

SUPPLEMENT NO. 24

INSERTION GUIDE

PLEASANTON MUNICIPAL CODE

July 2020

(Covering Ordinances through 2207)

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

Remove pages listed in the column headed “Remove Pages” and in their places insert the pages listed in the column headed “Insert Pages.”

This Guide for Insertion should be retained as a permanent record of pages supplemented and should be inserted in the front of the code.

Remove Pages

Insert Pages

Preface Preface

TEXT

35—36	35—36
41—42	41—42
45—46	45—46
51—52	51—52
85—86	85—86-1
303—306	303—306
723—724	723—725

STATUTORY REFERENCES

SR-1—SR-6..... SR-1—SR-6

TABLES

ORD-27..... ORD-27—ORD-28

INDEX

IX-29—IX-30 IX-29—IX-30

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 24, July 2020, and includes Ordinance 2207, passed February 18, 2020.

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Chapter 2.28

HUMAN SERVICES COMMISSION*

Sections:

2.28.010	Commission created.
2.28.020	Duties.
2.28.030	Membership—Appointments—Voting.
2.28.040	Term of membership.
2.28.050	Maintenance of membership.
2.28.060	Commissioner vacancies.
2.28.070	Organization.
2.28.080	Meetings.

* **Prior code history:** prior code §§ 1-3.32.05, 1-3.32.10, 1-3.32.15, 1-3.32.20, 1-3.32.25, 1-3.32.30, 1-3.32.35, 1-3.32.40, 1-3.32.45, 1-3.32.50, 1-3.32.55, 1-3.32.60; Ords. 1418, 1507, 1674, 1768, 1785.

2.28.010 Commission created.

There is created a human services commission (“commission”) originally established by Resolution 76-21. (Ord. 1819 § 1, 2001)

2.28.020 Duties.

A. The commission shall be responsible for advising the city council on both the human service needs of the community and the methods for meeting these needs. Particular emphasis shall be given to the human services needs of the socially and economically disadvantaged, the elderly and the youth of the community.

B. The duties of the commission shall include the following:

1. Identify and prioritize the human service needs of the community;
2. Develop and recommend to the city council specific programs and/or actions designed to meet the identified human service needs of the community and evaluate the success of the programs and/or the actions undertaken;
3. Identify and be informed of programs providing human services to the community, their purpose, the type and nature of services they provide, and the effectiveness of their services;
4. Review and evaluate requests from human service providers for financial assistance, endorsements, and other types of assistance; make recommendations to the city council regarding such requests;
5. Develop and recommend actions designed to coordinate the delivery of human services within and to the community;

6. Represent the city and/or serve as liaisons with governing boards of public and private human service agencies/programs of interest to the community;

7. Inform and advise the city council concerning actions by federal, state and other public or private human service agencies of interest to the city. (Ord. 1819 § 1, 2001)

2.28.030 Membership—Appointments—Voting.

A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner, all of whom shall be residents of the city.

B. The seven regular commissioners and the one alternate commissioner shall be selected from the community at large. The youth member shall be the minimum age of a high school freshman. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to ratification by the city council as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

C. Commissioners are eligible to participate in all discussions of the commission except that the alternate commissioner shall vote only if one of the regular commissioners is absent or has a financial conflict of interest.

D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission’s representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation. (Ord. 2202 § 1, 2019; Ord. 2059 § 1, 2013; Ord. 1901 § 1, 2004; Ord. 1887 § 1, 2003; Ord. 1851 § 1, 2002; Ord. 1819 § 1, 2001)

2.28.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum term of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1901, 2004; Ord. 1819 § 1, 2001)

2.28.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

- 1. The commissioner’s term of office on the commission expires;
- 2. The commissioner voluntarily resigns from the commission;
- 3. The commissioner is absent from one-third of the regular meetings within a six month period as provided in subsection C of this section;
- 4. The commissioner fails to maintain a primary residence in the city;
- 5. The commissioner is employed by the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

- 1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
- 2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
- 3. The city council shall determine if the commissioner’s reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
- 4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner’s term has been officially terminated. (Ord. 1819 § 1, 2001)

2.28.060 Commissioner vacancies.

Vacancies shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.28.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The elec-

tion shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council’s adopted “rules and operating procedures,” as said rules and procedures may be amended from time to time.

C. The chairperson shall:

- 1. Preside at all meetings;
- 2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
- 3. Call special meetings.

D. The vice chairperson shall perform in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 2, 2003; Ord. 1819 § 1, 2001)

2.28.080 Meetings.

A. Regular meetings shall be held on the first Wednesday of each month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

Chapter 2.32

PARKS AND RECREATION COMMISSION*

Sections:

- 2.32.010 Commission created.**
- 2.32.020 Duties.**
- 2.32.030 Membership—Appointments.**
- 2.32.040 Term of membership.**
- 2.32.050 Maintenance of membership.**
- 2.32.060 Commissioner vacancies.**
- 2.32.070 Organization.**
- 2.32.080 Meetings.**

* **Prior history:** prior code §§ 1-3.23—1-3.30; Ords. 1418, 1507.

2.32.010 Commission created.

There is created a parks and recreation commission. (Ord. 1819 § 1, 2001)

2.32.020 Duties.

A. The parks and recreation commission shall advise the city council in matters related to city parks and recreational services.

B. The duties of the commission shall include the following:

1. Act in an advisory capacity to the city council in all matters pertaining to public parks and recreation, and to cooperate with other governmental agencies and civic groups in the advancement of sound recreation programming and park planning. The commission is jointly charged with the planning commission, to establish harmonious and effective relationships, as both of these bodies have designated functions of an interrelated nature in the area of recreation facilities as they relate to the general plan.

2. Formulate recommended policies regarding recreation services for consideration by the city council.

3. Advise the city council, regarding the development of recreation areas, facilities, programs and services.

4. Make periodic inventories of recreation services that exist or may be needed and interpret the needs of the public to the city council, and all other governmental agencies and civic groups as required.

5. To facilitate in every appropriate manner the establishment and maintenance of formal and informal cooperative relationships with all entities that have resources to promote local recreation services. Such entities may include, but not be exclusive of, public and private businesses and institutions; local, regional, state and national agencies; and private, public or quasi-

public foundations, associations and corporations; all of which individually have either in part or total as their function the promotion and/or provision of some phase of recreation.

6. Take an active role as community leaders in soliciting from the general public the desires and wishes of the people, in making the needs for recreation facilities and programs known along with the best possible methods of achieving such.

7. Advise the city council, regarding the emphasis and priorities in the preparation of the annual recreation budget and a long-range capital improvement program. (Ord. 1819 § 1, 2001)

2.32.030 Membership—Appointments.

A. The commission shall have five regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.

B. The five regular commissioners and the one alternate commissioner shall be selected from the community at large. The youth member shall be the minimum age of a high school freshman. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to the ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

C. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners.

D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation. (Ord. 2202 § 1, 2019; Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.32.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.32.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner’s term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;
5. The commissioner is employed by the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
3. The city council shall determine if the commissioner’s reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner’s term has been officially terminated. (Ord. 1819 § 1, 2001)

2.32.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing pro-

cedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.32.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson or vice chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council’s adopted “rules and operating procedures,” as said rules and procedures are amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 2038 § 1, 2012; Ord. 1887 § 5, 2003; Ord. 1819 § 1, 2001)

2.32.080 Meetings.

A. Regular meetings shall be held on the second Thursday of each month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Three commissioners allowed to vote need to be present to constitute a quorum and a vote to ap-

Chapter 2.34

LIBRARY COMMISSION*

Sections:

- 2.34.010 Commission created.**
- 2.34.020 Duties.**
- 2.34.030 Membership—Appointments.**
- 2.34.040 Term of membership.**
- 2.34.050 Maintenance of membership.**
- 2.34.060 Commissioner vacancies.**
- 2.34.070 Organization.**
- 2.34.080 Meetings.**

* **Prior ordinance history:** Ords. 1357, 1418, 1507, 1675, 1780.

2.34.010 Commission created.

There is created a library commission (commission). (Ord. 1819 § 1, 2001)

2.34.020 Duties.

A. The commission shall be responsible for advising the city council on matters related to the Pleasanton library and library services in general.

B. The duties of the Pleasanton library commission shall include the following:

1. Make recommendations to the city council and the Pleasanton library board of trustees regarding policies, services and operating and capital budgets for the Pleasanton library.
2. Recommend rules, regulations and services necessary for the administration of the Pleasanton library.
3. Assist with the planning of library services.
4. Promote the use and support of library services within the community, including working in cooperation with citizen and business groups, foundations, charitable trusts, school districts and governmental agencies.
5. Recommend rules and regulations regarding the use of the Pleasanton library building.
6. Recommend acceptance or rejection of proposed donations to the Pleasanton library. (Ord. 1819 § 1, 2001)

2.34.030 Membership—Appointments.

A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.

B. Six regular commissioners and the one alternate commissioner shall be selected from the community at large. One regular commissioner shall be selected

from a recommendation made by the Pleasanton library league. The youth member shall be the minimum age of a high school freshman. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor subject to the ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

C. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners.

D. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

E. Commissioners shall be compensated as established by city council resolution, unless the youth member is unable to qualify for a work permit that allows for compensation. (Ord. 2202 § 1, 2019; Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.34.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The term of a commissioner shall be consistent with and subject to city council resolution concerning limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.34.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;
5. The commissioner is employed with the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.

2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.

3. The city council shall determine if the commissioner’s reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.

4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner’s term has been officially terminated. (Ord. 1819 § 1, 2001)

2.34.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.34.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council’s adopted “rules and operating procedures,” as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and

3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 6, 2003; Ord. 1819 § 1, 2001)

2.34.080 Meetings.

A. Regular meetings shall be held on the first Thursday of each month at a time and place set by the commission. The commission may approve an alternate meeting date.

B. Special meetings may be called by the chair or by a majority of the commissioners, the city manager, and/or the city council provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2170 § 1, 2017; Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

Chapter 2.39

CIVIC ARTS COMMISSION*

Sections:

- 2.39.010 Commission created.**
- 2.39.020 Duties.**
- 2.39.030 Membership—Appointments.**
- 2.39.040 Term of membership.**
- 2.39.050 Maintenance of membership.**
- 2.39.060 Commissioner vacancies.**
- 2.39.070 Organization.**
- 2.39.080 Meetings.**

* **Prior ordinance history:** Ords. 1674 and 1768.

2.39.010 Commission created.

There is created a civic arts commission (commission). (Ord. 1819 § 1, 2001)

2.39.020 Duties.

The commission shall have the power and duty to:

- A. Act in an advisory capacity to the city council in all matters pertaining to the arts and culture of the city.
- B. Recommend to the city council the adoption of such ordinances, rules and regulations as it may deem necessary for the administration and preservation of fine arts and performing arts.
- C. Work cooperatively with city boards and commissions, city departments, and other public and private organizations in creating and promoting art and cultural programs and activities within the city.
- D. Review and recommend grant funding to arts-related, non-profit organizations in the community that are providing additional non-competitive arts programming.
- E. Serve as the art and culture ambassadors to the general public.
- F. Advocate to the public about the city's arts programs and policies.
- G. Review and make recommendations upon all works of art to be acquired by the city, either by purchase, gift, or otherwise pursuant to art in public places Chapter 13.16.
- H. Review and make recommendations with reference to any existing work of art in the public art collection in connection with: (1) the relocation or alteration thereof; or (2) the removal of; pursuant to the deaccession policy generally described in the Pleasanton Downtown Public Art Master Plan, as may be amended.

I. Recommend the promulgation of policies and procedures for the development and implementation of public art in the city.

J. With city council approval, apply for and accept gifts, grants, funds, contributions and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations and other organizations or institutions that are arts and culture related.

K. Other powers and responsibilities as outlined in other sections of this chapter and as may be appropriate in carrying out the purposes and goals of this chapter and as set forth in reports or recommendations adopted by the city council. (Ord. 2132 § 1, 2016; Ord. 1819 § 1, 2001)

2.39.030 Membership—Appointments.

A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.

B. The youth member shall be a minimum age of a high school freshman.

C. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

D. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners.

E. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

F. Commissioners shall be compensated as established by city council resolution. (Ord. 2202 § 1, 2019; Ord. 2132 § 1, 2016; Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The terms of commissioners shall be consistent with and subject to city council resolution concern-

ing limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;
5. The commissioner is employed with the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.39.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.39.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 9, 2003; Ord. 1819 § 1, 2001)

2.39.080 Meetings.

A. The commission shall attempt to meet on a monthly basis at a predetermined time and place, but shall meet at least four times each calendar year.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

3.26.120 Appeals.

A developer may appeal to the city council any final administrative determination made pursuant to this chapter, after exhausting all other appeals provided in this chapter, and payment of the fee for a planning appeal as set forth in the master fee schedule (on file in the office of the city clerk). All appeals to the city council shall be in a form prescribed by the city clerk and shall be filed within 15 days of the date of mailing to the developer any written notice of the applicable final administrative determination. Any appeal not filed within such period shall be deemed waived. The city clerk shall set the matter for hearing before the city council within 45 days of the date of receipt by the city clerk of the notice of the appeal. In making its determination on the appeal, the city council shall follow the standards set forth in this chapter. (Ord. 2192 § 2, 2019; Ord. 1765 § 2, 1998)

tity been expressly exempted from the application of this chapter. To this end, the provisions of this chapter are severable. (Ord. 2192 § 2, 2019; Ord. 1765 § 2, 1998)

3.26.130 Expiration of fee.

The fees required by this chapter shall expire when the transportation improvements are completed and all debt service and reimbursements related to such transportation improvements are paid and satisfied. (Ord. 2192 § 2, 2019; Ord. 1765 § 2, 1998)

3.26.140 Supplementary provisions.

It is the intent of the city council that the fees required by this chapter shall be supplementary to the fees, dedications or conditions imposed upon development pursuant to the provisions of the Subdivision Map Act, California Environmental Quality Act, and other state laws and city ordinances or policies which may authorize the imposition of fees, dedications or conditions thereon. (Ord. 2192 § 2, 2019; Ord. 1765 § 2, 1998)

3.26.150 Severability.

The provisions of this chapter shall not apply to any person, association, corporation or to any property as to whom or which it is beyond the power of the city to impose the fee provided in this chapter. If any sentence, clause, section or part of this chapter, or any fee imposed upon any person or entity is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall affect only such sentence, clause, section or part of this chapter, and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this chapter, or its effect on other persons or entities. It is declared to be the intention of the city council that this chapter would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part of this chapter had not been included herein; or had such person or en-

Chapter 3.28

PURCHASING AND DISPOSITION OF PROPERTY

Sections:

- 3.28.010 Purchasing agent responsibilities.**
3.28.020 Purchasing procedure.
3.28.030 Care, restitution, sale or destruction of unclaimed property.

3.28.010 Purchasing agent responsibilities.

As provided in Section 2.08.160 of this code, the city manager shall be responsible for all purchasing not reserved by the city council. He or she shall have authority to:

A. Purchase or contract for supplies and equipment required by any using agency in accordance with purchasing procedures prescribed in this chapter and such administrative regulations as he or she may prescribe.

B. Negotiate and recommend execution of contracts for the purchase of supplies and equipment.

C. Act to procure for the city the needed quality in supplies and equipment at least expense to the city and in support of local businesses.

D. Discourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases.

E. Prepare and recommend to the city council amendments to ordinances governing the purchase of supplies and equipment of the city.

F. Keep informed of current development in the field of purchasing, prices, market conditions and new products.

G. Prescribe and maintain such forms as are reasonably necessary to the operation of this chapter and other rules and regulations.

H. Supervise the inspection of all supplies and equipment purchased to ensure conformance with specifications.

I. Transfer surplus or unused supplies and equipment between departments as needed, and sell or dispose of surplus or unused supplies and equipment which have become unsuitable for city use.

J. Maintain a bidders list including businesses located in the city and/or which have city business licenses, vendors' catalog file and records needed for the efficient operation of the purchasing program. (Ord. 2205 § 1, 2020; Ord. 1365 § 1, 1988; prior code § 1-2.37)

3.28.020 Purchasing procedure.

A. Requisitions. Using agencies shall submit requests for supplies and equipment on standard requisition forms.

B. Encumbrance of Funds. Except in cases of emergency, there shall not be issued any purchase order for supplies or equipment unless there exists an unencumbered appropriation in the fund account against which the purchase is to be charged.

C. Open Market Procedure. Purchase of supplies and equipment may be made in the open market in accordance with the procedure adopted under Section 3.28.010(A) of this chapter.

1. Minimum Number of Proposals. Open market purchases shall, wherever possible, be based on at least three bids, and shall be awarded to the lowest responsible bidder.

2. Notice Inviting Proposals. Bids shall be solicited by email requests to responsible vendors, including vendors with a city business license and vendors located in the city.

3. Local Preference. For the purchase of supplies, equipment and trade services:

a. If two or more bids are received from bidders, vendors or contractors providing supplies, equipment or trade services for the same total amount or unit price and with generally equivalent qualifications, preference shall be given to the city-based vendor.

b. If city-based vendors or contractors' bids are greater than non-city based vendors or contractors, when calculating bids from bidders, vendors or contractors providing supplies, equipment or trade services the city shall deduct five percent from the total bid of any city-based vendor, except that the amount of the local preference deduction shall not exceed \$5,000.00 for any single purchase order or contract.

c. A city-based vendor shall mean a business with a physical business location in the city, a current city business license, and reports the City of Pleasanton as the point of sale to the franchise tax board.

d. The local preference described in this subsection 3 shall only be utilized when allowed by state and federal law, and the requirements of the underlying funding source.

e. Emergency situations are exempt from the requirements of this subsection 3.

4. Proposals. Proposals shall be submitted and a record shall be kept of all open market orders and proposals consistent with the records retention schedule. This record, while so kept, shall be open to public inspection. (Ord. 2205 § 1, 2020; prior code § 1-2.38)

3.28.030 Care, restitution, sale or destruction of unclaimed property.

A. Unclaimed property as defined in Penal Code Section 1411 and held by the police department for a period of at least three months shall be sold at a public auction to the highest bidder. At least five days prior to the date of the auction, a notice of the auction shall be published in a newspaper of general circulation.

B. If the city's purchasing agent determines that any such unclaimed property held by the city for sale is needed for a public use, such property may be retained by the city and need not be sold. Property retained by the city shall thereafter not be redeemed by the owner or by any other person entitled to possession.

C. Notwithstanding subsections A and B of this section and notwithstanding the provisions of Administrative Directive No. 28-307, as amended (the Guidelines for Disposition of Unclaimed Property), any bicycles or toys or both, in the possession of the police department, which have been unclaimed for a period of at least 90 days, may be turned over to the Alameda County Probation officer, to the Welfare Department of Alameda County or to any charitable or nonprofit organization which is authorized under its articles of incorporation to participate in a program or activity designed to prevent juvenile delinquency. (Ord. 2205 § 1, 2020; Ord. 1571 § 2, 1992)

Chapter 11.20

SPEED LIMITS*

Section:

11.20.010 Speed limits in certain zones.

* **Prior code history:** §§ 5-6.01, 5-6.05; and Ords. 1069, 1097, 1108, 1114, 1133, 1137, 1163, 1180, 1206, 1375, 1381, 1392, 1429, 1459, 1465, 1487, 1514, 1515, 1525, 1546, 1575, 1601, 1602, 1627, 1645, 1664, 1817, 1822.

11.20.010 Speed limits in certain zones.

Based upon an engineering and traffic investigation and study, the prima facie speed limit shall be as set forth in this section on those streets, or parts of said streets, designated in this section when signs are in place giving notice thereof:

- A. Andrews Drive:
 1. From Owens Drive to Old Santa Rita Road the speed limit shall be 35 miles per hour.
- B. Bernal Avenue:
 1. From Foothill Road to east side of Arroyo Laguna the speed limit shall be 35 miles per hour.
 2. From east side of Arroyo Laguna to Valley Avenue the speed limit shall be 40 miles per hour.
 3. From Valley Avenue to Pleasanton Avenue the speed limit shall be 45 miles per hour.
 4. From Pleasanton Avenue to Sunol Boulevard the speed limit shall be 35 miles per hour.
 5. From Sunol Boulevard to Windmill Way the speed limit shall be 35 miles per hour.
 6. From Windmill Way to Kottinger Drive the speed limit shall be 35 miles per hour.
 7. From Kottinger Drive to Vineyard Avenue/Tawny Avenue the speed limit shall be 30 miles per hour.
 8. From Vineyard Avenue/Tawny Avenue to Vineyard Avenue the speed limit shall be 30 miles per hour.
 9. From Vineyard Avenue to Nevada Street the speed limit shall be 35 miles per hour.
 10. From Nevada Street to Stanley Boulevard the speed limit shall be 40 miles per hour.
- C. Busch Road:
 1. From Valley Avenue to Gravel Company gate the speed limit shall be 35 miles per hour.
- D. Canyon Way:
 1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 25 miles per hour.
- E. Case Avenue:
 1. From Bernal Avenue to Valley Avenue the speed limit shall be 25 mph.

- F. Chabot Drive:
 1. From Owens Drive to Stoneridge Drive the speed limit shall be 35 miles per hour.
 2. From Stoneridge Drive to Inglewood Drive the speed limit shall be 35 miles per hour.
- G. Deodar Way:
 1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 30 miles per hour.
- H. Division Street:
 1. From Del Valle Parkway to St. Mary Street the speed limit shall be 25 miles per hour.
- I. Dublin Canyon Road:
 1. From northern city limits to Laurel Creek Drive the speed limit shall be 45 miles per hour.
 2. From Laurel Creek Drive to Foothill Road the speed limit shall be 35 miles per hour.
- J. El Charro Road:
 1. From northern city limits to 1,000 feet south of Stoneridge Drive the speed limit shall be 40 miles per hour.
- K. First Street:
 1. From Stanley Boulevard to Ray Street/Vineyard Avenue the speed limit shall be 40 miles per hour.
 2. From Ray Street/Vineyard Avenue to Bernal Avenue the speed limit shall be 25 miles per hour.
- L. Franklin Drive:
 1. From Stoneridge Drive to Johnson Drive (north) the speed limit shall be 35 miles per hour.
- M. Foothill Road:
 1. From northern city limits to Stoneridge Drive the speed limit shall be 45 miles per hour.
 2. From Stoneridge Drive to Muirwood Drive (north) the speed limit shall be 45 miles per hour.
 3. From Muirwood Drive (north) to West Las Positas Boulevard the speed limit shall be 45 miles per hour.
 4. From West Las Positas Boulevard to Foothill Knolls Drive the speed limit shall be 45 miles per hour.
 5. From Foothill Knolls Drive to Bernal Avenue the speed limit shall be 45 miles per hour.
 6. From Bernal Avenue to southern city limits the speed limit shall be 40 miles per hour.
 7. From 215 feet south of Country Lane to Verona Road the speed limit shall be 45 miles per hour.
- N. Gibraltar Drive (north):
 1. From Hopyard Road to Stoneridge Drive the speed limit shall be 40 miles per hour.
- O. Gibraltar Drive (south):
 1. From Stoneridge Drive to Willow Road the speed limit shall be 35 miles per hour.

- P. Hacienda Drive:
1. From northern city limits to Owens Drive the speed limit shall be 40 miles per hour.
 2. From Owens Drive to Stoneridge Drive the speed limit shall be 40 miles per hour.
 3. From Stoneridge Drive to West Las Positas Boulevard the speed limit shall be 40 miles per hour.
- Q. Hopyard Road:
1. From northern city limits to Owens Drive the speed limit shall be 40 miles per hour.
 2. From Owens Drive to Stoneridge Drive the speed limit shall be 45 miles per hour.
 3. From Stoneridge Drive to West Las Positas Boulevard the speed limit shall be 45 miles per hour.
 4. From West Las Positas Boulevard to Valley Avenue the speed limit shall be 40 miles per hour.
 5. From Valley Avenue to Black Avenue the speed limit shall be 35 miles per hour.
 6. From Black Avenue to Del Valle Parkway the speed limit shall be 35 miles per hour.
- R. Independence Drive:
1. From Bernal Avenue to 300 feet south of Crystal Lane the speed limit shall be 25 miles per hour.
- S. Inglewood Drive:
1. From Hopyard Road to Willow Road the speed limit shall be 35 miles per hour.
- T. Johnson Drive:
1. From Stoneridge Drive to 1,900 feet north of Commerce Circle the speed limit shall be 40 miles per hour.
 2. From 1,900 feet north of Commerce Circle to 1,000 feet north of Owens Drive the speed limit shall be 45 miles per hour.
 3. From 1,000 feet north of Owens Drive to Owens Drive (south) the speed limit shall be 30 miles per hour.
 4. From Owens Drive (south) to Franklin Drive (south) the speed limit shall be 35 miles per hour.
- U. Koll Center Parkway:
1. From Valley Avenue to Valley Avenue the speed limit shall be 30 miles per hour.
- V. Laguna Creek Lane:
1. From West Lagoon Road to Valley Avenue the speed limit shall be 35 miles per hour.
- W. Laurel Creek Way:
1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 30 miles per hour.
- X. Main Street:
1. From Stanley Boulevard to Bernal Avenue the speed limit shall be 25 miles per hour.
- Y. Old Santa Rita Road:

1. From Santa Rita Road to Rosewood Drive the speed limit shall be 30 miles per hour.
- Z. Owens Drive:
1. From Johnson Drive to Hopyard Road the speed limit shall be 30 miles per hour.
 2. From Hopyard Road to Chabot Canal the speed limit shall be 40 miles per hour.
 3. From Chabot Canal to Rosewood Drive the speed limit shall be 40 miles per hour.
 4. From Rosewood Drive to West Las Positas Boulevard the speed limit shall be 40 miles per hour.
- AA. Pimlico Drive:
1. From Santa Rita Road to Brockton Drive the speed limit shall be 30 miles per hour.
 2. From Brockton Drive to 400 feet north of Kirkcaldy Street the speed limit shall be 35 miles per hour.
- BB. Rosewood Drive:
1. From Owens Drive to Old Santa Rita Road the speed limit shall be 40 miles per hour.
 2. From Old Santa Rita Road to Santa Rita Road the speed limit shall be 40 miles per hour.
- CC. Saint Mary Street:
1. From Division Street to Main Street the speed limit shall be 25 miles per hour.
- DD. Santa Rita Road:
1. From northern city limits to Rosewood Drive the speed limit shall be 45 miles per hour.
 2. From Rosewood Drive to West Las Positas Boulevard the speed limit shall be 45 miles per hour.
 3. From West Las Positas Boulevard to Mohr Avenue the speed limit shall be 45 miles per hour.
 4. From Mohr Avenue to Valley Avenue the speed limit shall be 35 miles per hour.
 5. From Valley Avenue to Black Avenue the speed limit shall be 35 miles per hour.
 6. From Black Avenue to Stanley Boulevard the speed limit shall be 35 miles per hour.
- EE. Sports Park Drive:
1. From Parkside Drive to end of Sports Park the speed limit shall be 20 miles per hour.
- FF. Springdale Avenue:
1. From Stoneridge Mall Road to Stoneridge Drive the speed limit shall be 25 miles per hour.
- GG. Stanley Boulevard:
1. From Main Street/Santa Rita Road to First Street the speed limit shall be 30 miles per hour.
 2. From First Street to Valley Avenue/Bernal Avenue the speed limit shall be 40 miles per hour.
 3. From Valley Avenue/Bernal Avenue to eastern city limits the speed limit shall be 50 miles per hour.

HH. Stoneridge Mall Road:

1. From Embarcadero Court to Stoneridge Drive the speed limit shall be 30 miles per hour.
2. From Embarcadero Court to Deodar Way the speed limit shall be 30 miles per hour.
3. From Deodar Way to Stoneridge Mall Road the speed limit shall be 30 miles per hour.

II. Stoneridge Drive:

1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 40 miles per hour.
2. From Stoneridge Mall Road to Johnson Drive the speed limit shall be 45 miles per hour.
3. From Johnson Drive to Hopyard Road the speed limit shall be 45 miles per hour.
4. From Hopyard Road to Willow Road the speed limit shall be 40 miles per hour.
5. From Willow Road to West Las Positas Boulevard the speed limit shall be 40 miles per hour.
6. From West Las Positas Boulevard to Santa Rita Road the speed limit shall be 40 miles per hour.
7. From Santa Rita Road to Kamp Drive the speed limit shall be 35 miles per hour.
8. From Kamp Drive to Trevor Parkway the speed limit shall be 40 miles per hour.
9. From Newton Way to Trevor Parkway the speed limit shall be 35 miles per hour.
10. From Trevor Parkway to El Charro Road the speed limit shall be 40 miles per hour.

JJ. Sunol Boulevard:

1. From Bernal Avenue to Sonoma Drive the speed limit shall be 35 miles per hour.
2. From Sonoma Drive to I-680 the speed limit shall be 40 miles per hour.

KK. Valley Avenue:

1. From Sunol Boulevard to Case Avenue the speed limit shall be 30 miles per hour.
2. From Case Avenue to Oak Vista Way the speed limit shall be 35 miles per hour.
3. From Oak Vista Way to Bernal Avenue the speed limit shall be 25 miles per hour.
4. From Bernal Avenue to South Paseo Santa Cruz the speed limit shall be 35 miles per hour.
5. From South Paseo Santa Cruz to Hopyard Road the speed limit shall be 35 miles per hour.
6. From Hopyard Road to Crestline Road the speed limit shall be 35 miles per hour.
7. From Crestline Road to Santa Rita Road the speed limit shall be 35 miles per hour.
8. From Santa Rita Road to Busch Road the speed limit shall be 35 miles per hour.
9. From Busch Road to Stanley Boulevard the speed limit shall be 40 miles per hour.

LL. Vineyard Avenue:

1. From Bernal Avenue to Montevino Drive the speed limit shall be 35 miles per hour.
2. From Montevino Drive to Vineyard Terrace the speed limit shall be 40 miles per hour.
3. From Vineyard Terrace to Machado Place the speed limit shall be 45 miles per hour.
4. From Machado Place to eastern city limits the speed limit shall be 50 miles per hour.

MM. West Las Positas Boulevard:

1. From Foothill Road to Hopyard Road the speed limit shall be 35 miles per hour.
2. From Hopyard Road to Hacienda Drive the speed limit shall be 40 miles per hour.
3. From Hacienda Drive to Stoneridge Drive the speed limit shall be 40 miles per hour.
4. From Stoneridge Drive to Santa Rita Road the speed limit shall be 40 miles per hour.

NN. Willow Road:

1. From Owens Drive to Stoneridge Drive the speed limit shall be 35 miles per hour.
2. From Stoneridge Drive to West Las Positas Boulevard the speed limit shall be 35 miles per hour. (Ord. 2206 § 1, 2020; Ord. 2196 § 1, 2019; Ord. 2154 § 1, 2017; Ord. 2139 § 1, 2016; Ord. 2087 § 1, 2014; Ord. 2063 § 1, 2013; Ord. 1959 § 1, 2007; Ord. 1882 § 2, 2003; Ord. 1875 § 3, 2003)

Chapter 11.24

STOPS AND YIELDS

Sections:

11.24.010 Stop signs.

11.24.020 Authority to install.

11.24.010 Stop signs.

Whenever any resolution of the city designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto or any railroad grade crossing at which vehicles are required to stop, the city traffic engineer shall erect and maintain stop signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances to other intersections where a stop is required and at any railroad grade crossing so designated; provided, however, stop signs shall not be erected or maintained at any entrance to an intersection when such entrance is controlled by an official traffic-control signal. Every such sign shall conform with and shall be placed as provided in the Vehicle Code. (Prior code § 5-2.30)

11.24.020 Authority to install.

The city traffic engineer is authorized to install and maintain yield signs at any intersection at which he or she deems it necessary that the right-of-way at one or more entrances thereto be yielded in a manner other than in accordance with the normal right-of-way rules established by the Vehicle Code for uncontrolled intersections as follows:

A yield sign shall be erected at those entrances to the intersection where a vehicle is required to yield the right-of-way; provided, however that such yield right-of-way signs shall not be erected upon the approaches to more than one of the intersecting streets. Every such sign shall conform with, and shall be placed as provided in the Vehicle Code. (Prior code § 5-2.40)

Chapter 18.140

PENALTIES

Sections:

- 18.140.010 Violation—Penalty.**
- 18.140.020 Voidable conveyances.**
- 18.140.030 Fines and restrictions on future development for illegal historic building demolition.**

18.140.010 Violation—Penalty.

- A. Any violation of this title shall be punishable as provided in Section 1.12.020 of this code.
- B. Any structure or sign erected, moved, altered, enlarged, or maintained, and any use of a site contrary to the provisions of this title shall be and is declared to be unlawful and a public nuisance, and the city attorney shall immediately institute necessary legal proceedings for the abatement, removal and enjoinder thereof in the manner provided by law, shall take such other steps as may be necessary to accomplish these ends, and shall apply to a court of competent jurisdiction to grant such relief as will remove or abate the structure, sign or use, and restrain or enjoin the person, firm, corporation or organization from erecting, moving, altering or enlarging the structure or sign or using the site contrary to the provisions of this title.
- C. All remedies provided for in this section shall be cumulative and not exclusive. (Ord. 1168 § 3, 1984; prior code § 2-12.22)

18.140.020 Voidable conveyances.

Any deed of conveyance, sale or contract to sell made contrary to the provisions of this title shall be voidable at the sole option of the grantee, buyer or person contracting to purchase, his or her heirs, personal representative, or trustee in insolvency, or bankruptcy, within one year after the date of execution of the deed of conveyance, sale or contract to sell; but the deed of conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer, or person contracting to purchase other than those above enumerated, and upon the grantor, vendor, or person contracting to sell or his or her assignee, heir, or devisee. (Prior code § 2-12.23)

18.140.030 Fines and restrictions on future development for illegal historic building demolition.

- A. Any property owner who demolishes, or causes to be demolished, any historic building in the city is subject to fines and restrictions on future development unless the owner received prior written city approval: in conjunction with a new development application or other code provision; or the chief building and safety official made a determination of a dangerous building pursuant to Chapter 20.32.
 - 1. A “historic building” is a building which meets the eligibility criteria for the National Register of Historic Places or the California Register of Historical Resources; is listed as a historic resource in the Pleasanton General Plan; or is a historic resource determined by the city in other documents.
 - 2. “Demolition” means: dismantlement, tear down, or deconstruction of buildings, structures and their components, or portions thereof; removal of a historic building from its original site (unless approved by the city); and demolition by neglect (see Sections 9.28.025 and 18.74.200). Alterations to a historic building beyond the approvals granted by the city can also be a demolition.
- B. Fines. In the reasonable determination of the director of community development, the fine for an unpermitted demolition shall be based on an amount up to the greater of: (1) the appraised value of the building, or altered portions of the building, before demolition, using a licensed appraiser selected by the city; or (2) the replacement value of the demolished building, or altered portion[of the building.
- C. Restrictions on Future Development. New or replacement development on the property shall not exceed the demolished historic building’s original:
 - 1. Square footage;

2. Floor area ratio;
3. Height; and
4. Location (e.g., setbacks and separation between structures).

If the original historic building's size, height, or location does not comply with current zoning (i.e., it was legal nonconforming), a new or replacement development shall not be allowed to continue such noncompliance, unless otherwise approved by the city.

New or replacement construction shall be built in the same or another appropriate historical style as described in the Pleasanton Downtown Historic Context Statement (2015) or other city document; and shall be of the same or better quality of design and level of architectural detail as the building that was altered or demolished.

These restrictions shall be in place for a period of 20 years from the date of the unlawful demolition; and shall be recorded against the title of the property as a Notice of Violation and Covenant of Future Development Restrictions.

An owner may be relieved of these restrictions in conjunction with a subsequent zoning approval from the zoning administrator, planning commission or city council.

- D. Decisions made pursuant to this section are subject to appeal as provided in Chapter 18.144. (Ord. 2204 § 3, 2019)

Chapter 18.144

APPEALS

Sections:

- 18.144.010** City council review.
- 18.144.020** Appeal to planning commission or city council.
- 18.144.030** Public hearing on appeal.
- 18.144.040** Action on appeal.
- 18.144.050** Administrative appeal procedure.

18.144.010 City council review.

The city council may elect to review an action of the planning commission or zoning administrator within 15 days following such action, or at its next regular meeting, whichever is later. If the council elects to review an action and declines to confirm the decision, a public hearing shall be held by the council. The hearing shall be set and notice given as prescribed in Section 18.12.040 of this title. (Ord. 1586 § 11, 1993; prior code § 2-5.09)

18.144.020 Appeal to planning commission or city council.

Where this title provides for an appeal of a decision of the zoning administrator, the Building Inspector, or the planning commission, the appeal shall be filed within 15 days of the date of the decision being appealed and shall be filed with the secretary in the case of an appeal of the zoning administrator or the commission and with the city clerk in the case of an appeal to the city council. The appeal shall be made on a form approved by the commission and shall state specifically wherein it is claimed there was an error or abuse of discretion by the person or body making the decision or wherein a decision following a public hearing is not supported by the evidence in the record. (Ord. 1656 § 1, 1995; Ord. 1520 § 5, 1991; prior code § 2-5.10)

18.144.030 Public hearing on appeal.

The body designated by this chapter to hear an appeal shall hold at least one public hearing within 40 days of the date when the appeal was filed. The hearing shall be set and notice given as prescribed in Section 18.12.040 of this title. (Prior code § 2-5.11)

18.144.040 Action on appeal.

Within 40 days following the closing of a public hearing on an appeal, the body hearing the appeal shall render its decision. A decision by the zoning administrator or the planning commission shall become final 15 days after it is made, unless appealed, and a decision by the city council shall be final immediately after it is made. If an appealed decision is reversed or modified, the body hearing the appeal shall, on the basis of the record transmitted and such additional evidence as may be submitted, make the findings required by this chapter as prerequisite to granting the application or shall specifically decline to make such findings. (Ord. 1520 § 5, 1991; prior code § 2-5.12)

18.144.050 Administrative appeal procedure.

An appeal may be made to the planning commission by any interested party of any administrative determination or interpretation made by the zoning administrator or the building inspector under this title. An appeal shall be made on a form prescribed by the commission and shall be filed with the secretary. The planning commission may affirm, modify or reverse any administrative determination or interpretation from which appeal is made, and in making its decision shall be guided by the objectives of this title. The decision of the commission shall be rendered within 30 days after filing, unless the applicant shall consent to an extension of time. A decision of the planning commission may be appealed to the city council by the applicant within 15 days of the date of the decision or, in the event no decision is rendered, within 15 days following the time period prescribed for a decision by the commission. (Ord. 1656 § 1, 1995; prior code § 2-12.19)

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 2020, and will be periodically updated by Quality Code Publishing as statutes are revised.

Contents:

General Provisions.....	SR-2
Administration and Personnel	SR-2
Revenue and Finance.....	SR-3
Business Licenses, Taxes and Regulations.....	SR-3
Animals.....	SR-4
Health and Safety.....	SR-4
Public Peace, Morals and Welfare.....	SR-5
Vehicles and Traffic	SR-5
Streets, Sidewalks and Public Places.....	SR-5
Public Services	SR-6
Buildings and Construction	SR-6
Subdivisions	SR-6
Zoning.....	SR-6
Environmental Protection	SR-6

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—9295 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 § 6250 et seq.

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—36904

Police power

Cal. Const. Art. XI § 7

Procedure for enactment, amendment or repeal 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—36525**

City records

Gov't Code §§ 34090—34090.8

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—8669.7

* 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
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

Financial powers, annual budget
Gov't Code § 37200

Financial powers
Gov't Code §§ 37201—37210

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
Str. & Hwys. 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.**

Occupancy taxes
Rev. & Tax. Code § 7280 et seq.

Unclaimed property
Civil Code § 2081 et seq.

Uniform Public Construction Cost Accounting Act (Bidding on public contracts)
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—23791

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STATUTORY REFERENCES

Authority to license businesses

Bus. & Prof. Code § 16000 et seq.

Gov't Code § 37101

Automatic checkout systems

Civil Code § 7100 et seq.

Bingo

Penal Code §§ 326—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.

Pet boarding facilities

Health & Safety Code § 122380 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

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 §§ 49000—49620

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 and rubbish abatement

Gov't Code § 39501 et seq.

Medical cannabis

Health & Safety Code § 11362.83

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Single user restrooms
Health & Safety Code § 118600

Public Peace, Morals and Welfare

Crimes against property
Penal Code §§ 450—593g

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—420.1

Criminal storage of firearm
Penal Code §§ 25100—25140

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 § 21400 et seq.

Traffic signs, signals and markings
Vehicle Code §§ 21350—21468

Turning movements and signals
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
Str. & Hwys. Code §§ 5870—5895.54

Improvement Act of 1911
Str. & Hwys. Code §§ 5000—6794

Landscaping and Lighting Act of 1972
Str. & Hwys. Code §§ 22500—22679

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

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

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STATUTORY REFERENCES

Tree Planting Act of 1931

Str. & Hwys. Code §§ 22000—22202

Underground utility districts

Gov't Code § 38793

Str. & Hwys. Code § 5896.1 et seq.

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 § 5200 et seq.

State Housing Law

Health & Safety Code §§ 17910—17998.3

Subdivisions

Subdivision Map Act

Gov't Code §§ 66410—66499.38

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—66499.58

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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**Ordinance
Number**

- 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 (Repealed by 2184)
- 2173 Approves development agreement (Special)
- 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)
- 2181 Approves application for PUD (Special)
- 2182 Urgency ordinance prohibiting new or expanded massage establishments in downtown specific plan area (Repealed by 2195)
- 2183 Amends and extends urgency Ord. 2182 regarding massage establishments (Repealed by 2195)
- 2184 Repeals Ord. 2172, rezone (Repealer)
- 2185 Amends § 3.32.010, contracting procedures for public projects (3.32)
- 2186 Approves application for PUD (Special)
- 2187 Approves application for PUD (Special)
- 2188 Amends § 18.110.010(B), personal wireless service facilities (18.110)
- 2189 Rezone (Special)
- 2190 Approves application for PUD (Special)
- 2191 Adds Ch. 6.38; amends §§ 6.36.010 and 13.08.090; repeals § 11.64.120, sidewalk vending (6.36, 6.38, 11.64, 13.08)
- 2192 Adds § 11.36.160 and Ch. 17.14; amends §§ 1.24.010, 2.29.070, 2.38.020, 5.28.010, 11.36.100, 14.04.090, 14.04.130, 17.16.020, 17.16.025, 17.16.050, 18.84.160, 18.124.100, 18.124.270 and Chs. 3.22, 3.26 and 17.40; repeals Ch. 17.46, omnibus ordinance (1.24, 2.29, 2.38, 3.22, 3.26, 5.28, 11.36, 14.04, 17.14, 17.16, 18.84, 18.124)
- 2193 Rezone (Special)
- 2194 Adds §§ 18.08.117 [18.08.017] and 18.08.278 and Chs. 18.46 and 18.81; amends §§ 17.24.020, 17.24.030, 18.08.195, 18.08.338, 18.08.382, 18.44.080, 18.56.030, 18.74.020, Table 18.84.010, 18.84.020, 18.84.030, 18.84.110, 18.84.130, 18.84.140, 18.84.150, 18.84.170, 18.84.220, 18.84.230, 18.88.020, 18.88.050, 18.88.060, 18.88.090, 18.96.020, 18.96.060, 18.120.030 and 18.120.040; re-numbers § 18.08.017 to be 18.08.018, implementation of the downtown specific plan (17.24, 18.08, 18.44, 18.46, 18.56, 18.74, 18.81, 18.84, 18.88, 18.96, 18.120)
- 2195 Amends Ch. 6.24; repeals urgency ordinances 2182 and 2183, massage (6.24)
- 2196 Amends § 11.20.010, speed limits (11.20)
- 2197 Amends Chs. 20.04—20.26, 20.36, 20.55 and 20.65, buildings and construction (20.04, 20.06, 20.08, 20.10, 20.12, 20.16, 20.20, .20.24, 20.26, 20.36, 20.55, 20.65)
- 2198 Authorizes the implementation of a community choice aggregation program (Special)
- 2199 Approves application for PUD (Special)
- 2200 Approves a change of zone, PUD and conditional use permit (Special)
- 2201 Amends § 2.04.020, councilmember salaries (2.04)

TABLES

**Ordinance
Number**

2202	Amends §§ 2.28.030, 2.32.030, 2.34.030 and 2.39.030, youth member voting (2.28, 2.32, 2.34, 2.39)
2203	Rezone (Special)
2204	Adds § 18.140.030, fines and restrictions on future development for illegal historic building demolition (18.140)
2205	Amends Ch. 3.28, purchasing and disposition of property (3.28)
2206	Amends § 11.20.010, speed limits in certain zones (11.20)
2207	Rezone (Special)

- signs 18.52.130
- standards 18.52.100
- R-1 one-family residential district
 - conditional uses
 - generally 18.32.040
 - temporary 18.32.045
 - conditions 18.32.020
 - design review 18.32.090
 - loading 18.32.070
 - parking 18.32.060
 - permitted uses 18.32.030
 - prohibited uses 18.32.050
 - purpose of provisions 18.32.010
 - signs 18.32.080
- Reasonable accommodations
 - alternatives 18.86.070
 - appeals 18.86.080
 - applicability of provisions 18.86.020
 - findings, decision 18.86.060
 - grant rescission 18.86.090
 - purpose of provisions 18.86.010
 - request 18.86.040
 - review
 - authority 18.86.030
 - procedures 18.86.050
- R districts
 - See also Specific District
 - vehicles, parking restrictions 18.84.270
- Rezones
 - See Amendments
- Right to farm
 - See RIGHT TO FARM Ch. 17.48
- RM multi-family residential districts
 - conditional uses
 - generally 18.36.040
 - temporary 18.36.045
 - conditions 18.36.020
 - design review 18.36.110
 - loading 18.36.090
 - parking 18.36.080
 - permitted uses 18.36.030
 - prohibited uses 18.36.050
 - purpose of provisions 18.36.010
 - RM-1,500 reduced site area 18.36.060
 - signs 18.36.100
 - transit incentive 18.36.095
 - underground utilities 18.36.070
- RO residential overlay district
 - applicability of provisions 18.64.030
 - area plan 18.64.080
 - density 18.64.060
 - initiation 18.64.020
 - limitations 18.64.050
 - lot size 18.64.040
 - purpose of provisions 18.64.010
 - size, location 18.64.070
- Satellite earth station development standards
 - building permit required 18.112.030
 - nonresidential districts 18.112.020
 - residential districts 18.112.010
- Screening
 - materials, maintenance 18.84.180
 - open uses 18.84.220
 - parking, loading facilities 18.84.190
 - uses adjoining
 - R-1 districts 18.84.200
 - RM districts 18.84.210
- SF service facilities overlay district
 - applicability of provisions 18.82.030
 - designation 18.82.020
 - purpose of provisions 18.82.010
 - standards 18.82.040
- Signs
 - See also Specific District
 - A, R districts 18.96.040
 - adjoining highways, freeways 18.96.110
 - C, I, MU districts 18.96.060
 - design review 18.96.150
 - exceptions, temporary 18.96.160
 - exemptions from provisions 18.96.030
 - nonconforming, removal 18.96.140
 - O districts 18.96.050
 - P, S districts 18.96.080
 - political, community event announcements
 - authority 18.100.090
 - definitions 18.100.030
 - exceptions to provisions 18.100.140
 - exemptions from provisions 18.100.020
 - illegal, removal 18.100.080
 - posting 18.100.040

ZONING

- prohibited where 18.100.050
- purpose of provisions 18.100.010
- removal 18.100.060
- removal, storage, notice, return 18.100.110
- removal fees 18.100.120
- removal procedures 18.100.100
- responsibility 18.100.130
- time, size limits 18.100.070
- purpose of provisions 18.96.010
- Q districts 18.96.070
- railroad rights-of-way 18.96.120
- requirements generally 18.96.020
- temporary
 - adjacent to freeways 18.96.100
 - subdivision 18.96.090
 - zoning certificate required 18.96.130
- Site, yards
 - area, dimension measurement 18.84.030
 - depth adjoining freeway, railroad 18.84.060
 - front 18.84.080
 - nonconforming 18.84.070
 - related to height of structure 18.84.100
 - side, rear 18.84.090
- S study district
 - annexed territory 18.60.020
 - conditional uses 18.60.060
 - conditions 18.60.040
 - design review 18.60.100
 - loading 18.60.080
 - parking 18.60.070
 - permitted uses 18.60.050
 - purpose of provisions 18.60.010
 - reclassification to 18.60.030
 - signs 18.60.090
- Supportive, transitional housing
 - applicability of provisions 18.107.020
 - purpose of provisions 18.107.010
 - standards
 - supportive housing 18.107.030
 - transitional housing 18.107.040
- Temporary uses
 - C district 18.116.020
 - Christmas tree sales 18.116.050
 - conditional
 - generally 18.116.010
 - R districts 18.116.015
 - downtown accessory entertainment uses 18.116.060
 - fairground parking 18.116.030
 - outdoor uses 18.116.040
- Trailers, trailer parks
 - conditions 18.108.030
 - occupancy requirements 18.108.010
 - parking restrictions 18.108.020
 - school sites 18.108.040
- Uses
 - See also Specific District
 - Conditional uses
 - not listed, determination
 - appeals 18.128.060
 - application 18.128.020
 - by administrator, commission, time limit 18.128.040
 - effective date 18.128.050
 - investigation 18.128.030
 - purpose of provisions 18.128.010
- Variances
 - action on
 - by administrator 18.132.050
 - time limit 18.132.080
 - application
 - fees 18.132.040
 - requirements 18.132.030
 - application after denial 18.132.160
 - decision, effective date 18.132.120
 - findings
 - generally 18.132.090
 - parking, loading 18.132.110
 - signs 18.132.100
 - hearing 18.132.060
 - investigation 18.132.070
 - lapse 18.132.140
 - limitations 18.132.170
 - purpose of provisions 18.132.010
 - review, appeals 18.132.130
 - revocation 18.132.150
- Violations
 - historic building demolition, penalties 18.140.030
 - penalties 18.140.010
 - voidable conveyances 18.140.020