minimum three (3) month permit is required.

Section 11.14. Same. Issuance. Upon the filing and verification of the statements in the application, the City shall issue an all night street parking permit in a form designated by the Chief of Police, specifying the date of its expiration; provided that a permit shall be issued only to a passenger vehicle, or a commercial vehicle, as defined by the California Vehicle Code, which together with any accessories or property thereon does not exceed a width of seven (7) feet and does not exceed a height of seven (7) feet, nor exceed a gross vehicle weight of six thousand (6,000) pounds.

Section 11.15. Same. Duration. Annual all night street parking permits shall be valid throughout the calendar year of their issuance and shall expire at midnight on the last day of such year, unless sooner revoked as hereinafter provided.

Section 11.16. Same. Filing. After issuance of an all night street parking permit, the application therefor shall be filed with the Police Department. Prior to such filing the City Treasurer shall endorse upon each application the date that a permit was issued thereunder and the serial number thereof.

Section 11.17. Same. Investigation. Upon the filing with the Police Department of an all night street parking permit application, the Chief of Police shall cause to be made such investigation thereof as he deems necessary or advisable.

Section 11.18. Same. Revocation. Upon receipt of information from any source that any material statement in an application for an all night street parking permit was untrue or is no longer true, the Chief of Police shall order the person to whom a permit was thus issued to appear and show cause why such permit should not be revoked. Such order may be served upon the permittee either personally or by mail, and shall be thus served at least five (5) full days prior to the date upon which such person is thus ordered to appear. If from the evidence on hand at such time the Chief of Police determines that one or more material statements in an application for an all night street parking permit was or is untrue, he shall revoke the permit issued pursuant to such application. Any permit thus revoked shall be of no further force or effect whatsoever.

Section 11.19. Same. Display. No annual all night street parking permit hereafter issued under this Article shall be effective at any time when the same is not affixed to the left side of the rear bumper or the lower most five-inch corner of the rear window on the driver's side of the vehicle for which it is issued.

Section 11.20. Same. Transfer. Upon the acquisition by an all night street parking permittee of a new vehicle and the sale or disposal of the vehicle for which an all night street parking permit has been obtained and is still in effect, such person may apply for and obtain a new permit for such new vehicle. Application for such new permit shall be made to the City Treasurer on a form provided by the City, and shall be accompanied by the payment of a transfer fee of One Dollar (\$1.00). No other permit fee shall be required, and the permit shall be only for the unexpired portion of the calendar year. Upon issuance of a new permit under this Section, the permit previously issued for applicant's car that was sold or disposed of shall be deemed revoked and shall be of no further force and effect, and prior to the issuance of such new permit, the City may require the applicant therefor to submit satisfactory evidence that such former permit has been destroyed or will no longer be used.

Section 11.21. Temporary All Night Street, Public Parking Lot, and City Owned Property Parking Permit. Parking of vehicles on city streets between the hours of 3:00 a.m. and 6:00 a.m. is prohibited except by temporary or annual parking permit. Temporary all night street parking permits shall be purchased through a self-service parking permit vending machine located at the Police Department for a \$3.00 per night fee. Temporary parking permits are subject to the following time periods and conditions:

- a. For passenger cars and commercial vehicles under six thousand (6,000) pounds, no limit;
- b. Permits are not valid for commercial vehicles over six thousand (6,000) pounds;

- c. Vending machine issued parking permits are not valid for recreational vehicles or trailers;
- d. Permits are not valid for recreational vehicles or trailers unless with prior approval by the Chief of Police or his/her designee, and any such approval shall be for not more than three (3) consecutive days and not more than fifteen (15) days per calendar year; a special permit will be issued at the Records Section after completion of a temporary permit request form;
- e. Permits are not valid unless the license number is written on the face of the permit;
- f. Permits are not valid unless displayed in the manner specified by the Chief of Police;
- g. A temporary all night parking permit does not exempt holder from other City Ordinances, Arcadia Municipal Code, or the California Vehicle Code;
- h. Permits may be denied or revoked at the discretion of the Chief of Police or his/her designee.

ARTICLE XII - STOPPING FOR LOADING OR UNLOADING ONLY

Section 12. Authority to Establish Loading Zones.

- a. The City Traffic Engineer is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:
 - (1) At any place in the central traffic district or any business district
 - (2) Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.
- b. In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.
- c. Loading zones shall be indicated by yellow paint upon the top of all curbs within such zones.
- d. Passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones.

Section 12.1. Curb Markings to Indicate No Stopping and Parking Regulations.

- a. Red shall mean no stopping, standing, or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.
- b. Yellow shall mean no stopping, standing, or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials,

provided that the loading or unloading of passengers shall not consume more than three (3) minutes nor the loading or unloading of materials more than twenty (20) minutes.

- c. White shall mean no stopping, standing, or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mail box, which shall not exceed three (3) minutes and such restrictions shall apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays and except as follows:
 - (1) When such zone is in front of a hotel or in front of a mailbox, the restrictions shall apply at all times.
 - (2) When such zone is in front of a theater, the restrictions shall apply at all times except when such theater is closed.
- d. When the City Traffic Engineer as authorized under this ordinance has caused curb markings to be placed, no person shall stop, stand, or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.

Section 12.2. Effect of Permission to Load or Unload.

- a. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of material shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than twenty (20) minutes.
- b. The loading or unloading of materials shall apply only to commercial deliveries, also the delivery or pick-up of express and parcel post packages and United States mail.
- c. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage but shall not extend beyond the time necessary therefor and in no event for more than three (3) minutes.
- d. Within the total time limits above specified the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

Section 12.3. Standing for Loading or Unloading Only. No person shall stop, stand, or park a vehicle in any yellow loading zone for any purpose other than loading or unloading passengers or material for such time as is permitted in Section 12.2.

Section 12.4. Standing in Passenger Loading Zone. No person shall stop, stand, or park a vehicle in any passenger loading zone for any purpose other than the loading or unloading of passengers for such time as is specified in Section 12.2.

Section 12.5. Standing in Any Alley. No person shall stop, stand or park a vehicle for any purpose other than the loading or unloading of persons or material in any alley.

Section 12.6. Coach Zones to be Established.

- a. The City Traffic Engineer is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses or common carriers of passengers and to determine the location thereof.
- b. Coach zones shall normally be established on the far side of an intersection.

ARTICLE XIII - RESTRICTED USE OF CERTAIN STREETS

Section 13.3. Truck Routes.

- a. Whenever any resolution of this City designates and describes any street or portion thereof as a street, the use of which is permitted by any vehicle exceeding a maximum gross weight limit of three (3) tons, the City Traffic Engineer is hereby authorized to designate such street or streets by appropriate signs as "Truck Routes" for the movement of vehicles exceeding a maximum gross weight limit of three (3) tons.
- b. When any such truck route or routes are established and designated by appropriate signs, the operator of any vehicle exceeding a maximum gross weight limit of three (3) tons shall drive on such route or routes and none other except that nothing in this section shall prohibit the operator of any vehicle exceeding a maximum gross weight of three (3) tons coming from a "Truck Route" having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.
- c. The provisions of this section shall not apply to (1) passenger buses under the jurisdiction of the Public Utilities Commission, or to (2) any vehicle owned by a public utility while necessarily in use in the construction, installation, or repair of any public utility.

- d. Those streets and parts of streets established by resolution of the City Council are hereby declared to be truck routes for the movement of vehicles exceeding a maximum gross weight of three (3) tons.

Section 13.4. Permit to Use Restricted Street. Notwithstanding any other provisions of this Article, vehicles exceeding the maximum gross weight limit set forth in sub-paragraph (a) of Section 13.3 may be permitted to operate upon restricted streets from which they are excluded by this Article and by resolution of the City Council upon obtaining a permit therefor pursuant to this Article.

Section 13.5. Same. Application. Any person desiring to operate a non-exempt vehicle or vehicles exceeding a maximum gross weight limit of three (3) tons each along or upon any restricted street shall file an application, in triplicate, for a permit to do so, with the City Clerk, the original of which shall be verified. The application shall set forth the following information:

- a. A full identification, and the residence and business address of the applicant, including all members of any firm or partnership, and the president and secretary of any corporation applying. If the applicant is the agent or employee of any person for whose benefit the permit is requested, this fact, with the full identification of such person and his business and residence address, shall be given.
- b. The facts constituting the necessity for the use.
- c. The amount of materials expected to be hauled in tons.
- d. The dates on which the use is intended to be commenced and completed and the times of day during which use is intended to be conducted.
- e. The particular streets or highways over which a permit to operate is requested.
- f. The time interval between vehicles, and the number of vehicles per hour, which will travel over the route for which the permit is applied.
- g. The locations of the place or places of delivery of the materials; provided, that if the delivery is to be made in small quantities to numerous places, a general description, satisfactory to the City Manager, of the locations of the contemplated deliveries will be sufficient.
- h. A specific description of the vehicle or vehicles and load to be operated or moved.
- i. Whether such permit is requested for a single trip or for continuous operation.

j. Such further information as the City Manager may require.

Section 13.6. Same. Investigation. Immediately upon the filing of an application for a permit pursuant to this Article, the City Manager shall make or cause to be made an investigation of the facts stated in the application.

Section 13.7. Same. Application Filing Fee. At the time of filing an application for a permit pursuant to this Article, the applicant shall pay to the City at the Office of the City Treasurer, a filing fee of Fifty (\$50.00) Dollars to cover the cost of the City's investigation of such application.

Section 13.8. Same. Issuance; Terms and Conditions. If the City Manager, after considering the application and the results of the investigation required by Section 13.6, finds that the vehicle or vehicles described in said application may be operated upon the restricted streets set forth in the application without undue damage to the roadway, foundations, surfaces and structures of such restricted street or streets and that such proposed use is not inconsistent with the public health, safety, welfare, and convenience, he may, if good cause appears therefor, issue a permit upon the terms and conditions that he believes are necessary to assure against such damage and to protect the public health, safety, welfare, and convenience authorizing the applicant to operate a non-exempt vehicle or vehicles over and upon restricted streets within the City for a period not to exceed six (6) months. The City Manager shall render his decision in writing on the application within ten (10) days of the filing thereof.

Section 13.9. Same. Permit Fees. Any permittee authorized by permit issued pursuant to this Article to operate a non-exempt vehicle over three (3) tons gross weight over or upon a restricted street within the City shall pay to the City, as a liquidated sum, in payment for and in full satisfaction of all damages and injury to such restricted street which will be caused by such vehicle operating on said street, the sum of two (2) cents per ton for each ton of vehicle and load carried therein times each five hundred twenty-eight (528) feet or part thereof of such restricted street upon which said vehicle is operated. Payment of such sum is necessary to protect such restricted streets from the actual damage and injury which will result from the operation of such vehicles and by reason of the difficulty in computing such damages. Two (2) cents per ton per five hundred twenty-eight (528) feet of such restricted street shall be a reasonable sum for the use of such restricted streets as a condition of operation of such vehicles thereon. The City Manager is authorized to accept such sums in full satisfaction for all damages and injury to such restricted streets to be caused by such vehicles and is authorized to enter into an agreement, stipulating to the acceptance of such sums as full satisfaction for all damages and injury to occur from the use of such restricted streets by said vehicles. Payment of such fees shall be made in monthly installments and shall be paid to the City Treasurer on or before the tenth day of the month succeeding the use of said restricted street or streets with the deposit required by this Article to be applied on the payment due for the last calendar month of operation or part thereof.

Section 13.10. Same. Deposit Required. The City Manager shall require, as a condition to the issuance of any permit pursuant to this Article, that the applicant, prior to the issuance of the permit, deposit with the City Treasurer as security for the payment of fees specified in Section 13.9, a sum of money to be fixed by the City Manager. Such deposit shall be based upon the estimated fees which will become due during the first month of permittee's use of restricted streets pursuant to the permit. Upon completion or termination of the use permitted by said permit, the deposit shall be applied to the sum due from the permittee for the previous month's operation or use and any excess shall be returned to the permittee by the City Treasurer. In the event the amount of the deposit is less than the amount due from the permittee for the last month of his operation or use of restricted streets as computed pursuant to Section 13.9, the permittee shall pay such deficiency on or before the tenth day of the first month after the permittee ceases to use said restricted streets as authorized by said permit. The amount of the deposit under this section shall be returned to the applicant if, prior to the commencement of any use pursuant to such application, the applicant notifies the City Manager in writing of his intention not to engage in the permitted use and demands return of such deposit. In such event, the City Manager shall cause the deposit to be returned to applicant and the permit shall thereupon become null and void.

Section 13.11. Same. Surety Bond. The City Manager may if he deems it desirable and necessary to protect the interest of the City and its citizens require in addition to the deposit set forth in Section 13.10, as a condition of the issuance of any permit pursuant to this Article, a cash bond or in lieu thereof, a corporate surety bond, in an amount to be fixed by the City Manager, in a form to be approved by the City Attorney, inuring to the benefit of the City and guaranteeing that the applicant will faithfully perform all of the conditions and requirements specified in the permit.

Section 13.12. Same. Display. A copy of every permit issued pursuant to this Article shall be carried in the vehicle or combination of vehicles to which it refers and said copy of the permit shall be open to inspection by any peace officer of any other officer or governmental employee charged with the care or protection of such streets.

Section 13.13. Same. Right of Appeal.

- a. In the event the City Manager denies an application for permit made pursuant to the provisions of this Article or imposes conditions or terms which the applicant feels are inappropriate or unwarranted, the applicant may within five (5) days after the date the City Manager notifies the applicant in writing of his decision on the said application, file with the City Clerk a written notice of appeal to the City Council from such decision. Before accepting for filing any such notice of appeal, the City Clerk shall charge and collect a fee of Twenty Five (\$25.00) Dollars. Upon receipt of said notice of appeal and the payment of said fee, the City Clerk shall set a hearing on such appeal before the City Council for the next succeeding regular meeting after the date of filing of such notice.

- b. At the time set for hearing, the City Council may summon witnesses and hear evidence relating to the application. The Council may, if it deems it necessary, continue the hearing from time to time. At the conclusion thereof, the City Council shall make its findings thereon and may grant or deny the application, or make such modifications with reference thereto, as it may deem appropriate. The findings and order of the City Council shall be final and conclusive on the application.

Section 13.14. Same. Suspension and Revocation.

- a. The City Council may revoke any permit issued by the City Manager or the City Council under the provisions of this Article upon any ground upon which such permit could or should have been denied in the first instance or whenever the Council is satisfied that the conduct of the permittee's use of such restricted streets does or will in any manner endanger, threaten, or jeopardize the public health, safety, peace, or welfare or that such permit was obtained upon false or misleading statements or representations of or on behalf of the applicant.
- b. The City Council may revoke or suspend any permit issued by it or the City Manager under the provisions of this Article where the permittee or his employees violate or permit any infraction of any law of the State, or any provision of this Code, or any condition of the permit in connection with permittee's use of such restricted streets under the terms of said permit.
- c. For any of the reasons specified in the preceding subsections, the City Council may suspend or revoke any permit under the provisions of this Article after a public hearing afforded the permittee upon at least five (5) days written notice mailed to the permittee at the address shown in his application for such permit.
- d. For any reasons specified in the preceding subsections, the City Manager may by written order temporarily suspend any permit issued under the provisions of this Article by mailing a copy of said written order to the permittee at the address shown on his application for such permit or by personally serving a copy upon the permittee. Such suspension shall remain in full force and effect until the next regular meeting of the City Council, at which time the City Council shall consider the matter of the temporary suspension and may thereupon rescind, modify, or continue such suspension or may revoke such permit or affix new or different terms to the continuation of such permit.

Section 13.15. Commercial Vehicle on Truck Route. No person shall park or leave standing any commercial vehicle exceeding a maximum gross weight limit of six thousand (6,000) pounds upon any street or portion thereof which is established as a

"truck route" for a period of time exceeding one (1) hour except when necessary for the purpose of making pick-ups, or deliveries of goods, wares and merchandise from or to any building or structure upon such restricted streets for which a building permit has previously been obtained therefor and actual loading and unloading operations are in progress.

Section 13.16. Commercial Vehicle Prohibited. When any such truck route or routes are established and designated by appropriate signs, the operator of any commercial vehicle exceeding a maximum gross weight limit of six thousand (6,000) pounds shall drive on such route or routes, and none other. Nothing in this section shall prohibit the operator of any commercial vehicle exceeding a maximum gross weight limit of six thousand (6,000) pounds from having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pick-ups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor. Provided that any such commercial vehicle exceeding a maximum gross weight of six thousand (6,000) pounds shall not be parked or left standing on any such restricted street in excess of one (1) hour unless actual loading or unloading operations are in progress.

ARTICLE XV - TRAINS

Section 15. Railway Gates. No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

Section 15.1. Trains Not to Block Crossings. No person shall cause or permit any railway train or railway cars or similar vehicle on rails to stop or stand or to be operated in such a manner as to prevent the use of any street for the purposes of travel for a period of time longer than ten (10) minutes, except that this provision shall not apply to railway trains, cars or similar vehicles on rails while blocking or obstructing a crossing because of an accident which requires the operator of the train, car, or similar vehicle on rails to stop at or near the scene of the accident.

ARTICLE XVI - SPECIAL SPEED ZONES

Section 16.3. Regulation of Speed by Traffic Signals. The City Traffic Engineer is authorized to regulate the timing of traffic signs so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections, and shall erect appropriate signs giving notice thereof.