

SUPPLEMENT NO. 20

INSERTION GUIDE

PLEASANTON MUNICIPAL CODE

July 2018

(Covering Ordinances through 2180)

This supplement consists of reprinted pages replacing existing pages in the Pleasanton Municipal Code.

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PREFACE

The Pleasanton Municipal Code is a codification of the general and permanent ordinances of the City of Pleasanton, California. Originally published by Book Publishing Company, the code was prepared under the direction of Peter D. MacDonald, city attorney.

Commencing with the September 2007 code supplement, updates to this code are published by Quality Code Publishing. The code will be periodically updated to incorporate new legislation.

Detailed instructions for using the code are included at the front of this volume. An ordinance list and index are located at the end of the code.

The code is current through Supplement Number 20, July 2018, and includes Ordinance 2180, passed May 15, 2018.

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Chapter 1.12

GENERAL PENALTY

Sections:

1.12.010 Violation—Penalty.

1.12.020 Infractions.

1.12.030 Continuing violation.

1.12.010 Violation—Penalty.

Except as otherwise provided in Chapters 1.24 and 1.28 of this title, any person who violates any of the provisions of this code or who fails to comply with any regulatory requirements of this code is guilty of a misdemeanor, and upon conviction is punishable by a fine not exceeding \$1,000.00 or by imprisonment in the county jail for a period not exceeding six months, or by both. (Ord. 1687 § 1, 1996; Ord. 1245 § 1, 1986; Ord. 1222 § 4, 1985; prior code § 1-1.111)

1.12.020 Infractions.

A. Notwithstanding Section 1.12.010 of this chapter, any person who violates a provision of this code designated in this chapter shall be guilty of an infraction, punishable by:

1. A fine not exceeding \$100.00 for the first violation;
2. A fine not exceeding \$200.00 for a second violation of the same ordinance within one year;
3. A fine not exceeding \$500.00 for the third violation of the same ordinance within one year.

Any person who violates the same ordinance more than three times in any 12-month period shall be guilty of a misdemeanor.

B. Violations of the following sections are designated punishable as infractions:

1. Chapter 6.04, amusement devices.
2. Chapter 6.30, shopping cart regulations.
3. Chapter 6.40, taxicabs.
4. Chapter 6.44, teenage dances.
5. Title 7, animals.
6. Chapter 9.04, noise regulations.
7. Chapter 9.08, litter.
8. Chapter 9.10, disposable food service ware.
9. Chapter 9.20, garbage.
10. Chapter 10.08, offenses by or against minors.
11. Chapter 10.12, weapons.
12. Chapter 10.20, alcohol regulations.
13. Chapter 11.16, traffic control devices and regulations relating to vehicular and pedestrian movement.

14. Chapter 11.36, stopping, standing and parking of vehicles.

15. Chapter 11.38, residential permit parking zone.

16. Chapter 11.48, commercial vehicle regulations.

17. Chapter 11.52, bicycles.

18. Chapter 11.54, skateboards.

19. Chapter 11.58, regulation of traffic medians.

20. Chapter 11.64, parades.

21. Chapter 11.68, miscellaneous parking rules.

22. Chapter 13.08, parks and recreation facilities.

23. Title 18, zoning.

24. Title 19, subdivisions.

25. Chapter 20.04, administrative code.

26. Chapter 20.08, building code.

27. Chapter 20.12, plumbing code.

28. Chapter 20.16, mechanical code.

29. Chapter 20.20, electrical code.

30. Chapter 20.24, fire code.

31. Chapter 20.28, housing code.

32. Chapter 20.32, dangerous buildings.

33. Chapter 20.34, uniform sign code.

34. Chapter 20.58, uniform solar energy code.

(Ord. 2180 § 3, 2018; Ord. 2065 § 1, 2013; Ord. 1997 § 1, 2009; Ord. 1842, 2001; Ord. 1778 § 13, 1999; Ord. 1342 § 2, 1987; Ord. 1245 § 2, 1986; Ord. 1223 § 2, 1985; prior code § 1-1.15)

1.12.030 Continuing violation.

Each day that a violation of this code continues shall constitute a separate violation; provided, that this period shall be increased to the extent that more than one day is reasonably required for correction of the violation. (Ord. 1168 § 2, 1984; prior code § 1-1.17)

Chapter 1.16

INJUNCTIVE RELIEF

Section:

1.16.010 Injunctive relief—Civil penalty for code violations.

1.16.010 Injunctive relief—Civil penalty for code violations.

A. In addition to all other remedies and penalties available under this chapter, under other sections of this code or of any ordinance of the city of Pleasanton may be enforced by injunction issued by the Superior Court upon a suit brought by the city. In any such action, civil penalties may also be sought by the city, as specified in subsection B of this section.

B. Any person who violates or fails to comply with any provision of this code or who any ordinance of the city is liable for a civil penalty not to exceed \$1,000.00 for each day, or part thereof, such violation or failure to comply occurs.

C. The city attorney is authorized to bring a civil action in any court of competent jurisdiction to seek injunctive relief and recover the civil penalties authorized by this section. (Ord. 2022 § 2, 2011; Ord. 1171 § 1, 1984; prior code § 1-1.20)

request for hearing form and returning it to the city clerk within 30 days from the date of the administrative citation, together with an advance deposit of the fine or notice that a request for an advance deposit hardship waiver has been filed pursuant to Section 1.24.070 of this chapter.

B. A request for hearing form may be obtained from the department specified on the administrative citation.

C. The person requesting the hearing shall be notified of the time and place set for the hearing at least 10 days prior to the date of the hearing.

D. If the enforcement officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, then a copy of this report also shall be served on the person requesting the hearing at least five days prior to the date of the hearing. (Ord. 1687 § 2, 1996)

1.24.070 Advance deposit hardship waiver.

A. Any person who intends to request a hearing to contest that there was a violation of the code or that he or she is the responsible party and who, if financially unable to make the advance deposit of the fine as required in subsection 1.24.060(A) of this chapter, may file a request for an advance deposit hardship waiver.

B. The request shall be filed with the department of finance on an advance deposit hardship waiver application form, available from the department of finance, within 10 days of the date of the administrative citation.

C. The requirement of depositing the full amount of the fine as described in Section 1.24.060(A) of this chapter shall be stayed unless or until the finance director makes a determination not to issue the advance deposit hardship waiver.

D. The finance director may waive the requirement of an advance deposit set forth in Section 1.24.060(A) of this chapter and issue the advance deposit hardship waiver only if the cited party submits to the director a sworn affidavit, together with any supporting documents or materials, demonstrating to the satisfaction of the director the person's actual financial inability to deposit with the city the full amount of the fine in advance of the hearing.

E. If The finance director determines not to issue an advance deposit hardship waiver, the person shall remit the deposit to the city within 10 days of the date of that decision or 30 days from the date of the administrative citation, whichever is later.

F. The finance director shall issue a written determination listing the reasons for his or her determi-

nation to issue or not issue the advance deposit hardship waiver. The written determination of the director shall be final.

G. The written determination of the finance director shall be served on the person who applied for the advance deposit hardship waiver. (Ord. 1687 § 2, 1996)

1.24.075 Dismissal of citation.

At any time before the hearing, if the enforcement officer determines that there was no violation as charged in the administrative citation or that the citation should be dismissed in the interest of justice, the enforcement officer shall dismiss the administrative citation, cancel the hearing, and refund any administrative citation fine paid pursuant to subsection A in accordance with Section 1.24.100 of this chapter. (Ord. 1687 § 2, 1996)

1.24.080 Hearing officer.

The city manager shall designate the hearing officer for the administrative citation hearing. (Ord. 1687 § 2, 1996)

1.24.090 Hearing procedure.

A. No hearing to contest an administrative citation before a hearing officer shall be held unless the fine has been deposited in advance in accordance with Section 1.24.060 of this chapter or an advance deposit hardship waiver has been issued in accordance with Section 1.24.070 of this chapter.

B. A hearing before the hearing officer shall be set for a date that is not less than 15 days and not more than 60 days from the date that the request for hearing is filed in accordance with the provisions of this chapter.

C. At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.

D. The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust administrative remedies.

E. The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents.

F. The hearing officer may continue the hearing and request additional information from the enforcement officer or the recipient of the administrative citation prior to issuing a written decision. (Ord. 1687 § 2, 1996)

1.24.100 Hearing officer's decision.

A. After considering all of the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or cancel the administrative citation and shall list in the decision the reasons for that decision. The decision of the hearing officer shall be final.

B. If the hearing officer determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

C. If the hearing officer determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an advance deposit hardship waiver, the hearing officer shall set forth in the decision a payment schedule for the fine.

D. If the hearing officer determines that the administrative citation should be canceled and the fine was deposited with the city, then the city shall promptly refund the amount of the deposited fine, together with interest at the average rate earned on the city's portfolio for the period of time that the fine amount was held by the city.

E. The recipient of the administrative citation shall be served with a copy of the hearing officer's written decision.

F. The employment, performance evaluation, compensation and benefits of the hearing officer shall not be directly or indirectly conditioned upon the amount of administrative citation fines upheld by the hearing officer. (Ord. 1687 § 2, 1996)

1.24.110 Late payment charges.

Any person who fails to pay to the city any fine imposed pursuant to the provisions of this chapter on or before the date that fine is due also shall be liable for the payment of any applicable late payment charges set forth in the master fee schedule (on file in the office of the city clerk). (Ord. 1687 § 2, 1996)

1.24.120 Recovery of administrative citation fines and costs.

The city may collect any past due administrative citation fine or late payment charge by use of all available legal means. (Ord. 1687 § 2, 1996)

1.24.125 Right to judicial review.

Any person aggrieved by an administrative decision of a hearing officer on an administrative citation may obtain review of the administrative decision by filing an action with the Superior Court in Alameda County in accordance with the timelines and provisions

set forth in California Government Code Section 53069.4. (Ord. 2179 § 2, 2018; Ord. 1687 § 2, 1996)

1.24.130 Notices.

A. The administrative citation and all notices required to be given by this chapter shall be served either by personal delivery thereof to the person to be notified or by deposit in the United States mail, in a sealed envelope postage prepaid, addressed to such person to be notified at the person's last known business or residence address as the same appears in the public records or other records pertaining to the matter to which such notice is directed.

B. Failure to receive any notice specified in this chapter does not affect the validity of proceedings conducted hereunder. (Ord. 1687 § 2, 1996)

Title 3

REVENUE AND FINANCE

Chapters:

- 3.04 Fiscal Year**
- 3.08 Sales and Use Tax**
- 3.12 Property Tax**
- 3.16 Documentary Stamp Tax**
- 3.20 Uniform Transient Occupancy Tax**
- 3.22 Public Facilities Fee**
- 3.26 Traffic Development Fee**
- 3.28 Purchasing and Disposition of Property**
- 3.30 Criminal Justice Administration Fee**
- 3.32 Alternative Bidding Procedures Under the
Uniform Public Construction Cost Accounting Act**
- 3.44 Johnson Drive Economic Development Zone
Transportation Fee**

Chapter 3.44

JOHNSON DRIVE ECONOMIC DEVELOPMENT ZONE TRANSPORTATION FEE

Sections:

3.44.010	Purpose.
3.44.020	Applicability.
3.44.030	Definitions.
3.44.040	Amount of fee.
3.44.050	Payment of fee.
3.44.060	Use of funds.
3.44.070	Credits.

3.44.010 Purpose.

This chapter establishes fees to be charged as a condition of development approval to defray the cost of transportation improvements required to serve new development within the Johnson Drive Economic Development Zone. (Ord. 2178 § 2, 2018)

3.44.020 Applicability.

The fees required by this chapter apply to new development in the Johnson Drive Economic Development Zone. The fees required by this chapter are supplementary to the fees, dedications and conditions imposed upon development pursuant to the provisions of the Subdivision Map Act, the California Environmental Quality Act, Chapter 3.26 (Traffic Development Fee), regional traffic fees, and other state laws and city ordinances, policies or conditions which may authorize the imposition of fees, dedications or conditions on development. (Ord. 2178 § 2, 2018)

3.44.030 Definitions.

For the purposes of this chapter, the following definitions apply:

A. “Developer” means an individual or entity submitting an application for a building permit or other entitlement for development in the Johnson Drive Economic Development Zone.

B. “Development” means new development or change in use of existing development in the Johnson Drive Economic Development Zone.

C. “Johnson Drive Economic Development Zone” means the area subject to PUD-105, adopted by Ordinance No. 2171, as shown on Exhibit A.

D. “Street improvements” means the following improvements, described in more detail in the Supplemental Environmental Impact Report that the city council certified, by Resolution No. 17-976, for the Johnson Drive Economic Development Zone:

1. Commerce Drive at Johnson Drive signal (Mitigation 4.D-1a);
2. Johnson Drive at Owens Drive (north) signal (Mitigation 4.D-1b);
3. Johnson Drive at Stoneridge Drive intersection - left turn (Mitigation 4.D-1c);
4. Johnson Drive widening (Mitigation 4.D-3). (Ord. 2178 § 2, 2018)

3.44.040 Amount of fee.

A. The amount of the fee shall be established by resolution of the city council. The fee shall be based on the cost of the street improvements divided by the total new trips generated by development. The number of total trips shall be based on land use type and building square footage of development.

B. The fee shall be subject to an annual inflation adjustment on January 1 of each year based upon the Engineering New Record Construction Cost Index for the San Francisco – Bay Area. (Ord. 2178 § 2, 2018)

3.44.050 Payment of fee.

A. The full amount of the fee shall be paid at the time of: issuance of a building permit; or conversion or change in use of an existing structure which individually or cumulatively increases the number of peak hour trips by 10 or more.

B. Development consisting of the repair or replacement of structures, provided that such repair or replacement does not result in any conversion or change in land use, or any enlargement of gross floor area beyond that of the previous structure, is exempt from the fee. (Ord. 2178 § 2, 2018)

3.44.060 Use of funds.

The fees shall be placed in a separate fund and shall be used only for the purpose of acquiring land for, and constructing, the street improvements. (Ord. 2178 § 2, 2018)

3.44.070 Credits.

If a developer dedicates land for and/or constructs a portion of the street improvements, the city and the developer may enter into an agreement to provide a credit against payment of the fee or a portion of the fee. Credits shall be reasonably calculated by the community development director, or designee. (Ord. 2178 § 2, 2018)

Chapter 9.04

NOISE REGULATIONS

Sections:

- 9.04.010 Declaration of policy.**
- 9.04.020 Definitions.**
- 9.04.030 Noise limits—Residential property.**
- 9.04.035 Noise limits—Commercial or industrial use adjacent to residential zone.**
- 9.04.040 Noise limits—Commercial property.**
- 9.04.043 Noise limits—Special downtown accessory entertainment uses in the downtown hospitality central core or downtown hospitality transition area.**
- 9.04.050 Noise limits—Industrial property.**
- 9.04.060 Noise limits—Public property.**
- 9.04.070 Daytime exceptions.**
- 9.04.072 Electricity generators, fuel cells, and wind energy facilities.**
- 9.04.074 Skateboard ramps.**
- 9.04.076 Skateboard ramp—Time of operation.**
- 9.04.078 Pool equipment.**
- 9.04.080 Safety devices.**
- 9.04.090 Emergencies.**
- 9.04.100 Construction.**
- 9.04.110 Exception permit.**

9.04.010 Declaration of policy.

It is declared to be the policy of the city that the peace, health, safety and welfare of the citizens of the city require protection from excessive, unnecessary and unreasonable noises from any and all sources in the community. It is the intention of the city council to control the adverse effect of such noise sources on the citizens under any condition of use, especially those conditions of use which have the most severe impact upon any person. (Prior code § 4-9.01)

9.04.020 Definitions.

For the purposes of this chapter, certain terms are defined as follows:

A. “Emergencies” mean essential activities necessary to restore, preserve, protect or save lives or property from imminent danger of loss or harm; work by private or public utilities when restoring utility service or such routine testing or standby equipment as may be necessary to assure reliability in the event of emergencies.

B. “Noise level” means the maximum continuous sound level or repetitive peak level produced by a source or group of sources as measured with a precision sound level meter using the “A” weighting scale, and the meter response function set to “slow.”

C. “Person” means any individual, or other entity including, but not limited to, a partnership, association or corporation.

D. “Property plane” means a vertical plane including the property line which determines the property boundaries in space.

E. “Sound level” is expressed in decibels (dB), which is a logarithmic indication of the ratio between the acoustic energy present at a given location and the lowest amount of acoustic energy audible to sensitive human ears and weighted by frequency to account for characteristics of human hearing, as given in the American National Standards Institute Standard S1.1, “Acoustic Terminology,” paragraph Z.9, or successor reference. All references to dB in this chapter utilize the A-level weighting scale, abbreviated dBA, measured as set forth in this section.

F. “Sound level meter” means an instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels, which meets or exceeds the requirements pertinent for Type S2A meters in American National Standards Institute specifications for sound level meters, S1.4-1971, or the most recent revision thereof.

G. “Vehicle” means any device by which any person or property may be propelled, moved or drawn upon a highway or street. (Prior code § 4-9.02)

9.04.030 Noise limits—Residential property.

A. Residential Property. No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on residential property, noise level in excess of 60 dBA at any point outside of the property plane, unless otherwise provided in this chapter.

B. Multifamily Residential Property. No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on multi-family residential property, a noise level in any dwelling unit in excess of 60 dBA except within the dwelling unit in which the noise source or sources originate. For purposes of this section, measurement of the noise level shall be taken at least four feet from any wall, floor or ceiling inside any dwelling unit on the same property with the windows and doors of the dwelling unit closed.

C. Distribution Transformers. The noise levels from distribution transformers on private property shall be measured at a distance of 25 feet or from the nearest residential structure, whichever is shorter. (Ord. 1880, 2003; prior code § 4-9.03)

9.04.035 Noise limits—Commercial or industrial use adjacent to residential zone.

Any commercial or industrial use, not including a special downtown accessory entertainment use in the downtown hospitality transition area, which is located within 300 feet from any residential zone and which remains open for business at any time between the hours of 10:00 p.m. and 6:00 a.m. shall adhere to the following standards of performance:

A. The noise level produced on the business premises between the hours of 10:00 p.m. and 6:00 a.m. shall not exceed the residential noise standard at the property plane between the residential zoning district and the commercial zoning district.

B. In the case of a business establishment which: (1) serves alcohol, (2) is located within 300 feet from a residential zoning district, and (3) is open for business between the hours of 10:00 p.m. and 6:00 a.m., the business owner and/or agent in charge shall arrange for responsible agents to patrol the parking lot and take reasonable actions necessary to inhibit loitering, shouting, fighting, revving of vehicle engines, the rapid acceleration of vehicles and other activities which would disturb the peace of a residential neighborhood.

C. No trash shall be dumped outside of the enclosed building area between the hours of 10:00 p.m. and 6:00 a.m. In the alternative, a business which finds it necessary or convenient to dump trash between 10:00 p.m. and 6:00 a.m. may demonstrate pursuant to Section 9.04.110 of this chapter that sound levels from dumping trash are insignificant or have been adequately mitigated. This subsection does not prohibit regularly scheduled pick up of trash by commercial garbage companies.

D. The person in charge of a business premises, whether that person is an owner, employee, agent or contractor, shall be responsible to assure compliance with subsections A through C of this section.

E. The owner of each business subject to this section shall be responsible to inform his or her managers, employees, agents and contractors of the requirements of this section. (Ord. 2055 § 2, 2012; Ord. 1341 § 1, 1987)

9.04.040 Noise limits—Commercial property.

No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on commercial property, a noise level in excess of 70 dBA at any point outside of the property plane, unless otherwise provided in this chapter. (Ord. 2055 § 2, 2012; Ord. 1880, 2003; prior code § 4-9.04)

9.04.043 Noise limits—Special downtown accessory entertainment uses in the downtown hospitality central core or downtown hospitality transition area.

Special downtown accessory entertainment uses shall adhere to the following standards:

A. In the downtown hospitality central core area:

1. No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same on commercial property, a noise level in excess of the following at any point outside of the property plane:

Maximum Noise Level (dBA)	Sunday—Wednesday (Hours)	Thursday—Saturday (Hours)
74	8:00 a.m.—10:00 p.m.	8:00 a.m.—11:00 p.m.
70	10:00 p.m.—8:00 a.m.	11:00 p.m.—8:00 a.m.

2. No person shall produce or allow to be produced on commercial property a noise by any machine, animal, device, or any combination of the same on commercial property in excess of the following noise level as measured at the property plane of the nearest residential zoning district:

Maximum Noise Level (dBA)	All Days (Hours)
60	10:00 p.m.—6:00 a.m.

B. In the downtown hospitality transition area:

1. No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same a noise level in excess of the following at any point outside of the property plane:

Maximum Noise Level (dBA)	All Days (Hours)
70	8:00 a.m.—9:00 p.m.
60	9:00 p.m.—8:00 a.m.

2. No person shall produce or allow to be produced on commercial property a noise by any machine, animal, device, or any combination of the same on commercial property in excess of the following noise

level as measured at the property plane of the nearest residential zoning district:

Maximum Noise Level (dBA)	All Days (Hours)
60	10:00 p.m.—6:00 a.m.

3. In the case of a business establishment which: (a) serves alcohol, and (b) is open for business between the hours of 9:00 p.m. and 8:00 a.m., the business owner and/or agent in charge shall arrange for responsible agents to patrol the parking lot and take reasonable actions necessary to inhibit loitering, shouting, fighting, revving of vehicle engines, the rapid acceleration of vehicles and other activities which would disturb the peace of a residential neighborhood.

4. No trash shall be dumped outside of the enclosed building area between the hours of 9:00 p.m. and 8:00 a.m. In the alternative, a business which finds it necessary or convenient to dump trash between 9:00 p.m. and 8:00 a.m. may demonstrate pursuant to Section 9.04.110 of this chapter that sound levels from dumping trash are insignificant or have been adequately mitigated. This subsection does not prohibit regularly scheduled pick up of trash by commercial garbage companies.

5. The person in charge of a business premises, whether that person is an owner, employee, agent or contractor, shall be responsible to assure compliance with subsections (B)(1) through (4) of this section.

6. The owner of each business subject to this section shall be responsible to inform his or her managers, employees, agents and contractors of the requirements of this section. (Ord. 2055 § 2, 2012)

9.04.050 Noise limits—Industrial property.

No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same on industrial property, a noise level in excess of 75 dBA at any point outside of the property plane, unless otherwise provided in this chapter. (Ord. 1880, 2003; prior code § 4-9.05)

9.04.060 Noise limits—Public property.

A. Residential Area. No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on public property in any residential area, a noise level in excess of 60 dBA at a distance of 25 feet or more from the noise source or sources, unless otherwise provided in this chapter.

B. Commercial Area. No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on public property in

any commercial area, a noise level in excess of 70 dBA at a distance of 25 feet or more from the noise source or sources, unless otherwise provided in this chapter.

C. Industrial Areas. No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on public property in any industrial area, a noise level in excess of 75 dBA at a distance of 25 feet or more from the noise source or sources, unless otherwise provided in this chapter.

D. Special Events. Any community activity, sporting event, or special event occurring at the Alameda County fairgrounds, upon any public school grounds, or at any city parks or streets is exempt from the provisions of this chapter, provided that the event has been approved by the appropriate fair association official, school official or city department or city council.

E. Warning Devices. Vehicle horns, or other devices primarily intended to create a loud noise for warning purposes, shall be used only when a situation endangering life, health, or property is imminent. (Prior code § 4-9.06)

9.04.070 Daytime exceptions.

Any noise which does not produce a noise level exceeding 70 dBA at a distance of 25 feet under its most noisy condition of use shall be exempt from the provisions of Sections 9.04.030, 9.04.040 and 9.04.060(A) of this chapter between the hours of 8:00 a.m. and 8:00 p.m. daily, except Sundays and holidays, when the exemption herein shall apply between 10:00 a.m. and 6:00 p.m. (Prior code § 4-9.07(a))

9.04.072 Electricity generators, fuel cells, and wind energy facilities.

Electricity generators, fuel cells, and wind energy facilities, including small, medium, and large electricity generators, and small, medium, and large fuel cell facilities, but not including emergency standby electricity generators, fuel cells, and batteries as defined in Chapter 18.08 of this code, shall not exceed a noise level in excess of 45 dBA at any point on any residentially zoned property outside of the property plane where the electricity generator, fuel cell, or wind energy facilities are located. (Ord. 1880, 2003)

9.04.074 Skateboard ramps.

The city council finds and declares as follows:

A. Skateboard ramps (as defined in Title 18 of this code) are a source of noise which must be regulated; and

B. Skateboard ramps, if built to regulations consistent with safety and noise dampening standards, will be permitted; and

C. The community development department shall be authorized to promulgate regulations consistent with purposes of safety and noise considerations of this code, subject to approval by the city council; and

D. If any skateboard ramp complies with the promulgated regulations concerning skateboard ramp construction, skateboard ramps will be permitted to be used during specified hours, except on Sundays when use of skateboard ramps shall be prohibited, and exempt from this chapter, subject to the city's zoning ordinance, Chapter 18.120, "Nonconforming Uses", of this code. (Ord. 2000 § 1, 2009; Ord. 1273 § 1, 1986)

9.04.076 Skateboard ramp—Time of operation.

If skateboard ramps are built to regulations specified in Section 9.04.074(C) of this chapter, skateboard ramps shall be exempt from noise regulation ordinance Sections 9.04.030, 9.04.040 and 9.04.060(A) of this chapter and will be permitted to operate between the hours of 10:00 a.m. and 4:00 p.m. except on Sunday, and between 7:00 p.m. and 8:00 p.m. except on Sunday, when no skateboard ramp shall be used. No skateboard ramp shall be used for skateboarding between the hours of 4:00 p.m. and 7:00 p.m., or between the hours of 8:00 p.m. and 10:00 a.m., and all day on Sunday. (Ord. 1273 § 1, 1986)

9.04.078 Pool equipment.

A. Pool equipment shall be operated in compliance with the noise limits as specified in this chapter based on where the pool equipment is located (i.e., residential property, commercial property, industrial property, etc.).

B. Pool equipment shall be field tested under operating conditions by the administrative authority for noise limit compliance prior to final approval of pool installation. Testing shall be by a sound level meter as defined in this chapter.

C. Where pool equipment noise limit compliance is not achieved, said equipment shall be relocated, otherwise adjusted/altered, or an enclosure for noise attenuation installed to achieve compliance prior to final approval of pool installation by the administrative authority.

D. Noise attenuation enclosures shall be designed and constructed utilizing standards established by the administrative authority. Such standards shall include, but shall not be limited to, insulation material,

requirements for venting and circulation, and accessibility for equipment maintenance. (Ord. 2038 § 1, 2012)

9.04.080 Safety devices.

Aural warning devices which are required by law to protect the health, safety and welfare of the community shall not produce a noise level more than three dBA above the standard or minimum level stipulated by law. (Prior code § 4-9.07(b))

9.04.090 Emergencies.

Emergencies and the testing of associated utility standby equipment are exempt from this chapter. (Prior code § 4-9.07(c))

9.04.100 Construction.

Notwithstanding any other provision of this chapter, between the hours of 8:00 a.m. and 8:00 p.m. daily, except Sunday and holidays, when the exemption shall apply between 10:00 a.m. and 6:00 p.m., construction, alteration or repair activities which are authorized by a valid city permit shall be allowed if they meet at least one of the following noise limitations:

A. No individual piece of equipment shall produce a noise level exceeding 83 dBA at a distance of 25 feet. If the device is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close to 25 feet from the equipment as possible; or

B. The noise level at any point outside of the property plane of the project shall not exceed 86 dBA. (Prior code § 4-9.07(d))

9.04.110 Exception permit.

If the applicant can show to the city manager or his or her designee that a diligent investigation of available noise abatement techniques indicates that immediate compliance with the requirements of this chapter would be impractical or unreasonable, a permit to allow exemption from the provisions contained in all or a portion of this chapter may be issued, with appropriate conditions to minimize the public detriment caused by such exceptions. Any such permit shall be of as short duration as possible up to six months, but renewable upon a showing of good cause, and shall be conditioned by a schedule for compliance and details of methods therefor in appropriate cases. Any person aggrieved with the decision of the city manager or his or her designee may appeal to the city council. (Prior code § 4-9.08)

Title 11

VEHICLES AND TRAFFIC

Chapters:

- 11.04 Definitions**
- 11.08 Traffic Administration**
- 11.12 Enforcement of Traffic Regulations**
- 11.16 Traffic-Control Devices**
- 11.20 Speed Limits**
- 11.24 Stops and Yields**
- 11.28 Turning Movements**
- 11.32 One-Way Streets and Alleys**
- 11.36 Stopping, Standing and Parking**
- 11.38 Residential Permit Parking Zone**
- 11.40 Removal of Vehicles from Streets**
- 11.44 Removal of Abandoned Vehicles from Private
Property**
- 11.48 Commercial Vehicle Regulations**
- 11.52 Bicycles**
- 11.54 Skateboards**
- 11.56 Pedestrian Regulations**
- 11.58 Regulation of Traffic Medians**
- 11.60 Robert C. Philcox Memorial Horse Traffic
Ordinance**
- 11.64 Parades**
- 11.68 Miscellaneous Driving Rules**

11.48.110 Special permit for excess width and length.

The city council may grant a special permit for vehicles in excess of the width and length limitations of Sections 11.48.080 through 11.48.120. In reviewing any application for a special permit, the city council may impose conditions to protect the public and will consider the following factors:

- A. Length of city streets to be traversed and impacts upon maintenance costs;
- B. Impacts upon land uses along the requested route and particularly the protection of areas of special importance such as parks, the downtown area and residential areas;
- C. The traffic-carrying capacity of the suggested route and possible traffic congestion impacts;
- D. Public safety including specifically hazards to pedestrian and bicycle users;
- E. Alternative means and routes to accomplish the same purpose such as use of vehicles within the 60-foot length limitation. (Ord. 1096 § 1, 1983; prior code § 5-5.23)

11.48.120 Annual encroachment permit for excess width and length.

An annual encroachment permit for vehicles which exceed the length and width limitations of Sections 11.48.080 through 11.48.120 may be issued by the city engineer after payment of the appropriate annual fee, an approved route has been established by the city engineer and a review of the factors stated in Section 11.48.110 has been completed. (Ord. 1371 § 1, 1988; Ord. 1096 § 1, 1983; prior code § 5-5.24)

Chapter 11.52

BICYCLES

paths or parts of a roadway set aside for the exclusive use of bicycles where it is safe to do so. (Prior code § 4-2.46)

Sections:

- 11.52.060 Operation/prohibited areas.**
- 11.52.070 Racing and endurance contests.**
- 11.52.080 Stunt riding.**
- 11.52.090 Riding two abreast.**

11.52.060 Operation/prohibited areas.

A. It is unlawful for any person to ride a bicycle on public property, or on private property open to the public, where there has been posted in conspicuous places a sign or signs, not less than 17 inches by 22 inches, with lettering not less than one-inch high, that states that bicycling on the property is prohibited pursuant to this section.

B. The following areas are designated as prohibited areas for riding bicycles:

- 1. Publicly owned tennis courts;
- 2. Publicly owned walls, park and street furniture, steps, railings, public art installations, and fountains;
- 3. Any portion of construction projects, whether or not completed, located on public property.

C. No person shall operate a bicycle within the city in a manner which endangers any pedestrian or other bicyclist.

D. No person shall park, let stand or leave unattended a bicycle upon a public sidewalk of the city so as to block or interfere with the use of the sidewalk by any pedestrian. (Ord. 1730 § 1, 1997; prior code § 4-2.43)

11.52.070 Racing and endurance contests.

No person riding or operating a bicycle upon a public street, sidewalk or any other area open to the public shall participate in any race, speed or endurance contest unless such race, speed or endurance contest has been granted written permission by the city manager and is conducted under the supervision of the chief of police. (Prior code § 4-2.44)

11.52.080 Stunt riding.

No person riding or operating a bicycle upon a public street, sidewalk or any other area open to the public, shall engage in any acrobatics or stunt riding. (Prior code § 4-2.45)

11.52.090 Riding two abreast.

Persons riding or operation bicycles shall not ride or operate bicycles more than two abreast, except on

Chapter 11.58

REGULATION OF TRAFFIC MEDIANS

Sections:

- 11.58.010 Purpose.**
- 11.58.020 Definitions.**
- 11.58.030 Lingering and loitering prohibited on certain medians and corner islands.**
- 11.58.040 Obstructing traffic signs and signals prohibited on all medians and corner islands.**
- 11.58.050 Signs.**
- 11.58.060 Violations.**
- 11.58.070 Regulations nonexclusive.**

11.58.010 Purpose.

Lingering and loitering on medians and corner islands reduces the safety of intersections for pedestrians, bicyclists, and motorists. This is especially true when people linger or loiter on narrow medians, as well as medians and corner islands located in high-volume intersections. The purpose of this chapter is to protect the health and welfare of pedestrians, bicyclists, motorists, and others who use the city's public rights-of-way. (Ord. 2180 § 2, 2018)

11.58.020 Definitions.

For purposes of this chapter, the terms listed below shall have the following meaning:

A. "Corner island" or "pork chop island" means a traffic island that separates right turn movements from through movements.

B. "High-volume intersection" means an intersection carrying over 30,000 vehicles per day and includes the following intersections:

1. Hopyard Road and Interstate 580 West Bound Ramp.
2. Santa Rita Road and West Las Positas Boulevard.
3. Hopyard Road and Interstate 580 West Bound Ramp.
4. Hopyard Road and Owens Drive.
5. Santa Rita Road and Stoneridge Drive.
6. Santa Rita Road and Interstate 580 East Bound Ramp.
7. Hopyard Road and Stoneridge Drive.
8. Santa Rita Road and Valley Avenue.
9. Hopyard Road and West Las Positas Boulevard.
10. Santa Rita Road and Rosewood Drive.

11. Stoneridge Drive and Johnson Drive.
12. Stoneridge Drive and Interstate 680 Southbound Ramp.
13. Stanley Boulevard and Valley Avenue/Bernal Avenue.
14. Foothill Road and Canyon Way.
15. Santa Rita Road and Mohr Avenue.
16. Stoneridge Drive Interstate 680 North Bound Ramp.
17. Hacienda Drive and Interstate 680 East Bound Ramp.
18. Hopyard Road and Valley Avenue.
19. Bernal Avenue and First Street/Sunol Boulevard.
20. Bernal Avenue and Interstate 680 North Bound Ramp.
21. Hacienda Drive and Owens Drive.
22. Bernal Avenue and Valley Avenue.
23. Hopyard Road and Arthur Drive/North Valley Trails Drive.
24. Stoneridge Drive and Franklin Drive/Denker Drive.
25. Hacienda Drive and Interstate 580 West Bound Ramp.
26. Santa Rita Road and Old Santa Rita Road.
27. Stoneridge Drive and Stoneridge Mall Road.
28. Hopyard Road and Inglewood Drive.
29. Foothill Road and Interstate 580 West Bound Ramp.
30. Foothill Road and Interstate 580 East Bound Ramp.
31. Valley Avenue and Kolln Street.
32. Hopyard Road and Parkside Drive/South Valley Trails Drive.
33. Santa Rita Road and Amador High School.
34. Santa Rita Road and Stanley Boulevard and Del Valle Parkway.
35. Santa Rita Road and Interstate 580 West Bound Ramp.
36. Bernal Avenue and Koll Center Drive.
- C. "Linger" means to remain on a median or corner island longer than two traffic signal cycles, or for locations without a traffic signal, for longer than three minutes.
- D. "Loiter" means to stand or linger on a median or corner island for any purpose other than to safely and lawfully cross the roadway.
- E. "Median" means a paved or planted raised area located in a roadway and dividing the roadway according to the direction of travel.
- F. "Narrow median" means a median that is less than six feet wide. (Ord. 2180 § 2, 2018)

11.58.030 Linger and loitering prohibited on certain medians and corner islands.

A. It is prohibited for any person to linger or loiter on any of the following:

1. Any narrow median.
2. Any median or corner island located in a high-volume intersection.

B. The only exceptions to these prohibitions are for the following circumstances: (1) as may be necessary to cross a roadway; (2) as is necessary for emergencies; or (3) as is necessary for public works or maintenance. (Ord. 2180 § 2, 2018)

11.58.040 Obstructing traffic signs and signals prohibited on all medians and corner islands.

A. It is prohibited for any person to block traffic signs and signals located on or within any median or corner island for more than two traffic signal cycles, or for locations without a traffic signal, for longer than three minutes.

B. The only exceptions to this prohibition are for the following circumstances: (1) as is necessary for emergencies; or (2) as is necessary for public works or maintenance. (Ord. 2180 § 2, 2018)

11.58.050 Signs.

The prohibition set forth in Section 11.58.030(A)(2), relating to medians and corner islands located in high-volume intersections, shall not be enforceable in an intersection unless the city traffic engineer has posted a sign in the intersection giving notice of the prohibition. (Ord. 2180 § 2, 2018)

11.58.060 Violations.

Violation of any provision of this chapter shall be punishable as an infraction as provided in Section 1.12.020 of this code. (Ord. 2180 § 2, 2018)

11.58.070 Regulations nonexclusive.

The provisions of this chapter are not intended to be exclusive and nothing in this chapter in any way limits or precludes the enforcement of any other applicable laws, or any other remedy that may be available to the city for conduct that violates this chapter. (Ord. 2180 § 2, 2018)

Chapter 11.60

ROBERT C. PHILCOX MEMORIAL HORSE TRAFFIC ORDINANCE

Sections:

- 11.60.010 Title.**
11.60.020 Intent.
11.60.030 Definitions.
11.60.040 Designation of equestrian trails.
11.60.050 Prohibited areas—Exception.

11.60.010 Title.

The city council on February 28, 1978, adopted Ordinance 846 relating to horse traffic in the city. Ordinance 846 was sponsored by then Mayor Robert C. Philcox. The adoption and enactment of Ordinance 846 could not have been accomplished without the determined perseverance of Robert C. Philcox, therefore this chapter shall be known as the “Robert C. Philcox Memorial Horse Traffic Ordinance.” (Ord. 907, 1979)

11.60.020 Intent.

It is the intent of the city council by adoption of the ordinance codified in this chapter to provide for the safety of pedestrians and vehicle drivers as well as horses and their riders on the streets and sidewalks of the city. The council finds and declares that there are certain areas in the city which due to pedestrian and vehicular traffic endanger horses, their riders and pedestrians and, therefore equestrian activities should be limited or prohibited in those areas. (Prior code § 5-1.60)

11.60.030 Definitions.

- A. “Equestrian trail” means any trail designated by the city council as such.
- B. “Horse” includes any mules, burro, pony, jack or jenny.
- C. “Main Street” means Main Street in the city of Pleasanton running from its intersection with Bernal Avenue to its intersection with Stanley Boulevard.
- D. “Shopping center” means any area in a C-N (neighborhood commercial), C-C (central commercial) or C-R (regional commercial) zoning district that has been developed with commercial uses. The term shall further include all buildings, parking lots, driveways, walkways and public sidewalks bordering the shopping center. (Ord. 1516 § 1, 1991; prior code § 5-1.61)

11.60.040 Designation of equestrian trails.

The planning commission shall advise the city council on any proposals for equestrian trail designa-

tions. The city council shall consider the designation of equestrian crossings as provided for in California Vehicle Code Section 21805 whenever any proposed equestrian trail would cross a highway. (Prior code § 5-1.62)

11.60.050 Prohibited areas—Exception.

A. Commercial Centers. Except as provided in this section, no horse shall be ridden, walked or tethered on the streets, sidewalks, walkways or parking lots of any shopping center of the city or along Main Street, First Street, Santa Rita Road, Hopyard Road, or Bernal Avenue between First Street and Interstate 680 in the city, except on approved equestrian trails or crossings.

B. Other Prohibited Areas. The city council may, from time to time, designate by resolution, any other areas of the city prohibited to horse traffic. The city shall post all such additional areas, but posting shall not be a prerequisite for citing violators.

C. Subject to the granting of a temporary conditional use permit in accordance with the provisions of Section 18.124.170 of the Pleasanton municipal code, certain equestrian events, as deemed appropriate by the zoning administrator, may take place on Main Street and within other commercial areas. Horse-drawn carriages may be considered appropriate for all commercial locations and pony rides, in conjunction with an approved special event, may be considered appropriate for shopping center type locations.

D. Nothing in this chapter shall prohibit the participation of mounted or equestrian units in parades authorized by the city council nor prohibit the walking of a horse to a licensed veterinarian. (Ord. 1516 § 2, 1991; prior code § 5-1.63)

Chapter 11.64

PARADES*

Sections:

- 11.64.010 Intent.**
- 11.64.020 Definitions.**
- 11.64.030 Permit required.**
- 11.64.040 Official parade routes.**
- 11.64.050 Application.**
- 11.64.060 Conditions and use.**
- 11.64.070 Issuance—Findings.**
- 11.64.080 Insurance requirements.**
- 11.64.090 Expenses—Reimbursement—Bond.**
- 11.64.100 Appeal procedure.**
- 11.64.110 Revocation of permit.**
- 11.64.120 Vending—Special vending permit.**

* Prior history: Prior code §§ 4-2.1701—4-2.1710; Ord. 1222.

11.64.010 Intent.

The provisions of this chapter are intended to create a procedure by which the city may permit parades, motorcades, marches and processions on city streets and sidewalks. The purpose of this chapter is to provide a coordinated process for managing parades to ensure the health and safety of participants, residents, shopkeepers, workers, and other visitors, to prohibit illegal activities from occurring at parades, and to protect the rights of parade permit holders. It is also the intent of the city council to protect the rights of people to engage in expressive activities in the city’s streets and sidewalks, and to establish the least restrictive and reasonable time, place and manner regulation of these activities. It is further intended to create mechanisms for cost recovery and use charges, to the extent authorized by law, while not unduly impacting the viability of parades. (Ord. 2019 § 1, 2011)

11.64.020 Definitions.

A. “Central business district,” for the purpose of this chapter, includes the area bounded by Arroyo Del Valle on the north, Bernal Extension on the south, First Street on the east and Western Pacific Railroad right-of-way on the west.

B. “Chief” means the chief of police of the city or designated representative.

C. “City manager” means the city manager of the city or designated representative.

D. “Official parade routes” means those routes adopted by the city council by resolution. Staging and

disbanding areas shall be established for each of several routes.

E. For the purpose of this chapter, “parade” means any march, procession, motorcade or combination of the above on the streets or sidewalks which does not comply with normal or usual traffic regulations. However, funeral processions are exempted from these regulations, as are assemblies reasonably and apparently likely to involve a total of no more than 100 or fewer pedestrians, as determined by the chief, as to which the sponsor has agreed to the following restrictions: (1) the participants will march only on sidewalks; and (2) will cross streets only at pedestrian crosswalks in accordance with traffic regulations and controls, in units of 15 or less, allowing vehicles to pass between each unit. (Ord. 2019 § 1, 2011)

11.64.030 Permit required.

No parade shall take place unless and until a parade permit has been issued by the city manager upon recommendation by the chief. No person shall knowingly sponsor, participate or cause others to participate in a parade for which no permit has been issued. No person shall participate or cause others to participate in any manner inconsistent with an issued permit. (Ord. 2019 § 1, 2011)

11.64.040 Official parade routes.

The city council may establish by resolution official parade routes for the central business district. (Ord. 2019 § 1, 2011)

11.64.050 Application.

Any person or group wishing to conduct a parade shall apply at least 30 days prior to the proposed date. Upon a showing of good cause, the chief shall consider an application which is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police services for the event. Good cause shall be deemed demonstrated if the applicant shows that: (1) the circumstance which gave rise to the permit application did not reasonably allow the participants to file an application within the time prescribed by this chapter; and (2) the event is for the purpose of expression protected by the First Amendment. The chief may refuse any application which does not contain the following information:

- A. Name, address and phone number of applicant, sponsoring group and/or event chairman;
- B. Purpose of proposed event;
- C. Date, time, choice of official routes, and approximate duration of parade;

D. Number and type of floats (a complete list shall be submitted to the chief at least seven days prior to the event indicating the size of the floats and the materials used for their decoration);

E. All other events planned in coordination with parade including dances, rallies, assemblies of parties;

F. Description of planned concession areas and proposed concessionaires, both moving and stationary;

G. Provisions for insurance to protect applicants and city from parade-related personal injuries or property damage;

H. An executed hold harmless agreement in a form approved by the city attorney agreeing to defend, indemnify, and hold harmless the city against losses and liabilities incurred from the conduct of the permittee or its officers, employees, and agents;

I. If a route outside the central business district is proposed, the route, staging area, and disbanding area shall be indicated. (Ord. 2019 § 1, 2011)

11.64.060 Conditions and use.

Upon recommendation of the chief, the city manager may impose conditions upon any parade, including, but not limited to, conditions relating to size, durations, policing, nature of floats, and number of stationary and moving vendors. With a parade permit or special event street closure permit, a permittee may exclude members of the public from the area covered by the permit, and may also establish the permittee's own reasonable rules of use during its event. (Ord. 2179 § 2, 2018; Ord. 2019 § 1, 2011)

11.64.070 Issuance—Findings.

A. Upon recommendation of the chief, the city manager shall issue a permit for a proposed parade consistent with official routes provided that:

1. The applicant agrees to all reasonable conditions required by the city manager;

2. The applicant agrees to hold harmless and defend the city in case of parade-related injury or property damage;

3. No other parade has already been approved for that date;

4. The applicant agrees to provide an insurance policy for an amount deemed sufficient by the city attorney;

5. The applicant has paid the application fee designated in the resolution establishing fees and charges for various municipal services, unless a hardship waiver is granted in accordance with city policy.

B. The city manager may approve a parade route outside the central business district if (in addition to the findings specified above) the council finds:

1. The route and time will not unreasonably disrupt traffic;

2. The proposed route will not unreasonably limit access to any area of the city.

C. Any permit request denied by the city manager shall be accompanied by findings of fact indicating which of the above findings could not be made and what facts lend to that decision.

D. In deciding whether to approve an application, no consideration may be given to the message of the event, the content of speech, the identity or associational relationships of the applicant, or to any assumptions or predictions as to the amount of hostility which may be aroused in the public by the content of speech or message conveyed by the event. (Ord. 2019 § 1, 2011)

11.64.080 Insurance requirements.

A. Except as otherwise prohibited by law or an exemption is obtained as provided by this chapter and the implementing regulations, the permittee shall procure and maintain in full force and effect during the term of the permit a policy of insurance from a reliable insurance company authorized to do business in the state, which policy includes the city, its council, boards, officers, agents, employees, and volunteers as additional named insureds and which provides the coverage that the city attorney determines to be necessary and adequate under the circumstances. Proof of insurance shall be submitted to the city prior to issuance of the permit and maintenance of this insurance shall be a condition of the permit.

B. If the city attorney determines that a particular use, event, or activity which is for a permit period of no more than one day does not present a substantial or significant public liability or property damage exposure for the city or its council, boards, officers, agents, employees, or volunteers, the city manager may give a written waiver of the insurance requirements of this section. (Ord. 2019 § 1, 2011)

11.64.090 Expenses—Reimbursement—Bond.

No permit issued by the city council shall become effective until:

A. Upon recommendation of the city manager, the city council approves an adjustment to the city budget for all additional expenditures required by the parade; or

B. The applicant agrees to reimburse the city for the expenses. The city manager will require the ap-

plicant to post a bond approved by the city attorney to insure reimbursement unless determined inappropriate under the circumstances, e.g., if a hardship waiver is granted in accordance with city policy. (Ord. 2019 § 1, 2011)

11.64.100 Appeal procedure.

The applicant shall have the right to appeal: (1) denial of a permit; (2) a permit condition; (3) a determination that good cause to consider a late application does not exist; and (4) a determination by the city that the applicant's insurance policy does not comply with the requirements specified in Section 11.64.080. A notice of appeal stating the grounds of appeal with specificity shall be filed with the city clerk within seven calendar days of the city manager's action. The city council may affirm, modify or reverse the action of the city manager, consistent with the provisions of this chapter. (Ord. 2019 § 1, 2011)

11.64.110 Revocation of permit.

Any permit for a parade issued pursuant to this chapter may be revoked by the chief when by reason of disaster, public calamity, riot or other emergency, the chief determines that the safety of the public requires such revocation. Whenever possible, notice of such action shall be delivered in writing to the permittee by personal service or by certified mail. The chief may revoke the permit for failure to abide by the conditions of the issued permit. (Ord. 2019 § 1, 2011)

11.64.120 Vending—Special vending permit.

No roving or walking food vending shall be permitted in the public right-of-way along the parade route unless approved in the parade permit or subject to a special vending permit approved by the chief. The chief shall issue a special vending permit if he or she finds:

A. The size of the parade and the projected audience is such that moving vendors would not endanger the audience, parade participants or themselves;

B. The applicant has applied at least three days prior to the event and paid the fee designated in the resolution establishing fees and charges for various municipal services;

C. The granting of the permit to the applicant will not endanger the public health of residents and visitors of the city;

D. The proposed vending is consistent with the approved parade permit. (Ord. 2019 § 1, 2011)

Chapter 11.68

MISCELLANEOUS DRIVING RULES

Sections:

- 11.68.010 Driving through funeral procession or parade.**
- 11.68.020 No entrances into intersection that would obstruct traffic.**
- 11.68.030 Limited access.**
- 11.68.040 Flange wheel machinery.**

11.68.010 Driving through funeral procession or parade.

No operator of any vehicle shall drive between the vehicles comprising a funeral procession or a parade, provided that such vehicles are conspicuously so designated. The directing of all vehicles and traffic on any street over which such funeral procession or parade wishes to pass shall be subject to the orders of the police department. (Prior code § 5-2.60)

11.68.020 No entrances into intersection that would obstruct traffic.

No operator of any vehicle shall enter any intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Prior code § 5-2.64)

11.68.030 Limited access.

No person shall drive a vehicle onto or from any roadway except at such entrances and exits as are lawfully established. (Prior code § 5-2.65)

11.68.040 Flange wheel machinery.

No person shall operate over the city streets any vehicle, piece of equipment or machinery which has lugs, cleats, flanges or other projections on the wheels or tracks. If the tread of the track has projections or corrugations, a filler block may be placed on each section so that a flat bearing surface will be in contact with the pavement at all times. (Prior code § 5-2.66)

thereto are available in the city clerk's office. (Prior code § 5-8.47)

13.04.430 Hedges, fences or shrubbery.

A. Planting or Erection.

1. No hedge, fence, shrub or similar structure shall be planted, erected, or maintained in a watercourse or right-of-way without a permit.

2. No hedge, shrub or other planting whatever, fence or similar structure shall be maintained across any existing walkway in a sidewalk area or shoulder. The intent of this restriction is to keep free a walkway for pedestrian or other lawful public travel without interference by or with vehicular travel. No encroachment of any nature will be permitted or maintained which impedes, obstructs, or denies such pedestrian or other lawful travel within the limits of the right-of-way of a public street, or which impairs adequate sight distance for safe pedestrian or vehicular traffic.

B. Maintenance. The permittee, or the owner of the adjacent property, shall maintain the hedges, shrubs, walls, fences or similar structures erected for landscaping purposes in a neat and orderly condition at all times. If the encroachment is not maintained as specified in this chapter, the superintendent of streets may direct that the permittee or property owner remove the encroachment and restore the right-of-way or watercourse to its former condition at the expense of the permittee or property owner.

C. Lawns.

1. Notwithstanding anything contained in this chapter to the contrary, any person may plant and maintain a lawn of grass, or type not prohibited by other law, within the right-of-way of a public street without a written permit. However, the lawn shall not extend into the traveled way of the public street nor into the drainage ditches, gutters or other drainage facilities.

2. The general public may not be denied the use of the planted area for pedestrian or other lawful travel. The city may use the planted area for any purpose whatever, and may issue a permit to any applicant to go thereon to perform work or otherwise encroach pursuant to this chapter. If the lawn is damaged or disturbed in the course of any authorized encroachment, it will be removed and replaced by the permittee unless the permit specifically states otherwise. (Prior code § 5-8.48)

13.04.435 Sidewalk dining/sidewalk decorative displays.

A. Permit Required. A sidewalk dining/decorative display permit shall be required for any tables, chairs, benches, displays, or other appurtenances

placed in the public right-of-way for the purpose of establishing a sidewalk dining area or sidewalk decorative display. The zoning administrator shall issue such permit upon a finding that the requirements of this section have been met.

B. Location. Sidewalk dining areas and sidewalk decorative displays within the public right-of-way are permitted only within the downtown revitalization district as delineated in Chapter 18.74 of this code.

C. Procedure.

1. Establishment of a sidewalk dining area or sidewalk decorative display shall require design review approval and issuance of a sidewalk dining/decorative display permit by the zoning administrator. The zoning administrator shall follow the procedures of Section 18.20.040 of this code (design review) prior to issuing a sidewalk dining/decorative display permit, except that notices for sidewalk dining areas serving alcoholic beverages shall be sent to all property owners and businesses within 300 feet of the proposed site. The zoning administrator may establish conditions of approval for the sidewalk dining area or sidewalk decorative display as necessary to achieve the requirements of this section.

2. Upon receipt of an application for sidewalk dining serving alcoholic beverages, the zoning administrator shall refer the application to the chief of police for his or her review and comment. Approval of the sidewalk dining permit by the zoning administrator shall also fulfill the requirements of Chapter 10.20 of this code.

D. Standards. The following standards shall be met for the establishment and maintenance of a sidewalk dining area or sidewalk decorative display within the public right-of-way.

1. Physical Requirements.

a. A four-foot unobstructed sidewalk clearance for pedestrians shall be maintained at all times from a table, chair, bench, display, planter, enclosure or any other appurtenance used as part of a sidewalk dining area or sidewalk decorative display and a two-foot clearance shall be maintained from the face of curb to any such appurtenance.

b. No sidewalk dining area or sidewalk decorative display shall be located so as to block access to or from a building. A minimum unobstructed clear area shall be maintained which extends two feet to either side of both door jambs and eight feet perpendicularly from the door in a closed position.

c. On a corner lot, no sidewalk dining area or sidewalk decorative display shall be located within the area bounded by the extensions of the corner building walls between the building and the curb.

d. Sidewalk decorative displays shall occupy no more than 50 square feet.

e. All sidewalk dining furniture and sidewalk decorative displays shall be removed daily after business hours, except that planters or other approved enclosures around a sidewalk dining area may remain if unable to be easily moved.

f. No portion of a sidewalk decorative display shall be permanently attached to the sidewalk.

g. Sidewalk dining area enclosures may be required to be affixed to the sidewalk or building in the reasonable determination of the zoning administrator.

h. Any umbrella, heater, or similar feature used in a sidewalk dining area or sidewalk decorative display shall be safely secured.

i. Sidewalk dining areas and sidewalk decorative displays shall generally be located within the sidewalk area fronting the establishment. Such areas may be extended beyond the frontage with the approval of any affected business owner and the zoning administrator.

2. Design.

a. The design and appearance of all proposed improvements or furniture, including, but not limited to, tables, chairs, benches, umbrellas, planters, and menu boards, to be placed in the sidewalk dining area shall present a coordinated theme and be compatible with the appearance and design of the principal building, as determined by the zoning administrator.

b. Sidewalk decorative displays shall be designed to enhance the appearance of a structure or site and shall present an attractive arrangement of merchandise sold within the store.

c. No signs shall be permitted in connection with a sidewalk dining area or sidewalk decorative display except as may be required by the city for reasons of public health or safety, or unless as approved by the zoning administrator as part of the application.

3. Hours of Operation. A sidewalk dining area may operate between 7:00 a.m. and 10:00 p.m.

4. Maintenance.

a. The permittee shall maintain the sidewalk dining area or sidewalk decorative display, and the adjoining street, curb, gutter, and sidewalk in a neat, clean, and orderly condition at all times. This shall include all tables, chairs, benches, displays, or other appurtenances placed in the public right-of-way. Provisions shall be made for trash receptacles to serve the sidewalk dining area, subject to the approval of the zoning administrator.

b. If the sidewalk dining or decorative display area is not used for 10 continuous days, the permittee shall clean the surface of the sidewalk by washing or

buffing to remove any stains, marks, or discoloring to the satisfaction of the superintendent of streets.

5. Special standards for outdoor dining areas with alcoholic beverage service.

a. Alcoholic beverages may only be served in sidewalk dining areas which are established in conjunction with a restaurant. For purposes of this section, a "restaurant" is a business operating within an enclosed building which has as its primary purpose the serving of meals prepared on the premises, which devotes the majority of its floor area to food preparation and dining, where table service is provided, and where any bar or liquor service area shall be clearly subordinate in both area of premises devoted to it and share of gross receipts to the primary dining function of the restaurant.

b. The sidewalk dining area shall be physically separated from the rest of the sidewalk by an enclosure no greater than three feet and no less than one foot in height. The enclosure shall be compatible with the appearance and design of the building and the rest of the sidewalk dining area and shall be subject to the approval of the zoning administrator. The enclosure shall be placed on the site as approved by the zoning administrator.

c. All entrances/exits of the sidewalk dining area shall be posted with signs, subject to the approval of the zoning administrator, stating that alcoholic beverages must be kept within the sidewalk dining area at all times. In addition, small cards shall be placed on each table giving notice that removal of alcoholic beverages from the sidewalk dining area is not allowed.

d. The capacity of the sidewalk dining area shall be limited to the number of seats, as approved by the zoning administrator.

e. No bar shall be allowed in the sidewalk dining area.

f. Empty beverage containers shall be removed from the sidewalk dining area as soon as possible.

g. A license shall be obtained from the Department of Alcoholic Beverage Control (ABC) prior to the operation of a sidewalk dining area serving alcoholic beverages and shall be maintained continuously as long as alcoholic beverages are served in the sidewalk dining area. Loss of such license shall automatically constitute termination of the city permit to serve alcoholic beverages in the sidewalk dining area.

E. Indemnification/Insurance. The permittee shall defend, indemnify and hold harmless the city and its officers and employees from and against all claims, losses, damage, injury and liability for damages arising from the permittee's use of the public right-of-way. The permittee shall provide to the city in a form and in

amounts acceptable to the city attorney, certificates of insurance evidencing the existence of a general liability policy covering the area subject to the permit.

F. **Suspension of Permit.** The director of operation services, police chief, city engineer, or designee shall have the right to suspend or prohibit the operation of a sidewalk dining area or require removal of a sidewalk decorative display at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. Such problems or conflicts may arise from, but are not limited to, scheduled festivals, parades, marches and similar special events; repairs to the street, sidewalk or other public facility; or from demonstrations or emergencies occurring in the area. To the extent possible, the city will give prior written notice of any time period during which the operation of the sidewalk dining area or sidewalk decorative display must be suspended.

G. **Violation of Conditions.**

1. If any portion of a sidewalk dining area or sidewalk decorative display obstructs the public right-of-way beyond which is provided for in this section, the zoning administrator or designee shall immediately direct the permittee to move the obstruction. If the permittee fails to do so, the zoning administrator or his or her/her designee is entitled to immediately move the obstruction.

2. If the sidewalk dining area or sidewalk decorative display is not maintained in a neat, clean, and orderly condition, or as conditioned by the zoning administrator, the zoning administrator or designee shall direct that the permittee or property owner correct the condition and/or remove the furniture, displays, and appurtenances. If the zoning administrator finds that it is necessary to remove the furniture, displays, enclosures or appurtenances in the interest of the public health, safety, or general welfare and the permittee fails to remove them, the zoning administrator or designee may immediately remove them at the expense of the permittee or property owner.

3. A sidewalk dining/decorative display permit may be revoked by the zoning administrator upon a determination that the permittee has not complied with the provisions of this section or the conditions of the design review approval. The zoning administrator shall hold a hearing and, if not satisfied that the provisions or conditions are being complied with, shall revoke the permit or take such actions as may be necessary to ensure compliance with the regulation or condition.

4. The zoning administrator shall suspend the service of alcoholic beverages in the sidewalk dining area and shall hold a hearing on the matter as provided in subsection (G)(3) above if a sidewalk dining area

serving alcoholic beverages is not operated as required in this section, or if the restaurant operator is not able to control patrons consuming alcoholic beverages to the extent that patrons demonstrate a pattern of behavior of loud, offensive, or abusive actions, the physical or verbal harassment of passers-by, or the removal of alcoholic beverages from the sidewalk dining area.

H. **Right to Modify or Revoke.** If at any time a sidewalk dining area or sidewalk decorative display interferes with the public use of the sidewalk, the zoning administrator may review, modify or revoke the sidewalk dining/decorative display permit. A sidewalk dining/decorative display permit issued pursuant to this section is revocable by the zoning administrator at any time and for any reason. Any modification, suspension or revocation is subject to the appeal procedures outlined in Section 13.04.490. (Ord. 2179 § 2, 2018; Ord. 1607 § 2, 1993; Ord. 1485 § 2, 1990)

13.04.440 Irrigation systems.

A. No portion of any irrigation system shall extend above the level of the surrounding ground or pavement.

B. No irrigation system shall be installed in such a way as to direct sprays or streams of water onto or over adjacent street, sidewalk or driveway areas.

C. No private person shall operate an irrigation system adjacent to any four lane street within the city between the hours of 6:00 a.m. and 9:00 p.m.

1. The city engineer or designate may approve exceptions to the limitations on hours of operation if necessary to sustain newly planted landscape materials, or for system maintenance or testing, provided such approval is given in advance and in writing.

2. No person shall be convicted of violation of this subsection if that person shall demonstrate that the violation was caused by the effect of a power outage or power surge upon an electrically controlled system and that the violation was corrected within 24 hours of the power outage or power surge.

D. Violation of this section shall be an infraction punishable in accordance with Section 1.12.020. (Ord. 2000 § 1, 2009; Ord. 1223 § 1, 1985; prior code § 5-8.49)

13.04.450 Preservation of monuments.

Any monument of granite, concrete, iron or other lasting material set for the purpose of locating or preserving the lines and/or elevation of any public street or right-of-way, property subdivision or a precise survey point or reference point shall not be removed or disturbed without first obtaining permission from the su-

perintendent of streets to do so; said permission to be granted in conformance with requirements as set forth in specifications established by the superintendent of streets. Replacement of removed or disturbed monuments will be at the expense of the permittee. (Prior code § 5-8.50)

13.04.460 Maps of facilities.

Each permittee installing, constructing, or maintaining underground facilities, such as pipes, wires, conduits, or similar structures, shall maintain accurate and complete maps of such facilities. The superintendent of streets shall be furnished, at no cost to the city, information regarding location, size and character of such facilities, either by sketches or maps, as may be necessary from time to time. (Prior code § 5-9.01)

13.04.470 Public service directional signs.

Public service directional signs for churches, hospitals and similar places of public use may not be erected, placed or maintained within a right-of-way without first obtaining a permit under this chapter. The city council may, from time to time, adopt by resolution special regulations and fee schedules pertaining to encroachment by such signs. (Prior code § 5-9.02)

13.04.480 Excavation of newly paved streets.

The superintendent of streets shall encourage private persons and public agencies to complete all maintenance and new construction before a street or other right-of-way is improved or newly paved. He or she shall scrutinize closely, and be firm in granting variances to these provisions upon receiving applications for encroachments on newly paved streets. (Prior code § 5-9.03)

13.04.490 Right of appeal.

A. Who May Appeal. Any person aggrieved by the action of any administrative official of the city acting under this chapter may appeal the decision to the city council.

B. Method of Filing Appeal. The aggrieved person shall file notice in writing with the city clerk within seven days after final action of the administrative official whose action is being appealed.

C. Action of City Council. The city council may affirm, modify or reverse the action of the administrative official from whom the appeal is taken. (Prior code § 5-9.07)

right to suspend water service temporarily to make necessary repairs or improvements to the water system. In each case of temporary suspension of service the department will notify the consumers affected as soon as circumstances permit and will prosecute the work of repair or improvement with due diligence and with the least possible inconvenience to consumers.

H. During any period of threatened or actual water shortage the city shall have the right to apportion its available water supply among consumers in such manner as appears most equitable under the circumstances then prevailing and with due regard to public health and safety.

I. The city shall not be liable for interruption, shortage or insufficiency of water supply or water pressure or any loss or damage occasioned thereby. (Prior code § 2-16.02)

14.04.030 Operation of water system.

A. The department of public works shall have jurisdiction, supervision and control of the water system and of the construction of all improvements, additions, extensions and betterments thereto hereafter constructed or acquired, and shall operate and maintain the water system and all improvements, additions, extensions and betterments thereto.

B. Subject to the general control of the council and the city manager of the city, the water system shall be under the direct supervision of the director.

C. The department, under the supervision of the director, shall supervise all connections to the water system, and the finance department shall collect or cause to be collected all water bills and charges and all connection and other fees provided for in this chapter, and the directors of both departments, respectively, are charged with the enforcement of the provisions of this chapter and the director of the finance department shall keep or cause to be kept an accurate accounting and records showing the source, amount and disposition of all funds received from the water system under this chapter.

D. The city shall cause to be issued and shall maintain in good standing a surety bond conditioned upon the full and prompt deposit by the director of the finance department and all other employees of the finance department of all revenues from the water system. (Prior code § 2-16.03)

14.04.040 Service area.

The territory served by the water system of the city shall be all territory now within the boundaries of the city and, at the discretion of the council, any other

territory as the city may determine. (Prior code § 2-16.04)

14.04.050 Connections to water system.

A. Any person whose premises are not connected with the water system upon the date of the adoption of Ordinance 478, March 28, 1967, shall connect such premises or cause such premises to be connected with the water system only after first obtaining a permit to do so from the director and upon payment of the applicable connection charges provided in Chapter 14.08, Water Connections; provided, however, that there shall be no charge for connecting premises for which a service connection has already been installed to the water system, except as this chapter expressly otherwise provides.

Any consumer connecting to the water system on an intermittent or temporary basis, including, but not limited to, use of fire hydrants or blow-offs for construction water, flushing lines, or similar purposes, shall connect to the water system only after first obtaining a permit to do so from the director; there shall be no connection charge pursuant to Chapter 14.08, Water Connections, but there shall be a charge pursuant to Section 14.04.070.

B. Each applicant for water service may be required to sign, on a form provided by the department, an application which shall set forth:

1. Date and place of application;
2. Location of premises to be served;
3. Date applicant will be ready for service;
4. Whether the premises have been heretofore supplied with water from the water system;
5. Purpose for which service is to be used;
6. Address to which bills are to be mailed or delivered;
7. Whether applicant is owner or tenant of, or agent for, the premises;
8. Such other information as the department may reasonably require.

The application is only a written request for service and does not bind the applicant to take service for a period of time longer than that upon which the rates and minimum charges of the applicable rate schedule are based; neither does it bind the city to serve, except under reasonable conditions.

Two or more parties who join in one application for service shall be jointly and severally liable for payment of bills and shall be billed by means of single periodic bills.

C. Connections to the water system shall occur as follows:

1. For separate houses, including single-family homes, condominiums and townhouses, through a separate service connection to each dwelling unit;

2. For multiunit residential structures, or mixed-use residential and commercial structures, on the same parcel, either:

a. Through separate service connections to each dwelling unit, or

b. Through a single connection with subsequent submetering to each dwelling unit;

3. For buildings or business quarters on the same parcel or on adjoining parcels under a single control or management by either of the following methods, as the director shall elect:

a. Through separate service connections to each such building or business quarter, or

b. Through a single service connection to supply all of such buildings and business quarters, and in which case one monthly minimum charge shall be applied for each such occupied building or business quarter, and the responsibility for payment of charges for all water furnished shall be assumed by the consumer having such control or management. Credit for such vacant units which are not metered separately but together with the occupied units shall be computed by deducting one monthly minimum charge for each vacant unit from the original total monthly bill for all of the units.

D. In order to assist in monitoring sewage flows and water conservation, all applicants for service connections shall provide a separate meter and water system for irrigation purposes when an applicant's site qualifies under the *City of Pleasanton's Landscape Ordinance* thresholds for separate domestic and irrigation metering depending on the size of the irrigated areas, or as otherwise determined in the reasonable discretion of the director for submetered or separately metered sites, and may provide separate meter and water systems for other water consumptive uses which do not have the potential to generate flows to the sewerage system. Any such meter shall be installed in a manner and location satisfactory to the director. Upon request by the applicant, the director may waive, at his or her sole discretion, this requirement if he or she finds that the volume of irrigation water would be minimal and the cost of a separate meter and water system would be disproportionately uneconomical relative to sewer user charges to be saved.

E. If, in the opinion of the city, it is doubtful if satisfactory water service can be given, due to location or elevation of the premises, then the city may require a written release from liability for any damage or inconvenience that may occur by reason of insufficient pres-

sure or inadequate volume of water or intermittent supply. The release shall, without further notice from the city, remain in effect for all consumers taking water through the service, until changes, extensions, or betterments may be made to the distribution system by the city.

F. Failure by any person or any consumer to file his or her application containing the information required by this chapter shall constitute a violation of this chapter. No application shall be conclusive as to the matters therein set forth nor shall the filing of any application preclude the city from collecting from the consumer responsible for payment (as provided in this chapter) by appropriate action such sum as is actually due and payable for water service under the provisions of this chapter. Each application shall be subject to verification by the director. Any person who takes possession of and uses water from the water system without having made application for service pursuant to this chapter shall be held liable for the full amount of the service rendered.

G. The city may require a written contract with any consumer as a condition precedent to water service in any case where unusual quantities of water or construction of special facilities are or will be required; provided, however, that any such contract shall not modify the rate structure provided in this chapter.

H. No rent or other charge shall be paid by the city for any meter or other facilities located on a consumer's premises.

I. All service connections, meters, main extensions and installations paid for by applicants, and all other facilities furnished by the department or the city, whether located wholly or partially on public or private property, shall be and remain the property of the city, and the department shall have the right to repair, replace and maintain the same and the right to remove the same upon discontinuance of service.

J. The city shall not be responsible for the installation or maintenance of any water lines beyond the end of its service connection or meter. (Ord. 2179 § 2, 2018; Ord. 2171 § 2, 2017; Ord. 1175 § 2, 1985; Ord. 1073 § 1, 1983; prior code § 2-16.05)

14.04.060 Use of water service.

A. The director or other duly authorized agent of the department shall have at all reasonable times the right of ingress to and egress from any consumer's premises for any purpose properly relating to the furnishing of water to the consumer. Any inspection work or recommendation made by the department or its agents in connection with plumbing or appliances or any use of

water on the consumer's premises, either as a result of a complaint or otherwise, will be made without charge. No agent or employee of the department or the city shall accept any personal compensation from a consumer or applicant for any services rendered.

B. Consumers making any material change in the size, character or extent of the utilizing equipment or operations for which the city is supplying water service shall immediately give the department written notice of the extent and nature of the change and, if necessary, amend their application.

C. When a consumer receiving service at the water system main or service connection must by means of a pump of any kind elevate or increase the pressure of the water received, the pump shall not be attached to any pipe directly connected to the main or service pipe. Such pumping or boosting of pressure shall be done from a sump, cistern, or storage tank which may be served by, but not directly connected with, the water system distribution facilities.

D. Quick closing or opening valves shall not be installed on any consumer's pipes which are directly attached to the water system mains or service pipes. A consumer whose operation requires the use of a quick opening or closing valve must operate such device from a tank, cistern, pump or other facility which may be served by but not directly connected with the water system distribution mains or service pipes.

E. The city will not be responsible for any loss or damage caused by any negligence or unlawful action of any consumer or any other person in installing, maintaining, supplying, or using any appliances, facilities or equipment for which water or water service is furnished by the city. Each consumer shall be held responsible for damage to the city's meters and other property comprising any part of the water system resulting from use or operation of appliances or facilities on such consumer's premises including, without limiting the generality of the foregoing, damage caused by steam, hot water or chemicals.

F. It is a violation of this chapter for any person to tamper with any of the property comprising the water system.

G. It is a violation of this chapter for any person or consumer to waste water obtained from the water system. As used in this subsection, the term "waste" means:

1. Use of potable water between 9:00 a.m. and 6:00 p.m. to irrigate grass, lawns, groundcover, shrubbery, crops, vegetation, and trees, with the exception of hand watering and drip irrigation;

2. The application of potable water to outdoor landscaping in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures;

3. Use of potable water to irrigate outdoor landscaping during and within 48 hours after measurable rainfall;

4. Use of potable water to wash down sidewalks, walkways, driveways, parking lots, open ground or other hard surface areas by the direct application of water thereto, unless needed for health or safety reasons;

5. Use of potable water in non-recirculating decorative ponds, fountains and other water features, with the exception of child water-play features;

6. Allowing potable water to escape from breaks within the person or consumer's plumbing system for more than eight hours after the person or consumer is notified or discovers the break.

7. Use of potable water for outdoor landscaping through a dedicated irrigation meter within the city's recycled water use area unless otherwise exempted by the director of operations and water utilities for existing water customers, or city engineer for new development. (Ord. 2176 § 2, 2018; Ord. 2118 § 1, 2015; Ord. 2097 § 1, 2014; Ord. 2093 § 1, 2014; prior code § 2-16.06)

14.04.070 Water rates and charges.

There is levied and assessed upon all consumers and premises connected with the water system a service charge based upon the size of the city-installed water meter to the premises and a charge based upon the amount of water flow through the city-installed meter, both of which charges shall be paid. The amount of the service charge and the charge for water used shall be in accordance with the amount specified in the resolution establishing various fees and charges for municipal services of the city. The city shall only read city-installed water meters, and not property-owner installed sub-meters. (Ord. 2171 § 2, 2017; Ord. 1973 § 2, 1983; prior code § 2-16.07)

14.04.075 Security deposits.

A. For a new residential applicant, whether the applicant is the property owner or a tenant of a residential unit that is not master metered, the finance director may require from the applicant a security deposit in an amount not to exceed twice the average periodic (i.e., bimonthly) bill.

B. For a new residential applicant for a building that is master metered, the finance director may require from the property owner a security deposit in an

amount not to exceed an estimated 12 months' average bills.

C. For a new nonresidential applicant, whether the applicant is the property owner or the tenant, the finance director may require from the applicant a security deposit in an amount not to exceed an estimated 12 months' average bills.

D. Where the new residential applicant is a tenant in a residence that is not master metered, the finance director shall not require, as a condition of the new applicant's establishing an account and receiving service, that the account be established in the property owner's name unless the property owner consents through a written agreement.

E. Where the new residential applicant is a tenant in a residence where the account for the previous tenant has outstanding charges and/or penalties, the finance director shall not require the new applicant to pay those charges/penalties as a condition of establishing an account and receiving service unless the new applicant was an adult living in the residence when the charges/penalties accrued.

F. If a portion or all of a bill is not paid, the security deposit shall be applied to satisfy the bill. Any charges/penalties not satisfied from the security deposit may be collected by the city as provided in Section 14.04.130 of this chapter. (Ord. 1703 § 1, 1997; Ord. 1127 § 1, 1984; prior code § 2-16.08)

14.04.080 Rates outside city limits.

The charges for water furnished or available to premises outside the boundaries of the city shall be in amounts equal to the charges which would be applicable if the premises were located within the city. (Unnumbered prior code section)

14.04.090 Collection of water charges.

A. All water charges shall be billed to the owner of the premises upon which charges herein fixed are levied and assessed or to the person who requested connection to the water system, or his or her successor in interest, or to any person requesting that such bill be charged to him or her.

B. All water charges shall become due and payable at the office of the finance department on the date of payment specified thereon and shall become delinquent on the first day of the calendar month following the date of payment, except that closing bills, where service is discontinued, will be due and payable on date of presentation, and collection will be made at time of presentation. All bills for water charges will be rendered by the city monthly or bimonthly and will be issued by

the finance department. Meters will be read at regular intervals for the preparation of regular metered service bills and as required for the preparation of opening bills, closing bills and special bills. Each meter will be read separately. It may not always be possible to read meters regularly on the same day of each period. Should a monthly billing period contain less than 27 days or more than 33 days, a pro rata correction in the bill will be made. Proportionate adjustments will be made when other billing periods are used.

C. Opening bills, closing bills, monthly bills rendered for a period of less than 27 days or more than 33 days, and other bills requiring proration, will be computed in accordance with the applicable schedule, but the amount of the fixed charge or minimum charge specified therein will be prorated on the basis of the ratio of the number of days in the period to the number of days in the average billing period, based on an average month of 30.4 days. Should the total period of service be less than one month, no proration will be made, and no bill shall be less than the specified monthly fixed charge or minimum charge.

D. On each bill for water service rendered by the city to its consumers will be printed substantially the following language:

This bill is due upon receipt and becomes delinquent if not paid on the first day of the calendar month after its due date. Upon delinquency of this bill, service may be discontinued and a basic penalty of 10% of the amount of this bill will be added for the first month delinquent and an additional penalty of 1/2 of 1% of the amount of the bill and basic penalty will be added for each month during the time the bill remains unpaid after its delinquent date. A cash deposit and a reconnection charge may be required to reestablish service.

(Prior code § 2-16.09)

14.04.100 Temporary service.

A. The city will, if no undue hardship to its existing consumers will result therefrom, furnish temporary service under the following conditions:

1. The applicant will be required to pay to the city, in advance, the estimated net cost of installing and removing the facilities necessary to furnish the service; and

2. Where duration of service is to be less than one month, the applicant may also be required to deposit cash equal to the estimated bill, subject to adjustment

and refund or repayment in accordance with actual bill rendered upon discontinuance of service; or

3. Where the duration of service is to exceed one month, the applicant may also be required to establish his or her credit in the manner prescribed for permanent service in Section 14.04.070.

B. In the event a temporary service becomes permanent, the city will refund to the temporary consumer the amount paid for a temporary service installation upon payment of the applicable connection fee provided for in Chapter 14.08. (Prior code § 2-16.10)

14.04.150 Notices.

A. Notices from the city to any consumer will be given in writing, either delivered to the consumer or mailed to his or her last known address, except that where conditions warrant or in any emergency the city may give verbal notice by telephone or in person.

B. Notices from a consumer to the city may be given by the consumer or his or her authorized representative verbally or in writing at the office of the department or to an employee or agent of the department who is authorized to receive notices or complaints, or may be sent by mail to the department office. (Prior code § 2-16.15)

14.04.160 Appeals.

A. Any person who shall have a right to appeal as provided in any section of this chapter or who shall be dissatisfied with any determination hereinafter made under this chapter by the department or the director may, at any time within 30 days after such determination, appeal to the city manager by giving written notice to the director and to the city manager, setting forth the determination with which such person is dissatisfied. After review and determination by the city manager, any person who shall then be dissatisfied with such determination may, at any time within 30 days after such determination, appeal to the council by giving written notice to the city manager and to the city clerk, setting forth the determination with which such person is dissatisfied. The council may, at any time, upon its own motion appeal from any determination made by the director or the city manager under this chapter. In the event of any such appeal to the council, the city manager shall transmit to the council a report upon the matter appealed. The council shall cause notice to be given, at least 10 days prior to the time fixed for such hearing, to all persons affected by such appeal, of the time and place fixed by the council for hearing such appeal. The council shall direct the city clerk to mail a written notice, postage prepaid, to all such persons whose addresses are known to the council.

B. Pending decision upon any appeal relative to the amount of any charge under this chapter, the person making such appeal shall pay such charge. After the appeal is heard, the council shall order refunded to the person making such appeal such amount, if any, as the council shall determine should be refunded. (Prior code § 2-16.16)

14.04.170 Disposition of revenues.

All revenues received by the finance department or the city under this chapter, excepting all connection charges provided for in Chapter 14.08, and all refund-

able deposits made to establish credit, shall be deposited within a reasonable time after receipt thereof in a depository bank of the city, and said sums, together with any interest earned thereon, shall on or before the first business day of each calendar month next succeeding the calendar month in which such revenues shall have been collected, be deposited by the city in the manner and for the purposes provided and with the fiscal agent designated, in or pursuant to that certain resolution adopted by the council on March 27, 1967, entitled:

Resolution Providing for the Issuance of \$750,000 Principal Amount of City of Pleasanton 1967 Water Revenue Bonds and of \$400,000 Principal Amount of Series A Bonds of Said Issue, and Prescribing the Terms, Conditions and Form of Said Series A Bonds.

(Prior code § 2-16.17)

Chapter 14.06

REGULATION OF RECYCLED WATER USE

Sections:

- 14.06.010 Purpose.**
- 14.06.020 Provision of recycled water service.**
- 14.06.030 Recycled water use permit.**
- 14.06.040 Responsibilities of customers.**
- 14.06.050 Protection of public health.**

14.06.010 Purpose.

This chapter sets forth requirements, in addition to those in Chapter 14.04 Regulation of Water System and Water Service Fees, for the use of recycled water supplied by the city's recycled water distribution system. The purpose of this chapter is to promote the use of recycled water and maintain conformance to regulatory requirements.

This chapter shall govern all use of recycled water supplied by the city and shall apply to all customers thereof. This chapter provides for monitoring, compliance, and enforcement activities resulting from the use of the city's recycled water system. (Ord. 2115 § 1, 2015)

14.06.020 Provision of recycled water service.

Water supplied from the city's recycled water system is subject to the following provisions:

A. Approval from the city engineer (new service connection) or operation services director (existing development) for recycled water service in accordance with Chapter 14.20, Recycled Water Use for Landscape Irrigation, is required in order to initiate recycled water service for the first time to a particular irrigation meter, and the potential recycled water customer shall obtain such approval before installing any recycled water facilities.

1. Such review and approval may include the requirement that a customer is required to install and maintain, at customer's sole expense, a pump or other pressure-adjusting device and such other facilities sufficient to maintain pressure within an acceptable pressure range at each intended point of use. The city may require evidence of such installation.

B. The city may suspend service if, for any reason, recycled water produced and purchased from Dublin San Ramon Services District or city of Livermore does not meet tertiary treated recycled water quality in conformance with Title 22, Division 4 of the California Code of Regulations, as amended, or if, in the opinion of the operation services director, the use of

recycled water is not compatible with the quality of the recycled water delivered to the customer. (Ord. 2115 § 1, 2015)

14.06.030 Recycled water use permit.

Customers shall obtain and maintain in effect a recycled water use permit. Customers shall comply with all permitting, tracking, record keeping, monitoring, and inspection procedures that may be established by the city from time to time for such permit holders. The recycled water use permit grants the customer permission to use recycled water in conformance with city recycled water standards, guidelines, codes, ordinances, and policies, including any special site-specific requirements that may be identified. (Ord. 2115 § 1, 2015)

14.06.040 Responsibilities of customers.

Customers shall comply with all of the provisions of Chapters 14.06 and 14.20 relative to the use of recycled water during the entire time that recycled water is delivered to the customer. In addition, customers shall comply with all applicable provisions contained in the city's *Recycled Water Use Guidelines and Recycled Water Standards and Specifications*, permit conditions, and other laws, regulations, agreements, orders, guidelines, and/or standards, any amending or superseding requirements thereof. The customer shall bear all costs incurred to remedy the noncompliance with any such provisions, and shall pay any monetary penalties or fines imposed for the violation of or noncompliance with such provisions. The omissions or acts by the city shall not relieve the customer of responsibility to comply with the provisions of this section. Without limiting the generality of the foregoing, customers shall comply with the following requirements:

A. **Customer-Owned Facilities.** Customers shall design and construct customer-owned recycled water facilities in accordance with city-approved standards. Customers shall maintain such facilities in good working order as to achieve compliance with all city requirements applicable to use of recycled water. Any proposed changes to the customer-owned recycled water facilities shall be submitted for approval by the city in advance of making such modifications.

B. **Use of Recycled Water.** Customers shall be responsible for application of recycled water on their use areas and the associated operations and maintenance of the customer-owned facilities as approved in their site permit. Use of recycled water beyond the areas and uses in the approved permit requires a permit modification application to be submitted to the city, payment of applicable fee, and written city approval.

C. Disclosure. Customers and/or city certified trained personnel (also referred to as the designated site supervisor) shall be responsible for informing persons to whom they have delegated responsibility for applying recycled water of the requirements of the city. Customers shall provide employee training to those employees who may be exposed to recycled water to assure proper operation of recycled water facilities and worker protection.

Customers shall assure that all above-ground equipment, including pumps, piping, storage reservoirs, valves, etc., which may at any time contain recycled water, shall be adequately and clearly identified with appropriate warning signs and shall make necessary provisions to inform the public that recycled water, which is unfit for human consumption, is being used.

D. Monitoring. Customers shall regularly monitor customer-owned facilities and submit accurate monitoring reports to the city on a timely basis in accordance with the reporting requirements outlined in the recycled water use permit issued by the city to the customer. The customer shall notify the city immediately if any unauthorized use or discharge of recycled water occurs, or if other conditions occur, which impact or threaten to impact the public health.

E. Access to Customer Site and Annual On-Site Meeting. All recycled water customers shall permit the officers, employees, and agents of the city, the Regional Water Quality Control Board (RWQCB), the Division of Drinking Water, Alameda County, and other entities with jurisdiction over recycled water or public health, access to the site where recycled water supplied by the city is used, or where records relative to recycled water use are kept, for the purposes of: (1) inspection, testing, and repair of facilities, equipment, practices or operations regulated pursuant to the city's general water reuse requirements, and other laws; and (2) sampling or monitoring to assure compliance with the general water reuse requirements and other laws. In addition, customers shall supply access to, or copies of, records relative to recycled water use to representatives of the above-named entities upon request. Customer's certified trained personnel, as provided in subsection G, shall meet once per year with a city-representative for on-site inspection and testing of customer facilities, review of records, and other purposes as described in this subsection.

F. Operation and Maintenance by Qualified Persons. Recycled water facilities may be operated only by natural persons who hold a current certificate issued by the city establishing satisfactory completion of the most recent recycled water use training course offered

by the city. Failure to have a current certificate shall disqualify a person from operating or maintaining customer-owned recycled water facilities within the city. Failure to employ or retain a natural person who holds a current certificate shall be grounds for immediate termination of recycled water service by the city.

G. Periodic Training. Each natural person who operates or maintains customer-owned recycled water facilities for one or more recycled water customers shall attend periodic recycled water use training courses offered by the city. At the end of each such course, the city shall issue a certificate to each such person who satisfactorily completes the course. Such certificate shall provide that, in the absence of violations of the provisions of this chapter, it shall be effective until the commencement of the next training course or until the rules, regulations, permits or orders applicable to recycled water use within the city are changed, whichever is later. Such certificates are not transferable in any manner between persons. However, a certified trained person may assume responsibility for additional customer site(s) upon execution and delivery to the city of an acknowledgment of responsibility for such new site(s).

H. Compliance with Emergency Cross-Connection Response Plan. In the event of a cross-connection, customers shall immediately comply with the emergency cross-connection response plan established by the city as amended from time to time.

I. Penalties for Noncompliance. Any customer who fails to timely submit accurate monitoring reports to the city in accordance with its recycled water use permit, schedule and have certified trained personnel attend an annual on-site monitoring meeting with a city representative, or otherwise fails to comply with the city's *Recycled Water Use Guidelines and Recycled Water Standards and Specifications*, or who uses water or discharges wastewater in any manner which is contrary to the laws, regulations, agreements, permits, orders, guidelines, and/or standards relative to the use of water is subject to citation pursuant to Chapter 1.24, as well as other remedies in law or equity. (Ord. 2179 § 2, 2018; Ord. 2115 § 1, 2015)

14.06.050 Protection of public health.

Notwithstanding compliance by a customer with these rules and regulations, the city reserves the right and has the authority to terminate recycled water service immediately, without notice, in the interest of protecting a threat to the public health if at any time during construction or operation of the recycled water system, real or potential hazards are evidenced, such as cross-connections with the potable system, failure to conform

14.06.050

to monitoring and reporting requirements, improper tagging, signing, or marking, improper construction, or unapproved/prohibited uses. (Ord. 2115 § 1, 2015)

connection Control and Hydraulic Research (FCCC & HR) of the University of Southern California established by:

Specifications of Backflow Prevention Devices fi69-2 dated March 1969 or the most current issue.

Said AWWA and FCCC & HR standards and specifications have been adopted by the operations services director. Final approval shall be evidenced by a certificate of approval issued by an approved testing laboratory certifying full compliance with said AWWA standards and FCCC & HR specifications. The following testing laboratory has been qualified by the operations services director to test and certify backflow preventers:

Foundation for Cross-connection
Control and Hydraulic Research
University of Southern California
University Park
Los Angeles, California 90007

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the operations services director.

Backflow preventers which may be subjected to back pressure or back-siphonage that have been fully tested and have been granted a certificate of approval by the qualified laboratory and are listed on the laboratory's current list of approved devices may be used without further test or qualification.

F. It shall be the duty of the customer-user at any premises where backflow prevention devices are installed to have certified inspections and operational tests and repairs made at least once per year. In those instances where the operations services director deems the hazard to be great enough, he or she may require certified inspections at more frequent intervals. These inspections, tests and repairs shall be at the expense of the water user and shall be performed by the device manufacturer's representative, or by a certified tester approved by the operations services director. It shall be the duty of the operations services director to see that these timely tests are made. The customer-user shall notify the operations services director in advance when the tests are to be undertaken so that he or she or his or her representative may witness the tests if so desired. These devices shall be repaired, overhauled or replaced by a certified individual or agency at the expense of the customer-user whenever the devices are found to be

defective. Records of such tests, repairs and overhaul shall be kept and made available to the operations services director.

G. All presently installed backflow devices which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection F of this section, be excluded from the requirements of these rules so long as the operations services director is assured that they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the operations services director finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this section.

H. All existing water connections which may be deemed by the operations services director to be subject to backflow prevention will, upon written notice, have an appropriate backflow prevention device installed and inspected within 60 days of the notification. (Ord. 2000 § 1, 2009; Ord. 1073 § 3, 1983; prior code § 2-16.50 (2))

Chapter 14.20

RECYCLED WATER USE FOR LANDSCAPE IRRIGATION

Sections:

- 14.20.010 Purpose.**
- 14.20.020 Definitions.**
- 14.20.030 Applicability.**
- 14.20.040 Process for new development.**
- 14.20.050 Process for existing development.**
- 14.20.051 Failure to comply.**
- 14.20.060 Appeals.**
- 14.20.070 Exemptions.**

14.20.010 Purpose.

The purpose of this chapter is to provide protection to the city’s potable water supply by acting in accordance with Section 13550 et seq., of the California Water Code and Section 65605 of the California Government Code. Now that recycled water is available, it is the policy of the city that recycled water shall be used for approved nonpotable landscape irrigation uses within the city’s recycled water use area when it is determined that there is not an alternative higher or better use for the recycled water, its use is economically justified, and its use is financially and technically feasible, consistent with legal requirements, preserves public health, safety and welfare, and protects the environment. (Ord. 2176 § 3, 2018; Ord. 2116 § 1, 2015)

14.20.020 Definitions.

A. “Existing customer and/or existing development” means a water customer currently receiving potable water service from the city.

B. “Landscape irrigation” means water service which is separately metered and is used exclusively to water turf and/or other landscaping areas.

C. “New development” means: (1) a proposed development project involving new construction and seeking approval for new water service; or (2) proposed rehabilitation of existing development that may involve removal and replacement of existing buildings and/or landscaping.

D. “Recycled water” means treated water of a quality suitable for nonpotable uses such as landscape irrigation and water features. This water is not intended for human consumption.

E. “Recycled water use area” means areas within the city where recycled water pipelines allow for connections for recycled water service. (Ord. 2176 § 3, 2018; Ord. 2116 § 1, 2015)

14.20.030 Applicability.

The provisions of this chapter shall apply to:

A. New development involving cemeteries, golf courses, parks, greenbelts, landscaped streets, landscaped medians, highway landscaped areas, and landscape irrigation uses in industrial and commercial sites, as well as common areas of residential sites.

B. Existing customers and/ or existing development consisting of cemeteries, golf courses, parks, greenbelts, landscaped streets, landscaped medians, highway landscaped areas, and landscape irrigation uses in industrial and commercial sites, as well as common areas of residential sites.

C. Those sites described in subsections A and B of this section, located in the recycled water use area. (Ord. 2176 § 3, 2018; Ord. 2116 § 1, 2015)

14.20.040 Process for new development.

A. All new development within the recycled water use area shall use recycled water for appropriate landscape irrigation. The city’s determination of appropriate landscape irrigation uses shall be based on the need for isolated irrigation water meter(s), and the standards for recycled water contained in Title 22 of the California Code of Regulations, Article 3 Uses of Recycled Water, Sections 60304 and 60305, as amended. Planning, design, and construction in new development located within the recycled water use area, shall incorporate recycled water facilities in accordance with the most current version of the city’s *Recycled Water Standard Specifications* and the city’s *Recycled Water Use Guidelines*, and such facilities shall be connected to the city’s recycled water system and use city recycled water service once approved in accordance with Chapter 14.06.

This requirement for all new development within the recycled water use area to use recycled water for appropriate landscape irrigation shall not apply when the city engineer, or designee, determines that:

1. Such use could pose a potential threat to public health, safety, and welfare, and/or the protection of the environment.

2. Such use is not among the list of allowable uses as specified under state law, and/or are not included in the permitted uses as issued within the city’s recycled water distribution permit from the State Water Quality Control Board.

B. Compliance with the requirements of this section may be imposed as a condition of approval for any new development entitlement and shall be a condition precedent to the city’s provisions of new potable water services to new development within the recycled water use area.

C. The applicant for a new development for which recycled water service is otherwise required by this chapter may seek a written determination by the city engineer or designee (collectively “city engineer”) for reconsideration of such recycled water requirement. The applicant’s request for such determination shall be in writing and shall set forth with sufficient supporting information at least one of these criteria:

1. Not economically feasible because of distance from, or access to, available or planned recycled water sources;
2. Landscape irrigation demands within the new development are minor relative to overall water demands; or
3. Inadequate recycled water supply is available to service the demand.

After receipt of such request for reconsideration, the city engineer may ask for additional written information from the applicant. After receipt of all reasonably requested information, the city engineer shall issue a written determination in 30 days.

D. For new development where required use of recycled water for landscape irrigation is a condition of approval, the applicant may also appeal such condition of approval through the regular new development entitlement process. (Ord. 2176 § 3, 2018; Ord. 2116 § 1, 2015)

14.20.050 Process for existing development.

A. Through the assistance of the city’s recycled water program, existing customers and/or existing development with dedicated irrigation meters serviced with potable water within the recycled water use area shall be converted to recycled water service in accordance to Chapter 14.06 and the city’s *Recycled Water Use Guidelines*. Existing customers can be exempt from the requirements of this section if the director of operations and water utilities or designee determines at least one of the following criteria are met:

1. Conversion to the recycled water system is determined not economical for the existing customer and/or existing development because of its distance from available or planned recycled water sources. Recycled water service that is not economical, as used herein, shall be reasonably determined by the director of operations and water utilities or designee.
2. Irrigation demands are minor compared to overall water demands.
3. Inadequate recycled water supply is available to service the demand.
4. Conversion to recycled water service at the existing customer and/or existing development’s prop-

erty is determined to pose a potential threat to public health, safety and welfare, and/or the protection of the environment.

5. The current or planned use(s) of water serviced through the existing potable irrigation meter is/are not among the list of allowable uses as specified under state law, and/or are not included in the permitted uses as issued within the city’s recycled water distribution permit from the State Water Quality Control Board.

B. Nothing in this section shall be construed to prohibit any existing customer or existing development with dedicated irrigation meters from voluntarily applying for recycled water service. The city shall have the right to deny such application if the city engineer and/or director of operations and water utilities, or designee determines that inadequate recycled water supply is available to serve the demand. (Ord. 2176 § 3, 2018; Ord. 2116 § 1, 2015)

14.20.051 Failure to comply.

A. Upon the request of the city’s recycled water program to begin the process of water service conversion to recycled water, existing customers have 30 days to submit a recycled water use permit application in accordance with Chapter 14.06 and the city’s *Recycled Water Use Guidelines*, or provide an exemption request as outlined in Section 14.20.050. If additional time is required to prepare and submit the recycled water use permit application, an existing customer may request an extension from the recycled water program with a mutually acceptable end date.

B. Failure to comply with the terms of this chapter may result in the following:

1. A violation of the city’s water waste prohibition as defined in Section 14.04.060(G)(7), which is subject to an administrative citation (Chapter 1.24) and/or discontinuance of potable water service of the irrigation meter(s) within the recycled water service area for the wasteful use of potable water to irrigate landscaping as specified in Section 14.04.130(B).

2. Discontinuance of potable water service without notice to dedicated landscape meters during activated stages of water shortage as specified in Chapter 9.30, in order to protect potable water supply for public health and safety, regardless of any previously approved exemption granted in accordance with Section 14.20.050. (Ord. 2176 § 3, 2018)

14.20.060 Appeals.

A. After receipt of the written determination described in Sections 14.20.040(C) and 14.20.050(A), a

written appeal may be filed with the city manager within 30 days of the date of the determination.

B. Such written appeal shall state the basis for such appeal and provide any applicable supporting documentation.

C. The city manager may request reasonable additional information. After receipt of any additional information, the city manager shall issue a written decision within 30 days regarding the appeal. The city manager's decision regarding the appeal shall be final. (Ord. 2176 § 3, 2018; Ord. 2116 § 1, 2015)

14.20.070 Exemptions.

This chapter also does not alter any rights, remedies, or obligations that may exist pursuant to: Chapter 7 (commencing with Section 13500) of Division 7 of the California Water Code; or other vested rights under state law or applicable agreements. (Ord. 2176 § 3, 2018; Ord. 2116 § 1, 2015)

- D. The heritage tree board of appeals shall conduct a hearing on the appeal. Following the hearing of any such appeal, the heritage tree board of appeals may affirm, reverse or modify the action of the director and may take any action thereon which would have been authorized in the first instance. The action of the heritage tree board of appeals on any such appeal shall be final and conclusive. (Ord. 2165 § 1, 2017; Ord. 2019 § 1, 2011; Ord. 1737 § 1, 1998)

17.16.043 Heritage tree board of appeals—Established.

There is created and established a board of appeals consisting of three members, two planning commissioners and one park and recreation commissioner appointed by their respective commissions. The board shall elect a chairperson. The director shall be an ex officio member of said board and shall serve as secretary. The board shall adopt reasonable rules and regulations for conducting its business. (Ord. 1737 § 1, 1998)

17.16.046 Heritage tree board of appeals—Duties.

The board of appeals shall:

- A. Hold a hearing within 60 days after the city's receipt of appeal, to hear such testimony by any department of the city, the applicant who filed the appeal, or any interested party.
- B. Make a decision at the hearing (unless the hearing is continued) upholding, reversing or modifying the director's decision. The decision of the board shall be final. (Ord. 2179 § 2, 2018; Ord. 2019 § 1, 2011; Ord. 1737 § 1, 1998)

17.16.050 New property development.

- A. Any person desiring to remove one or more trees on any property in the city which is related to the development of such property requiring city approval or where any tree may be affected by a proposed development shall include in the application to the appropriate city reviewing body as part of the regular application, the following:
1. A tree survey plan, including all trees which will be affected by the new development. The survey, noting all trees six inches in diameter and greater, shall specify the precise location of trunk and dripline, size, health and species of all existing trees on the property with a special notation of those classified as a heritage tree;
 2. The applicant shall provide a report by a certified consulting arborist. The report, based on the findings of the tree survey plan and other necessary information, shall be used to determine the health of existing trees, the effects of the proposed development upon the trees, recommendations for any special precautions necessary for their preservation and shall also indicate which trees are proposed for removal;
 3. The tree survey plan and report shall be forwarded to the director who shall, after making a field visit to the property, indicate in writing which trees are recommended for preservation using the same standards set forth in Section 17.16.020 of this chapter. This report shall be made part of the staff report to the city reviewing body upon its consideration of the application for new property development;
 4. The city reviewing body through its site and landscaping plan review shall endeavor to preserve all trees recommended for preservation by the director. The city reviewing body may determine that any of the trees recommended for preservation should be removed, if there is evidence submitted to it, that due to special site grading or other unusual characteristics associated with the property, the preservation of the tree(s) would significantly preclude feasible development of the property;
 - a. If trees are approved for removal, mitigation may include, but is not limited to: (i) replacement planting with particular tree species, sizes and numbers; (ii) payment towards the city's urban forestry fund for the appraised value of all trees removed from the site less the cost of installed trees, as determined by the director;
 5. Approval of final site or landscape plans by the appropriate city reviewing body indicating which trees are to be removed shall constitute the approval and permit for the purpose of this chapter; and

6. Prior to issuance of a planning permit, the applicant shall secure an appraisal of the condition and replacement value of all trees included in the tree report affected by the development. The appraisal of each tree shall recognize the location of the tree in the proposed development. The appraisal shall be performed in accordance with the current edition of the "Guide for Plant Appraisal" under the auspices of the International Society of Arboriculture. The appraisal shall be performed at the applicant's expense, and the appraiser shall be subject to the director's approval.
- B. Prior to acceptance of subdivision improvements, the developer shall submit to the director a final tree report to be performed by a certified consulting arborist. This report shall consider all trees that were to remain within the development. The report shall note the trees' health in relation to the initially reported condition of the trees and shall note any changes in the trees' numbers or physical conditions. The applicant will then be responsible for the loss of any tree not previously approved for removal. For trees which were not previously approved for removal but were in fact removed during construction, the developer shall pay a fine in the amount equal to the appraised value of the subject tree. The applicant shall remain responsible for the health and survival of all trees within the development for a period of one year following acceptance of the public improvements of the development.
- C. Prior to the issuance of any permit allowing construction to begin, the applicant shall post cash, bond or other security satisfactory to the director, in the penal sum of \$5,000.00 for each tree required to be preserved, or \$25,000.00, whichever is less. The cash, bond or other security shall be retained for a period of one year following acceptance of the public improvements for the development and shall be forfeited in an amount equal to \$5,000.00 per tree as a civil penalty in the event that a tree or trees required to be preserved are removed, destroyed or disfigured.
- D. An applicant with a proposed development which requires underground utilities shall avoid the installation of said utilities within the dripline of existing trees whenever possible. In the event that this is unavoidable, all trenching shall be done by hand, taking extreme caution to avoid damage to the root structure. Work within the dripline of existing trees shall be supervised at all times by a certified consulting arborist.
- E. Any decision by a city reviewing body under this section may be appealed pursuant to Chapter 18.144. (Ord. 2165 § 1, 2017; Ord. 1737 § 1, 1998)

17.16.060 Emergency action.

A person may remove or prune a heritage tree without a permit if there is an emergency caused by a heritage tree being in a hazardous or dangerous condition requiring immediate action for the safety of structures or human life. In such event, the director shall be notified at the earliest opportunity in order to confirm the emergency situation. If the director determines that the situation was not an emergency requiring immediate action, the person removing or damaging the heritage tree shall be subject to fines and penalties set forth in Section 17.16.110 of this chapter. (Ord. 1737 § 1, 1998)

17.16.070 Protection of existing trees.

All persons shall comply with the following precautions:

- A. Prior to the commencement of construction, install a sturdy fence at the dripline of any tree which will be affected by the construction and prohibit any storage of construction materials or other materials inside the fence. The dripline shall not be altered in any way so as to increase the encroachment of the construction.
- B. Prohibit excavation, grading, drainage and leveling within the dripline of the tree unless approved by the director.
- C. Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline or in drainage channels, swales or areas that may lead to the dripline.
- D. Prohibit the attachment of wires, signs and ropes to any heritage tree.
- E. Design utility services and irrigation lines to be located outside of the dripline when feasible.
- F. Retain the services of a certified consulting arborist for periodic monitoring of the project site and the health of those trees to be preserved. The certified consulting arborist shall be present whenever activities occur which

pose a potential threat to the health of the trees to be preserved (for example, when work occurs within the drip-line of trees to be preserved).

- G. The director shall be notified of any damage that occurs to a tree during construction so that proper treatment may be administered. (Ord. 2165 § 1, 2017; Ord. 1737 § 1, 1998)

17.16.080 Pruning and maintenance.

All pruning of heritage trees shall be performed by in accordance with International Society of Arboriculture pruning guidelines and shall comply with the guidelines established by the International Society of Arboriculture, Best Management Practices, Tree Pruning, current edition and any special conditions as determined by the director. For developments which require a tree report, a certified consulting arborist shall be in reasonable charge of overseeing all activities involving heritage trees. (Ord. 2165 § 1, 2017; Ord. 2019 § 1, 2011; Ord. 1737 § 1, 1998)

17.16.090 Public utilities.

- A. Any public utility installing or maintaining any overhead wires or underground pipes or conduits in the vicinity of a heritage tree shall obtain permission from the director before performing any work, including pruning, which may cause injury to the heritage tree.
- B. The director shall inspect said pruning work to ensure that appropriate pruning practices are followed. The public utility shall follow pruning practices conforming to the International Society of Arboriculture pruning standards to promote the well-being of the tree. Topping shall not be permitted unless specifically approved by the director. The director shall stop any tree pruning performed by a utility if said practices are not being followed. (Ord. 1737 § 1, 1998)

17.16.100 Insurance requirements.

Any person engaged in the business of pruning heritage trees within the city shall be a California licensed contractor and shall carry public liability and property damage insurance as determined by the city attorney. (Ord. 1737 § 1, 1998)

17.16.110 Fines and penalties.

- A. Any person who unlawfully removes or destroys a heritage tree shall pay a civil penalty in the amount of the appraised value of the tree, or other amount reasonably determined by the director of community development. If there is inadequate plant material to properly appraise the tree, the penalty shall be \$5,000.00, or other amount reasonably determined by the director of community development. Any person who unlawfully disfigures a heritage tree whether through vandalism, improper pruning or other actions, shall pay a civil penalty commensurate with the damage; the amount shall be determined by the director in accordance with the "Guide for Plant Appraisal" under the auspices of the International Society of Arboriculture; or other amount reasonably determined by the director of community development. The collection of the penalties may be enforced by civil action brought in the name of the city by the city attorney.
- B. The amount of a fine or penalty imposed as described in subsection A, may be appealed by the person subject to such fine or penalty by submitting a written appeal to the city clerk within 20 days of the date of the imposition of such fine or penalty, and shall state facts and grounds for the appeal and be signed by the appellant. Such appeals will be heard by the heritage tree board of appeals as provided in Section 17.16.046.
- C. The cost of replacement plant material may be considered as partial payment of any penalty under this chapter. (Ord. 2179 § 2, 2018; Ord. 2120 § 1, 2015; Ord. 1737 § 1, 1998)

17.16.120 Additional provisions.

The provisions of this chapter shall supplement but not supplant other provisions of this code relating to the preservation of trees. (Ord. 1737 § 1, 1998)

Chapter 17.20

FUTURE STREET WIDTH LINES

Sections:

- 17.20.010 Objectives.**
- 17.20.020 Nature of provisions.**
- 17.20.030 Extent.**
- 17.20.040 Applicability.**
- 17.20.050 Vine Street.**
- 17.20.060 Del Valle Parkway.**
- 17.20.070 Santa Rita Road—Tassajara Road.**
- 17.20.080 Division Street.**
- 17.20.090 Ray Street.**
- 17.20.100 Peters Avenue.**
- 17.20.110 Railroad Street.**
- 17.20.120 Rose Avenue.**

17.20.010 Objectives.

This chapter is adopted to protect and to promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, this chapter is adopted in order to achieve the objectives of the general plan and the zoning ordinances of the city as adopted and amended by the city council. (Prior code § 5-9.18)

17.20.020 Nature of provisions.

This chapter shall consist of the regulations and general descriptions contained herein and a set of maps as described in this chapter. The maps shall be maintained on file in the office of the community development director. (Ord. 2000 § 1, 2009; prior code § 5-9.19)

17.20.030 Extent.

This chapter shall apply to the streets within the city described in this chapter and to those portions of the described streets annexed to the city at a future date. (Prior code § 5-9.20)

17.20.040 Applicability.

For the purpose of measuring yard dimensions and determining building lines as may be required by the zoning ordinances and building codes of the city, the future street width lines described in this chapter shall be deemed to refer to the property line and shall be used in the same manner as any other existing property line. (Prior code § 5-9.21)

17.20.050 Vine Street.

The future width for Vine Street is shown on the plan prepared by the city department of public works, division of engineering, entitled "Future Street Width Lines, Vine Street," dated January, 1966, and is generally described as follows:

A 50-foot wide right-of-way which shall be the extension of Vine Street as it presently exists in unincorporated territory, the centerline of which is approximately 400 feet from the existing northerly right-of-way line of Vineyard Avenue and parallel thereto, terminating at its westerly limit in a cul-de-sac having a main radius of 45 feet, said cul-de-sac shall have its most westerly limit approximately 140 feet west of the extension of the centerline of Amador Court and situated so as to serve the property now or formerly owned by J. C. and W. Paulo; and a 50-foot wide right-of-way at right angles to Vineyard Avenue, extending from Vineyard Avenue northerly to an in-

18.106.030 Density and growth management program.

- A. An accessory dwelling or junior accessory dwelling unit shall not be considered in applying the growth management program in Chapter 17.36 of this code.
- B. An accessory dwelling or junior accessory dwelling unit is not considered to increase the density of the lot upon which it is located. (Ord. 2161 § 1, 2017; Ord. 2080 § 2, 2013; Ord. 1885 § 2, 2003)

18.106.040 Standards for attached accessory dwelling units—Height limitations, setbacks, open space, and other regulations.

Attached accessory dwelling units shall meet the requirements in Section 18.106.060 of this chapter and the following requirements:

- A. Attached accessory dwelling units shall be subject to the maximum height, and the minimum front, rear, and side yard requirements of the main structure.
- B. The gross floor area of an attached accessory dwelling unit greater than a 150 square foot efficiency unit shall not exceed 50 percent of the gross floor area of the existing main dwelling unit, with a maximum increase in floor area of 1,200 square feet. In this instance, the gross floor area of the existing main dwelling unit is the size of the unit prior to the accessory dwelling unit addition/conversion.
- C. Except as modified by this chapter, all other regulations embodied in the zoning of the property for main dwellings shall apply to the development of attached accessory dwelling units. (Ord. 2161 § 1, 2017; Ord. 2080 § 2, 2013; Ord. 1885 § 2, 2003)

18.106.050 Standards for detached accessory dwelling units—Height limitations, setbacks, open space, and other regulations.

Detached accessory dwelling units shall meet the requirements in Section 18.106.060 of this chapter and the following requirements:

- A. Detached accessory dwelling units shall not exceed 15 feet in height and shall be limited to one-story structures, except that a detached accessory unit may be constructed above a detached garage, provided the garage meets the minimum setback requirements of the site’s zoning district and the accessory dwelling unit is not less than 5 feet from the side and rear property lines. Accessory dwelling units constructed above a detached garage shall not exceed 25 feet in height in the R-1 district and the RM district, and shall not exceed 30 feet in the A district. Height is measured from the lowest grade adjacent to the structure to the highest ridge or top of the structure.
- B. No setbacks are required for a legal, existing garage converted to an accessory dwelling unit. All other detached accessory dwelling units shall be subject to the following minimum setback requirements:

Zoning District	Side Yard Setback	Rear Yard Setback
One-family residential lots in the R-1-40,000 district and in planned unit developments which follow the site development standards of the R-1-40,000 district	20 feet	20 feet
All other lots	5 feet ¹	10 feet

Note:

¹ Side yard setback shall be a minimum of 10 feet on the street side of a corner lot.

- C. The gross floor area of a detached second unit shall not exceed 1,200 square feet.
- D. Except as modified by this chapter, all other regulations embodied in the zoning of the property for class I accessory structures shall apply to the development of detached accessory dwelling units on one-family residential lots. (Ord. 2161 § 1, 2017; Ord. 2080 § 2, 2013; Ord. 1885 § 2, 2003)

18.106.060 Required standards for all accessory dwelling units.

All accessory dwelling units shall meet the following standards:

- A. Only one other residential unit shall be permitted on a lot with an accessory dwelling unit. If the owner occupies the primary residential unit, the owner may rent the accessory dwelling unit to one party. If the owner occupies the accessory dwelling unit, the owner may rent the primary residential unit to one party. The owner may rent both the primary residential unit and the accessory dwelling unit together to one party who may not further sublease any unit(s) or portion(s) thereof. The owner shall be a signatory to any lease for the rented unit, for which the city may reasonably require a copy of to verify compliance with this chapter, and shall be the applicant for any permit issued under this chapter.
- B. The accessory dwelling unit shall not be sold or held under a different legal ownership than the primary residence; nor shall the lot containing the accessory dwelling unit be subdivided.
- C. The following parking standards shall apply to accessory dwelling units:
 - 1. One additional off-street parking space on the lot shall be made continuously available to the occupants of the accessory dwelling unit. Required parking may be:
 - a. provided as tandem; or
 - b. located in setbacks, but not in the front yard setback unless on the driveway.
 - 2. Parking for an accessory dwelling unit shall not be required if the accessory dwelling unit is:
 - a. located within a one-half mile of public transit.
 - b. located within an architecturally and historically significant historic district.
 - c. located in part of an existing primary residence or an existing accessory structure.
 - d. located in an area requiring on-street parking permits, but not offered to the occupant of the accessory dwelling unit; or
 - e. located within one block of a car share vehicle.
 - 3. Parking shall not be required if the city finds that parking is not feasible due to site topography or would create fire or life-safety conditions.
 - 4. When code required parking for the primary residence's garage, carport or covered parking is eliminated in conjunction with the construction or conversion of an accessory dwelling unit, the replacement space(s) shall be located on the same lot as the primary and accessory dwelling unit. With the approval of the community development director or his/her designee, the parking may be configured in a flexible manner so as not to burden the creation of the accessory dwelling unit. The location and configuration of parking is subject to the review and approval of the director of community development, and may be located and configured in such a manner to facilitate the accessory dwelling unit.
- D. The square footage of the primary residence and ADU combined cannot exceed the maximum floor area ratio requirement for the lot.
- E. The accessory dwelling unit shall have access to at least 80 square feet of open space on the lot.
- F. The resident owner shall install address signs that are clearly visible from the street during both daytime and evening hours and which plainly indicate that two separate units exist on the lot, as required by the fire marshal. The resident owner shall obtain the new street address for the accessory dwelling unit from the engineering department.
- G. Adequate roadways, public utilities and services shall be available to serve the accessory dwelling unit. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for sewer and water. Installation of a separate direct connection between an accessory dwelling unit contained within an existing structure and the utility shall not be required. Accessory dwelling units not within an existing structure shall be required to install a new or separate utility connection and be charged a connection fee and/or capacity charge. These charges shall be proportionate to the burden imposed by the accessory

dwelling unit on the water or sewer system based upon either its size or number of plumbing fixtures as determined by the city.

- H. The owner of the lot on which an accessory dwelling unit is located shall participate in the city's monitoring program to determine rent levels of the accessory dwelling units being rented.
- I. The accessory dwelling unit shall not create an adverse impact on any real property that is listed in the California Register of Historical Places.
- J. The accessory dwelling unit shall comply with other zoning and building requirements generally applicable to residential construction in the applicable zone where the property is located.
- K. A restrictive covenant shall be recorded against the lot containing the accessory dwelling unit with the Alameda County recorder's office prior to the issuance of a building permit from the building division stating that:

The property contains an approved accessory dwelling unit pursuant to Chapter 18.106 of the Pleasanton Municipal Code and is subject to the restrictions and regulations set forth in that chapter. These restrictions and regulations generally address subdivision and development prohibitions, owner occupancy and lease requirements, limitations on the size of the accessory dwelling unit, parking requirements, and participation in the city's monitoring program to determine rent levels of the accessory dwelling units being rented. Current restrictions and regulations may be obtained from the city of Pleasanton planning division. These restrictions and regulations shall be binding upon any successor in ownership of the property. (Ord. 2179 § 2, 2018; Ord. 2161 § 1, 2017; Ord. 2080 § 2, 2013; Ord. 2000 § 1, 2009; Ord. 1885 § 2, 2003)

18.106.070 Required standards for all junior accessory dwelling units.

All junior accessory dwelling units shall meet the following standards:

- A. The junior accessory dwelling unit shall be located entirely within the existing structure of the detached single-family residence and shall have its own separate interior and exterior entrances.
- B. The junior accessory dwelling unit shall not exceed 500 square feet in area. The square footage of the primary residence and ADU combined cannot exceed the maximum floor area ratio requirement for the lot.
- C. The junior accessory dwelling unit shall include an efficiency kitchen which includes a sink, cooking appliance, counter surface, and storage cabinets that meet minimum building code standards. Gas and 220v circuits shall not be allowed. The junior accessory dwelling unit may share a bathroom with the primary residence or may have its own bathroom.
- D. Parking shall not be required for a junior accessory dwelling unit. When code-required parking for the primary residence's garage is eliminated and/or modified, in conjunction with the creation of a junior accessory dwelling unit, the replacement space(s) shall be located on the same lot as the primary unit. With the approval of the community development director or designee, the parking may be configured in a flexible manner so as not to burden the creation of the junior accessory dwelling unit. The location and configuration of the replacement parking is subject to the review and approval of the director of community development, and may be located and configured in such a manner to facilitate the junior accessory dwelling unit.
- E. Additional water, sewer and power connection fees shall not be required.
- F. Only one other residential unit shall be permitted on a lot with a junior accessory dwelling unit. If the owner occupies the primary residential unit, the owner may rent the junior accessory dwelling unit to one party. If the owner occupies the junior accessory dwelling unit, the owner may rent the primary residential unit to one party. The owner may rent both the primary residential unit and the junior accessory dwelling unit together to one party who may not further sublease any unit(s) or portion(s) thereof. The owner shall be a signatory to any lease for the rented unit, for which the city may reasonably require a copy of to verify compliance with this chapter, and shall be the applicant for any permit issued under this chapter.
- G. The junior accessory dwelling unit shall not be sold or held under a different legal ownership than the primary residence, nor shall the lot containing the junior dwelling unit be subdivided.

- H. The resident owner shall install address signs that are clearly visible from the street during both daytime and evening hours and which plainly indicate that two separate units exist on the lot, as required by the fire marshal. The resident owner shall obtain the new street address for the junior accessory dwelling unit from the engineering department.
- I. Except as modified by this chapter, all other regulations embodied in the zoning of the property for main dwellings shall apply to the development of junior accessory units.
- J. The owner of the lot on which the junior accessory dwelling unit is located shall participate in the city's monitoring program to determine rent levels of the junior accessory dwelling unit being rented.
- K. The junior accessory dwelling unit shall comply with the other zoning and building requirements generally applicable to residential construction in the applicable zone where the property is located.
- L. A restrictive covenant shall be recorded against the lot containing the junior accessory dwelling unit with the Alameda County recorder's office prior to the issuance of a building permit from the building division stating that:

The property contains an approved junior accessory dwelling unit pursuant to Chapter 18.106 of the Pleasanton Municipal Code and is subject to the restrictions and regulations set forth in that Chapter. These restrictions and regulations generally address subdivision and development prohibitions, owner occupancy and lease requirements, limitations on the size of the junior accessory dwelling unit, parking requirements, and participation in the city's monitoring program to determine rent levels of the junior accessory dwelling unit being rented. Current restrictions and regulations may be obtained from the city of Pleasanton planning division. These restrictions and regulations shall be binding upon any successor in ownership of the property.

(Ord. 2179 § 2, 2018; Ord. 2161 § 1, 2017)

vider with other public or private agencies as may be disclosed by the plans to be interested. (Ord. 2019 § 1, 2011; Ord. 2000 § 1, 2009; prior code § 2-2.36)

Chapter 19.16

MINOR SUBDIVISIONS

Sections:

- 19.16.010 Minor subdivision defined.**
- 19.16.020 Applicability.**
- 19.16.030 Application.**
- 19.16.040 Certification of map and conveyance.**
- 19.16.050 Conditions of approval.**
- 19.16.060 Acceptance of parcel map dedications by city engineer.**
- 19.16.070 Acceptance of standard development agreements by city manager.**
- 19.16.075 Expiration and time extension.**
- 19.16.080 Exemption from final map filing requirement.**
- 19.16.090 Appeal.**
- 19.16.100 Determination by commission.**
- 19.16.110 Waiver of parcel map.**

19.16.010 Minor subdivision defined.
 “Minor subdivision” means a subdivision for which a parcel map may or shall be prepared in accordance with the provisions of the Subdivision Map Act (Section 66410 et seq., of the Government Code). Parcel maps shall be required for all subdivisions not requiring the filing of a final map and not otherwise exempted by the provisions of the Subdivision Map Act. A tentative parcel map shall be required for all subdivisions requiring a parcel map. (Ord. 1185 § 1, 1985; prior code § 2-3.01)

19.16.020 Applicability.
 Notwithstanding any other provisions of this title to the contrary, the procedure set forth in this chapter shall govern the processing of and requirements pertaining to minor subdivisions. (Prior code § 2-3.02)

19.16.030 Application.
 The subdivider of a parcel map shall file an application with the community development director on a form prescribed by the city, and shall include all required fees, information and materials required in the application. An application for a parcel map may be accompanied by an application for growth management unit allocation as provided in Section 17.36.080. (Ord. 2179 § 2, 2018; Ord. 2000 § 1, 2009; prior code § 2-3.03)

19.16.040 Certification of map and conveyance.
 A. If the review board determines that the proposed subdivision meets the requirements of this chapter, then they shall certify to this fact on the face of the map, and any conveyance to be drawn by the owners of the land subdivided.

B. When a subdivider processes a minor subdivision application concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a “land use amendment”), any approval of a minor subdivision: (1) shall not be valid until the underlying land use amendment has been adopted by the city council and is in full force and effect; and (2) may be subject to modification based on the terms of the underlying land use amendment adopted by the city council which may differ from that considered by the zoning administrator or planning commission, as applicable, when the land use amendment and minor subdivision were processed concurrently. (Ord. 2144 § 2, 2016; prior code § 2-3.04)

19.16.050 Conditions of approval.
 The following requirements may be imposed as a condition of approval of a parcel map or lot splits:
 A. Dedication of utility easements;
 B. Proof that there are adequate utilities for the proposed use of the land, such as an adequate water supply, adequate sanitary sewer facilities and adequate drainage facilities;
 C. Dedication of streets or rights-of-way for widening or other public purposes;
 D. Payment of applicable fees for parkland or other public purposes. (Ord. 2179 § 2, 2018; prior code § 2-3.05)

19.16.060 Acceptance of parcel map dedications by city engineer.
 In conjunction with the approval of any parcel map, the city engineer may accept or reject dedications and offers of dedications that are made by certificate on the map. (Ord. 1141 § 1, 1984; prior code § 2-3.05.1)

19.16.070 Acceptance of standard development agreements by city manager.
 In conjunction with the approval of any parcel map, the city manager may sign on behalf of the city, standard development, improvement and dedication contracts. (Ord. 1141 § 1, 1984; prior code § 2-3.05.2)

19.16.075 Expiration and time extension.
 A. Parcel map approval shall expire 24 months after approval or conditional approval of the parcel map,

or such longer time as mandated by the Subdivision Map Act (see Government Code Section 66463.5).

B. Prior to the expiration of the tentative parcel map, the subdivider may apply for an extension.

1. The first application may be for an extension of up to 24 months.

2. Up to four subsequent applications may be made for extensions of 12 months each.

3. A cumulative total of six years of extensions may be granted as provided in subsections 1 and 2, above.

4. Extensions granted pursuant to this section similarly extend any city legislative, administrative or other approval that pertains to a development project included in the parcel map if such approval has not expired when a complete application for extension was submitted.

5. Upon receipt of a written application for an extension which must include the reasons or bases for the requested extension, plus payment of fee, the parcel map shall be automatically extended for 60 days, or until the application is approved, conditionally approved, or denied, whichever occurs first.

6. The extensions may be approved administratively by the director of community development. The director may refer any application for an extension to the review board or to the planning commission for decision. (Ord. 2179 § 2, 2018)

19.16.080 Exemption from final map filing requirement.

Minor subdivisions, as defined in this chapter are exempt from the provisions of Chapter 19.24 of this title requiring the preparation and filing of a final map. (Prior code § 2-3.06)

19.16.090 Appeal.

In the event the subdivider, or a tenant in the case of a proposed conversion to condominiums of the subject property, is dissatisfied with any determination of the director, the review board or its designee, as to the determination to approve or deny an application, modification, or extension, such decision may be appealed to the planning commission in accordance with the procedures set forth in Chapter 18.144 (Appeals), and subject to payment of fee. (Ord. 2179 § 2, 2018; Ord. 2000 § 1, 2009; prior code § 2-3.07)

19.16.100 Determination by commission.

In the event of appeal, the commission must approve, affirm, reverse or modify any determination of the review board or its designee with respect to the pro-

posed minor subdivision, within 30 days after review board action under Section 19.16.040, stating his or her reasons for appeal. (Prior code § 2-3.08)

19.16.110 Waiver of parcel map.

The city planning commission may waive the requirements of the state Subdivision Map Act pertaining to the preparation and filing of a parcel map for any division of a parcel or parcels of land into four or less parcels for purposes of sale, lease or financing, whether immediate or future or to any parcel or parcels of land divided into lots or parcels each a gross area of 40 acres or more or each of which is a quarter-quarter section or larger, provided the planning commission finds that:

The proposed land division complies with the requirements of this code, including, but not limited to, those provisions relating to area, improvement and design, flood and drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other applicable provisions of the state Subdivisions Map Act.

(Prior code § 2-3.09)

Chapter 19.20

TENTATIVE MAP

Sections:

- 19.20.010 Filing procedure.**
- 19.20.020 Fee.**
- 19.20.030 Distribution of copies.**
- 19.20.040 Notification of action.**
- 19.20.050 Preparation requirements.**
- 19.20.060 Scale.**
- 19.20.070 Vicinity sketch.**
- 19.20.080 Required information.**
- 19.20.090 Street names.**
- 19.20.100 Accompanying data statement.**
- 19.20.110 Planning commission action.**
- 19.20.120 City council review.**
- 19.20.130 Expiration.**
- 19.20.140 Time extension.**

19.20.010 Filing procedure.

A. The subdivider shall file with the planning commission 25 white copies and one duplicate transparency of the tentative map of each subdivision and such other copies as may be required by the community development director or his or her designated representative. The time of filing of a tentative map shall be construed to be the time at which a tentative map meeting all of the requirements of this chapter has been filed with the community development director or his or her designated representative, the environmental impact review process (including completion of any required environmental impact report or negative declaration) established by the city council has been completed, and the project has received an allocation from the residential allocation board for the number of units proposed to be subdivided. A tentative map shall not be accepted for filing which does not meet the requirements of this section. The community development director or his or her designated representative shall indicate the date of receipt of a tentative map meeting the requirements of this chapter and shall advise the applicant in writing when the time period for evaluation by the planning commission of the tentative map has commenced.

B. The requirement that a project have an allocation from the residential allocation board shall not be applicable to tentative maps submitted to the community development director on or before June 27, 1977, or to any maps that have obtained sewer connection permits pursuant to Resolution No. 77-108. (Ord. 2000 § 1, 2009; prior code § 2-2.40)

19.20.020 Fee.

A filing fee of \$100.00, plus \$2.50 for each lot included in the subdivision, shall be paid at the time of filing the tentative map. If additional tentative maps covering the same tract or revisions of the initial map are filed by the same subdivider prior to official action by the planning commission, no additional fee will be required. (Prior code § 2-2.41)

19.20.030 Distribution of copies.

Within four days after the filing of the tentative map, the director of housing and community development shall transmit the requested number of copies of said map together with accompanying data to such public agencies and/or utilities as may be affected or concerned with the results of the proposed subdivision. Each of the public agencies and/or utilities may, within 14 days after the map has been filed, forward to the commission written reports of its findings and recommendations thereof. The city engineer shall prepare a written report of recommendations on the tentative map in relation to the requirements of this chapter and other applicable regulations of the city or other public agencies, and shall submit the same to the planning commission within two days prior to the scheduled planning commission meeting at which said map is to be considered. (Prior code § 2-2.42)

19.20.040 Notification of action.

Approval, disapproval or conditional approval of the tentative map shall be made in writing to the subdivider. One copy of the map and accompanying data and the planning commission report thereon shall remain in the permanent file of the planning commission. The city clerk shall send one copy of the report of the commission, showing the action taken, to the subdivider, and one copy to the city council. (Prior code § 2-2.43)

19.20.050 Preparation requirements.

The subdivider shall cause the tentative map of the land proposed to be subdivided to be prepared by a person competent in the preparation of such maps, such as a registered civil engineer or licensed surveyor or practicing land or city planner. Such tentative map shall be in full compliance with the requirements of this chapter. Topography and boundaries of said tentative map shall be certified as to accuracy by a registered civil engineer or licensed surveyor, and all public improvements shall be designed by a registered civil engineer. (Prior code § 2-2.44)

19.20.060 Scale.

The scale of the map shall be one inch equals 100 feet, or as may be required by the city engineer, and shall be clearly and legibly reproduced. (Prior code § 2-2.45)

19.20.070 Vicinity sketch.

A vicinity sketch at a scale of 1,000 feet or more to the inch shall be drawn on or shall accompany the tentative map. It shall show the street and tract lines of all existing subdivisions and the outline of acreage parcels of land, within at least one-half mile of the boundary of the proposed tract, together with the names and/or numbers of all tracts between it and the nearest existing highways or thoroughfares. It may also be required to show the proposed land use and suggested street layout and any adjoining property and will normally be required in development of small portions of large holdings in the same ownership. The showing of proposed land use and suggested street layout shall take into consideration the most advantageous development of the entire area in relation to the general plan. (Prior code § 2-2.46)

19.20.080 Required information.

A. The following information shall be shown on the tentative map:

1. The tract number and name. (Any subdivision containing five acres or more shall be designated with a tract name, and unit number, if possible. Said tract name shall not duplicate or nearly duplicate the name of any other tract in Alameda County);
2. The name and address of the record owner or owners;
3. The name and address of the subdivider;
4. The name and address of the person, firm or organization preparing the tentative map;
5. The date, north point and a written and graphic scale;
6. A sufficient description to define the location and boundaries of the proposed subdivision;
7. The locations, names and existing widths of adjacent streets, highways and ways;
8. The names and numbers of adjacent tracts and the names of owners of adjacent unplatted land;
9. The contours at one-foot intervals for predominant ground slopes within the tract between level and five percent, and five-foot contours for predominant ground slopes within the tract over five percent. Such contours shall be referred to the system of bench marks established by the city engineer; said system utilizing

United States Coast and Geodetic Survey mean sea level datum of 1929;

10. The approximate boundaries of areas subject to inundation or stormwater overflows and the location, width and direction of flow of all existing watercourses and storm drain facilities, plus a schematic diagram indicating the proposed storm drain system with tentative sizes and grades;

11. The existing use or uses of the property and, to scale, the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines;

12. A statement of the present zoning and proposed use or uses of the property, as well as proposed zoning changes, whether immediate or future;

13. Any proposed public areas;

14. The approximate location of all trees with a trunk diameter four inches or greater, standing within the boundaries of the tract, or outlines of groves or orchards;

15. The dimensions, locations and uses of all existing or proposed easements for drainage, sewerage, water and public utilities;

16. The approximate radius of each curve;

17. The approximate lot layout and dimensions of each lot;

18. The size of the smallest lot in the tract;

19. A statement of the water and other utility source, and indication of the location of all fire hydrants, and schematic diagram showing the proposed water system with tentative pipe sizes;

20. A statement of provisions for sewerage and sewage disposal, and a schematic diagram indicating the proposed sanitary sewer system with tentative sizes and grades;

21. The locations, names, widths, approximate proposed grades and gradients of all streets, and a typical cross section of curbs, gutters, sidewalks, easements and other improvements;

22. An outline of any proposed deed restrictions.

B. The director of housing and community development, or his or her designated representative, shall reject a tentative map if the information required in subsection A of this section is not included upon the map. The review board shall reject a minor subdivision map if the information required in subsection A which is applicable is not included upon the map. In the event of such rejection, the proposed subdivider shall be notified as soon as possible in writing. (Prior code § 2-2.47)

19.20.090 Street names.

Each street which is to be dedicated, which is a continuation of, or approximately the continuation of, any existing dedicated street shall be shown on the tentative map and shall be given the same name as such existing street. The proposed name of each other street shown on the tentative map shall be submitted to the commission for its approval. (Prior code § 2-2.48)

19.20.100 Accompanying data statement.

Such information not shown on the map shall be contained in a written statement accompanying the map. (Prior code § 2-2.49)

19.20.110 Planning commission action.

A. The planning commission shall assume the responsibilities relating to tentative maps as set forth in Government Code Sections 66473.5, 66474, 66474.1 and 66474.6. The planning commission's actions regarding a tentative map shall be reported in writing to the subdivider.

B. The planning commission shall act upon a tentative map within 50 days of its filing.

C. Subsection B of this section, and Government Code Section 66452.4 shall not apply when a subdivider processes a tentative map application concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a "land use amendment"). In such case, any approval of a tentative map: (1) shall not be valid until the underlying land use amendment has been adopted by the city council and is in full force and effect; and (2) may be subject to modification based on the terms of the underlying land use amendment adopted by the city council which may differ from that considered by the planning commission when the land use amendment and tentative map were processed concurrently. (Ord. 2144 § 2, 2016; prior code § 2-2.50(a), (b))

19.20.120 City council review.

A. If a tentative map is approved or conditionally approved, the director of housing and community development shall immediately make a written report to the city council. Within 10 days, or at its next succeeding regular meeting after receipt of said report, the council may review the map and conditions imposed by the planning commission. If the council decides to review the map and conditions, it shall hear the matter upon written notice mailed by the city clerk to the subdivider and the planning commission, unless the subdivider consents to a continuance within 15 days or at its next succeeding regular meeting. At that hearing the

council may add, modify or delete conditions when the council determines that such changes are necessary to insure that the tentative map conforms to zoning conditions imposed upon the property and applicable provisions of this chapter and of the Subdivision Map Act of the state. If the council does not act within the time limit set forth in this chapter, the tentative map shall be deemed to have been approved or conditionally approved as set forth in the planning commission report, unless the time for acting upon the tentative map has been extended by mutual consent of the subdivider and the city council.

B. Subsection A of this section, and Government Code Section 66452.4 shall not apply when a subdivider processes a tentative map concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a "land use amendment"). In such cases, the city council may modify a tentative map approved by the planning commission based on the terms of the underlying land use amendment adopted by the city council at the same meeting that the city council considers such land use amendment. Furthermore, the validity of such tentative map is conditioned on the underlying land use amendment adopted by the city council being in full force and effect. (Ord. 2144 § 2, 2016; prior code § 2-4.38)

19.20.130 Expiration.

Tentative map approval shall expire 24 months after approval or conditional approval of the tentative map, or such longer time as mandated by the Subdivision Map Act (see Government Code Section 66452.6, et seq.). (Ord. 2179 § 2, 2018; Ord. 1074 § 1, 1983; prior code § 2-2.51)

19.20.140 Time extension.

Upon written application of the subdivider made prior to the expiration of the tentative map, the subdivider may apply for an extension.

A. The first application may be for an extension of up to 24 months.

B. Up to four subsequent applications may be made for extensions of 12 months each.

C. A cumulative total of six years of extensions may be granted as provided in subsections A and B, above.

D. Extensions granted pursuant to this section similarly extend any city legislative, administrative or other approval that pertains to a development project included in the tentative map if such approval has not

expired when a complete application for extension was submitted.

Application for an extension shall be made to the planning commission prior to the expiration of tentative map approval, or any extension thereof, and shall be accompanied with a fee as set forth in the resolution establishing fees and charges, codified in the appendix to Title 3 of this code. The application must include the reasons or bases for the requested extension. Upon receipt of a written application for an extension which must include the reasons or bases for the requested extension, plus payment of fee, the tentative map shall be automatically extended for 60 days, or until the application is approved, conditionally approved, or denied, whichever occurs first.

If the planning commission denies a subdivider's application for extension, the subdivider may appeal to the city council within 15 days after the planning commission has denied the extension. (Ord. 2179 § 2, 2018; Ord. 1074 § 1, 1983; prior code § 2-2.52)

Chapter 19.22

VESTING TENTATIVE MAPS

Sections:

- 19.22.010 Purpose.**
- 19.22.020 Definitions.**
- 19.22.030 Applicability.**
- 19.22.040 Procedure.**
- 19.22.050 Development rights.**
- 19.22.060 Limitations on development rights.**
- 19.22.070 Term and expiration of development rights.**

19.22.010 Purpose.

The purpose of this chapter is to establish a procedure for approval of tentative maps that provide certain statutorily vested rights to subdividers under the Subdivision Map Act. (Ord. 1233 § 1, 1985; prior code § 2-2.60)

19.22.020 Definitions.

In this chapter:

A. “Vesting tentative map” means a representation of a subdivision which has been filed, processed and approved in accordance with the Subdivision Map Act and this chapter and which has printed conspicuously on its face the words, “Vesting Tentative Map.”

B. All other definitions as set forth in this title and the Subdivision Map Act shall apply. (Ord. 1233 § 1, 1985; prior code § 2-2.61)

19.22.030 Applicability.

This chapter applies only to residential subdivisions. Beginning January 1, 1988, this chapter will also apply to nonresidential subdivisions. (Ord. 1233 § 1, 1985; prior code § 2-2.62)

19.22.040 Procedure.

A. Option to File Vesting Tentative Map. When a tentative map is required by this chapter, a vesting tentative map may be filed.

B. Filing. A vesting tentative map shall be filed in the same manner as a conventional tentative map but shall have printed conspicuously on its face “Vesting Tentative Map” before it shall be accepted by the city.

C. Application of Title. Except as otherwise provided in this chapter, the remaining provisions of this title apply to a vesting tentative map. A vesting tentative map shall be processed in the same manner as any other tentative map, and shall expire after the same period of

time and be subject to the same provisions for extension as an ordinary tentative map.

D. Accompanying Data. Such information as is otherwise required under the provisions of this title for the filing of a tentative map shall also be required for the filing of a vesting tentative map. The community development director may require supplemental information as relates to the vesting nature of the proposed vesting tentative map. (Ord. 2000 § 1, 2009; Ord. 1233 § 1, 1985; prior code § 2-2.63)

19.22.050 Development rights.

The approval of a vesting tentative map confers a vested right to proceed with development in substantial compliance with the city’s zoning and subdivision ordinances, policies and standards in effect on the date the city determines the vesting tentative map application is complete except as qualified by Section 19.22.060. (Ord. 2144 § 2, 2016; Ord. 1233 § 1, 1985; prior code § 2-2.64)

19.22.060 Limitations on development rights.

A. State and Federal Laws. This chapter relates only to the imposition of conditions and requirements imposed by the city and does not affect the obligation of a subdivider to comply with the conditions and requirements of state or federal laws, regulations or policies.

B. Police Power Regulations. This chapter, however, does not enlarge or diminish the types of conditions which the city may impose on a development nor diminish or alter the city’s police power to protect against a condition dangerous to the public health or safety. The city may condition or deny a permit, approval, extension or entitlement relating to an approved vesting tentative map if it determines that either:

1. The failure to do so would place the residents of the subdivision or the community in a condition dangerous to their health or safety; or

2. The condition or denial is required to comply with state or federal law.

C. Discretion Conferred by Existing Ordinances. This chapter shall not be construed as a limitation upon discretion vested in the city council, planning commission or other decisionmaking body of the city by ordinances in existence at the time a vested tentative map is approved. For example, the zoning district applicable to a parcel at the time rights vest under this chapter designates a given use as a conditional use, then the decisionmaking body in its reasonable discretion may approve, condition or deny the proposed conditional use on that parcel.

D. **Building Codes.** This chapter shall not be construed to prevent changes in uniform fire, building, plumbing, mechanical and electrical codes if those code changes do not prevent use of the property for purposes permitted at the time rights are vested under this chapter.

E. **Development Fees.** This chapter does not affect the establishment or collection of any development-related fee. The amount of any fee imposed, including, but not limited to, park dedication, transportation, building permit, plan processing, inspection or any other development-related fee as fixed by ordinance or resolution of the city, will be determined at the time such fee is paid.

F. **Concurrent Processing of Map and Land Use Amendment.** In recognition that a vesting tentative map application must be submitted in conformance with the general plan land use designation and zoning for a site in order for such map application to be deemed complete, when a subdivider submits a vesting tentative map application concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a “land use amendment”), such map application shall not be deemed complete until: (1) the underlying land use amendment adopted by the city council is in full force and effect; and (2) such map complies with that land use amendment. (Ord. 2144 § 2, 2016; Ord. 1233 § 1, 1985; prior code § 2-2.65)

19.22.070 Term and expiration of development rights.

A. The expiration of a vesting tentative map shall be as set forth in Section 19.20.130, and the process for the application for an extension shall be as set forth in Section 19.20.140.

B. **Duration of Development Rights.** The right to proceed with development as set forth in Section 19.22.050 continues for one year following the recordation of the final map or parcel map. If a project covered by a single vesting tentative map is divided into phases and more than one final map is recorded, the one-year period begins for each phase when the final map for that phase is recorded.

C. **Expiration of Development Rights.**

1. The right to proceed with development as set forth in subsection B of this section, shall expire if a final map is not approved before the vesting tentative map expires.

2. If the subdivider or a successor submits a complete application for a building permit during the one-year period specified in subsection C of this section, the right to proceed with development continues until

that permit or any extension of that permit granted by the city expires.

D. **Extension of Time for Exercise of Development Rights.**

1. If the city does not process an application for a grading permit or for design review within 30 days of the date the application is complete, the one-year period specified in subsection C of this section is automatically extended by the time exceeding the 30-day period used by the city to complete processing.

2. Before the expiration of the one-year period specified in subsection C of this section, the subdivider or successor may apply to the city council for a one-year extension. (Ord. 2179 § 2, 2018; Ord. 1233 § 1, 1985; prior code § 2-2.66)

Statutory References for California Cities

These references direct the code user to those portions of the state statutes relevant to California cities. This reference list is current through April 2018, and will be periodically updated by Quality Code Publishing as statutes are revised.

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STATUTORY REFERENCES

General Provisions

Administrative fines and penalties

Gov't Code § 53069.4

Alternative forms of government

*Gov't Code §§ 34851—34906***

Authority to adopt, amend, revise or repeal city charters

*Cal. Const. Art. XI §§ 3 and 5**

Citations for infractions and misdemeanors

Penal Code §§ 853.5—853.85

Classifications of cities

Gov't Code §§ 34100—34102

Code adoption

Gov't Code §§ 50022.1—50022.10

Conflict of interest code

Gov't Code §§ 87100—87505

Elections

Elec. Code §§ 1301, 9200—9226, and 10100—10312

Gov't Code §§ 34050 and 36503

Expedited judicial review of First Amendment cases

Code of Civ. Proc. § 1094.8

False petitions

Gov't Code § 34093

General powers

Cal. Const. Art. XI § 7

Gov't Code § 37100 et seq.

Imprisonment

Gov't Code §§ 36901—36904

Initiative and referendum

Cal. Const. Art. XI § 7.5

Elections Code §§ 9200 et seq., and 9235 et seq.

Inspection of public records

Gov't Code § 6253

Judicial review of city decisions

Code of Civ. Proc. § 1094.6

Ordinances

Gov't Code §§ 36900—36937

Penalties for ordinance violations

Gov't Code §§ 36900 and 36901

Police power

Cal. Const. Art. XI § 7

Procedure for enactment or revision of city charters

*Gov't Code § 34450 et seq.**

Administration and Personnel

Chief of police

*Gov't Code § 41601 et seq.***

City assessor

*Gov't Code § 41201 et seq.***

City attorney

*Gov't Code § 41801 et seq.***

City clerk

*Gov't Code § 40801 et seq.***

City manager

*Gov't Code §§ 34851—34859***

City officers generally

*Gov't Code § 36501***

City records

Gov't Code §§ 34090—34090.7

City treasurer

*Gov't Code § 41001 et seq.***

Election of legislative body by districts

Gov't Code § 34870 et seq.

Elective mayor

*Gov't Code § 34900 et seq.***

The California Emergency Services Act

Gov't Code §§ 8550—8668

* Applicable solely to chartered cities.

** May not be applicable to chartered cities.

Fire department
Gov't Code § 38611

Legislative body
Gov't Code § 36801 et seq.

Local emergencies
Gov't Code § 8630 et seq.

Local planning agencies
Gov't Code § 65100 et seq.

Mayor
*Gov't Code §§ 36801—36803 and 40601 et seq.***

Meetings (“Ralph M. Brown Act”)
Gov't Code § 54950 et seq.

Peace officer standards and training
Penal Code §§ 13500—13553

Personnel system
Gov't Code § 45000 et seq.

Retirement systems
Gov't Code §§ 45300—45345 and 53060.1

Revenue and Finance

Bradley-Burns Bill of Rights
Cal. Rev. & Tax. Code § 7221 et seq.

Bradley-Burns Uniform Local Sales and Use Tax Law
Gov't Code § 37101
Rev. & Tax. Code § 7200 et seq.

Chartered city special assessment procedure
*Gov't Code § 43240**

Claims against public entities
Gov't Code §§ 900—935.9

Contracting by local agencies (“Local Agency Public Construction Act”)
Pub. Cont. Code §§ 20100—20929

Development fees
Gov't Code § 66000 et seq.

Economic development – construction
Gov't Code § 52200.6(c)

Financial powers, annual budget
Gov't Code § 37200

Fiscal year in chartered cities
*Gov't Code § 43120**

Graffiti prevention tax
Rev. & Tax. Code § 7287 et seq.

Local agency service fees and charges
Gov't Code § 66012 et seq.

Property tax assessment, levy and collection
Gov't Code § 43000 et seq.

Public works and public purchases
Gov't Code § 4000 et seq.

Special gas tax street improvement fund
Sts. & Hwy. Code § 2113

The Documentary Transfer Tax Act
Rev. & Tax. Code §§ 11901—11935

Transfer of tax function to county
*Gov't Code §§ 51500 et seq., and 51540 et seq.**

Transient occupancy tax
Rev. & Tax. Code § 7280 et seq.

Unclaimed property
Civil Code § 2081 et seq.

Uniform public construction cost accounting act
Pub. Cont. Code §§ 22000—22045

Business Licenses, Taxes and Regulations

Alcoholic beverages – no limitation on local authority
Bus. & Prof. Code §§ 23399.5(c)(5) and 23790.5—23791

Authority to license businesses
Bus. & Prof. Code § 16000 et seq.
Gov't Code § 37101

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STATUTORY REFERENCES

Automatic checkout systems

Civil Code § 7100 et seq.

Bingo

Penal Code § 326.5

Charitable solicitations

Bus. & Prof. Code § 17510 et seq.

Commercial filming

Gov't Code § 65850.1

Community antenna television systems

Gov't Code §§ 53066—53066.5

Gambling Control Act

Bus. & Prof. Code §§ 19800—19987

Massage parlors

Gov't Code § 51030 et seq.

Private Investigator Act

Bus. & Prof. Code §§ 7512—7573.5

Taxicabs and vehicles for hire

Vehicle Code §§ 16500 et seq., 21100(b) and 21112

Gov't Code § 53075.5

Pet boarding facilities

Health & Safety Code § 122388

Animals

Animals generally

Food & Agric. Code §§ 16301—16461

Cruelty to animals

Penal Code §§ 596—600.5

Dangerous and vicious dogs

Food & Agric. Code §§ 31601—31683

Dogs and dog licenses

Food & Agric. Code § 30501 et seq.

Gov't Code § 38792

Rabies control

Health & Safety Code § 121575 et seq.

Health and Safety

Delinquent garbage fees

Gov't Code § 38790.1

Fire prevention

Health & Safety Code § 13000 et seq.

Fireworks Generally

Health & Safety Code § 12500 et seq.

Fireworks Permits

Health & Safety Code § 12640 et seq.

Garbage and refuse collection and disposal

Gov't Code § 38790

Pub. Res. Code §§ 49123(b), 49300, and 49400

Graffiti abatement

Gov't Code §§ 38772 and 53069.3

Hospitals

Gov't Code §§ 37600—37660

Littering

Penal Code § 374

Noise control

Gov't Code § 65302(f)

Health & Safety Code §§ 46000—46080

Nuisance abatement

Gov't Code § 38771 et seq.

Penal Code §§ 370, 372 and 373a

Weed control

Gov't Code §§ 39501—39502

Medical cannabis

Health & Safety Code § 11362.83

Single user restrooms

Health & Safety Code § 118600

Public Peace, Morals and Welfare

Crimes against property

Penal Code §§ 450—593g

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Crimes against public health and safety
Penal Code § 369(a) et seq.

Crimes against public justice
Penal Code §§ 92—186.36

Crimes against the person
Penal Code §§ 187—248

Crimes against the person involving sexual assault
and against public decency and good morals
Penal Code §§ 261—368.7

Crimes against the public peace
Penal Code § 403 et seq.

Criminal storage of firearm
Penal Code § 25140(e)

Minors
Penal Code § 858(b)

Weapons
*Penal Code §§ 12001 et seq., 17500—19405,
and 19910 et seq.*

Vehicles and Traffic

Bicycles
*Vehicle Code §§ 21100(h), 21206 and 39000
et seq.*

Curb markings
Vehicle Code § 21458

Establishments of crosswalks
Vehicle Code § 21106

Local traffic rules and regulations
Vehicle Code § 21100 et seq.

One-way street designations
Vehicle Code § 21657

Pedestrian rights and duties
Vehicle Code § 21949 et seq.

Penalties
Vehicle Code § 40000.1 et seq.

Speed limits
Vehicle Code §§ 22348—22413

Stopping, standing, and parking
Vehicle Code § 22500 et seq.

Through highways
Vehicle Code §§ 21101(b), 21353 and 21354

Traffic control devices
Vehicle Code §§ 21350—21468

Traffic signs, signals and markings
Vehicle Code § 21350 et seq.

Turning movements
Vehicle Code § 22100 et seq.

Vehicle weight limits
Vehicle Code § 35700 et seq.

Streets, Sidewalks and Public Places

Advertising displays
*Bus. & Prof. Code §§ 5230, 5231 and 5440 et
seq.*

Constructions of sidewalks and curbs
Sts. & Hwy. Code §§ 5870—5895.54

Improvement Act of 1911
Sts. & Hwy. Code §§ 5000—6794

Landscaping and Lighting Act of 1972
Sts. & Hwy. Code §§ 22500—22679

Municipal parks
Pub. Res. Code § 5181 et seq.

Obstructions and encroachments of public ways
Gov't Code § 38775

Tree Planting Act of 1931
Sts. & Hwy. Code §§ 22000—22202

Underground utility districts
Gov't Code § 38793
Sts. & Hwy. Code § 5896.1 et seq.

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STATUTORY REFERENCES

Public Services

Connection fees

Gov't Code § 66013

Municipal sewers

Gov't Code § 38900 et seq.

Health & Safety Code § 5470 et seq.

Municipal water systems

Gov't Code § 38730 et seq.

Water wells

Water Code §§ 13700—13808.8

Inventory of known lead user service line

Health & Safety Code § 116885

Buildings and Construction

Adoption of construction codes

Health & Safety Code §§ 17922, 17958 and 17958.5

Authority to regulate buildings and construction

Gov't Code §§ 38601(b) and 38660

Inspection warrants

Code of Civ. Proc. § 1822.50 et seq.

Mobilehomes

Health & Safety Code §§ 18200—18700

Signs

Gov't Code §§ 38774 and 65850(b)

Bus. & Prof. Code § 5229 et seq.

State Housing Law

Health & Safety Code §§ 17910—17998.3

Subdivisions

Subdivision Map Act

Gov't Code § 66410 et seq.

Zoning

Family day care homes

Health & Safety Code § 1597.30 et seq.

Local authority to regulate land use

Gov't Code § 65850

Local planning generally (“Planning and Zoning Law”)

Gov't Code § 65000 et seq.

Local zoning administration

Gov't Code § 65900 et seq.

Open-space zoning

Gov't Code § 65910 et seq.

Zoning fees and charges

Gov't Code § 66014

Environmental Protection

The California Environmental Quality Act

Pub. Res. Code §§ 21000—21189.57

The California Noise Control Act of 1973

Gov't Code § 65302(f)

Health & Safety Code §§ 46000—46080

Online resource center for stormwater permit compliance

Water Code § 13383.9

Ordinance regarding installation of drought tolerant landscaping

Gov't Code § 53087.7

Wildfire mitigation

Pub. Util. Code § 8387

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** May not be applicable to chartered cities.

PRIOR CODE CROSS-REFERENCE TABLE

Prior Code Section	Ordinance History	Herein
4-1.08		Repealed by 1669
4-1.22	Based on Sec. 1, Ord. 535	6.36.010
4-1.23	Based on Ord. 535 as amended by Ord. 766	6.36.030
4-1.24	Based on Sec. 3, Ord. 535	Repealed by 1222
4-1.25	Based on Ord. 535, amended by Ord. 1062	6.36.040
4-1.26	Based on Sec. 5, Ord. 535	6.36.050
4-1.27	Based on Ord. 535	6.36.060
4-1.28	Based on Ord. 535, amended by Ord. 923	6.36.070
4-1.29	Based on Ord. 535	6.36.080
4-1.30	Based on Ord. 535, amended by Ords. 977, 1062	6.36.090
4-1.31	Based on Ord. 535, amended by Ord. 977	6.36.100
4-1.32	Based on Ord. 535, amended by Ord. 977	6.36.110
4-1.33	Based on Ord. 535, amended by Ord. 977	6.36.120
4-1.34	Based on Ord. 535, amended by Ord. 977	6.36.130
4-1.34(1)	Based on Ord. 977	6.36.140
4-1.35	Based on Ord. 737, amended by Ord. 1062	6.36.020
4-1.36	Based on Ord. 777	6.36.150
4-1.38	Based on Sec. 1, Ord. 510	6.44.010
4-1.39	Based on Sec. 2, Ord. 510	6.44.020
4-1.40	Based on Sec. 3, Ord. 510	6.44.030
4-1.41	Based on Sec. 4, Ord. 510	6.44.040
4-1.42	Based on Sec. 5, Ord. 510	6.44.050
4-1.43	Based on Sec. 6, Ord. 510	6.44.060
4-1.44	Based on Sec. 7, Ord. 510	6.44.070
4-1.45	Based on Sec. 8, Ord. 510	6.44.080
4-1.46	Based on Sec. 9, Ord. 510	6.44.090
4-1.47	Based on Sec. 10, Ord. 510	6.44.100
4-10.01		6.56.010
4-10.02		6.56.020
4-10.03		6.56.030
4-10.04		6.56.040
4-10.05		6.56.050
4-10.06		6.56.060
4-10.07		Not codified
4-2.08(a)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(b)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(c)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(d)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(e)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(f)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(g)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(h)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(i)	Amended by Ord. 662, 5/15/72	Repealed by 1584
4-2.08(j)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(k)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.08(1)	Based on Sec. 1, Ord. 480	Repealed by 1584
4-2.09	Based on Sec. 2, Ord. 480	Repealed by 1584
4-2.10	Based on Sec. 3, Ord. 480	Repealed by 1584
4-2.11	Based on Sec. 4, Ord. 480	Repealed by 1584

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Prior Code Section	Ordinance History	Herein
4-2.12	Based on Sec. 5, Ord. 480	Repealed by 1584
4-2.12(1)		Repealed by 1584
4-2.13	Based on Sec. 6, Ord. 480	Repealed by 1584
4-2.14	Based on Sec. 7, Ord. 480	Repealed by 1584
4-2.15	Based on Sec. 8, Ord. 480	Repealed by 1584
4-2.16	Based on Sec. 9, Ord. 480	Repealed by 1584
4-2.17	Based on Sec. 10, Ord. 480	Repealed by 1584
4-2.18	Based on Sec. 11, Ord. 480	Repealed by 1584
4-2.19	Based on Sec. 12, Ord. 480	Repealed by 1584
4-2.20	Based on Sec. 13, Ord. 480	Repealed by 1584
4-2.21	Based on Sec. 14, Ord. 480	Repealed by 1584
4-2.22	Based on Sec. 15, Ord. 480	Repealed by 1584
4-2.23	Based on Sec. 16, Ord. 480	Repealed by 1584
4-2.24	Based on Sec. 17, Ord. 480	Repealed by 1584
4-2.25	Based on Sec. 18, Ord. 480	Repealed by 1584
4-2.26	Based on Sec. 19, Ord. 480	Repealed by 1584
4-2.27	Based on Sec. 20, Ord. 480	Repealed by 1584
4-2.28	Based on Sec. 21, Ord. 480	Repealed by 1584
4-2.29	Based on Sec. 22, Ord. 480	Repealed by 1584
4-2.30	Based on Sec. 23, Ord. 480	Repealed by 1584
4-2.31	Based on Sec. 24, Ord. 480	Repealed by 1584
4-2.32	Based on Sec. 25, Ord. 480	Repealed by 1584
4-2.33	Based on Sec. 26, Ord. 480	Repealed by 1584
4-2.34	Based on Sec. 27, Ord. 480	Repealed by 1584
4-2.38	Based on Ord. 819, adopted 5/9/77	Repealed by 2179
4-2.39	Based on Ord. 819, adopted 5/9/77	Repealed by 2179
4-2.40	Based on Ord. 819, adopted 5/9/77	Repealed by 2179
4-2.41	Based on Ord. 819, adopted 5/9/77	Repealed by 2179
4-2.42	Based on Ord. 819, adopted 5/9/77	Repealed by 2179
4-2.43	Based on Ord. 819, adopted 5/9/77	11.52.060
4-2.44	Based on Ord. 819, adopted 5/9/77	11.52.070
4-2.45	Based on Ord. 819, adopted 5/9/77	11.52.080
4-2.46	Based on Ord. 819, adopted 5/9/77	11.52.090
Article 5	Deleted by Ord. 906, adopted 9/18/79	
Article 6	Deleted by Ord. 906, adopted 9/18/79	
4-3.8.1		Repealed by 1919
4-3.8.2		Repealed by 1919
4-3.13	Based on Sec. 1, Ord. 554	Repealed by 1387
4-3.14	Based on Sec. 2, Ord. 554	Repealed by 1387
4-3.15	Based on Ord. 554	Repealed by 1387
4-3.16	Based on Ord. 554	Repealed by 1387
4-3.17	Based on Ord. 554	Repealed by 1387
4-3.18	Based on Ord. 554, as amended by Ord. 953	Repealed by 1387
4-3.19	Based on Ord. 554	Repealed by 1387
4-3.20	Based on Ord. 554	Repealed by 1387
4-3.21	Based on Ord. 554	Repealed by 1387
4-3.22	Based on Ord. 554	Repealed by 1387
4-3.23	Based on Ord. 554	Repealed by 1387
4-3.24	Based on Ord. 554	Repealed by 1387

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1338	(Not sent)
1339	(Not sent)
1340	Amends table 18.44.090, zoning (18.44)
1341	Adds § 9.04.035, noise (9.04)
1342	Adds Ch. 11.54, skateboards (11.54)
1343	(Not sent)
1344	(Not sent)
1345	(Not sent)
1346	Adds § 18.08.028; amends Table 18.44.090, zoning (18.08, 18.44)
1347	(Not sent)
1348	(Not sent)
1349	(Not sent)
1350	(Not sent)
1351	(Not sent)
1352	Repeals §§ 2.04.020 and 2.04.030 (Repealer)
1353	(Not sent)
1354	Adds Ch. 9.22, recycling, and §§ 18.08.326, 18.08.327, 18.08.328, 18.08.329, 18.20.060C and 18.124.175; Amends §§ 18.44.090, 18.48.180, 18.48.190 and 18.48.200, zoning (9.22, 18.08, 18.44, 18.124)
1355	(Not sent)
1356	Adds § 9.04.045, noise regulations (Repealed by 2177)
1357	Adds Ch. 2.34, library commission (2.34)
1358	(Not sent)
1359	(Not sent)
1360	(Not sent)
1361	(Not sent)
1362	Adds § 18.96.030(I), zoning, and amends § 13.04.020, encroachments (13.04, 18.96)
1363	(Not sent)
1364	Adds §§ 20.08.080 and 20.08.085, building code (Repealed by 1669)
1365	Amends § 3.28.010(I), purchasing (3.28)
1366	Adds § 17.36.170F, growth management program (Repealed by 1729)
1367	(Not sent)
1368	(Not sent)
1369	(Not sent)
1370	Amends Ch. 19.44, dedications (19.44)
1371	Amends § 11.48.120, commercial vehicle regulations (11.48)
1372	(Not sent)
1373	(Not sent)
1374	Repeals and replaces Ch. 17.08, flood damage prevention (17.08)
1375	Amends § 11.20.010 and 11.20.020, speed limits (Repealed by 1875)
1376	Adds Ch. 11.38, residential permit parking (11.38)
1377	(Not sent)
1378	Adds § 17.36.170F and 17.36.185 and amends § 17.36.180A, growth management program (Repealed by 1729)
1379	Amends § 18.44.090, zoning (18.44)
1380	(Not sent)
1381	Amends § 11.20.010 and 11.20.020, speed limits (Repealed by 1875)
1382	(Not sent)
1383	(Not sent)
1384	Adds § 9.04.045C, noise regulations (Repealed by 2177)

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1385	Amends references to technical codes in Chs. 20.04, 20.08, 20.12, 20.16, 20.20, 20.24, 20.28 and 20.32, building construction (20.28)
1386	(Not sent)
1387	Repeals Ch. 6.12 and Ords. 554 and 953 (Repealer)
1388	(Not sent)
1389	(Not sent)
1390	Amends § 18.44.090, zoning (18.44)
1391	(Not sent)
1392	Amends § 11.20.010, speed limits (Repealed by 1875)
1393	Amends §§ 3.24.050, 20.16.030, 20.16.040, 20.16.050, 20.16.060, 20.16.070, 20.16.090, 20.20.030, 20.20.040, 20.20.050, 20.20.060, 20.20.070, 20.20.090, 20.36.040, 20.36.050 and 20.40.030, building inspection department (3.24, 20.36)
1394	Amends § 18.44.090, zoning (18.44)
1395	(Not sent)
1396	Amends §§ 18.74.100 and 18.74.130, zoning (18.74)
1397	Amends § 15.20.180B, sewerage rates, fees, charges (15.20)
1398	(Not sent)
1399	(Not sent)
1400	(Not sent)
1401	(Not sent)
1402	(Not sent)
1403	Amends § 17.36.160A, tree preservation (Repealed by 1729)
1404	(Not sent)
1405	(Not sent)
1406	(Not sent)
1407	(Not sent)
1408	(Not sent)
1409	(Not sent)
1410	Repeals and replaces Ch. 18.20, design review board (18.20)
1411	(Not sent)
1412	(Not sent)
1413	Amends § 17.36.160A, tree preservation (Repealed by 1729)
1414	Amends § 20.08.050, automatic fire extinguishing systems (Repealed by 1669)
1415	(Not sent)
1416	(Not sent)
1417	(Not sent)
1418	Amends §§ 2.28.020, 2.32.010, 2.32.020, 2.34.020 and 2.36.030F, administration and personnel (2.28, 2.32, 2.34, 2.36)
1419	(Not sent)
1420	(Not sent)
1421	(Not sent)
1422	Adds § 2.04.020 and renumbers § 2.04.040 to be § 2.04.030, city council (2.04)
1423	(Not sent)
1424	(Not sent)
1425	Amends §§ 18.12.020, 18.12.070 and 18.12.080, zoning (18.12)
1426	Amends § 15.20.180, sewerage rates, fees, charges (15.20)
1427	(Not sent)
1428	Amends §§ 7.16.010 and 7.36.030, animals, and repeals and replaces Ch. 13.08, parks and recreation facilities (7.16, 7.36, 13.08)
1429	Amends § 11.20.010, speed limits (Repealed by 1875)

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1695	Amends § 19.44.090; credit for private open space (19.44)
1696	Adds § 2.04.030; city council vacancies (2.04)
1697	Amends §§ 6.36.030, 11.36.200; repeals § 11.36.160; sidewalk and street vending (6.36, 11.36)
1698	(Not sent)
1699	(Not sent)
1700	(Not sent)
1700-A	Adds §§ 2.04.015C, D; terms of office (2.04)
1701	Amends §§ 6.60.010, 6.60.020, 6.60.030, 6.60.040, 6.60.050, 6.60.060, 6.60.065, 6.60.070, 6.60.080, 6.60.115, 6.60.120, 6.60.135, 6.60.180; mobilehome space rents (Repealed by 1829)
1702	(Not sent)
1703	Amends §§ 14.04.075, 15.20.090; security deposits (14.04, 15.20)
1704	(Not sent)
1705	(Not sent)
1706	Amends §§ 1.10.020, 1.10.040; conflict of interest (Repealed by 1986)
1707	(Not sent)
1708	Repeals and replaces Ch. 17.24; transportation systems management (17.24)
1709	(Not sent)
1710	(Not sent)
1711	Amends §§ 17.36.080, 17.36.082, 17.36.085; growth management program (Repealed by 1729)
1712	Amends § 15.20.180; bimonthly user charges (15.20)
1713	Adds Ch. 9.34; graffiti abatement (9.34)
1714	(Not sent)
1715	(Not sent)
1716	(Not sent)
1717	(Not sent)
1718	Repeals Ch. 18.72, C-O district (18.72)
1719	Adds Ch. 6.64; amends § 20.36.030; firearm sales, supplemental regulations (6.64, 20.36)
1720	(Not sent)
1721	(Not sent)
1722	Amends § 11.36.210; authority to establish zones (11.36)
1723	(Not sent)
1724	(Not sent)
1725	Amends the table at § 18.44.090; permitted and conditional uses (18.44)
1726	Amends §§ 18.40.030, 18.40.040, 18.44.090, 18.88.030; zoning (18.40, 18.44, 18.88)
1727	Repeals and replaces Ch. 6.24; regulation of massage services and establishments (6.24)
1728	(Not sent)
1729	Repeals and replaces Ch. 17.36; growth management program (Repealed by 2054)
1730	Amends §§ 11.52.060, 11.54.010, 11.54.020, 11.54.030, 11.54.040; restrictions on skateboards, in-line skates (11.52, 11.54)
1731	(Not sent)
1732	(Not sent)
1733	(Not sent)
1734	Adds § 20.24.120, article 89 added; repeals and replaces Ch. 9.16; repeals Ch. 9.18; hazardous materials storage, hazardous materials release response plans (9.16, 9.18)
1735	(Not sent)
1736	(Not sent)
1737	Repeals and replaces Ch. 17.16; tree preservation (17.16)
1738	Amends §§ 6.04.040, 18.08.175—18.08.460, 18.20.010, 18.28.040, 18.32.050, 18.36.050, 18.40.050—18.40.100, 18.44.090, 18.48.140, 18.48.150, 18.48.180, 18.48.190, 18.48.200, 18.52.040,

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1739	(Not sent)
1740	(Not sent)
1741	Amends § 1.10.040; conflict of interest (Repealed by 1986)
1742	(Not sent)
1743	Adds Ch. 18.110; amends §§ 6.04.040, 18.08.030—18.08.620, 18.20.010, 18.20.040, 18.28.040, 18.32.040, 18.36.030, 18.36.040, 18.40.030, 18.40.040, 18.44.090, 18.48.180, 18.48.190, 18.56.040, 18.84.150, 20.40.020; personal wireless service facilities (6.04, 18.08, 18.20, 18.28, 18.32, 18.36, 18.40, 18.44, 18.56, 18.84, 18.110)
1744	Repeals and replaces Ch. 6.40; taxicabs (6.40)
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1746	(Not sent)
1747	(Not sent)
1748	(Not sent)
1749	(Not sent)
1750	(Not sent)
1751	(Not sent)
1752	(Not sent)
1753	(Not sent)
1754	(Not sent)
1755	Adds §§ 10.08.020, 10.08.030, 10.08.040, 10.08.070; amends § 10.08.010; renumbers §§ 10.08.020, 10.08.030; curfew violations (Repealed by 1878)
1756	(Not sent)
1757	(Not sent)
1758	(Not sent)
1759	(Not sent)
1760	(Not sent)
1761	(Not sent)
1762	(Not sent)
1763	(Not sent)
1764	Adds Ch. 3.22; repeals Ch. 3.24; public facilities fee, construction tax (3.22, 3.24)
1765	Adds Ch. 3.26; traffic development fee (3.26)
1766	(Not sent)
1767	Amends § 18.88.030; off street parking (18.88)
1768	Amends §§ 2.28.030, 2.36.030, 2.38.010; commissions (2.28, 2.36, 2.38)
1769	(Not sent)
1770	Adds Ch. 6.68; extrasensory consulting (Repealed by 2120)
1771	(Not sent)
1772	Adds Ch. 3.40; north Sycamore area development impact fee (Repealed by 2179)
1773	Amends §§ 5.04.010, 5.08.020, 5.12.030, 5.20.020, 5.24.010, 5.24.030; business licenses and taxation (5.04, 5.08, 5.12, 5.20, 5.24)
1774	(Not sent)
1775	(Not sent)
1776	(Not sent)
1777	(Not sent)
1778	Adds §§ 20.08.034, 20.08.038, 20.08.039, 20.08.042, 20.08.043, 20.08.044, 20.08.046, 20.08.049, 20.08.054, 20.08.056, 20.08.058, 20.08.062, 20.08.064, 20.08.065, 20.08.066, 20.08.068, 20.08.072, 20.08.074, 20.12.017, 20.12.035, 20.20.016, 20.24.130, 20.24.140, 20.24.150, 20.24.160, 20.24.170, 20.24.180, 20.24.190, 20.24.200, 20.24.210, 20.24.220, Ch. 20.58; amends §§ 1.12.020, 20.04.010,

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- 2166 Amends Ch. 20.70, expedited permitting process for clean energy systems (20.70)
- 2167 Amends § 14.04.140(B), adjustment of bills for meter error or leaks (14.04)
- 2168 Approves application for PUD (Special)
- 2169 Amends §§ 18.110.020 and 18.110.050, personal wireless service facilities (18.110)
- 2170 Amends § 2.34.080(A), library commission meetings (2.34)
- 2171 Amends §§ 14.04.010, 14.04.050(C), 14.04.070 and 14.08.080, water rates and charges (14.04, 14.08)
- 2172 Rezone (Special)
- 2173 (Pending)
- 2174 Approves application for PUD (Special)
- 2175 Amends contract with the California Public Employees' Retirement System (Special)
- 2176 Amends Ch. 14.20 and § 14.04.060, recycled water use (14.04, 14.20)
- 2177 Repeals § 9.04.045, leaf blowers (Repealer)
- 2178 Adds Ch. 3.44, Johnson Drive economic development zone transportation fee (3.44)
- 2179 Adds § 19.16.075; amends §§ 1.24.125, 11.64.060, 13.04.435, 14.04.050, 14.06.040, 17.16.046, 17.16.110, 18.106.060(A), 18.106.070(F), 19.16.030, 19.16.050, 19.16.090, 19.20.130, 19.20.140 and 19.22.070; repeals Ch. 3.40 and §§ 11.52.010—11.52.050, omnibus ordinance (1.24, 11.64, 13.04, 14.04, 14.06, 17.16, 18.106, 19.16, 19.20, 19.22)
- 2180 Adds Ch. 11.58; amends § 1.12.020, regulation of traffic medians (1.12, 11.58)

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TRANSPORTATION SYSTEMS MANAGEMENT

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