

## Chapter 10.40 – Stopping, Standing, and Parking

### 10.40.120 - Placement of curb markings.

- A. The director may, subject to the provisions and limitations of this title, place, and when required herein shall place signs or the following curb markings to indicate parking, standing or parking regulations, and the curb markings shall have the meanings as herein set forth:
1. Red means 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.
  2. Yellow means no stopping, standing or parking at any time between 6:00 a.m. and 6:00 p.m. of any day unless otherwise noted 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 3 minutes nor the loading or unloading of materials more than 20 minutes. The loading or unloading of materials shall apply only to commercial deliveries.
  3. White means no stopping, standing or parking for any purpose, other than loading or unloading of passengers which does not exceed 3 minutes. Such restrictions shall apply every day between 6:00 a.m. and 6:00 p.m. except Sundays and except as follows:
    - a. When such zone is in front of a hotel, the restrictions shall apply at all times;
    - b. When such zone is in front of an auditorium or theater, the restrictions shall apply at all times except when such auditorium or theater is closed;
    - c. When such zone is in front of a curb drop mailbox adjacent to a public sidewalk, the restrictions shall apply at all times. The length of time a vehicle may stand or park in an appropriately marked white "mail drop zone" shall be limited to the time a person is actually involved in the act of depositing mail in the adjacent mailbox;
    - d. When such zone is posted or marked (by temporary or permanent signs or markings) for valet parking, the restrictions shall apply during all hours except when all the businesses directly behind the posted zone are closed.
  4. Green means no standing or parking for longer than 15 minutes at any time between 6:00 a.m. and 6:00 p.m. of any day except Sundays unless otherwise posted.
  5. Blue means no stopping, standing or parking at any time except vehicles which display a distinguishing special license plate or valid placard issued to ~~handicapped and~~ disabled persons and disabled veterans pursuant to the California Vehicle Code.
- B. When the city manager or his delegate, as authorized under this title, has caused signs or curb markings to be placed, no person shall stop, stand or park a vehicle adjacent

to any such legible sign or curb marking in violation of any of the provisions of this chapter.

- C. Where signs and curb markings are present, signage shall supersede the curb marking definitions above.

#### 10.40.170 - Parking—Limitation or prohibition.

- A. ~~When, w~~With reference to any street or portion thereof, the director of the transportation department ~~the director may install at any such place signs giving notice that no person shall stand, stop or park a vehicle, except as provided on such signs. The director may include notice on any sign, which prohibits the stopping or parking of vehicles, that vehicles parked or left standing in violation of such regulations may be removed when it is~~ determined that any of the following exist:
1. ~~Because t~~The same is within a business district;
  2. ~~Because of~~The proximity to a business district or center of employment;
  3. ~~Because of a~~An unusual concentration of population; or
  4. ~~Because of a~~Any other factor or condition, the unrestricted parking of vehicles has caused, or would necessarily cause, traffic congestion, would create a hazard, detrimentally affect the public welfare, or deprive the public of the efficient use of available curb space.
- ~~the director may install at any such place signs giving notice that no person shall stand, stop or park a vehicle, except as provided on such signs. The director may include notice on any sign, which prohibits the stopping or parking of vehicles, that vehicles parked or left standing in violation of such regulations may be removed.~~
- B. Stopping or Standing Prohibited. When authorized signs are in place giving notice that stopping or standing is prohibited during such hours or on such days as are indicated on such signs, it is unlawful for any person to stop or stand or park any vehicle at any time during such hours or such days.
- C. Parking Prohibited. When authorized signs are in place giving notice that parking is prohibited at any time or during certain hours, no person shall park any vehicle during such prohibited times.
- D. Parking Time Limits. Except as is provided in Chapter 10.42, when authorized signs are in place giving notice thereof, no person shall stop or stand or park any vehicle for a period of time longer than the parking time limit indicated by such sign. Vehicles may only park once per day per block, as defined in Section 10.08.070.
- E. Exceptions. The restrictions of this chapter, identified in paragraphs A through D of this section, shall not apply to taxicabs standing in any zone designated for their use pursuant to Section 10.40.150.
- F. In addition to the powers granted to the director of the transportation department, the chief of police, in the exercise of the inherent police powers of the city to ensure public

safety, may prohibit, restrict, or condition the parking of private and commercial vehicles, on city streets and city parking lots within the city during both city sanctioned activities within the city or spontaneous, unplanned events which may create a danger to public safety.

1. The following parking restrictions may be imposed by the chief of police to ensure public safety at public events:
  - a. Parking on city streets and city parking lots may be conditioned on the voluntary search of vehicles prior to entering or at any time after entering and parking on the city streets and city parking lots posted with such conditional parking restrictions.
  - b. Parking may be prohibited on posted city streets and city parking lots for specific dates and/or times.
2. Vehicle drivers/owners who, in violation of subsection (F)(1), above, refuse to allow the search of their vehicle(s) parked on posted city streets or city parking lots shall not be allowed to park, or remain parked, in the designated areas.
3. Vehicles parked on posted city streets or city parking lots where vehicles are subject to search pursuant to subsection (F)(1), above, and shall not be left unattended for the period of time designated on the posted parking restrictions.
4. Vehicles parked in violation of subsections (F)(1), (2) or (3) of this section may be impounded at the owner's expense and/or searched if the driver refuses to move the vehicle or leaves the vehicle unattended in violation of the posted parking restrictions.
5. City streets and city parking lots which are subject to the restrictions set forth in this subsection (F) shall be posted to provide sufficient notice of the prohibitions and conditional parking restrictions.

#### **10.40.180 - City property—Parking and towing.**

- A. Whenever the director shall determine that the safe, orderly and efficient conduct of the city's business and use of city property as defined in Section 10.08.025, requires that the driving, parking or standing of vehicles thereon be regulated, prohibited, limited or restricted, or that public traffic be permitted thereon, the director shall have the power and authority to order signs to be erected or posted indicating that such driving, parking or standing is thus prohibited, limited or restricted, or that such public traffic is permitted. Such authority shall, in the case of a parking district, be exercised pursuant to parking district commission direction.
- B. When signs prohibiting or restricting public parking or driving, in such form and size as determined by the director, giving notice of such restrictions or conditions of use are posted, no person shall drive, park or stand any vehicle, bicycle, motorized bicycle, skateboard or roller skates contrary to the directions or provisions of such signs.

- C. Any law enforcement or parking enforcement officer is authorized to remove or cause the removal of any vehicle from city property, including a city off-street parking facility, to the nearest garage or other place of safety, or to a garage designated or maintained by the city, when the vehicle is parked, stopped or left standing in violation of signs posted pursuant to subsection B of this section, or of the California Vehicle Code when applicable, and where such signs give notice that such vehicle will be towed.
- D. In addition to, or as an alternative to removal of vehicles, any law enforcement or parking enforcement officer may immobilize any vehicle under the requirements set forth in Section 22651.7 of the Vehicle Code, relating to vehicles with parking violations outstanding, as provided in Section 22651.7. An administrative fee or fees for such immobilization may be established by resolution of the city council. Any vehicle immobilized as set forth herein shall remain immobilized until the conditions set for in Section 22651.7 are met, and all applicable administrative fees are paid to the city.
- (a) Subject to the provisions of subsection (b), where a vehicle is immobilized pursuant to Vehicle Code Section 22651.7 or any other code section which authorizes similar immobilization, and the owner or person in control of the vehicle has been issued five or more notices of parking violations that are delinquent, such owner or person in control of the vehicle shall be required to pay the department a charge to be determined by the city council for the cost of the immobilization.
- (b) The charge imposed by subsection (a) above shall not be applicable to a vehicle which prior to release to the owner, has been so immobilized and subsequently towed to an impound garage.
- (c) Upon immobilization of such vehicle the person effecting such immobilization shall cause to be placed on such vehicle, in a conspicuous manner, notice sufficient to warn any individual that such vehicle has been immobilized and any attempt to move such vehicle might result in damage to such vehicle. Said notice shall also state that there is a right to a post-immobilization hearing to determine the validity of such immobilization. Such hearing shall be conducted by a hearing officer appointed to conduct such hearings. This post-immobilization hearing will not be determinative of or adjudicate any citation issued relative to any immobilized vehicle. This hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. Failure of either the registered or legal owner or his or her agent to request or to attend a scheduled hearing shall satisfy the post-immobilization validity hearing requirements of the subsection.
- (d) The immobilizing device or mechanism shall remain in place for 72 hours unless the owner has complied with Section 22651.7 of the Vehicle Code or as a result of a hearing held pursuant to subsection (c) of this section it is determined that the device or mechanism should be removed. If the immobilization occurs when a vehicle is parked in a tow-away zone or restricted parking area; or in a location so as to be blocking or impeding traffic, then such vehicle is subject to immediate towing and impounding. Booting, towing and storage fees, subject to the

determination of the hearing officer, pursuant to subsection (c) of this section and applicable Vehicle Code sections, that such fees are not required, shall be paid before the owner of such vehicle, or authorized person, shall be permitted to repossess or secure the release of the vehicle. The owner or person entitled to possession of such vehicle shall also be responsible for the return of the immobilization device or mechanism to the city and shall be responsible for an additional fee of \$50.00 per day for each day, or part thereof, after the first 24 hours, for which the immobilization device or mechanism is not returned to the city, up to a maximum of \$500.00.

- (e) Once a vehicle has been immobilized pursuant to Vehicle Code Section 22651.7 or any other similar provision of laws which authorizes immobilization, no one, other than such persons who are authorized by law to do so, shall mobilize any such vehicle or damage the immobilization device in any way.
- (f) No one other than a person authorized by law to immobilize a vehicle pursuant to Vehicle Code Section 22651.7 or other similar provision of law, shall, once a vehicle has been so immobilized, cause any such vehicle to be towed from the location where immobilized. If any such vehicle is so towed both the person requesting the towing service and the operator of the towing vehicle shall be in violation of this section.
- (g) Any violation of either subsections (e) or (f) shall constitute a misdemeanor.

#### 10.40.210 - ~~Handicapped~~ Disabled off-street parking.

The directors, as to any street or off-street parking facility owned or operated by the city or a parking place commission, and any person in possession of a privately owned or operated off-street parking facility, are authorized, respectively, to designate and reserve parking stalls and spaces for the exclusive use of vehicles displaying the distinguishing special license plate or placard issued to ~~handicapped and~~ disabled persons and disabled veterans pursuant to the California Vehicle Code.

## Chapter 10.41, Preferential Parking

#### 10.41.025 - Preferential ~~P~~parking privileges for permit holders.

Any passenger-qualifying vehicle, ~~pick-up truck or van properly displaying a valid~~ which has been issued a physical or virtual preferential parking permit for a street within a preferential parking district may:

- A. Park on that street during the hours when parking on such street is prohibited to non-permitted vehicles; or
- B. Park beyond the time limits indicated on signs on that street during the hours when parking on such street has time limits for non-permitted vehicles.

A preferential parking permit shall neither guarantee nor reserve to the holder thereof any particular on-street parking space. A permitted vehicle shall obey all other parking rules, regulations and restrictions.

#### **10.41.050 - Installation of signs.**

The preferential parking designation shall not apply to any specific street within the district until a sign giving adequate notice thereof has been installed on that street. The director will cause the installation of such signs on the streets in preferential parking districts, in an order and timing in his or her discretion according to sound traffic engineering principles, indicating that there is no parking between specified hours except for vehicles ~~which display a valid~~ that have been issued a physical or virtual preferential parking permit.

#### **10.41.080 - Preferential parking permit—Application and issuance.**

The director shall issue preferential parking permit applications and shall issue physical or virtual permits, by street or streets, upon proper application therefor. Permits shall be issued only as follows: Annual permits shall be issued for passenger vehicles, pick-up trucks and vans but only upon application of a resident or merchant who is the currently registered owner. Each application and reapplication shall be on a form provided by the director and shall contain sufficient information to satisfy the director as to the identity and qualifying address of the applicant, the applicant's registered ownership, the license number of the vehicle and proof of current registration. No more than one annual permit shall be issued for each vehicle for which application is made, ~~unless reapplication is made and proof is provided, to the satisfaction of the director, that an issued permit was lost, stolen or destroyed.~~ No more than three annual permits shall be issued to any dwelling unit or merchant at any point in time. The director may withhold issuing any permit for a vehicle for which there is evidence of any outstanding, unpaid parking violation. Permits shall be issued, denied or conditionally issued within 30 days of application. Any person wishing to contest a denial must do so in writing to the director within ten days of the date of the notification of denial, setting forth all the facts which the permit holder wishes the director to consider, and a decision thereon shall be made by the director within 15 days of receipt.

#### **~~10.41.100—Permit content.~~**

~~Each preferential parking permit shall state the street or streets on which it is valid, the expiration date and any additional information required by the director.~~

**10.41.110 - Preferential parking permit application and terms.**

- A. Each virtual preferential resident and guest parking permit ~~and guest permit~~ issued pursuant to this chapter shall be ~~issued on an annual basis, and each such permit shall expire~~ valid for a consecutive 12-months period following its issuance date. Permits must be renewed annually, for which applicants shall be responsible in maintaining the permit status as current.
- B. Each application, reapplication and renewal application shall be made and considered in the manner set forth in Section 10.41.080 or 10.41.090 of this chapter, as applicable, for permit type.
- C. Each application, reapplication and renewal application shall be accompanied by the nonrefundable fee specified by resolution of the city council.

**10.41.120 - Preferential Parking Permit display. ~~Virtual by License Plate and Guest Passes~~**

Preferential parking permits, ~~except for one-day guest passes, shall be permanently, visibly affixed to the lower corner of the driver's side windshield of the vehicle for which it is issued, and the permit shall not be effective unless it is so affixed.~~ One issued are virtual and assigned to the vehicle license plate(s) approved during the application process. Therefore, the license plate(s) shall be considered the permit and no other physical permit shall need to be displayed. ~~When applicable, printed one-day guest passes shall be visibly displayed hanging from the rear view mirror so as to be readily visible through the windshield.~~ When applicable, printed one-day guest passes shall be visibly displayed either hanging from the rear view mirror, or placed on the driver's side dash board dashboard, so as to be readily visible and readable through the windshield.

**10.41.150 - Violation—Penalty.**

The following violations of this chapter shall be subject to the civil parking penalties established by the city council:

- A. Stopping, standing or parking a vehicle adjacent to any curb on a preferential parking street in violation of any posted or noticed prohibition or restriction, without display of a valid and current preferential parking permit, guest permit or guest pass for that street, unless the vehicle is otherwise exempt to the extent authorized by law.
- B. Copying, producing, creating or displaying a facsimile or a counterfeit physical or guest preferential parking permit.

C. Falsely representing one's self as eligible for a preferential parking permit or willfully furnishing false information in an application therefor.

~~D. Using a revoked permit.~~

~~E. Use of a preferential parking permit by a non-eligible vehicle.~~

## Chapter 10.42, Daytime Parking

### 10.42.050 - Daytime Parking permit—Investigation and issuance.

Parking permit applications shall be filed with the director. The director shall thereafter conduct an investigation to determine whether such a permit should be issued. If the director determines (1) that the applicant has a current annual city all-night street parking permit ~~or parking district all-night parking permit~~ for the vehicle specified in the application, (2) that adequate off-street parking space is not available within 600 feet of the applicant's residence, and (3) that no public safety problem will result, a daytime street parking permit may be issued. The permit shall be ~~in a form designated by the director and shall specify the date of expiration~~ virtual and assigned to the vehicle license plate(s) approved during the application process. Therefore, the license plate(s) shall be considered the permit ~~permit~~, and no other physical permit shall need to be displayed. A permit shall be issued only for non-commercial ~~passenger~~ vehicles that together with any fixtures, accessories, or property, which do not exceed the height of 7 feet, ~~nor~~ the width of 7 feet, and length of 20 feet, nor the height, width, nor the length of a standard street parking space, as defined by the city traffic and transportation engineer.

### 10.42.060 - Daytime Parking limitations.

- A. No vehicle shall be parked, pursuant to a physical or virtual permit issued under this chapter, on any street except within a 500-foot radius of an ~~permittee's~~ applicant's place of residence as designated on the permit application.
- B. No permit shall be valid under the following circumstances:
1. On any street where parking is prohibited either by red curb or where posted parking restrictions ~~prohibitions~~ parking during the hours such parking ~~prohibitions~~ restrictions are in effect;
  2. In any green, yellow, blue, or white painted curb zone; or
  3. On any street in front of or abutting any property except property improved exclusively for residential use. "Residential use" means either single-family or multiple family dwellings, but shall not include business, industrial or commercial properties.



C. No more than two (2) nighttime and two (2) daytime on-street physical or virtual parking permits shall be issued to one residence at any time except for hardship extenuating circumstances, which shall be as-determined by-at the director's his discretion.

#### 10.42.070 - Daytime Parking permit information.

~~Each Daytime parking permits issued are virtual and assigned to the license plate(s) approved during the application process. Therefore, the license plate(s) shall be considered the permit and no other physical permit shall need to be displayed. When applicable, a physical permit may be issued. indicate the street and the hundred block of the street of the permittee's residence using an alpha-numeric code in place of the street name.~~

#### ~~10.42.080 – Parking permit—Display and replacements.~~

~~The daytime parking permit shall be visibly affixed to the inside left rear side window of the vehicle for which it is issued, and the permit shall not be effective unless it is so affixed. In the event of loss, a new permit will be issued upon payment of a fee as established and changed from time to time by resolution of the city council to cover the cost of its replacement.~~

#### 10.42.090 - Daytime Parking permit—Fee payment.

The director is authorized to issue an annual virtual permit or a physical permit for daytime street parking and charge a fee for the permit. The amount of the fee shall be established by resolution of the city council, and said fee shall be in addition to any fee for an annual all-night street parking permit, physical or virtual. All annual permits shall ~~expire at midnight exactly one year after such permits were issued~~be valid for a consecutive 12-month period following issuance, unless sooner suspended, revoked or canceled as provided in this chapter. Annual permits shall be renewable upon payment of the daytime street parking permit fee to the director. Applicants are responsible for maintaining their permit status.

#### 10.42.100 - Refunds upon voluntary cancellation of Daytime permit.

There shall be a pro rata refund based upon quarterly increments of the annual permit fee to any applicant who requests of the director a cancellation of the parking

permit prior to the expiration date. Permit holder may submit request by phone, in person, or via email. Upon approval, the applicable refund will be processed and the permitted license plate(s) will no longer be exempt from the parking regulation. To qualify therefor the applicant must either return the permit or submit evidence satisfactory to the director that such permit has been destroyed or will no longer be used.

#### 10.42.110 – Daytime Parking permit—Renewal application.

Each application for a renewal of a physical or virtual parking permit authorized by this chapter shall include a verified statement that adequate off-street parking space is still unavailable for the subject vehicle, and whether during the permit period immediately prior to that for which the renewal application is made, the applicant has made reasonable efforts to obtain off-street parking space.

#### 10.42.120 - Daytime Parking permit—Filing applications.

After issuance of a parking permit or renewal permit, either a physical or virtual permit, the application shall be filed with the director. Prior to such filing, the director shall endorse upon such application the issuance date that a permit or renewal permit was issued/became valid and the vehicle license plate valid thereto serial number thereof.

#### 10.42.130 - Investigation, permit, and renewal fees—Exemption.

Investigation, permit and renewal fees provided for in Sections 10.42.040 through 10.42.110 shall be waived when the vehicle for which the permit is being requested contains distinguishing special license plates or placards issued pursuant to either Section 9105 or 22511.5 of the California Vehicle Code and is registered to or used by a qualified handicapped/disabled person or disabled veteran.

#### 10.42.140 - Daytime Parking permit—Transfer.

Upon the acquisition by a daytime parking permittee of a new vehicle and the sale or disposal of the vehicle for which a current parking permit has been obtained, such person may obtain a new permit/submit a request to add for the new vehicle to the existing permit and remove the disposed of vehicle form the existing permit. Such request may be made in person, by phone, or via email. Application for the new permit

~~shall be made to the director on a form provided by the city, and shall be accompanied by a transfer fee in an amount established and changed from time to time by the city council. No other fee shall be required, and the physical or virtual permit shall be only for the unexpired portion of the period for which the original permit was issued. Upon issuance of a new permit, the permit previously issued for applicant's car that was sold or disposed of shall be revoked, and prior to the issuance of the new permit the city may require the applicant to submit satisfactory evidence that the original permit has been destroyed or will no longer be used.~~

#### 10.42.180 - Daytime Parking permit—Suspension and revocation.

- A. Grounds. The following are grounds for suspension or revocation by the director.
1. A material statement in the application was untrue;
  2. The circumstances under which the permit was issued no longer exist;
  3. Public safety and police problems necessitate suspension or revocation; or
  4. The permittee has violated a provision of this chapter or a condition imposed on his permit.
- B. Procedure. The determination of the director on matters of suspension shall be appealable in the manner set forth in Section 10.42.170.
- C. Suspension Procedure. The director, in the case of such suspension, shall serve the permittee with a written order of suspension, which shall state the reasons for the suspension. The order shall be effective immediately if personally served, or 48 hours after it was deposited with the United States Postal Service.
- D. Revocation. The suspension shall become a revocation 15 days after the suspension becomes effective unless the permittee files an appeal in the manner set forth in Section 10.42.070. Where an appeal is filed, it shall be referred to a hearing officer who shall proceed in the manner set forth in Section 10.42.170. The suspension shall become a revocation if the hearing officer upholds the suspension. The suspension shall be dissolved immediately if the decision of the hearing officer reverses the suspension.

~~E.—Surrender of Permit. If any permit is revoked pursuant to this chapter, the permittee shall submit evidence satisfactory to the director that such permit has been destroyed.~~

## Chapter 10.44, Parking at night

### 10.44.010 - Unlawful when.

Except as provided under exceptions A, B and C of this section, it is unlawful for the owner or driver of any vehicle to allow such vehicle to remain standing in any street or alley in the city between the hours of 2:00 a.m. and 6:00 a.m. It is unlawful for the owner or driver of (1) any commercial vehicle to allow such commercial vehicle to remain standing upon any street or alley in the city between the hours of 10:00 p.m. and 6:00 a.m.; and (2) any non-commercial vehicles together with any fixtures, accessories or property, which exceed the height of 7 feet, the width of 7 feet, and length of 20 feet, or a standard street parking space, as defined by the city traffic and transportation engineer.

EXCEPTIONS:

- A. This section shall not apply to vehicles of any regularly licensed physician or licensed nurse when actually engaged in making professional calls.
- B. This section shall not apply to taxicabs or other public carriers in the course of picking up or discharging a passenger or to deliver vehicles in the course of a service call.
- C. This section shall not apply to any vehicle for which an all-night street parking permit has been duly issued pursuant to this chapter and displayed in compliance with Section 10.44.070.
- D. This section shall not apply to the portion of a street or alley that the director has determined to be exempt after an engineering study. Such exemption may be for all or a portion of the 2:00 a.m. to 6:00 a.m. period.

**10.44.020 – Night Parking permit—Application.**

Each application for an all-night parking permit, either physical or virtual, shall be filed in writing with the director on a form to be furnished by the city, accompanied by the permit fee as set forth herein. Each such application shall set forth:

- A. The name, residence and telephone number of the applicant;
- B. The license number, the make, model, and type of vehicle for which the permit is requested;
- C. The A copy of the vehicle's current registration card with the registered owner's name and demonstrating the current address of the registered owner of the vehicle is registered to is the same as the property applying for;
- D. A statement that there is no parking space available or obtainable upon the property designated as applicant's residence;
- E. A statement that no parking space previously provided or available upon the property designated as applicant's residence is now used for any purpose other than the parking of vehicles currently registered to the address where the permit is being requested is being requested, with the exception of permitted Accessory Dwelling Unit (ADU), per PMC Section 17.50.275;

- F. The period of time for which the permit is requested;
- G. Such additional information as the city may require;
- H. A statement that the applicant declares under penalty of perjury that all statements in the application are true; and
- I. The signature of the applicant.

#### 10.44.030 – Night Parking permit—Investigation and issuance.

Parking permit applications shall be filed with the director. The director, or their designee, shall thereafter conduct an investigation to determine whether such a permit should be issued. If the director determines (1) that adequate off-street parking space is not available within 600 feet of the applicant's residence and (2) that no public safety problem will result, an all-night street parking permit may be issued. The permit shall be in a form designated by the director and shall specify the date of expiration. A permit shall be issued only for noncommercial passenger vehicles that together with any fixtures, accessories or property, which do not exceed either the height of 7 feet, ~~nor~~ the width of 7 feet, and length of 20 feet, nor the height, width, or the length of a standard street parking space, as defined by the city traffic and transportation engineer.

#### 10.44.040 – Night Parking permit—Fee payment.

The director is authorized to issue either physical or virtual permits for either an annual or 30-day permit for all-night street parking and shall charge a fee for the issuance of the permit as set forth below:

- A. Annual Permit. Prior to the issuance or renewal of an annual permit, the applicant shall pay to the director a fee in the amount established by resolution adopted by the city council. All annual permits shall be valid for a consecutive 12-month period following expire at midnight exactly one year after which such permits were issued, unless sooner revoked or canceled as provided in this chapter. Applicants are responsible for maintaining their permit status.
- B. Thirty-Day Permit. A 30-day permit for all-night street parking shall be valid for the 30 days following the date of issuance and shall expire at midnight of the 30th day unless sooner revoked or canceled as provided in this chapter. Prior to issuance of each 30-day permit, the applicant shall pay the 30-day permit fee to the director of finance. The amount of the 30-day permit fee or any renewal thereof shall be established by resolution adopted by the city council.

#### 10.44.060 – Night Parking permit—Suspension and revocation.

- A. Grounds. The following shall constitute grounds for suspension and revocation:
1. A material statement in the application was untrue; or
  2. The circumstances under which the permit was issued no longer exist.
- B. Authority. Any permit issued hereunder may be suspended by the director for the grounds listed in subsection A of this section.
- C. Procedure. The determination of the director with regard to matters of suspension shall be appealable in the time and manner set forth in Section 10.44.050.

The director, in the case of such suspension, shall serve the permittee with a written order of suspension, which shall state the reasons for the suspension. The order shall be effective immediately if personally served, or 48 hours after the same has been deposited in the course of transmission in the United States Postal Service.

Immediately upon such an order becoming effective, the permittee shall discontinue permitted parking.

- D. Revocation. The suspension shall become a revocation 15 days after the order of suspension becomes effective unless the permittee files an appeal of the order of suspension in the manner set forth in Section 10.44.050.

Where an appeal is filed, the order of suspension shall be stayed pending a determination thereon by the hearing officer who shall act upon the same in the manner set forth in Section 10.44.050. Such suspension shall become a revocation if the decision of the hearing officer upholds the suspension. The suspension shall be dissolved immediately if the decision of the hearing officer reverses the suspension.

~~E. Surrender of Permit. If any permit is revoked pursuant to this chapter, permittee shall submit all relevant permits or evidence satisfactory to the director that such permits have been destroyed.~~

#### **10.44.070 – Night Parking permit—Display and replacements.**

~~The parking permits issued under this chapter are virtual and assigned to the license plate(s) approved during the application process. Therefore, the license plate(s) shall be considered the permit and no other physical permit shall need to be displayed. When applicable, a physical permit may be issued. shall be visibly affixed to the inside left rear side window of the vehicle for which it is issued, and the permit shall not be effective unless it is so affixed and maintained. In the event of loss or destruction thereof, a new permit will be issued upon payment of a fee to cover the cost of its replacement. The fee will be in an amount established from time to time by resolution adopted by the city council.~~

**10.44.080 - Refunds upon voluntary cancellation of Night Parking Permit.**

There shall be a pro rata refund based upon quarterly increments of the annual night parking permit fee to any applicant who requests of the director a cancellation of the physical or virtual parking permit prior to the expiration date. Permit holder may submit their request in person, by phone, or via email. Upon approval, the applicable refund will be processed and the permitted license plate(s) will no longer be exempt from the parking regulation. To qualify therefor the applicant shall first submit evidence satisfactory to the director that such permit has been destroyed or will no longer be used.

**10.44.090 – Night Parking permit—Renewal application.**

Each application for a renewal of a physical or virtual parking permit authorized by this chapter shall include a verified statement as to whether or not adequate off-street parking space is still unavailable for the subject vehicle, and whether or not, during the permit period immediately prior to that for which the renewal application is made, the applicant has made reasonable efforts to obtain off-street parking space for such vehicle.

**10.44.100 – Night Parking permit—Filing applications.**

After issuance of ~~such~~ a parking permit or a renewal permit, either physical or virtual, the application therefor shall be filed with the parking manager. Prior to such filing, the director shall endorse upon such application the issuance date that a permit or renewal permit became valid was issued thereunder and the vehicle license plate(s) thereto serial number thereof.

**10.44.111 - Investigation, permit, and renewal fees—Exemption.**

Investigation, permit, and renewal fees provided for in Sections 10.44.020 through 10.44.090 shall be waived when the vehicle for which the permit is being requested contains special distinguishing license plates or placards issued pursuant to either Section 9105 or 22511.5 of the California Vehicle Code and is registered to or used by a qualified handicapped-disabled person or disabled veteran.

**10.44.120 – Night Parking permit—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 such a parking permit has been obtained and is still in effect, such person may submit a request to add apply for and obtain a new permit for such the new vehicle to the existing permit and remove the disposed of vehicle from the existing permit. ~~Application for the new permit shall be made to the director on a form provided by the city, and shall be accompanied by the payment of a transfer fee in the amount established by resolution adopted by the city council. No other permit fee shall be required. Such request may be made in person, by phone, or via email. The addition of the new vehicle and the permit shall be only for the unexpired portion of the period for which the original permit was issued. 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 the former permit has been destroyed or will no longer be used.~~

#### **10.44.130 - Temporary all-night parking permit.**

A. Notwithstanding the preceding sections of this chapter, the director, police chief or parking manager may issue a permit for the temporary parking of a vehicle contrary to Section 10.44.010. The issuance of such temporary parking permits shall be limited to emergency situations, New Year's holiday guest parking, construction activity and other circumstances which in the opinion of the director, police chief, or parking manager constitute good cause therefor.

B. Any such temporary permit shall be for the period specified thereon and shall be in the form and displayed in the manner specified by the director, police chief, or parking manager.

C. In addition, the director of transportation may issue permits for temporary overnight parking of a vehicle, notwithstanding the provisions of Section 10.44.010 or other preceding sections of this chapter. The issuance of such temporary parking permits shall be according to a program approved by the city council and for a fee established by resolution of the city council.

D. Temporary overnight parking permits obtained through self-service meters/kiosks or purchased on-line are subject to the same restrictions as annual overnight parking permits, including, but not limited to, not being valid on vehicles that exceed the either the height of 7 feet, the width of 7 feet, or the length of 20 feet.