



City Council Report

City Council Meeting: **September 11, 2018**
Agenda Item: **7.A**

To: Mayor and City Council
From: Lane Dilg, City Attorney, City Attorney's Office
Subject: Second Reading and Adoption of Ordinance Amending Chapter 3.12 and Section 4.55.065 and 10.08.460 of the Santa Monica Municipal Code to Clarify and Update Regulations Pertaining to the Operation of Electric Bicycles, Electric Personal Assistive Mobility Devices, Electrically Motorized Boards, Low-Speed Vehicles, and Motorized Scooters in Locations Including the Beach-Bike Path, City Parks and the Municipal Pier

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

Executive Summary

At its meeting on August 28, 2018, the City Council introduced for first reading an ordinance amending Chapter 3.12 and Sections 4.55.065 and 10.08.460 of the Santa Monica Municipal Code to clarify and update regulations pertaining to the operation of electric bicycles, electrical personal assistive mobility devices, electrically motorized boards, low-speed vehicles, and motorized scooters in locations including the beach-bike path, City parks and the Municipal Pier.

One clerical correction should be noted. When the ordinance was considered on August 28, 2018, Section 3.12.540 should have appeared in strikethrough but was inadvertently omitted. Consistent with the staff report and presentation, the substantive provisions of that Section were updated and incorporated into Sections 3.12.600(c) and (d); Section 3.12.600(h); and Section 3.12.1060, as appeared in the ordinance as presented on August 28, 2018, and as now presented for adoption.

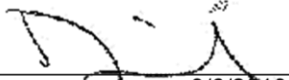
The ordinance is now presented to City Council for adoption.

Prepared By: Elsa Kapsinow, Executive Assistant to the City Attorney


Approved

Forwarded to Council


Lane Dilg, City Attorney


9/6/2018


Rick Cole, City Manager


9/6/2018

Attachments:

- A. Ordinance - Traffic Regulations - Chapter 3.12 Cleanup -SecondReading
09112018

ORDINANCE NUMBER _____ (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING CHAPTER 3.12 AND SECTIONS 4.55.065 AND 10.08.460 OF THE SANTA MONICA MUNICIPAL CODE TO CLARIFY AND UPDATE REGULATIONS PERTAINING TO THE OPERATION OF ELECTRIC BICYCLES, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES, ELECTRICALLY MOTORIZED BOARDS, LOW-SPEED VEHICLES, AND MOTORIZED SCOOTERS IN LOCATIONS INCLUDING THE BEACH-BIKE PATH, CITY PARKS AND THE MUNICIPAL PIER

WHEREAS, the City of Santa Monica (City) maintains jurisdiction to enforce state and local traffic laws within City limits, including the portion of the Marvin Braude Coastal Bike Trail (“Beach Bike-Path”) within City limits; and

WHEREAS, under state law, a motorized scooter may operate on a bicycle path or trail or bikeway, unless a local authority having jurisdiction over that path, trail, or bikeway prohibits that operation by ordinance; and

WHEREAS, in recent months, in part due to rapid technological advancements, the City parks and the Beach Bike-Path specifically have been flooded with mobility devices, primarily motorized scooters; and

WHEREAS, the rapid proliferation of mobility devices, primarily motorized scooters, creates safety hazards for pedestrians, bicyclists and mobility device users; and

WHEREAS, the Beach Bike-Path is a completely separated right-of-way designated principally for the use of bicycles with crossflows by motorists minimized; and

WHEREAS, motorized scooters left in City parks and on the Beach Bike-Path, block paths of travel and create safety hazards, especially for persons with disabilities; and

WHEREAS, even in the past few months, motorized scooters have been involved in a number of accidents, some resulting in serious injuries; and

WHEREAS, the City desires to clarify traffic regulations as they pertain to the operation of mobility devices.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 3.12 of the Santa Monica Municipal Code is hereby amended to read as follows:

3.12 Traffic Regulations

3.12.010 Definitions.

(a) Unless expressly stated otherwise, the words and phrases used in this Chapter shall have the meanings set forth in the California Vehicle Code.

(b) "Business District" shall mean that portion of a highway and the property contiguous thereto upon one side of which highway for a distance of three hundred feet, where fifty percent or more of the contiguous property fronting thereon is occupied by buildings in use for business, or upon both sides of which highway collectively for a

distance of one hundred fifty feet, where fifty percent or more of the contiguous property fronting thereon is so occupied.

(c) "Driveway Apron" shall mean that portion of a regularly established driveway lying between a property line and any curb, the purpose of which is to provide vehicular access from the street across the curb, parkway and sidewalk to the property fronting thereon or abutting thereto.

(d) "Loading Zone" shall mean that space adjacent to a curb reserved for the exclusive use of vehicles actively engaged in loading or unloading of materials, freight or passengers.

(e) "Parkway" shall mean ~~is~~ that portion of a street other than a roadway or a sidewalk.

3.12.250 Obedience to police.

Officers of the Police Department are authorized to direct all traffic by means of visible or audible signal, and no person shall fail or refuse to comply with any lawful order, signal or direction of a traffic or police officer.

3.12.260 Official traffic control signals.

Whenever traffic is controlled by official traffic control signals exhibiting the words "GO," "CAUTION," or "STOP," or exhibiting different colored lights successively, one at a time, such signals shall conform with the requirements of the Vehicle Code and all persons shall comply with such signals.

3.12.270 Disobeying instructions of various signals.

No person shall disobey instructions of any banner or sign erected by the City and erected or placed in accordance with provisions of this Chapter.

3.12.280 Parking and Traffic Engineer to establish crosswalks.

The Parking and Traffic Engineer is authorized and required to establish and maintain, or cause to be established and maintained, and to designate upon the surface of the roadway by appropriate devices, marks, or white or yellow lines, crosswalks approximately equal in width to the adjacent sidewalk at all intersections and between intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway.

3.12.290 Special controls required.

The Parking and Traffic Engineer to Install and Maintain All Traffic Control Devices. The Parking and Traffic Engineer is authorized to determine those streets, intersections, and crosswalks at which traffic is hazardous or dangerous to life or property by reason of the volume of traffic upon such streets or at such intersections or crosswalks, or the lack of visibility of the drivers of vehicles approaching such streets, intersections, or crosswalks, or because of the numerous reported accidents or the possibility thereof, or by reason of other physical conditions likely to render any such street, intersection, or crosswalk dangerous or hazardous to life or property. When the Parking and Traffic Engineer has determined that a street, intersection, or crosswalk is dangerous or hazardous to life or property, he or she is authorized and empowered to place, erect, and maintain traffic control signals, signs, and other such devices at, on, or near such streets, intersections, or crosswalks as he or she shall designate. Every such traffic control device shall conform to the requirements of the Vehicle Code of the State of California.

3.12.310 Use of barricaded street or pavement prohibited.

No person shall ride or drive any animal, or ride, drive or propel any vehicle over or across any new pavement in any public street, across or around which pavement there is a barrier, or at, or near which, there is a person or a sign warning persons not to drive over or across such pavement, or a sign stating that the street is closed.

3.12.320 Exemptions to certain Sections.

The provisions of this Article regulating the operation, parking and standing of vehicles, shall not apply to any vehicle of 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 an agency vehicle, when any vehicle mentioned in this Section is operated in the manner specified in the Vehicle Code in response to an emergency call.

The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his or her willful disregard of the safety of others.

The provisions of this Article 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 by the United States while in use for the collection, transportation or delivery of United States mail, or any vehicle when displaying identification indicating the vehicle is in City use in a form prescribed by the Chief of Police and visible from outside the vehicle. Such identification shall be issued by the Chief of Police subject to approval by the City Manager. Such identification shall be displayed on a vehicle only by the person to whom it is issued and only during the time such person is in the course of conducting authorized City business.

3.12.330 Pedestrians' right to use of roadway.

No pedestrian shall cross a roadway other than by a crosswalk in any business district.

3.12.340 Pedestrians to obey signals.

At intersections where traffic is directed by a Traffic or Police Officer or traffic sign or signal, no pedestrian shall cross the roadway other than with released traffic.

3.12.350 Obstructing pedestrian or vehicular traffic.

No person shall block, impede, or obstruct any public place or any entrance, exit, or approach to any place of business in or upon any public place in a manner calculated or with the intent to prevent, relay, hinder, or interfere with the free passage therealong or therethrough of any other person who is entering, occupying, or leaving any place of business, or who is performing any service or labor, or who is seeking or obtaining employment, or who is purchasing, selling, using, delivering, transporting or receiving any goods, wares, merchandise, services, entertainment, accommodations or articles, or who is attempting or seeking to do any of the foregoing, or to prevent, relay, hinder or interfere with the free passage therealong or therethrough of any vehicle or conveyance operated by or in the custody of any such other person or in which any such other person is riding or attempting to ride.

3.12.360 Obstructing, leaving or placing property on, or sitting or lying on public rights-of-way or public property.

(a) Sitting or lying on sidewalks or in the Promenade roadway in the Bayside Conservation District of the Downtown area.

(1) During the hours between six a.m. and one a.m., no person shall:

(a) Sit or lie down upon a public sidewalk in the Bayside Conservation District or upon the Third Street Promenade;

(b) Sit or lie down upon a blanket, chair, stool, bench or any other object placed or installed on a public sidewalk in the Bayside Conservation District or the Third Street Promenade; or

(c) Sit, stand, lie down upon or otherwise be present upon any planting, railing, topiary or statue placed upon or installed on a public sidewalk in the Bayside Conservation District or the Third Street Promenade.

(2) The prohibition contained in this Section shall not apply to any person:

(a) Sitting or lying down on a public sidewalk or the Third Street Promenade due to a medical emergency;

(b) Utilizing a wheelchair, walker or similar device to move about the public sidewalk or the Third Street Promenade as the result of a disability;

(c) Sitting while operating or patronizing a commercial establishment or business conducted on the public sidewalk or Third Street Promenade pursuant to a street use permit, license or other City-issued authorization;

(d) Sitting while participating in or attending a parade, festival, rally, demonstration, meeting or similar special event lawfully conducted pursuant

to a City-issued permit or license on the public sidewalk or Third Street Promenade;

(e) Sitting on a bollard, chair or bench located on the public sidewalk or Third Street Promenade and which is supplied by a public agency;

(f) Sitting on a ledge, step or other masonry surface which borders the fountains or topiary planters on the public sidewalk or Third Street Promenade;

(g) Sitting on a public sidewalk within a bus stop zone while waiting for public or private transportation; or

(h) Giving a street performance pursuant to a permit issued by the City.

(b) Except as otherwise permitted by this Code or City contract, no person shall upon any public sidewalk, street, right-of-way, streetscape, public building, or other public facility:

(1) Leave any property or other item unattended for a period of longer than ten minutes;

(2) Place any property or other item(s) unless the item(s) can promptly and safely be transported or removed all at once within three minutes.

(c) No person shall block or obstruct any public sidewalk so that less than a four-foot contiguous sidewalk width is kept clear for pedestrian passage at all times.

(1) Conduct prohibited by this subsection includes, but is not limited to, blocking or obstructions caused by:

(a) Placing any property, material, or other item upon any public sidewalk; or

(b) Sitting or lying down upon any public sidewalk; or

(c) Sitting or lying down upon a blanket, chair, stool, bench or any other portable object placed on a public sidewalk; or

(d) Performing sit-ups, push-ups, weight training or similar stationary exercise activity upon any public sidewalk.

(2) The prohibitions contained in this subsection shall not apply to any person:

(a) Sitting or lying on a public sidewalk due to a medical emergency or as permitted by Federal, State or local law; or

(b) Sitting or lying on a public sidewalk while participating in or attending a parade, festival, rally, demonstration, meeting or activity lawfully conducted pursuant to a City-issued permit or license on the public sidewalk; or

(c) Sitting on a public sidewalk within a bus stop zone while waiting for public or private transportation.

(d) No person shall place any device on a public sidewalk for displaying or distributing goods, written materials, merchandise, food, or any other item except a portable table or cart which is utilized in accordance with the following criteria:

(1) The table or cart shall be located:

(a) At least ten feet from the outer edge of any entrance of any business, including, but not limited to doors; vestibules; driveways; outdoor

dining area entries; and emergency exits, during the hours that any business on the premises is open to the public or to persons having or conducting lawful business on those premises;

(b) At least ten feet from any bus stop;

(c) At least ten feet from any street corner or a marked pedestrian crosswalk;

(d) So that a curb cut is not blocked or obstructed.

(2) The table or cart shall not be larger than four feet in width by four feet in length by three feet in height.

(3) No structures shall be attached to the table or cart. No other structure may be used to display the items. The display area, including the table or cart, shall be maintained in a neat and presentable manner. None of the items shall be displayed in an area other than upon the table or cart, including, but not limited to, in display racks on the sidewalks or in the hanging of the items from a building or fence or other structure. Any boxes or accessory items shall be stored entirely beneath the table or cart and shall not be stored or piled alongside, of, behind, or in front of the table or cart. The items may be stacked on the table or cart, provided that each stack shall not exceed the height of twelve inches. Signs may be attached to the side of or on top of the table or cart. No signs may extend higher than the top of the table or cart and no signs may be affixed to City facilities. The site shall be kept clean and all rubbish shall be deposited in proper receptacles regularly during the day and prior to departing the site each day. Two chairs may also be utilized. The chairs may be placed behind or next to (but not in front of) the table or cart.

(4) No person shall utilize sandwich board signs (“A” frames), canopies, freestanding umbrellas, tents, and similar coverings unless such use is authorized by a street use permit, license, or other City-issued authorization.

(5) The table, cart, and all the person’s other items shall be capable of being transported or removed at one time.

(6) This Section shall not apply to vendors regulated by Chapter 6.36.

(e) No person shall block or obstruct vehicular access to or from any driveway.

(1) Conduct prohibited by this Section includes, but is not limited to, blocking or obstructions caused by:

(a) Placing any property, material, or other item upon any public sidewalk; or

(b) Sitting or lying down upon any public sidewalk; or

(c) Sitting or lying down upon a blanket, chair, stool, bench or any other object placed on a public sidewalk; or

(d) Performing sit-ups, push-ups, weight training or similar stationary exercise activity upon any public sidewalk.

(2) The prohibitions contained in this subsection shall not apply to any person sitting or lying on a public sidewalk due to a medical emergency.

(3) This subsection neither applies to any vehicle that blocks or obstructs any driveway, nor prohibits enforcement of any other applicable law, including Vehicle Code Section 22651.

3.12.390 Motor vehicle loading and unloading.

It is unlawful for an automobile dealer or person acting on behalf or under the direction of an automobile dealer to load or unload motor vehicles at automobile agencies between the hours of eight p.m. and eight a.m.

3.12.400 One-way streets.

(a) Appian Way. Vehicular traffic on the twenty-four foot roadway on Appian Way between Palisades Beach Road and the northwesterly property line of Colorado Avenue in the City shall not be permitted to travel northwesterly along said roadway, or in the direction from the northwesterly property line of Colorado Avenue to Palisades Beach Road.

(b) Palisades Beach Road. Vehicular traffic on Palisades Beach Road North between Ocean Avenue and Palisades Beach Road shall not be permitted to travel easterly or southeasterly along said roadway, or in the direction from Palisades Beach Road to Ocean Avenue.

(c) Palisades Beach Road and Ocean Avenue. Vehicular traffic on Palisades Beach Road and Ocean Avenue shall not be permitted to travel westerly or northwesterly along said roadway, or in the direction from Ocean Avenue to Palisades Beach Road.

(d) Colorado Avenue Bridge—Northwesterly. Vehicular traffic on the roadway adjacent to and Northwesterly of the Colorado Avenue Bridge between Ocean Avenue and Palisades Beach Road North shall not be permitted to travel northeasterly or in the direction from Palisades Beach Road North to Ocean Avenue.

(e) Colorado Avenue Bridge—Southeasterly. Vehicular traffic on the roadway adjacent to and Southeasterly of the Colorado Avenue Bridge between Palisades Beach

Road North and Ocean Avenue shall not be permitted to travel southwesterly or in the direction from Ocean Avenue to Palisades Beach Road North.

3.12.450 Authority of Parking and Traffic Engineer.

(a) The Parking and Traffic Engineer is authorized to determine those streets or alleys on which traffic is hazardous or dangerous, or by reason of the volume of traffic in such streets or alleys, the public safety or convenience, in his or her estimation, would best be served by allowing traffic on such streets or alleys to proceed in one direction only.

(b) When the Parking and Traffic Engineer has determined that a street or alley is hazardous or dangerous, or by reason of the volume of traffic on such streets or alleys, the public convenience would best be served by allowing traffic to proceed in one direction only on such street or alley, he or she is authorized and empowered to place and maintain an appropriate sign at or near the entrance of and along such streets or alleys as he or she may designate, and thereafter, no person shall drive a vehicle on such streets or alleys in violation of such posted one-way sign.

3.12.470 Prohibiting certain vehicles from using California Avenue between Ocean Avenue and the Palisades Beach Road.

No person shall operate upon the public highway known as California Avenue between Ocean Avenue and the Palisades Beach Road, said portion of said California Avenue being commonly referred to as the California Incline, any vehicle which has a gross weight, including any load thereon, in excess of six thousand pounds.

3.12.480 State speed laws applicable.

The State traffic laws regulating the speed of vehicles as stipulated in the California Vehicle Code shall be applicable basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be prima facie unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in the ordinance codified in this Section when signs are in place giving notice thereof.

3.12.490 Speed limits established on the basis of an engineering and traffic survey pursuant to the California Vehicle Code.

The following speed limits are established pursuant to the California Vehicle Code. These prima facie speed limits shall be effective when appropriate signs giving notice thereof are erected for each listed street.

- (1) Forty miles per hour:
 - (a) Olympic Boulevard from 11th Street to Centinela Avenue.
- (2) Thirty-five miles per hour:
 - (a) Lincoln Boulevard from Santa Monica Freeway to south City limit;
 - (b) Ocean Park Boulevard from 23rd Street to Centinela Avenue;
 - (c) Pico Boulevard from Appian Way to Centinela Avenue;
 - (d) San Vicente Boulevard from Ocean Avenue to 26th Street.
- (3) Thirty miles per hour:
 - (a) 2nd Street from Wilshire Boulevard to Colorado Avenue;
 - (b) 4th Street from Colorado Avenue to Pico Boulevard;
 - (c) 11th Street from San Vicente Boulevard to Marine Street;

- (d) 14th Street from San Vicente Boulevard to Ashland Avenue;
 - (e) 20th Street from Wilshire Boulevard to Pico Boulevard;
 - (f) 26th Street from north City limit to Cloverfield Boulevard;
 - (g) Cloverfield Boulevard from Santa Monica Boulevard to Pico Boulevard;
 - (h) Colorado Avenue from Ocean Avenue to Centinela Avenue;
 - (i) Dewey Street from Robson Avenue to 23rd Street;
 - (j) Lincoln Boulevard from Wilshire Boulevard to Santa Monica Freeway;
 - (k) Main Street from Colorado Avenue to Pico Boulevard;
 - (l) Marine Street from Lincoln Boulevard to 17th Street;
 - (m) Montana Avenue from Ocean Avenue to 7th Street;
 - (n) Montana Avenue from 14th Street east City limit;
 - (o) Neilson Way from Pico Boulevard to south City limit;
 - (p) Ocean Avenue from north City limit to Pico Boulevard;
 - (q) Ocean Park Boulevard from Barnard Way to 23rd Street;
 - (r) Santa Monica Boulevard from Lincoln Boulevard to Centinela Avenue;
 - (s) Stewart Street from Colorado Avenue to Pico Boulevard;
 - (t) Wilshire Boulevard from Ocean Avenue to Centinela Avenue.
- (4) Twenty-five miles per hour:
- (a) 2nd Street from Montana Avenue to Wilshire Boulevard;
 - (b) 4th Street from San Vicente Boulevard to Colorado Avenue;
 - (c) 4th Street from Pico Boulevard to south City limit;
 - (d) 5th Street from Montana Avenue to Olympic Boulevard;
 - (e) 6th Street from Montana Avenue to Colorado Avenue;

- (f) 7th Street from north City limit to Olympic Boulevard;
- (g) 17th Street from San Vicente Boulevard to south City limit;
- (h) 20th Street from San Vicente Boulevard to Wilshire Boulevard;
- (i) 20th Street from Pico Boulevard to Ocean Park Boulevard;
- (j) 23rd Street from Pico Boulevard to Ocean Park Boulevard;
- (k) 28th Street from Pico Boulevard to Ocean Park Boulevard;
- (l) Appian Way from Santa Monica Pier to Bay Street;
- (m) Arizona Avenue from Ocean Avenue to Centinela Avenue;
- (n) Ashland Avenue from Lincoln Boulevard to 23rd Street;
- (o) Barnard Way from Hollister Avenue to Neilson Way;
- (p) Broadway from Ocean Avenue to Centinela Avenue;
- (q) California Avenue from Pacific Coast Highway to 4th Street;
- (r) Cloverfield Boulevard from Pico Boulevard to Ocean Park Boulevard;
- (s) Lincoln Boulevard from San Vicente Boulevard to Montana Avenue;
- (t) Main Street from Pico Boulevard to south City limit;
- (u) Marguerita Avenue from Ocean Avenue to 7th Street;
- (v) Marine Street from Neilson Way to Lincoln Boulevard;
- (w) Montana Avenue from 7th Street to 14th Street;
- (x) Ocean Avenue from Pico Boulevard to Hollister Avenue;
- (y) Olympic Drive from Main Street to 4th Street;
- (z) Pearl Street from Lincoln Boulevard to Centinela Avenue;
- (aa) Robson Street from 17th Street to Dewey Street;
- (bb) Santa Monica Boulevard from Ocean Avenue to Lincoln Boulevard;

(cc) Stanford Street from Montana Avenue to Colorado Avenue;

(dd) Washington Street from Ocean Avenue to Stanford Street.

The following speed limits are established pursuant to California Vehicle Code Section 22358.4(b)(1):

(1) A fifteen-mile-per-hour prima facie limit in a residence district, on a highway with a posted speed limit of thirty miles per hour or slower, when approaching, at a distance of less than five hundred feet from, or passing, a school building or the grounds of a school building, contiguous to a highway and posted with a school warning sign that indicates a speed limit of fifteen miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching, at a distance of less than five hundred feet from, or passing, school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates a speed limit of fifteen miles per hour.

(2) A twenty-five-mile-per-hour prima facie limit in a residence district, on a highway with a posted speed limit of thirty miles per hour or slower, when approaching, at a distance of five hundred to one thousand feet from, a school building or the grounds thereof, contiguous to a highway and posted with a school warning sign that indicates a speed limit of twenty-five miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching, at a distance of five hundred to one thousand feet from, school grounds that are not separated from the highway by a fence, gate, or other physical

barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates a speed limit of twenty-five miles per hour.

(3) The school zone speed limit for each listed street, or portion thereof, shall be as set forth in subsections (1) and (2), above, follows when signs are erected giving notice thereof on the following streets:

(a) 6th Street from Pico Boulevard to Bay Street (Santa Monica High School);

(b) 14th Street from Idaho Avenue to Wilshire Boulevard (Lincoln Middle School);

(c) 14th Street from Pearl Street to Maple Street (Will Rogers Learning Community);

(d) 16th Street from Pico Boulevard to Ocean Park Boulevard (John Adams Middle School);

(e) 16th Street from Idaho Avenue to Wilshire Boulevard (Lincoln Middle School);

(f) 17th Street from Pearl Street to Ocean Park Boulevard (John Adams Middle School);

(g) 24th Street from Grant Elementary School to Ocean Park Boulevard (Grant Elementary School);

(h) Arizona Avenue from 23rd Street to 25th Street (McKinley Elementary School);

(i) California from 14th Street to 16th Street (Lincoln Middle School);

(j) Chelsea Avenue from Arizona Avenue to Santa Monica Boulevard (McKinley Elementary School);

(k) Idaho Avenue from 23rd Street to 25th Street (Franklin Elementary School);

(l) Lincoln Boulevard from Alta Avenue to Montana Avenue (Roosevelt Elementary School);

(m) Montana Avenue from 23rd Street to 25th Street (Franklin Elementary School);

(n) Ocean Park Boulevard from 4th Street to Beverley Avenue (John Muir Elementary School);

(o) Pearl from Cloverfield Boulevard to 25th Street (Grant Elementary School);

(p) Washington Avenue from 14th Street to 16th Street (Lincoln Middle School);

(q) Virginia Avenue from High Place to Frank Street (Edison Language Academy);

(r) Pearl Street from 16th Street to 20th Street (John Adams Middle School).

The speed limit of fifteen miles per hour is established pursuant to California Vehicle Code Section 22358.3 for the following streets:

(a) Bryn Mawr Avenue from 16th Street to 18th Street;

(b) Sunset Avenue from 16th Street to Dewey Street;

(c) Wellesley Drive from Ashland Avenue to 18th Street.

3.12.500 Speed restricted on Municipal Piers.

No person shall drive or operate any vehicle over or upon the Municipal Pier at a greater rate of speed than ten miles per hour.

3.12.510 Speed restricted on Third Street Promenade.

No person shall drive or operate any vehicle over or upon the Third Street Promenade at a greater rate of speed than fifteen miles per hour.

3.12.520 Emerging from alley or private driveway.

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving on the sidewalk or into the sidewalk area extending across any alleyway, driveway or building.

3.12.530 Crossing fire hose.

No street car or vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street, private driveway or street car track to be used at any fire or alarm of fire, without the consent of the Fire Chief or the officer in command, nor shall any person park any vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

3.12.600 Bicycles, Electric Bicycles, Electric Personal Assistive Mobility Devices, Electrically Motorized Boards, Low-Speed Vehicles, Motorized Scooters, Roller Skates, Skateboards, and Similar Devices.

(a) Beach Promenade. It shall be unlawful to ride or operate a bicycle, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle upon the Beach Promenade.

(b) Beach bike-path. It shall be unlawful to ride or operate a pedicab, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle upon the beach bike-path. Bicycle riding shall be permitted along the beach bike-path, within the City limits and in those areas where the Promenade constitutes a portion of the bikeway and are otherwise permitted by sign. All persons riding bicycles on the beach bike-path shall comply with all lawful signs and directional markings, including, but not limited to, painted, directional arrows, bike-path route boundaries, and signs designating permissible travel lanes.(c)

(c) Public sidewalks. It shall be unlawful to ride or operate a bicycle, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle upon any public sidewalk.

(d) Public parking structure. It shall be unlawful to ride or operate a bicycle, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle in any public parking structure.

(e) Roller skates, skateboards, and similar devices. The City Council may, by resolution, adopt regulations prohibiting or limiting the use of roller skates, skateboards and similar devices with wheels in public street rights-of-way and public areas, where necessary for public safety.

(f) Third Street Promenade and Municipal Pier. The City Council may, by resolution, adopt regulations prohibiting or limiting the use of roller skates, skateboards and similar devices with wheels; bicycles; electric bicycles; electric personal assistive mobility devices; electrically motorized boards; low-speed vehicles; motorized scooters;

and/or other vehicles on the Third Street Promenade and/or the Municipal Pier, where necessary for public safety.

(g) Reckless riding or operating. It shall be unlawful to ride or operate a bicycle, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle in willful or wanton disregard for the safety of persons or property. Reckless and unlawful operating includes carrying any other person upon the bar, handle bars, floorboard or other area of a bicycle, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle not designed for passenger riding or designed for a single person, and reckless and unlawful riding includes riding in any such a manner. Reckless and unlawful operating also includes clinging to or attaching oneself or one's motorized or non-motorized wheeled device to any moving vehicle or motorized or non-motorized wheeled device.

(h) Notwithstanding any other provision of this Section, or any other Section of this Code, public safety personnel may operate a bicycle, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle at any place in the City in the performance of their duties.

(j) This Section shall not apply to any person who is operating a self-propelled wheelchair, motorized tricycle, or motorized quadricycle and, by reason of physical disability, is otherwise unable to move about as a pedestrian.

3.12.620 Funeral procession.

No operator of any vehicle or street car shall drive between the vehicles comprising a funeral procession, provided that such vehicles are conspicuously so designated.

3.12.650 Scattering load.

It is unlawful to operate any vehicle so loaded that any part of its load is dropped upon the roadway.

3.12.660 Driving on rims.

No person shall tow, propel or operate any motor vehicle, designed for operation on rubber-tired wheels, upon or along any surfaced public street so as to permit or cause the metal rim of any wheel thereof to be in contact with the surface of the street, except in cases when, as a direct result of accident or tire failure, it becomes necessary to remove the vehicle to a place of repair or to the residence or place of business of the owner, or to clear the vehicle from the public way, in which event the maximum speed at which such vehicle may so be driven shall be six miles per hour. (Prior code § 3357)

3.12.670 Vehicle occupancy restrictions.

No vehicle occupied by any person for more than thirty minutes between the hours of twelve a.m. and five a.m. shall be parked on any street in the R-1, R-2, R-2R, R-3, or R-4 Residential Districts after any occupant of such vehicle has been ordered by a peace officer to move such vehicle from such street.

3.12.675 Transit lanes.

The Parking and Traffic Engineer may designate specified lanes of traffic for transit service as follows:

(a) Lanes on Santa Monica Boulevard and Broadway between Ocean Avenue and Fifth Street may be designated for use by public transit buses only.

(b) Parking on Lincoln Boulevard may be restricted to create transit lanes for use by: (1) public transit buses; (2) dial-a-ride vans; and (3) charter party carriers and passenger stages operating pursuant to State licenses or permits. However, dial-a-ride vans, charter party carriers and passenger stages may only use transit lanes if they have at least two passengers on board and may not make passenger stops within the transit lane.

3.12.680 Regulation of operation of vehicles over a certain size.

(a) Weight Limitations. It shall be unlawful for any vehicle having a gross weight, including load, in excess of three tons to be operated on any street within this City except those streets defined in subsections (b) and (c) as primary or secondary truck routes, except when necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted street 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 the restricted street for which a building permit has previously been obtained.

(b) Primary Truck Route. The primary truck route is to be used for all inter-City and interstate truck traffic and shall be as follows:

- (1) The Santa Monica Freeway.
- (2) Olympic Boulevard.
- (3) The Pacific Coast Highway.
- (4) Lincoln Boulevard, from Olympic Boulevard to the southerly City limits.

(c) Secondary Truck Routes. The secondary truck routes are to be used by trucks transporting merchandise, materials, or equipment having an origin or destination within the City limits and are as follows:

- (1) Montana Avenue, from Seventh Street to Twenty-Sixth Street.
- (2) Santa Monica Boulevard.
- (3) Colorado Avenue.
- (4) Broadway, from Ocean Avenue to Twenty-Sixth Street.
- (5) Exposition Boulevard.
- (6) Pico Boulevard, from Ocean Avenue to the easterly City limits.
- (7) Ocean Park Boulevard, from Lincoln Boulevard to the easterly City limits.
- (8) Ocean Avenue, from Santa Monica Boulevard to Pico Boulevard.
- (9) Neilson Way.
- (10) Main Street, from Pico Boulevard to the southerly City limits.
- (11) Lincoln Boulevard, from Montana Avenue to Olympic Boulevard.
- (12) Eleventh Street, from Pico Boulevard to Santa Monica Boulevard.
- (13) Fourteenth Street, from Ocean Park Boulevard to Montana Avenue.
- (14) Seventeenth Street, from Pico Boulevard to Santa Monica Boulevard.
- (15) Twentieth Street, from Pico Boulevard to Montana Avenue.
- (16) Cloverfield Boulevard except between Pico Boulevard and Ocean Park Boulevard.
- (17) Twenty-Sixth Street except between Montana Avenue and the northerly City Limits.

(18) Stewart Street.

(d) Deviation from Established Routes. When it becomes necessary for any vehicle to deviate from the primary or secondary truck routes as permitted by subsection (a), such deviation shall be made by way of the shortest possible route or routes between the destination on the restricted street and the nearest streets described in subsections (b) and (c).

(e) Exemptions for Governmental Vehicles and City Licensed Private Vehicles. This Section shall not apply to vehicles owned or operated by any Federal, State, county, or local governmental agency while such vehicles are being used in the performance of their duties.

(f) Codification. This Section, insofar as it designates truck routes, is a codification of Ordinance Number 709 (CCS).

3.12.690 Accident reports.

It shall be the duty of every person riding, driving, or in charge of any animal or riding, driving, propelling or in charge of any vehicle upon any public street, alley or other public place, within the City that shall collide with any animal, or with vehicle, or with any fire hydrant, ornamental lighting post, telephone pole, electric light or power pole, ornamental shade tree or other property, or object of like nature located in or along any public street, alley or other public place within said City, to report the same within twenty-four hours to the Police Department, in writing.

Said report shall state the time when, and the place where such collision took place; the correct name and address of the person owning and of the person or persons

riding, driving, or in charge of the animal, or riding, driving, propelling, or in charge of said vehicle, and the correct license number of such vehicle.

3.12.700 Investigation of accidents by any police officer.

All members of the Santa Monica Police Department shall have the power to investigate accidents resulting in personal injuries or death and to gather evidence for the purpose of prosecuting the person or persons guilty of any violation of the law contributing to the happening of such an accident.

3.12.710 Stopping, standing, and parking.

The Director of Planning and Community Development, or designee, is authorized to establish, maintain, and designate upon the surface of the roadway or curbs stopping, parking or standing regulation signs or markings, which signs or markings shall conform to the provisions of the Vehicle Code and shall have the meanings therein prescribed. Such authority includes the power to determine those streets within any commercial or residential district which have a grade exceeding three percent and upon which a hazardous condition would be created unless unattended motor vehicles are parked by blocking the wheels thereof by turning them against the curb or by other means and to cause appropriate signs to be posted on such streets. When such signs have been posted, or street or curb markings placed, no person shall stop, stand or park a vehicle in violation thereof.

3.12.720 Removal of illegally parked vehicles.

Police officers are authorized to remove from streets or highways within the City to the nearest garage or other place of safety, or to a garage or other place of safety designated or maintained by the Police Department, any vehicle which has been parked

or left standing in violation of an official sign or marking prohibiting the stopping, standing or parking of vehicles and giving notice that such vehicle may be removed.

3.12.730 Green parking zones.

A green parking zone shall exist where the curb is painted green. The words “15-Minute Limit” may also be stenciled on the curb within the zone. No person shall stop, stand or park in any green parking zone for more than fifteen minutes.

3.12.740 Yellow loading zones.

A yellow loading zone shall exist where the curb is painted yellow. The words “15-Minute Loading Only 7 a.m. to 6 p.m. Mon—Sat” may also be stenciled on the curb within the zone. No person shall park in any yellow loading zone between the hours of seven a.m. and six p.m. Monday through Saturday. No person shall stop, stand or park in a yellow loading zone for a longer time than necessary to load or unload materials, freight or passengers, and in no event longer than fifteen minutes. A yellow loading zone may be established if all of the following factors exist:

- (a) Sufficient loading activity exists to warrant reducing curb parking by installing the more restrictive loading zone;
- (b) Curb availability for loading is insufficient due to heavy area parking demand;
- (c) Off-street or alley loading is not available.

3.12.760 White loading zones.

A white loading zone shall exist where the curb is painted white. The words “3-Minute Limit Passenger Loading Only” or “Loading Only” may also be stenciled on the curb within the zone. No person shall stop, stand or park in any white loading zone for a longer time than necessary to load or unload passengers or deposit mail in an adjacent

mailbox and in no event longer than three minutes. A white loading zone may be established if curb parking is insufficient due to heavy area parking and sufficient loading activity exists to warrant reducing curb parking by installing the more restrictive loading zone or the following factors exist:

(a) An adjacent hotel or motel with at least fifty rooms and a desk clerk on duty twenty-four hours a day does not have off-street loading;

(b) An adjacent apartment or apartment-hotel has the same existing factors as in subsection (a) and at least fifty percent of the average monthly occupancy is of a transient nature.

3.12.770 Disabled parking zones.

(a) A disabled parking zone shall exist where the curb or edge of the paved portion of the street adjacent to the on-street parking space or where the stalls or spaces in an off-street parking facility have been designated for parking for disabled persons in the manner required by the Vehicle Code.

(b) No person shall stop, stand or park a vehicle in a disabled parking zone unless the vehicle has a distinguishing license plate issued to a disabled person pursuant to Vehicle Code Section 5007 or displays a distinguishing placard issued to a disabled person pursuant to Vehicle Code Section 22511.55 or 22511.59. Any vehicle parked in violation of this Section may be removed from the disabled parking zone in the manner authorized by law.

(c) A disabled parking zone may be established if either of the following factors exists:

(1) On-street parking is insufficient due to heavy area parking; or

(2) Sufficient vehicular activity by disabled persons exists at the location.

3.12.775 Disabled parking prohibited.

No person shall stand or park a vehicle on a street or in a parking stall or space in an off-street parking facility when the vehicle displays, in order to obtain special parking privileges, a distinguishing placard or special license plate issued pursuant to Vehicle Code Section 5007, 22511.55 or 22511.59, and any of the following conditions are met:

(a) The records of the Department of Motor Vehicles for the identification number assigned to the placard or license plate indicate that the placard or license plate has been reported as lost, stolen, surrendered, canceled, revoked, or expired, or was issued to a person who has been reported as deceased for a period exceeding sixty days.

(b) The placard or license plate is displayed on a vehicle that is not being used to transport, and is not in the reasonable proximity of, the person to whom the license plate or placard was issued or a person who is authorized to be transported in the vehicle displaying that placard or license plate.

(c) The placard or license plate is counterfeit, forged, altered, or mutilated.

3.12.780 Pier or sands parking.

No person shall stand or park a vehicle or trailer on the roadway or driveway adjacent to the north portion of the Santa Monica Pier, or on the sands of the beach.

3.12.790 Angle and head-in parking.

(a) All parking upon a roadway or street shall be parallel, except upon those streets which have been marked for or have a posted sign indicating angle parking, upon which streets vehicles shall be parked at the angle to the curb indicated by such markings or signs and not otherwise.

(b) No person shall disobey instructions of any official traffic sign requiring head-in parking.

3.12.800 Emergency stopping, standing or parking.

The provisions of this Chapter 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.

3.12.810 Standing in roadways or streets.

No pedestrian shall stand in any roadway or street other than in a safety zone or in a cross walk if such action interferes with the lawful movement of traffic.

This Section shall not apply to any police officer, surveyor, street sweeper or other person when necessarily upon the street in line of duty.

3.12.820 Standing or parking in alleys.

No person shall stop, stand or park a vehicle in any alley in such a manner so that the passage therethrough of any fire truck, public sanitation truck or other vehicle lawfully using such alley is or would be obstructed or hindered.

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 between Ocean Avenue and Lincoln Boulevard, Wilshire and Colorado, or in any alley between the Speedway and Main Street and between Marine Street and Hollister Avenue.

3.12.830 Parking prohibited in specified places.

(a) Unless otherwise designated by a posted sign or a parking meter, no person shall stop, park or leave standing any vehicle in front of any entrance to any carport,

garage or in front of any driveway apron, or upon that portion of any public street or place in the City where the City has erected a sign or painted in red a portion of the curb line.

(b) Notwithstanding the prohibitions contained in subsection (a) of this Section, the owner or occupant of a single-unit commercial property may obtain a permit or permits authorizing parking or leaving vehicles standing in the street in front of the driveway of that commercial property. At no time may a person park a vehicle in such a manner that blocks or intrudes upon any portion of a sidewalk or horizontal extension of a sidewalk adjacent to the driveway or extension of a driveway crossing over the public right-of-way.

(1) Application Required. An application must be submitted to the City which includes the following information:

(A) Applicant's name and address;

(B) Address of the property where parking will occur;

(C) Layout of driveway and detail of parking area it serves;

(D) Certification that entire parking area served provides parking for either the owner or single tenant;

(E) A scaled and dimensioned layout of parking requested in the public right-of-way showing each proposed space or spaces at least twenty feet in length if parallel to the curb and eighteen feet in length if designed in another manner;

(F) The names and numbers of person(s) to be notified twenty-four hours a day, seven days a week, in the event of complaints or concerns regarding parking operation.

(2) Number of Permits. The number of permits issued annually by the City for a property shall be limited to the number of parking spaces identified on the parking layout.

(3) Responsibility for Permits. The permits shall be issued to the owner or tenant, who shall have the sole responsibility for maintaining control of them and their use.

(4) Term of Permits. Permits shall expire annually on December 31st of each year.

(5) Cost of Permits. The cost of the permit may be set by resolution of the City Council. Additionally, the City may charge a fee to cover the cost of processing permit applications, signage, and other costs resulting from the permitting process.

(6) Signage. The parking area shall be posted with signage to inform motorists that the driveway is subject to closure at any time by the property owner or lessee and giving a contact telephone number that will be answered twenty-four hours a day, seven days a week. The sign(s) shall be placed on the subject property in a location visible to the public.

(7) Processing. Once complete, applications shall be processed within thirty days.

3.12.835 Electric vehicle parking.

The Director of Planning and Community Development, or designee, is authorized to designate parking spaces or stalls in an off-street parking facility owned and operated by the City of Santa Monica or the Parking Authority of the City of Santa Monica for the

exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes.

3.12.840 Parking time limited in specified places.

No person shall park or leave standing any vehicle upon that portion of a street, alley or public place during the posted hours and period of time prohibiting standing or parking.

3.12.845 Street sweeping.

No person shall park or leave standing any vehicle upon that portion of a street, alley or public place during the posted days and hours for street sweeping.

3.12.850 Early morning parking prohibited.

No person shall park or leave standing any vehicle for a period longer than thirty minutes between the hours of three a.m. and five a.m. of any day on any street, alley or public place when posted in accordance with Section 3.12.840 of this Chapter.

3.12.860 Overnight parking of trailers and large vehicles.

Between the hours of nine p.m. and six a.m. on any public street or alley in the City no person shall park any hitched or unhitched trailer of any size, or any vehicle of which any part of the vehicle, together with all fixtures, accessories or property with the exception of single post radio antennas, measures more than eight feet in width, or eight feet in height, or twenty feet in length, unless such person shall have a permit for such trailer or vehicle.

3.12.870 Height and width restrictions.

No person shall park any commercial vehicle on a public street or alley in a residential district as established by Article 9 of this Code, except when actively engaged

in commercial activities, in the event of an emergency, or for the purpose of loading and unloading, if any part of such commercial vehicle, together with fixtures or property thereon, if any, measures more than eight feet in width or eight feet in height.

3.12.880 Parking of trailers.

(a) No person shall park any trailer on any public street or alley in the City, unless the trailer, while otherwise lawfully parked, is attached to a vehicle capable of moving the trailer in a normal manner upon the street or alley.

(b) This Section shall not apply to trailers that are:

(1) In the process of being loaded or unloaded; or

(2) Authorized to park at a particular location pursuant to a City-issued permit.

3.12.890 Parking of vehicles for advertising purposes.

Except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, on a public street or alley, if said vehicle, at the time, is primarily designed and is being used for carrying and displaying commercial advertising.

3.12.900 Overnight parking permits for oversized vehicles.

Permits for overnight parking in residential areas may be issued by the City upon application of any person therefor, and subject to the following provisions:

(a) Each application for an overnight street parking permit shall be filed with the City, upon a form to be furnished by the City.

(b) Each such application shall set forth:

- (1) The name, residence, address, and telephone number of the applicant;
- (2) The license number, make, model, and type of vehicle for which an overnight parking permit is requested;
- (3) The name and current address of the registered owner of said vehicle;
- (4) The dates for which the permit is requested. Such dates shall commence in all cases at six p.m.;
- (5) Such additional information as the City may require;
- (6) A statement that applicant declares under penalty of perjury that all statements in the application are true; and
- (7) The signature of the applicant.

(c) Upon the filing of the application, the City may make such investigation as necessary to determine whether such a permit should be issued. An overnight parking permit shall be issued in a form designated by the City, specifying the periods for which it is valid. Such permit shall be issued only for a noncommercial passenger vehicle, as defined by the Vehicle Code, which together with any fixtures, accessories or property, except single post radio antennas, exceeds a width of eight feet, a height of eight feet, or a length of twenty feet, but in no event shall such a permit be issued where, upon investigation, it is determined by the City that to permit overnight parking of the vehicle for which the application is made would constitute a hazard to pedestrians, vehicular traffic or enforcement of the law.

(d) The overnight parking permit shall be visibly displayed on the vehicle for which it was issued as instructed by the City, and the permit shall not be effective unless it is so affixed.

(e) No more than one overnight parking permit may be issued in any thirty-day period for the parking of an oversized vehicle at a single residence address.

(f) An overnight parking permit issued pursuant to this Section does not waive compliance with any other applicable parking law, regulation or ordinance.

3.12.905 Temporary parking permits.

(a) The City may issue temporary parking permits on a first-come first-served basis for the temporary exclusive use of on-street parking areas for activities that are directly related to the adjacent property and that cannot otherwise be accommodated through on-street or off-street parking on or near the adjacent property. Such activities for which a temporary parking permit may be issued include:

(1) Moving into or out of the adjacent property;

(2) Active loading or unloading of materials to and from the vehicle and the adjacent property;

(3) Providing goods or services to ongoing permitted activities at the adjacent property; and

(4) Providing goods or services to activities at the adjacent property.

(b) Temporary parking permits are permitted only for the temporary parking of a vehicle that has two or more wheels and that is able to move under its own power or that may be towed or pushed. Temporary parking permits may not be used for the temporary location of stationary objects.

(c) A temporary parking permit may be issued under the following procedure:

(1) Each temporary parking permit application shall be in a form provided by the City and must be completed in full and filed with the City, and accompanied by payment of the applicable permit fees;

(2) Prior to issuance of a temporary parking permit the Director of Planning and Community Development, or designee, may make such investigation as he or she deems necessary to determine whether a permit should be issued. The Director of Planning and Community Development, or designee, shall deny issuance of a temporary parking permit if the requirements of this Chapter and all applicable laws and regulations have not been met; if the application contains incomplete, false, or misleading information; if the requested area or time for the temporary parking permit is in a zone or during a time that prohibits stopping, parking or standing of the type of vehicle being proposed; or if it is determined that issuance of the permit would unduly interfere with or constitute a hazard to vehicular or pedestrian movement, governmental functions or City services and operations, or enforcement of applicable law, rules or regulations;

(3) Upon approval of the application and issuance of a temporary parking permit, the permit holder shall follow all City regulations for the posting of appropriate temporary no parking signage designating the area(s) of temporary parking for the exclusive use of the permit holder;

(4) A temporary parking permit is valid for no longer than necessary to support the duration of the related activities occurring at the adjacent property.

(d) The applicable fees for a temporary parking permit shall be adopted by Council resolution.

(e) In the event that a temporary parking permit is issued for an area that includes on-street parking meter spaces, the permit holder shall pay the applicable parking meter rates for the duration of the permit.

(f) A temporary parking permit issued pursuant to this Section does not waive compliance with any other applicable law, rule or regulation.

3.12.910 Washing vehicles in street.

No person shall dust, wipe, wash or otherwise clean, use or employ any method of dusting, wiping, washing or otherwise cleaning any vehicle or portion thereof while on any street, alley or public place unless such vehicle is owned by the person doing any of the acts herein enumerated or is under the direct control or supervision of the person doing any of the acts herein enumerated.

3.12.920 Disabled vehicles.

No person shall park or leave standing on any street, alley or public place any vehicle for the purpose of storing, servicing, dismantling, rebuilding or otherwise working upon any such vehicle other than a vehicle which temporarily is disabled in such a manner and to such an extent that it is impossible to avoid stopping such vehicle on such street, alley or public place, and any such temporarily disabled vehicle shall not be parked or left standing in any such place for more than four hours.

3.12.930 Parking on private property.

No person shall park or leave standing any vehicle in a private driveway or on private property without the actual or implied consent of the owner or person in lawful possession of such driveway or property.

3.12.940 Parking on private property.

No person shall operate or park a vehicle upon any lot, as defined by prior Municipal Code Section 9102, except a lot licensed for public parking, a lot operated in connection with a commercial or industrial building or operation in which free parking is provided for clients, customers, employees and tenants, a lot temporarily being used as a parking area by workmen employed or otherwise working on adjacent construction projects, or minimal areas used for access to a private garage or as an individual parking space, unless the entire parking space where the vehicle is parked and the entire area over which the vehicle is operated is prepared in accordance with Section 3.12.950.

3.12.950 Parking on private property—Required surfacing.

No person who owns a lot, except a lot licensed for public parking, a lot temporarily being used as a parking area by workmen employed or otherwise working on adjacent construction projects, or minimal areas used for access to a private garage or as an individual parking space, or any interest therein or who is in possession of such a lot, whether by lease, agreement or otherwise, shall permit anyone to park or operate a vehicle on the lot unless the lot is prepared as follows:

(a) The entire surface of the parking space and the entire area over which any vehicle is operated shall be covered and paved with asphalt concrete with a minimum thickness of two inches or Portland cement concrete with a minimum thickness of six

inches, or covered with RC70 liquid asphalt or other grade of liquid asphalt approved by the Director of Public Works which shall be applied in such quantity and with such frequency as to prevent dust from rising from the soil surface and to prevent mud from forming on the surface, except that if any such lot has, at the effective date of the ordinance codified in this Section, a surface consisting of decomposed granite, oiled gravel, or similar material, and the condition of said surface is such that neither dust blows therefrom, mud is not tracked herefrom onto any public street or sidewalk, or gravel therefrom is not deposited on any public street or sidewalk, said lot shall not be required to be paved or covered as described above until such time as the surface thereof constitutes a dust, mud, or loose gravel nuisance as described above.

At any time the Director of Public Works determines that a decomposed granite or gravel surface or a liquid asphalt covering on a lot is not providing effective dust and mud control, he or she shall immediately notify the owner or person in possession of such lot that said lot must be paved or covered as described above within thirty days of the receipt by said owner or person in possession of such lot of said notification. If said lot is not so paved or covered within said thirty-day period, the Director of Public Works shall post the lot at each entrance thereto with a sign stating, "No Parking on This Lot Until Resurfacing is Completed, signed Director of Public Works." After said sign is posted, no person shall thereafter permit or operate, or park any automobile on said lot until such time as liquid asphalt is applied or re-applied in such quantities as to provide effective dust and mud control.

(b) No person who owns a lot, or any interest therein or who is in possession of such a lot, whether by lease, agreement, or otherwise, which is temporarily being used

as a parking area by workmen employed or otherwise working on an adjacent construction project, shall permit any such use of said lot unless the surface of said lot is either covered with RC70 liquid asphalt or other grade of liquid asphalt approved by the Director of Public Works as set forth in subsection (a) hereof or is kept moistened with sufficient water applied at sufficient intervals to prevent dust from rising from the soil surface.

If said lot is to be used for this purpose for a period in excess of ninety days the surface of said lot shall be either paved with asphalt concrete with a minimum thickness of two inches or covered with RC70 liquid asphalt or other grade of liquid asphalt approved by the Director of Public Works as set forth in subsection (a) hereof. If it is obvious from the scope of the project that construction will be in progress for more than ninety days, said paving or oiling shall be accomplished prior to any use of the lot for parking. In no event shall paving or oiling be accomplished later than ninety days from the date of issuance of the building permit for the adjacent construction project.

At any time the Director of Public Works finds that the surface of said lot does not comply with these requirements, he shall notify the owner or person in possession of said lot, and said owner or person in possession shall forthwith comply with the above requirements.

3.12.960 Impounding vehicle obstructing driveway.

Any vehicle which is parked or left standing in or upon any private property without the actual or implied consent of the owner or person in lawful possession of such property, so as to block or obstruct any driveway or other means of vehicular ingress to or egress from said property may be removed and placed in any garage maintained by the City of

Santa Monica, or in any public garage or other place of safety for safe keeping by any police officer upon the complaint of such owner or person in possession.

3.12.970 Duty of officer impounding vehicle.

Whenever an officer removes a vehicle from private property pursuant to the authority granted by Section 3.12.960 hereof and the officer knows or is able to ascertain from the registration records in the vehicle or from the registration records of the Department of Motor Vehicles the name and address of the owner thereof, such officer immediately shall give or cause to be given notice in writing to such owner of the fact of such removal, the reason therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage a copy of such notice shall be given to the proprietor of such garage.

3.12.980 Impounding vehicle, garage keeper's lien.

Whenever any vehicle has been removed to a garage under the provisions of Section 3.12.960 hereof, the keeper of such garage shall have a lien dependent upon possession for his compensation for towage and for caring for and keeping safe such vehicle for a period not exceeding ninety days and, if said vehicle is not recovered by the owner within said ninety days or the owner is unknown, the keeper of said garage may satisfy the lien in the manner provided by the Vehicle Code and the Civil Code of the State of California.

3.12.990 Impounding vehicle parked on street.

Any vehicle which has been parked or left standing on any street, alley or public way for a period longer than seventy-two consecutive hours may be removed by any police officer pursuant to Section 22651 of the Vehicle Code of the State of California.

3.12.1000 Unlawful parking.

(a) No person shall stand or park a vehicle upon any street for the purpose of displaying such vehicle for sale or offering for sale or selling such vehicle other than by means of sign. Any vehicle parked on any street in violation of this subsection may be removed from the street by any peace officer.

(b) In the R1 One Family Residential District and in the R2, R2-R, R3, and R4 Multiple Residential Districts, no person shall stand or park a vehicle upon any street for the purpose of displaying such a vehicle for sale by sign or otherwise. Any vehicle parked on any street in violation of this subsection may be removed from the street by any peace officer.

3.12.1010 Car keys left in vehicle.

No person shall leave a motor vehicle, except a commercial 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. For the purpose of this Section, "motor vehicle" and "commercial vehicle," shall be defined as provided in California Vehicle Code Sections 415 and 260(a), respectively.

3.12.1020 Riding on car steps.

No person shall ride upon the fender or running board or the steps of any street car or vehicle.

3.12.1030 Talking with motorman or motor coach operator.

No person, unnecessarily, shall talk to or engage in conversation with the operator of any motor coach, or with any person operating any motor coach, bus or street car, and

neither shall such operator talk to or engage in any conversation with any other person unnecessarily while operating any such motor coach, bus or street car.

3.12.1040 Transporting animals.

No person, while a passenger on any motor coach, bus or street car, shall carry or transport, or attempt to carry or transport any dogs, cats or other live animals. This Section shall not prohibit a blind person, who is aided and guided in his or her movements by a dog trained especially for that purpose, from carrying or transporting such a dog for such purposes.

3.12.1050 Prohibition of vehicular parking on front lawns.

No vehicle shall be parked or left standing on the front one-half of any lot in a residential district except on an approved driveway.

3.12.1060 Penalties.

(a) Unless otherwise expressly stated in this Chapter, and except for provisions restricting the parking or standing of vehicles, any person violating any provision of this Chapter shall be guilty of either an infraction, which shall be punishable by a fine not exceeding two hundred and fifty dollars per violation, or a misdemeanor, which shall be punishable by a fine not exceeding one thousand dollars per violation, or by imprisonment in the County Jail for a period not exceeding six months, or by both such fine and imprisonment.

(b) Unless otherwise expressly stated in this Chapter, and except for provisions restricting the parking or standing of vehicles, any person who violates any provision of this Chapter shall be subject to administrative fines and administrative penalties pursuant to Chapter 1.09 of this Code.

(c) The remedies provided in this Chapter are not exclusive, and nothing in this Chapter shall preclude any person from seeking other remedies, penalties or procedures provided by law.

3.12.1100 DMV administrative fee.

The administrative fee, if any, charged to the City by the Department of Motor Vehicles, as a result of withholding registration pursuant to Vehicle Code Section 4760 shall be the sole responsibility of the vehicle owner. The civil penalty and fees assessed for the violation shall be increased accordingly.

SECTION 2. Chapter 4.55.065 of the Santa Monica Municipal Code is hereby amended to read as follows:

4.55.065 Park and beach – Vehicles and beasts of burden.

(a) No person shall ride, operate, drive or park any electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle, or ride, drive or lead any beast of burden over and upon the beach or in any City park.

(b) This Section shall not apply to the following:

(1) Any person operating, driving or parking any electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, or other vehicle within any designated parking facility during the hours that the facility is open to be public;

(2) City employees or City contractors authorized to operate electric bicycles, electric personal assistive mobility devices, electrically motorized boards, low-speed vehicles, motorized scooters, or other vehicles upon the beach and/or

in City parks in order to provide public safety, maintenance or other essential City services; and

(3) Persons authorized by the City to operate electric bicycles, electric personal assistive mobility devices, electrically motorized boards, low speed vehicles, motorized scooters or other vehicles upon the beach and/or in City parks in support of a City produced event, or pursuant to a permit issued by the City, which ensures the protection of public safety and adjacent private and public properties; or

(4) Any person who is operating a self-propelled wheelchair, motorized tricycle, or motorized quadricycle and, by reason of physical disability, is otherwise unable to move about as a pedestrian.

SECTION 3. Chapter 10.08.460 of the Santa Monica Municipal Code is hereby amended to read as follows:

10.08.460 Municipal Pier – Vehicles.

(a) No electric bicycles, electric personal assistive mobility devices, electrically motorized boards, low speed vehicles, motorized scooters, or other vehicles shall be permitted upon said Pier. Other vehicles may be permitted upon said Pier at such points as may be designated by the Harbor Master consistent with his or her determination of public safety.

(b) This Section shall not apply to the following:

(1) City employees or City contractors authorized to operate electric bicycles, electric personal assistive mobility devices, electrically motorized boards,

low speed vehicles, motorized scooters or other vehicles upon said Pier in order to provide public safety, maintenance or other essential City services; and

(2) Persons authorized by the City to operate electric bicycles, electric personal assistive mobility devices, electrically motorized boards, low speed vehicles, motorized scooters or other vehicles upon said Pier in support of a City produced event, or pursuant to a permit issued by the City, which ensures the protection of public safety and adjacent private and public properties; or

(3) Any person who is operating a self-propelled wheelchair, motorized tricycle, or motorized quadricycle and, by reason of physical disability, is otherwise unable to move about as a pedestrian.

SECTION 4. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:

LANE DILG
City Attorney

REFERENCE:

Ordinance No. 2587
(CCS)