

ORDINANCE NO. 2023 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AMENDING TITLE 11 OF THE NATIONAL CITY MUNICIPAL CODE – VEHICLES AND TRAFFIC BY REPEALING CHAPTER 11.68 (CRUISING) AND IMPLEMENTING THE CITY’S PARKING PROGRAM.

NOW, THEREFORE, the City Council of the City of National City does ordain as follows:

SECTION 1. FINDINGS. The City Council of the City of National City hereby finds and declares as follows:

WHEREAS, in 1951, the City of National City approved and adopted Ordinance No. 827, which established regulations and governance related to motor vehicles and traffic, with various amendments approved by the City Council through 2017; and

WHEREAS, effective parking management plays a critical role in the economic vitality of businesses, ease of access for residents and convenience for visitors as the City continues to grow and develop; and

WHEREAS, the City is undertaking a refresh of their parking program which includes plans for improved enforcement technology and citation management, permit management, expansion of permit parking areas, increased parking supply, uniformity of time-limited parking for increased turnover, and other parking solutions; and

WHEREAS, the City is repealing the ban on car cruising consistent with the State Assembly’s previous encouragement of the recognition of the cultural significance of cruising in California as well as the introduction of the new state bill (AB 436) that proposes to repeal the ban and regulations on car cruising.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY HEREBY ORDAINS AS FOLLOWS:

SECTION 2. That Title 11 of the National City Municipal Code is amended to read as set forth in Attachment 1 attached to this Ordinance.

SECTION 3. This Ordinance shall take effect and be enforced thirty (30) days following its adoption by the City Council.

SECTION 4. The City Clerk shall certify to the adoption of this Ordinance and shall publish in accordance with the law.

INTRODUCED at a regular meeting of the City Council of the City of National City, held on this 4th day of April, 2023.

PASSED and ADOPTED this 18th day of April, 2023

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney

Title 11 VEHICLES, TRAFFIC AND PARKING

Chapter 11.01 GENERAL PROVISIONS

11.01.010 Purpose

- A. The purpose of this title is to provide a convenient compilation of the rules and regulations governing and controlling the movement of motor vehicles and traffic in the City of National City (City).
- B. It is the intent of the city council to make these rules and regulations available to the general public in support of the following initiatives:
 - 1. Provide for the safe, orderly flow of traffic through the City.
 - 2. Provide “complete streets” that balance the needs of all roadway users.
 - 3. Provide access to alternative modes of transportation.
 - 4. Provide smart parking solutions.
- C. This title is adopted to supplement the State of California Vehicle Code (CVC), which contains general statutes adopted by the State of California legislature regarding traffic laws, “rules of the road,” and local regulation. The CVC provides authority to local agencies to adopt rules and regulations for traffic control, parking and enforcement by ordinance or resolution. Any reference herein to the CVC, or a specific section thereof, shall refer to the most currently amended edition.

(Ord. XXX)

Chapter 11.04 DEFINITIONS

11.04.010 General.

- A. The following words and phrases when used in this title shall for the purpose of this title have the meanings respectively ascribed to them in this chapter.
- B. Whenever any words or phrases used in this title are defined in the CVC, such definitions are incorporated herein and apply to such words and phrases used herein as though set forth herein in full.
- C. Whenever any words or phrases used herein are not defined herein but are defined in the CVC and amendments thereto, such definitions shall apply.(Ord. 827 § 1, 1951)

11.04.020 Definitions.

- A. “Alley” means any unnamed street less than twenty-five feet in width between property lines, primarily used for access to the rear or side entrances of abutting properties.
- B. “Block” means the land adjoining one side of a street between two consecutive junctions of said street with streets, railways, rights-of-way, or waterways crossing or meeting said side of said street.
- C. “CA-MUTCD” means California Manual of Uniform Traffic Control Devices published by the State of California Department of Transportation (Caltrans) and is issued to adopt uniform standards and specifications for all official traffic control devices, in accordance with Section 21400 of the CVC.
- D. “City Council” means the City Council of National City.
- E. “CVC” means California Vehicle Code, which is a rulebook containing California’s laws and regulations for drivers and vehicles.

- F. "Holiday" means any day designated as such in Section 10 of California Code of Civil Procedure; provided however, that Saturday afternoon shall not be considered a holiday for the purposes of this title.
- G. "Loading zone" means the space adjacent to the curb or edge of roadway reserved for the exclusive use of vehicles for active loading or unloading of passengers or materials.
- H. "Motor vehicle" is defined as follows:
 - 1. "Motor vehicle" means a vehicle or device that is self-propelled.
 - 2. "Motor vehicle" does not include a self-propelled wheelchair, motorized tricycle, or motorized quadricycle, if operated by a person who, by reason of physical disability, is otherwise unable to move about as a pedestrian.
- I. "Official time standard," which applies whenever certain hours are named herein, refers to standard time or daylight saving time as may be in current use in the City.
- J. "Official traffic control device" includes any sign, signal, marking or device defined in the CA-MUTCD, and not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic, but does not include islands, curbs, traffic barriers, speed humps, speed bumps or other roadway design features.
- K. "Official traffic signal" includes any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed and which is erected by authority of a public body or official having jurisdiction.
- L. "Oversized vehicle or load" means any building, structure, vehicle, load, trailer, or combination thereof, which exceeds the height, width, length, size or weight of vehicle or load limitations provided for in Division 15 of the CVC.
- M. "Park" means to stand or leave standing any vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading of passengers or materials.
- N. "Parking Authority" means the Parking Authority of the City of National City established by City Council Resolution 12,402 in accordance with Division 18 of the California Streets and Highways Code.
- O. "Parking Meter" means a mechanical, electro-mechanical or electronic device installed for the purpose of controlling the period of time a vehicle occupies a parking space.
- P. "Parking Regulations Officer" means any regularly employed City or contracted employee authorized to direct or regulate traffic or to enforce parking law and regulations.
- Q. "Parkway" means that portion of a street between the curb line or edge of roadway and the adjacent property line not designated for use by vehicles, bicycles or pedestrians.
- R. "Pay Station" means a multi-space parking meter that allows for a single location for the payment and control of parking for multiple parking spaces placed at various locations along streets or on surface lots.
- S. "Pedestrian" is a person who is afoot or who is using any of the following:
 - 1. A means of conveyance propelled by human power other than a bicycle, or
 - 2. An electric personal assistive mobility device.
- T. "Person" means every natural person, firm, co-partnership, association or corporation.
- U. "Police officer" means every officer of the police department of this City or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic laws and regulations.
- V. "Recreational vehicle" means any camp trailer, camper, fifth-wheel travel trailer, trailer coach, or house car as defined in CVC Sections 242, 243, 324, 362, 396, 635, recreational vehicle as defined in California Health

and Safety Code Section 18010, or boat or boat on a trailer, regardless of whether the boat or boat on a trailer is attached to a motor vehicle or carrier trailer as defined in CVC 14.005.

W. "Roadway" is defined as follows:

1. "Roadway" means that portion of a street improved, designed, or ordinarily used by motor vehicles.
2. "Roadway" may include designated areas for shared or exclusive use of bicycles.

X. "Stop" is defined as follows:

1. "Stop," when required, means complete cessation of movement.
2. "Stop" or "stand," when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

Y. "Traffic" means pedestrians, bicycles, ridden or herded animals, vehicles and other conveyances either singly or together while using any street for purposes of travel.

(Ord. XXX)

Chapter 11.08 ADMINISTRATION

11.08.010 City engineer.

The office of the City Engineer is established. The City Engineer shall serve as city traffic engineer, in addition to their other functions, and shall exercise the powers and duties with respect to traffic as provided in this title.

(Ord. 1428 (part), 1974; Ord. 827 § 20, 1951)

11.08.020 Signs—Installation and maintenance.

Whenever in this title signs or other notices are authorized, it shall be the duty of the Director of Public Works or designee to install and to maintain the signs or other notices.

(Ord. 827 § 90, 1951)

Chapter 11.12 ENFORCEMENT

11.12.010 Police—Fire department—Authority.

- A. It shall be the duty of the officers of the police department or such officers as are assigned by the Chief of Police to enforce all street traffic laws of this City and all of the state vehicle laws applicable to street traffic in this City.
- B. Officers of the police department or such officers as are assigned by the Chief of Police are authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.
- C. Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

(Ord. 827 § 21, 1951)

11.12.015 Community development department—Authority.

- A. The Director of Community Development is hereby authorized to designate regularly employed and/or contracted employees as parking regulations officers.
- B. Parking regulations officers shall enforce the provisions of this title and the CVC related to regulation of traffic and to stopping, standing and parking of vehicles.

(Ord. XXX)

11.12.020 Obedience required—Regulations.

It is a misdemeanor for any person to perform any act forbidden or fail to perform any act required in this title.

(Ord. 827 § 22, 1951)

11.12.030 Obedience required—Enforcing officers.

No person shall willfully fail or refuse to comply with any lawful order of a police officer or fire department official or other person authorized by law when directing traffic.

(Ord. 827 § 23, 1951)

11.12.040 Unauthorized person directing traffic prohibited.

No person other than an officer of the police department or a person deputized by the Chief of Police or person authorized by law or other persons designated by resolution of the city council shall direct or attempt to direct traffic by voice, hand or other signal (except that persons may operate when and as herein provided any mechanical push-button signal erected by order of the city traffic engineer).

(Ord. 827 § 24, 1951)

11.12.050 Obedience required—Public employees.

The provisions of this title shall apply to the driver of any vehicle owned by or used in the service of the United States government, this state, any county or city and it is unlawful for any said driver to violate any of the provisions of this title except as otherwise permitted in this title or by state statute.

(Ord. 827 § 25, 1951)

11.12.060 Exemptions—Certain vehicles.

- A. The provisions of this title regulating the operation, parking and standing of vehicles shall not apply to any vehicle of the police or fire department, any public ambulance or public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this section is operated in the manner specified in the CVC in response to an emergency call.
- B. The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of their willful disregard of the safety of others.
- C. The provisions of this title regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while necessarily in use for construction or repair work or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail; or during the periods of proclaimed national emergency to any vehicle owned or operated by the Department of the Army, Navy or Air Force.

-
- D. Pursuant to the CVC, Section 22511.5 (a)(1): A disabled person (DP) or disabled veteran (DV) displaying special license plates issued under Section 5007 or a distinguishing placard issued under Section 22511.55 or 22511.59 is allowed to park for any amount of time (not to exceed 72 consecutive hours) in any of the following zones:
1. Blue indicates parking limited exclusively to the vehicles of disabled persons and disabled veterans next to a blue curb authorized for handicapped parking or on streets upon which preferential parking privileges and height limits have been given pursuant to Section 22507 of the CVC.
 2. In any parking zone that is restricted as to the length of time parking is permitted as indicated by a sign erected pursuant to a local ordinance.
 3. For free at any on-street metered parking space.
 4. A disabled person or disabled veteran is allowed to park in any paid parking space without being required to pay parking fees.
 - 5.. This subdivision does not apply to a zone for which state law or ordinance absolutely prohibits stopping, parking, or standing of all vehicles, or which the law or ordinance reserves for special types of vehicles, or to the parking of a vehicle that is involved in the operation of a street vending business.
 6. A disabled person or disabled veteran is allowed to park a motor vehicle displaying a special disabled person license plate or placard issued by a foreign jurisdiction with the same parking privileges authorized in this code for any motor vehicle displaying a special license plate or a distinguishing placard issued by the Department of Motor Vehicles.

(Ord. 827 § 26, 1951)

11.12.070 Property damage report—Required when.

- A. The driver of a vehicle or the person in charge of any animal involved in any accident resulting in damage to any property publicly owned or owned by a public utility, including but not limited to any fire hydrant, ornamental lighting post, telephone pole, electric light or power pole, or resulting in damage, to any ornamental shade tree, traffic control device, or other property of a like nature located in or along any street, alley or other public place, shall within twenty-four hours after such accident make a written report of such accident to the police department of this city.
- B. Every such report shall state the time when and the place where the accident took place, the name and address of the person owning and of the person driving or in charge of such vehicle or animal, the license number of every such vehicle, and shall briefly describe the property damaged in such accident.
- C. A driver involved in an accident shall not be subject to the requirements or penalties of this section if and during the time such driver is physically incapable of making a report, but in such event such driver shall make a report as required in subsection A within twenty-four hours after regaining ability to make such report.

(Ord. 827 § 27, 1951)

11.12.080 Violation—Penalty.

Any person violating any of the provisions of this Title is guilty of an infraction and upon conviction thereof, unless otherwise provided, is punishable as prescribed in Section 1.20.010.

(Ord. 1621, 1978; Ord. 1358 § 2 (part), 1973; Ord. 827 § 91, 1951)

11.12.090 Parking violation—Penalties.

The penalties for violations of the provisions of this Title and the CVC related to stopping, standing and parking of vehicles shall be established by the city council pursuant to CVC Section 40203.5.

(Ord. XXX)

Chapter 11.16 SPEED LIMITS

11.16.010 Speed zones designated.

- A. Whenever the City Manager determines, upon the basis of an engineering and traffic survey that a speed greater than 25 miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any street otherwise subject to a prima facie limit of 25 miles per hour under the CVC, the City Manager may determine and declare a prima facie speed limit of 30, 35, 40, 45, 50, 55, or 60 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving such notice thereof are erected upon said street. All increases in speed limits will require review by the Traffic Safety Committee.
- B. Whenever the City Manager determine upon the basis of an engineering and traffic survey that the maximum speed limit of 60 miles per hour is more than is reasonable or safe upon any portion of any street or highway where such maximum speed limit of 60 miles per hour is applicable under the CVC, the City Manager may determine and declare a prima facie speed limit of 55, 50, 45, 40, 35, 30, or 25 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie limit shall be effective when appropriate signs giving notice thereof are erected upon such street.
- C. The provisions of this section shall not apply to any state highway or extension thereof.

(Ord. 2273, 2005; Ord. 2149, 1998; Ord. 2045 §§ 1—4, 1992; Ord. 2043 §§ 1—4, 1992; Ord. 1963, 1988; Ord. 1960, 1988; Ord. 1931, 1987)

(Ord. No. 2012-2378, 12-4-2012; Ord. No. 2017-2443, 12-19-2017)

11.16.020 Signs erected.

It is authorized and directed that appropriate signs giving notice of the speed zones designated in Section 11.16.010 be erected on the streets named in Section 11.16.010.

(Ord. 1884, 1986)

Chapter 11.20 TRAFFIC CONTROL DEVICES

11.20.010 Installation—Authority.

- A. The Director of Public Works shall cause to be placed and maintained official traffic control devices when and as required by resolution or ordinances of this city.

-
- B. Whenever the CVC requires for the effectiveness of any provision thereof that traffic control devices be installed to give notice to the public of the application of such law the Director of Public Works is authorized to cause to be installed the necessary devices subject to any limitations or restrictions set forth in the law applicable thereto.

(Ord. 827 § 28, 1951)

11.20.020 Enforcement—Signs required.

No provision of the CVC or of this title for which signs are required shall be enforced against an alleged violator unless appropriate signs are in place and sufficiently legible to be seen by an ordinarily observant person, giving notice of such provisions of the traffic laws.

(Ord. 827 § 29, 1951)

11.20.030 Obedience required.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic ordinances of this city unless otherwise directed by a police officer subject to the exceptions granted the driver of an authorized emergency vehicle when responding to emergency calls.

(Ord. 827 § 30, 1951)

11.20.040 Installation—Procedure.

- A. When directed by resolution or ordinance of the city council the Director of Public Works shall cause to be installed and maintained official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard.
- B. The City Engineer shall ascertain and determine the locations where such signals are required through field observations, traffic counts and other traffic information as may be pertinent and their determinations therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth in the CA-MUTCD.
- C. Whenever the Director of Public Work scauses to be installed and maintained an official traffic signal at any intersection, they shall likewise cause to be erected and maintained at such intersection street name signs visible to the principal flow of traffic unless such street name signs have previously been placed and are maintained at any such intersection.

(Ord. 827 § 31, 1951)

11.20.050 Lane markings.

The City Engineer is authorized to mark center lines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway. When authorized signs have been placed designating off-center traffic lanes, no person shall disobey the instructions given by such signs.

(Ord. 827 § 32, 1951)

11.20.060 Existing devices.

All traffic control devices heretofore installed by the city and in place on the effective date of the ordinance codified herein are approved.

(Ord. 827 § 33, 1951)

11.20.070 Hours of operation.

The City Engineer shall determine the hours and days during which any traffic control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this title.

(Ord. 827 § 34, 1951)

11.20.080 Speed regulation.

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

(Ord. 827 § 89, 1951)

Chapter 11.24 TURNING MOVEMENTS

11.24.010 Marking—Authority.

- A. The City Engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and the City Engineer is authorized to allocate and indicate more than one lane of traffic from which drivers of vehicles may make right or left hand turns, and the course to be traveled as indicated may conform to or be other than as prescribed by law or ordinance.
- B. When authorized marker, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

(Ord. 827 § 35, 1951)

11.24.020 Restricting signs—Authority.

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

(Ord. 827 § 36, 1951)

11.24.030 Restricting signs—Obedience required.

Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

(Ord. 827 § 37, 1951)

11.24.040 Right turn against signal prohibited—Authority.

The City Engineer is authorized to determine those intersections within any business or residence district at which the driver of a vehicle shall not make a right turn against a red or stop signal and shall erect proper signs giving notice of such prohibition. No driver of a vehicle shall disobey the directions of any such sign.

(Ord. 827 § 38, 1951)

Chapter 11.28 ONE-WAY STREETS AND ALLEYS

11.28.010 Sign erection.

Whenever any ordinance or resolution of the city designates any one-way street or alley, the Director of Public Works or designee shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(Ord. 827 § 39, 1951)

Chapter 11.32 STOPPING, STANDING AND PARKING

11.32.010 Stop sign—Erection—Authority.

Whenever any ordinance or resolution of this city designates and describes any street or portion of 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 Director of Public Works or designee 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 of other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in the CA-MUTCD.

(Ord. 1024 § 1, 1962; Ord. 827 § 40, 1951)

11.32.020 Stop sign—Obedience required.

When stop signs are erected as provided in this chapter at the entrance to any intersection or at any railway grade crossing, every driver of a vehicle shall stop as required by the CVC.

(Ord. 827 § 41, 1951)

11.32.030 Emerging from alley or private driveway.

The driver of a vehicle emerging from an alley, driveway, private property or building, shall stop such vehicle immediately prior to driving onto a sidewalk or into a sidewalk area extending across any alley way.

(Ord. 827 § 42, 1951)

11.32.040 Regulations—Applicability.

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

(Ord. 827 § 56, 1951)

11.32.050 Parkways—Stopping in prohibited.

No person shall stop, stand or park a vehicle within any parkway.

(Ord. 827 § 57, 1951)

11.32.060 Vehicle storage on streets.

- A. No person who owns or has possession, custody, or control of any vehicle shall park such vehicle upon any street or alley for more than seventy-two consecutive hours.
- B. It is unlawful for any person to re-park a vehicle under their control or in their custody within the same block face after the expiration of seventy-two consecutive hours.
- C. In the event a vehicle is parked or left standing upon a street for more than seventy-two consecutive hours, any member of the police department authorized by the Chief of Police may remove such vehicle from the street in the manner and subject to the requirements of Sections 22852 and 22853 or other applicable sections of the CVC.

(Ord. 1117 § 1, 1965: Ord. 1024 § 3, 1962: Ord. 827 § 58, 1951)

11.32.070 Violation of restricted hours—Vehicle removal.

In the event a vehicle is parked or left standing during restricted hours upon a street where parking has been prohibited by resolution of the city council, and signs giving notice thereof are thereon erected, any member of the police department authorized by the Chief of Police may remove such vehicle from the street in the manner provided by and subject to the requirements of the CVC.

(Ord. 1024 § 4, 1962: Ord. 827 § 59, 1951)

11.32.080 Storage or repair of vehicles prohibited.

- A. Except for emergency repairs, no person shall grease or repair a vehicle upon any public street or public property.
- B. It is unlawful for any person who deals in, or whose business involves the sale, lease, rental or charter of vehicles to store, park or stand any such vehicle upon any public street, except while such vehicle is under lease, rental or charter by a customer.
- C. It is unlawful for any person whose business involves the repair or servicing of vehicles or vehicle components to store, stand or park any vehicle on any public street or public property after that person has accepted custody of that vehicle from the customer.

(Ord. 2229 § 4, 2003: Ord. 827 § 60, 1951)

11.32.090 Parking parallel—Curb.

- A. Subject to other and more restrictive limitations, a vehicle may be stopped or parked within eighteen inches of the left-hand curb facing in the direction of traffic movement upon any one-way street unless signs are in place prohibiting such stopping or standing.
- B. In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are in place permitting such standing or parking.
- C. The City Engineer is authorized to determine when standing or parking shall be prohibited upon the left-hand side of any one-way street or when standing or parking may be permitted upon the left-hand side of any one-way roadway of a highway having two or more separate roadways; the Director of Public Works or designee shall erect signs giving notice thereof.

(Ord. 827 § 61, 1951)

11.32.100 Angle loading—Prohibited.

The City Engineer prohibits the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials in a head-in angled parking stall.

(Ord. 827 § 62, 1951)

11.32.101 Angle parking zones.

The Director of Public Works is authorized to place or cause to be placed pavement markings and signs designating angle parking zones, as determined by the City Engineer.

(Ord. 1900 (part), 1987; Ord. 1793, 1983)

11.32.105 Parking space markings. The Director of Public Works is authorized to install and maintain parking space markings to delineate parking spaces adjacent to curbs or in angle parking zones where authorized parking is permitted, as determined by the City Engineer. When such parking space markings are placed on a roadway, subject to other and more restrictive limitations, no vehicle shall be stopped, left standing or parked other than within a single space as delineated by said markings.

(Ord. XX)

11.32.110 Near schools.

- A. The Director of Public Works is authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation, as determined by the City traffic Engineer.
- B. When official signs are erected indicating no parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place.

(Ord. 827 § 63, 1951)

11.32.120 Narrow streets.

- A. The Director of Public Works is authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty feet, or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty feet.
- B. When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking.

(Ord. 827 § 64, 1951)

11.32.130 Hills.

No person shall park or leave standing any vehicle unattended on a highway when upon any grade exceeding three percent within any business or residence district without blocking the wheels of such vehicle by turning them against the curb or by other means.

(Ord. 827 § 65, 1951)

11.32.140 Stopping or parking prohibited—Signs required.

The Director of Public Works or designee shall appropriately sign or mark the following places and when so signed or marked no person shall stop, stand or park a vehicle in any of such places:

-
- A. Within a designated no parking zone as indicated by signs or red curb markings;
 - B. Within fifteen feet of a fire hydrant;
 - C. Within twenty-five feet of the approach to any traffic signal, stop sign, or yield sign;
 - D. At any place where the City Engineer determines that it is necessary in order to eliminate an unusual traffic hazard;
 - E. Except where a different distance is prescribed by City Council resolution, within fifty feet of any intersection marked with a sign that prohibits any vehicle whose height with or without a load exceeds six feet;
 - F. At any location where parking is restricted or prohibited between hours designated by resolution of the city council;
 - G. Any vehicle parked in violation of this section may also be towed after a parking citation has been issued, provided a sign has been posted authorizing the removal of vehicles parked in violation of such parking restriction.

(Ord. 2267 § 2 (part), 2005; Ord. 827 § 66, 1951)

11.32.150 Unlawful parking—Vending by vehicle.

- A. It is unlawful to park or stop a vehicle upon which merchandise is displayed or offered for sale or lease, upon any street, except upon the request of a purchaser and then only for the actual time necessary to consummate a sale, not to exceed a total of ten minutes at that location or at any immediately succeeding location that is within three hundred feet of the former location where the vendor completed the immediate last transaction.
- B. The pick-up or delivery of merchandise is not regulated or made unlawful by this section.
- C. The parking of a vehicle upon which merchandise is transported but is not being displayed or offered for sale is not made unlawful by this section, provided the vehicle is otherwise lawfully parked.
- D. As used in this section, "merchandise" is as defined in Section 10.22.010C.

(Ord. 2168 § 6, 1999; Ord. 1110 § 2, 1965; Ord. 827 § 67, 1951)

11.32.160 Emergency parking signs.

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

(Ord. 827 § 68, 1951)

11.32.170 Curb parking—Right-of-way.

- A. For the purpose of this section, a "limited curb parking space" means an area open for lawful parking alongside of and adjacent to a curb, which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time.

-
- B. Any person seeking to park their vehicle in a limited curb parking space whose vehicle arrives at said parking space prior to any other vehicle, and who proceeds beyond said space a distance not to exceed ten feet for the purpose of backing his vehicle therein, shall have the right-of-way over any person driving or attempting to drive any other vehicle directly into such limited curb parking space or who in any manner obstructs such limited curb parking space and the driver of such other vehicle shall immediately yield the right-of-way to the driver who first arrived at said parking space.
 - C. The Director of Public Works shall cause to be painted on the curb adjacent to each "limited curb parking space" lines demarcating the limits of said "limited curb parking space."
 - D. It is unlawful for any vehicle to be parked in front of, over or across any such line demarcating the boundary of a "limited curb parking space."

(Ord. 945 § 1, 1959; Ord. 827 § 69, 1951)

11.32.180 Loading zone—Authority—Designation.

- A. The City Engineer is authorized to designate loading zones and passenger loading zones, to be marked by the Director of Public Works or designee as follows:
 - 1. Within a business district;
 - 2. Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly;
 - 3. Adjacent to an official United States Postal Service mailbox.
 - 4. Loading zones and passenger loading zones shall require written approval of adjacent businesses.
 - 5. If requested by a business, the applicant will pay a one-time fee as determined by the City Engineer for recoverable costs related to installation and maintenance.
- B. In no event shall more than one-half of the total curb length on any block be reserved for loading zone purposes.
- C. Loading zones shall be indicated by marking curbs with yellow paint.
- D. Passenger loading zones shall be indicated by marking curbs with white paint.

(Ord. 827 § 70, 1951)

11.32.190 Curb markings.

- A. The Director of Public Works is authorized, when designated by the City Engineer and subject to the provisions and limitations of this title to place, and when required herein shall place, the following curb markings to indicate parking or standing regulations. Said curb markings shall have the meaning as herein set forth:
 - 1. Red means no stopping, standing or parking at any time except as permitted by the CVC, and except that a bus may stop in a red zone marked or signed as a bus zone.
 - 2. Yellow means no stopping, standing or parking at any time between seven a.m. and six p.m. of any day except Sundays and holidays, unless otherwise indicated on posted signage, for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three minutes nor the loading or unloading of materials more than twenty minutes.
 - 3. White means no stopping, standing or parking at any time for any purpose other than loading or unloading of passengers, which shall not exceed three minutes.

-
4. Green means no stopping, standing or parking for longer than fifteen or thirty minutes, as marked or signed, at any time between seven a.m. and six p.m. of any day except Sundays and holidays, unless otherwise indicated on postage signage.
 5. Blue means parking reserved exclusively for disabled persons. Vehicles must display either a distinguishing license plate or placard issued pursuant to CVC Section 22511.5.B. When the Director of Public Works, as authorized under this title, has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section, and it is unlawful for any person not duly authorized, to paint or cause said curbs to be painted.
- (Ord. 827 § 71, 1951)

11.32.200 Loading permitted—Effect.

- A. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials applies only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than twenty minutes.
- B. The loading or unloading of materials applies only to commercial deliveries, and the delivery or pickup of express and parcel post packages and United States mail.
- C. Permission herein granted to stop or park for purposes of loading or unloading passengers includes the loading or unloading of personal baggage but shall not extend beyond the time necessary therefor, and in no event for more than three minutes.
- D. Within the total time limits above specified the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

(Ord. 827 § 72, 1951)

11.32.210 Loading zone—Restrictions.

No person shall stop, stand or park a vehicle in any yellow loading zone for any purpose other than loading or unloading passengers or material for such time as is permitted in Section 11.32.200.

(Ord. 827 § 73, 1951)

11.32.220 Passenger loading zone—Restrictions.

No person shall stop, stand or park a vehicle in any passenger loading zone for any purpose other than the loading or unloading of passengers for such time as is specified in Section 11.32.200.

(Ord. 827 § 74, 1951)

11.32.225 Disabled persons parking zone—Authority—Designation.

- A. The City Engineer is authorized to designate specially marked and posted on-street parking spaces for disabled persons pursuant to CVC 21101, et seq. at the following facilities:
 1. Government Buildings serving the public such as administration buildings, public employment offices, public libraries, police stations, etc.
 2. Hospitals and convalescent homes with more than 75-bed capacity.
 3. Medical facilities and doctors' offices staffed by a maximum of five practitioners. Zones shall be located to serve a maximum number of facilities on one block.
 4. Community service facilities such as senior citizens service centers, etc.

-
5. Accredited vocational training and educational facilities where no off- street parking is provided for disabled persons.
 6. Employment offices for major enterprises employing more than 200 persons.
 7. Public recreational facilities including municipal swimming pools, recreation halls, museums, etc.
 8. Public theaters, auditoriums, meeting halls, arenas, stadiums with more than 300 seating capacity.
 9. Other places of assembly such as schools and churches.
 10. Commercial and/or office building(s) with an aggregate of more than 50,000 square feet of usable floor space. Zone shall be located to serve a maximum number of facilities on one block.
 11. Hotels catering to daily guests, maintaining a ground floor lobby and a switchboard that is operated 24 hours per day.
 12. A hotel or apartment house catering to weekly or monthly guests and containing more than 30 separate living units.

B. General requirements.

1. Each disabled persons parking space shall be indicated by blue paint and a sign (white on blue) showing the international symbol of accessibility (a profile view of a wheelchair with occupant).
2. Where installed under the above criteria the total number of disabled persons curb parking spaces will be limited to 4% of the total number of on-street parking spaces available in the area and shall be distributed uniformly within the area.
3. Disabled persons parking will not be installed at locations with a full-time parking prohibition. When a disabled persons parking zone is installed where a part-time parking prohibition is in effect, the disabled persons parking zone will have the same time restrictions as the part-time parking prohibition.
4. The cost of installing disabled persons parking, not initiated by public request, will be assumed by the City on public streets and public off-street parking facilities.
5. In establishing on-street parking facilities for the disabled there shall be a reasonable determination made that the need is of an on-going nature. The intent is to prevent the proliferation of special parking stalls that may be installed for a short-term purpose but later are seldom used. Unjustified installation of such parking stalls unnecessarily increases the City's maintenance and operations costs, reduce available on- street parking for the general public, and detract from the overall effectiveness of the disabled persons parking program.
6. Applicant pays a one-time fee as determined by the City Engineer for recoverable costs related to installation and maintenance.

C. Special Hardship Cases.

1. It is not the intention of the City to provide personal reserved parking on the public right-of-way, especially in residential areas. However, exceptions may be made, in special hardship cases, provided all of the following conditions exists:
 - a. Applicant (or guardian) must be in possession of valid license plates for "disabled persons" or "disabled veterans."
 - b. The proposed disabled parking space must be in front of the applicant's (or guardian's) place of residence.
 - c. Subject residence must not have useable off-street parking available or off-street space available that may be converted into disabled parking.

11.32.230 Alley—Restrictions.

No person shall stop, stand or park a vehicle for any purpose other than the loading or unloading of persons or materials in any alley, and shall not exceed such time as specified in Section 11.32.200.

(Ord. 827 § 75, 1951)

11.32.240 Bus zones.

- A. The City Engineer is authorized to establish bus zones opposite curb space for the loading and unloading of buses or common carriers of passengers and to determine the location thereof subject to the directives and limitations set forth herein.
- B. "Bus," as used in this section, means any motor bus, motor coach, trackless trolley coach, or passenger stage used as a common carrier of passengers.
- C. No bus zone shall exceed eighty feet in length, except that when satisfactory evidence has been presented to the City Engineer showing the necessity therefor, the City Engineer may extend bus zones not to exceed a total length of one hundred twenty-five feet.
- D. Bus zones shall normally be established on the far side of an intersection.
- E. The Director of Public Works shall cause all curbs within a designated bus zone to be painted red and appropriately signed as a bus zone or bus stop.
- F. No person shall stop, stand or park any vehicle other than a bus, and only if licensed to operate said bus, within a bus zone.

(Ord. 827 § 76, 1951)

11.32.250 Taxi stands.

- A. Subject to the approval of the city council, the Chief of Police is authorized to establish taxicab stands opposite curb space for the standing of taxicabs duly licensed by the city, and to determine the location and number thereof.
- B. The Director of Public Works shall cause such curb to be painted white and appropriately signed as a taxi stand.
- C. No person shall stop, stand or park any vehicle except a taxicab, duly licensed by the City of National City, in a taxicab stand.
- D. It is unlawful for the owner, driver, or operator of any taxicab to allow the taxicab to remain stopped or otherwise standing except in a regularly established stand; provided, however, taxicabs may stop in any available parking space when actually loading or unloading passengers; provided, further, taxicabs may stop, park, or stand in a place where parking is otherwise permitted between the hours of two a.m. and nine a.m.
- E. In the event a vehicle is parked or left standing within a taxicab zone where parking has been prohibited by resolution or ordinance of the city council and signs giving notice thereof are thereon erected, any member of the police department authorized by the Chief of Police may remove such vehicle in the manner provided by and subject to the requirements of the CVC.

(Ord. 1111 § 1, 1965; Ord. 1096 § 1, 2, 1964; Ord. 827 § 77, 1951)

(Ord. 827 § 80, 1951)

11.32.300 Absolutely prohibited.

When signs are erected giving notice thereof no person shall park a vehicle at any time upon any street hereinafter designated by resolution of the city council.

(Ord. 827 § 82, 1951)

11.32.310 Temporary parking restrictions and time limit—Generally.

It is unlawful for any person to stop, stand or park any vehicle on any street in the city at any location where temporary signs have been installed by the Director of Public Works or designee prohibiting parking for purposes of maintaining or redirecting vehicular traffic during construction or street or utility service repair, provided at least twenty-four hours prior notice of such restriction has been given in accordance with CVC Section 22651(l) or (m). Any installed sign may also authorize removal of a vehicle parked in violation of such parking restriction and such vehicle may thereafter be towed after a parking citation has been issued.

(Ord. 2267 § 2 (part), 2005; Ord. 827 § 83, 1951)

11.32.320 Signs—Authorization.

Signs provided in this article shall be authorized by resolution of the city council, and shall be erected by the Director of Public Works or designee on the street or streets set forth in such resolution.

(Ord. 827 § 84, 1951)

11.32.330 Valet parking—Permits.

The Director of Public Works or designee shall establish permits for valet parking. Such permits shall be granted after receiving the recommendation of the Chief of Police. If the Director of Public Works deems necessary, the valet parking permit request shall be reviewed by the Traffic Safety Committee.

(Ord. 1219 § 1, 1969)

11.32.340 Valet parking—Defined.

"Valet parking" means a parking service conducted by the operator of private premises, through their own employees, in which customers' cars are taken from public loading zones and parked by the proprietor's employees.

(Ord. 1219 § 2, 1969)

11.32.350 Valet parking—Spaces designated.

The Director of Public Works or designee shall establish any parking spaces, as it may deem necessary, to be reserved for the use of the proprietor of a private business for the conduct of a valet parking service. If the Director of Public Works deems necessary, the designation of spaces for valet parking shall be reviewed by the Traffic Safety Committee.

(Ord. 1219 § 3, 1969)

11.32.360 Heavy-duty commercial vehicles—Parking restrictions in all residential districts and east of National City Boulevard.

- A. No person shall park any heavy-duty commercial vehicle more than three hours on a street in any residential district, except:

-
1. While actually loading or unloading property and the time to complete the evolution in addition to such three-hour period that is reasonably necessary to complete the work;
 2. When such vehicle is parked in connection with, and in aid of, the performance of a service to or on a property, in the block in which such vehicle is parked and the time to complete the evolution in addition to such three-hour period is reasonably necessary to complete such service; or
 3. Such vehicle is parked immediately in front or alongside of premises actively devoted to industry or commerce and lying contiguous to the street.
- B. Except as provided in subsection A of this section, no person shall park any heavy-duty commercial vehicle on any street east of and including National City Boulevard between the hours of two a.m. and six a.m. daily.
- C. For the purpose of this section, "heavy-duty commercial vehicle" means a single vehicle or combination of vehicles having more than two axles or weighing more than ten thousand pounds GVWR (gross vehicle weight rating), a single vehicle or combination of vehicles twenty feet or more in length, or a single vehicle or combination of vehicles six feet, eight inches or more in width, including dump trucks, moving vans, tractors, pole or pipe dollies, trailers and detached trailers or detached flatbed trailers. It shall not include a recreational vehicle.
- D. For purposes of this section as authorized by CVC Section 22507.5, a "residential district" means any street or streets where the contiguous property on that block is zoned for residential use pursuant to Chapter 18.14 of this code, including single-family detached dwellings, multifamily dwellings, apartment houses, or combination. It shall not include that area south of Division Street, west of National City Boulevard, north of 8th Street and east of Interstate 5.
- E. Heavy-duty commercial vehicles parked in violation of subsection B of this section shall not be subject to citation until a minimum of twenty-four hours has elapsed following attachment of a notice to the vehicle directing its removal. The notice directing removal shall set forth the contents of this section and shall recite that the vehicle is in violation. After a particular vehicle has been tagged with a notice of removal and twenty-four hours has elapsed, parking citations may be issued thereafter for that vehicle for any further violations of this section without the necessity for further notice.
- F. After a parking citation has been issued, any heavy-duty commercial vehicle parked in violation of this section may also be towed from any street upon which signage authorizing removal is posted, in addition to being subject to tow when parked for more than seventy-two consecutive hours pursuant to Section 11.32.060 of this chapter.

(Ord. 2267 § 2 (part), 2005: Ord. 1184, 1967)

(Ord. No. 2016-2410, § 7, 3-15-2016)

11.32.365 Unattended heavy-duty detached trailers—Parking restrictions in commercial and industrial districts.

- A. No person shall park any unattended heavy-duty detached trailer more than three hours on any street designated by city council resolution in a commercial or industrial district where signs are posted, except:
1. While actually loading or unloading property and the time to complete the evolution in addition to such three-hour period is reasonably necessary to complete the work; or
 2. When such vehicle is parked in connection with, and in aid of, the actual performance of a service to or on a property in the block in which such vehicle is parked and the time to complete the evolution in addition to such three hour period is reasonably necessary to complete such service.
- B. For the purpose of this section, an "unattached heavy-duty detached trailer" means a single trailer or combination of trailers having two axles or more or weighing more than ten thousand pounds GVWR (gross vehicle weight rating), any single trailer or combination of trailers twenty feet or more in length, or any single

trailer or combination of trailers six feet, eight inches or more in width, including dump truck trailers, dollies, moving van trailers, pole or pipe dollies, house or travel trailers, or flat bed or enclosed trailers, none of which is attached to a truck, tractor or similar vehicle capable of towing, pulling or otherwise moving the trailer.

- C. For purposes of this section, a "commercial or industrial district" means any block, street or streets where the contiguous property on that block is zoned for a commercial or industrial occupancy pursuant to Chapters 18.16 or 18.18 of this code.
- D. After a parking citation has been issued, any unattended heavy-duty detached trailer parked in violation of this section may be towed from any street upon which signage authorizing removal is posted, in addition to being subject to tow when parked for more than seventy-two consecutive hours pursuant to Section 11.32.060 of this chapter.

(Ord. 2267 § 2 (part), 2005)

11.32.366 Parking recreational vehicles on city streets—Restricted.

- A. The city council finds that the increase in the number of recreational vehicles parked on city streets, highways, alleys, public ways or public places, or public rights-of-way has a detrimental effect on the public health, safety, and welfare of the residents and negatively affects the quality of life in the city. The purpose and intent of the city council is to establish a process to allow a city resident to park the recreational vehicle on a city street for a limited period of time.
- B. No person shall park or leave standing any recreational vehicle, whether motorized or not, whether attached to motorized vehicle or not, at any time upon any highway, street, alley, public way, or public place, except as otherwise allowed, in the City of National City except:
 - 1. While a person is actively loading or unloading a recreational vehicle for a period not to exceed two hours; or
 - 2. When the registered owner or lessor of a recreational vehicle is in possession of a permit issued pursuant to subsection 11.32.366.C.
- C. For the purpose of this section, "recreational vehicle" is any vehicle which exceeds twenty feet (20') in length, seven feet (7'") in width or eight feet (8') in height that shall include, but is not limited to the following:
 - 1. Camp trailers (CVC Section 242);
 - 2. Fifth-wheel travel trailers (CVC Section 324);
 - 3. House cars (CVC Section 362);
 - 4. Trailer coaches (CVC Section 635);
 - 5. Mobile homes (CVC Section 396);
 - 6. Boats and/or trailers, including jet skis and/or jet ski trailers;
 - 7. Dune buggies and off-road or all-terrain vehicles and/or trailers;
 - 8. Attached or unattached trailers used for the transportation of equipment, vehicles, or animals;
 - 9. Recreational vehicles (California Health & Safety Code Section 18010);
 - 10. Folding camper trailers;
 - 11. Any other motorized or towed vehicle designed, maintained or used primarily for recreational purposes.

-
12. Exclusions include pick-up trucks without campers and passenger vans that exceed the recreational vehicle height definition.
- D. Temporary Parking Permit Process.
1. The Director of Community Development, or designee, has the authority to adopt rules and regulations governing the permit process, and to issue permits for the parking of a recreational vehicle on a street if:
 - a. A written application is made to the Director of Community Development on a form established by the Director of Community Development, or designee;
 - b. The fees described in subsection 11.32.366.F are paid; and
 - c. The Director of Community Development, or designee, determines that the parking of the recreational vehicle will not create a safety hazard.
 2. The permit shall be issued to a city resident or city property owner.
 3. The permit shall include the name and address of the city resident or the city property owner, the license plate number of the recreational vehicle, the date of issuance, and the date(s) that the permit is valid.
 4. The permit shall be valid only within the same block of the resident's or property owners' address, or upon a street adjacent to the resident's address, on either side of the street.
 5. The permit shall be valid for no longer than twenty-four hours.
 6. A city resident or city property owner may obtain no more than three permits at one time for a period of no longer than seventy-two consecutive hours.
 7. A city resident or city property owner may not obtain more than six permits in any calendar month. A city resident or city property owner may not obtain more than seventy-two permits in any calendar year.
 8. There shall be three days between the expiration of a permit, or if a city resident or city property owner obtained two or three permits at one time the expiration of the second or third permit, and the issuance of another permit to the same city resident or city property owner.
 9. The city resident or city property owner shall display the permit in the recreational vehicle in such a manner that it is clearly visible to city enforcement officers.
 10. The permitted recreational vehicle shall be subject to all applicable parking restrictions of the National City Municipal Code and the CVC.
 11. A city resident or city property owner in possession of a permit must comply with all state and local laws, including posted parking restrictions.
 12. The fee for obtaining a permit shall be established by resolution of the city council. The fee shall be included in the city's fee schedule.
- E. Any person violating this section is punishable as prescribed in Section 1.20.010.
- F. As an alternative to subsection E., a violation of any provision of this section may be punishable with an administrative citation or other civil or administrative remedy pursuant to Title 1 of the National City Municipal Code.

(Ord. No. 2016-2410, § 8, 3-15-2016)

11.32.370 Public parks.

It is unlawful to park any motor vehicle in a public park in the city other than on a public street or in an area designated by signs as a public parking area.

(Ord. 1205 (part), 1968)

11.32.371 Public property.

It is unlawful to park or leave standing any motor vehicle on land owned or in possession of the city or the Community Development Commission – Housing Authority of the City, other than in an area designated for public parking. Where signs are posted giving notice of removal, any vehicle parked or left standing in violation of this section may be removed by the police department.

(Ord. 1936, 1988)

11.32.380 Parking or obstruction of fire lane prohibited—Towing authorized.

No vehicle shall be parked or obstruction maintained within a fire lane as defined in the Uniform Fire Code as adopted by this code. No owner or person in lawful possession or control of a fire lane shall allow the parking of a vehicle or maintenance of an obstruction to a fire lane as described herein.

Any vehicle or obstruction which violates this section may be removed by city employees or a designated representative of the city. Vehicles shall only be removed as provided in the CVC.

(Ord. 1774, 1982)

11.32.390 Unauthorized parking in reserved parking spaces prohibited.

No person, other than the person for whom the parking space is reserved, shall stop, stand or park a vehicle within a reserved parking space located on any off-street parking facility owned or operated by the city. Any vehicle parked in violation of this section is subject to removal by the police department. All reserved parking spaces shall be appropriately marked by a permanent sign and/or pavement markings installed by the Director of Public Works or designee.

(Ord. 1880, 1986)

11.32.400 Unauthorized temporary parking in street sweeping zones prohibited.

- A. No person shall park any vehicle on that portion of any street on the days, and between the hours, designated by the city council for the purpose of street cleaning. Each portion of each street so designated shall be posted with signs giving notice of the days, and the hours, of the parking prohibition effective on that portion of the street. This prohibition shall not apply to a vehicle which, after the street-sweeper has passed, is then parked on a restricted portion of the street during the posted hours.
- B. Upon establishment of permit parking zones, the City Engineer or designee is hereby directed to add street sweeping parking restrictions throughout the permit parking zone. Any vehicle parked in violation of this section may also be towed after a parking citation has been issued, provided a sign has been posted authorizing the removal of vehicles parked in violation of such parking restriction.

11.32.410 Parking violation—Penalties.

- A. The registered owner, lessee or renter of a vehicle cited for violation of the provisions of Chapter 7.18 or 11.32 of this code or the CVC shall pay the fine as indicated within twenty-one days from the date the citation was issued.

- B. The failure of the registered owner, lessee or renter of the cited vehicle to pay the parking fine within twenty-one days of the issuance of the citation shall result in the penalty being increased to double the amount of the original penalty amount, i.e., penalty x 2.
- C. Parking penalty fines are set to amounts consistent with the then current recommendations of the San Diego County parking penalty committee, on file in the office of the city clerk, in accordance with CVC Section 40203.5(a).
- D. In accordance with CVC Section 4760, the city shall file an itemization of unpaid parking penalties, including administrative fees and the amount of costs of the city for costs of service, with the Department of Motor Vehicles for collection with the registration of the vehicle.

(Ord. 2189, 2001: Ord. 2067, 1993: Ord. 1992, 1990: Ord. 1902, 1987)

Chapter 11.33 PARKING METERS

11.33.010 Parking Meter Zones—Establishment—Authority.

- A. The City Engineer, by ordinance of the city council, and pursuant to the provisions of CVC Section 22508, may establish parking meter zones to aid in the regulation, control and inspection of the parking of vehicles and/or to increase utilization and turnover to support local businesses and economic development. Metered blocks within designated parking meter zones shall be established based on parking surveys of streets or portions of streets that demonstrate a parking occupancy rate of 80% or greater during the time of survey.
- B. Upon authorization by the city council, the City Engineer or Director of Public Works shall cause parking meters or pay stations to be installed, paid parking spaces to be designated, and required signage to be displayed within parking meter zones, as hereinafter provided. Modifications or elimination of parking meter zones shall be established by amendments to ordinance of the city council.
- C. The regulation of traffic by parking meters or pay stations and the use of any approved method of payment in such meters shall become effective upon the installation of appropriate parking meters or pay stations and signs thereon, giving notice of such paid parking regulation and rate.

(Ord. XXX)

11.33.020 Parking Meter Zones—Designated.

Parking meter zones are hereby designated upon those public streets or portions of streets described herein in which parking of vehicles shall be regulated by parking meters or pay stations between the hours and on days specified in Section 11.33.060:

- A. National City Boulevard to the west, Highland Avenue to the east, 18th Avenue to the south, and 7th Avenue to the north.

(Ord. XXX)

11.33.030 Parking Meter Rates and Time limits—Authority.

- A. It is the intent of the city council to establish a target utilization rate of 80% for all parking meters and pay stations within the city. Utilization rate refers to the amount of time that vehicles occupy a paid parking space during the allowed hours of operation of the parking meter or pay station. The establishment of the target utilization rate of 80% is based on well-accepted parking management studies and review of targets

established by other municipalities. The city council finds that the establishment of the target utilization rate of 80% is one of the most effective strategies for managing on-street parking and for recovering at least a portion of the estimated reasonable costs associated with parking, traffic control and management impacting the parking of vehicles within parking meter zones.

- B. Under the authority of CVC Section 22508, the city council establishes a paid parking rate of \$0.25 for each 15-minute interval up to the maximum legal time limit established for each parking meter or pay station. Said rate shall be and remain in effect, unless modified by amendments to ordinance of the city council. The City Engineer or Director of Public Works shall cause to be programmed all parking meters and pay stations within designated parking meter zones the established rates for deposit of funds.
- C. When any vehicle is parked in any space alongside of or next to a single-space parking meter which is located in accordance with the provisions of this Chapter, or when any vehicle is parked in any space or zone adjacent to which a multi-space pay station is located in accordance with the provisions of this Chapter, the operator of said vehicle shall, upon entering said parking space or zone, immediately cause to immediately purchase time using an approved method of payment, according to the time interval desired within the maximum limit and at the displayed parking rates.
- D. Time limits for parking meters and pay stations shall be established at intervals of 15 minutes not to exceed a maximum of two hours for single vehicle use during the hours and days specified in Section 11.33.040. The City Engineer is authorized to establish shorter maximum time limits on streets or portions of streets within parking meter zones based on evaluation of parking demand, parking utilization, type and operations of adjacent land uses, and other relevant factors. Time limits shall be clearly displayed consistent with the requirements of Section 11.33.050.
- E. During a fiscal year, the City Engineer or Director of Public Works may adjust pay station and meter rates up or down \$0.25 per hour based on average occupancy rates in order to achieve a target occupancy rate of 80 %. Any increase over \$0.25 per hour in a fiscal year shall require City Council approval.
- F. Unless otherwise permitted by signs, no person shall stop, stand, or park a vehicle in a parking meter zone between the hours designated within the parking meter zone of any day for longer than the prescribed period. For the purposes of this section, the term parking meter zone means an area in which signs, parking meters or curb markings prescribe a designated period for parking of vehicles.
- G. When temporary special parking or traffic conditions require different hours or days of parking restrictions, the City Engineer or Director of Public Works may vary the hours and days during which the restrictions in the parking meter zones shall be in effect; and, when authorized signs are in place giving notice thereof, no person shall stop, stand, or park any vehicle contrary to the direction or provisions of such signs.

(Ord. XXX)

11.33.040 Parking Meters—Time of operation.

- A. Parking meters and pay stations shall be operated in parking meter zones every day between the hours of 8:00 a.m. and 6:00 p.m., except Sundays and holidays. Modifications to hours of operation of parking meters shall be established by amendments to ordinance of the city council.
- B. The City Engineer or Director of Public Works may set and adjust the time period of operation of parking meters before 8:00 a.m., but no earlier than 7:00 a.m., and later than 6:00 p.m., but no later than 11:00 p.m., every day except on Sundays and holidays, but in no event for a length of time less than ten hours each day, consistent with achieving the target utilization rate of 80%.

(Ord. XXX)

11.33.050 Parking Meters—Installation, maintenance and operation.

- A. The Director of Public Works is hereby authorized to install or place parking meters and pay stations with appropriate parking space markings and signage in such parking meter zones as designated in Section 11.33.020 and in accordance with the provisions of this Chapter; and the Director of Public Works or designee is hereby directed to maintain said parking meters and pay stations, parking space markings and signage in good workable condition.
- B. Single-space parking meters installed in parking meter zones established as provided in Section 11.33.010 shall be placed upon the curb immediately adjacent to individual parking spaces. The hours of operation and time limits shall be clearly displayed on the meter standards and/or posted on signs within the parking meter zone or portions thereof. Each single-space parking meter shall be placed or set in such manner as to display whether the parking space adjacent to that meter is legally in use or not. Upon purchase of time using an approved method of payment, each single-space parking meter shall be set to display the amount of time remaining for legal parking and shall continue to operate for that period of time not exceeding the limit of parking time which has been established for that space or zone. Upon the expiration of legal parking time, each single-space parking meter shall indicate by proper signal that the lawful parking period has expired.
- C. Multi-space pay stations installed in parking meter zones established as provided in Section 11.33.010 shall be placed upon the curb immediately within the parking meter zone or portions thereof to which they apply. The hours of operation and time limits shall be posted on signs within the parking meter zone or portions thereof. Upon the purchase of time using an approved method of payment, a multi-space pay station shall either produce a receipt to be used by the parking user as proof of valid parking as described in Section 11.33.070, or electronically record the expiration of the time purchased for an individual parking space entered by the parking user, which may be checked for enforcement or other purposes. In order to be valid or otherwise considered effective. A vehicle is lawfully parked in a parking meter zone if:
 - 1. Pay and Display. The vehicle displays a receipt which is legible to an enforcement officer, evidencing purchase of parking meter time at the posted parking rate and within the maximum time limit at the multi-space parking meter located immediately adjacent to the parking meter zone where the vehicle is parked. The receipt shall indicate the expiration of parking time, which shall be the equivalent of the expiration time indicated by the parking meter; or
 - 2. Pay by Space. The vehicle is parked in a numerically designated parking space which has a multi-space parking meter that does not produce a receipt for display, but which indicates a valid parking time.
 - 3. Pay by Plate. The license plate number is entered into the pay station on an alphanumeric keyboard that does not produce a receipt for display, but which indicates a valid parking time.
- D.
- E. Pursuant to the provisions of CVC Section 22508, a local authority may accept but shall not require payment of parking meter fees by a mobile device.

(Ord. XXX)

11.33.060 Parking Meters—Parking regulated.

- A. The Director of Public Works is instructed to have lines or markings painted or placed upon the curb or upon the street adjacent to each single-space parking meter for the purpose of designating the parking space for which said meter is to be used, and each vehicle parking alongside of or next to any single-space parking meter shall park within the lines or markings so established.
- B. The Director of Public Works is instructed to have lines or markings painted or placed upon the curb or upon the street in any parking meter zone that is controlled by a multi-space parking meter that does not produce a receipt to be used by the parking user as proof of valid parking as described in Section 11.33.070.

-
- C. No person shall park any vehicle across any line or marking or park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.
 - D. When a parking space in any parking meter zone is parallel to the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be alongside of and nearest the single-space parking meter except where the single-space parking meter is mounted to the rear of the parking space, in which case, any vehicle parked in such parking space shall be parked so that the rearmost part of such vehicle shall be alongside of and nearest the single-space parking meter.
 - E. When a parking space in any parking meter zone is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle directly at and nearest to such single-space meter except where the single-space parking meter is mounted to the rear of the parking space, in which case, any vehicle parked in such parking space shall be parked so that the rearmost part of such vehicle shall be directly at and nearest to such single-space parking meter.

(Ord. XXX)

11.33.070 Parking Meters—Overtime.

No person shall permit a vehicle to remain parked in any parking meter zone when the meter, receipt, card, or electronic device, as provided in Section 11.33.050, shows the parking time has expired.

(Ord. XXX)

11.33.080 Parking Meters—Extra time prohibited.

- A. No person shall permit a vehicle to remain parked beyond the period of legal parking time established for any parking meter.
- B. No person shall purchase time from any parking meter using any method of payment for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space or zone adjacent to which said parking meter is placed.
- C. It is unlawful for any person to re-park a vehicle under their control or in their custody within the same block face or parking facility after the expiration of the two-hour time limit. The vehicle may not return to the initial block face or parking facility sooner than two hours following the expiration of the initial time period.

(Ord. XXX)

11.33.090 Parking Meters—Tampering with.

It shall be unlawful for and a violation of the provisions of this Chapter for any unauthorized person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meters installed under the provisions of this Chapter.

(Ord. XXX)

11.33.100 Parking Meters—Improper use prohibited.

It shall be unlawful and a violation of the provisions of this Chapter to deposit or cause to be deposited in any parking meter any slug, device or substitute for a lawful coin of the United States.

(Ord. XXX)

11.33.110 Parking Meters—Payment by unauthorized person prohibited.

No person, other than the owner or operator of a vehicle, shall deposit payment in any parking meter without the knowledge or consent of said owner or operator of the vehicle using the parking space regulated by such meter.

(Ord. XXX)

11.33.120 Parking Meters—Limitations on use for certain purposes.

No person other than an authorized employee of the City shall attach anything to a parking meter or parking meter standard. No person shall allow a bicycle, news rack or any other object to lean against a parking meter or a parking meter standard.

(Ord. XXX)

11.33.130 Parking Meters—Collection of deposited coins.

The Director of Community Development is authorized to designate parking regulations officers, either employed by the city or under contract, to make regular collections of the coins deposited in the parking meters and deliver those coins collected to the city finance department for accounting.

(Ord. XXX)

11.33.140 Parking Meters—Use of funds collected.

All funds collected from parking meters in the city shall be placed in a special fund, which fund shall be devoted exclusively to any or all of the following purposes:

- A. The purchasing, leasing, installing, inspecting, repairing, maintaining, operating, removing, regulating, enforcing, and managing of parking meters in the city and for the payment of any and all expenses relating or incidental thereto;
- B. The proper regulation, control and inspection of parking and traffic upon the public streets;
- C. The painting and marking of streets and curbs required for the direction of traffic and parking of motor vehicles;
- D. The installation and maintenance of traffic control devices and signals;
- E. Increasing the parking supply through purchasing, leasing, and acquiring of off-street parking facilities in the city, including inspecting, repairing, maintaining, operating, regulating, enforcing, and managing said facilities;
- F. To be pledged as security for the payment of principal and interest on off-street parking facility revenue bonds issued by the city or parking authority.
- G. Managing the existing parking inventory, including such measures as, but not limited to, parking evaluations, reconfiguration of existing on-street parking inventory, employee parking programs, reducing excessive red curb, removal of abandoned driveways and replacement with matching sidewalk, curb, and gutter, and mitigation of any adverse effects resulting from the implementation of such program
- H. Providing mobility (parking and access) information through wayfinding signage or media (maps, videos, apps or other tools), which communicates the location, availability, cost, and other pertinent information of parking options and provides navigation in and between in the parking meter zone.
- I. Providing funding for community shuttles or circulator systems with the goals to connect passengers to and from the parking meter zone, to reduce parking demand in the meter zone and to assist in the mobility of those parked around the parking meter zone.

-
- J. Enhancing mobility within the parking meter zone and facilitating the use of alternative forms of transportation to reduce parking demand (e.g., community shuttles, public transit, bicycling, and walking) through activities and improvements including, but not limited to, designing and installing: bike and pedestrian amenities (bike parking, corrals, and bike lanes; pedestrian ramps, crossings, pop-outs, sidewalks, countdown indicators, rectangular rapid flashing beacons); signage; and shuttle stops.

(Ord. XXX)

Chapter 11.34 TRUCK IDLING AND PARKING MANEUVERS NEAR A SCHOOL OR RESIDENCE

11.34.010 Findings and purpose.

- A. Air Pollution is a Public Health Concern in California. The San Diego Air Basin is currently designated as nonattainment for the state and federal ozone standard, and the state's particulate matter standards. Air pollution can cause or aggravate illnesses such as acute respiratory infections, asthma, chronic bronchitis, emphysema, and lung cancer. In addition to health impacts, air pollution imposes significant economic costs and negative impacts on our quality of life (nuisance).
- B. The purpose of this chapter is to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling and practice of parking maneuvers of diesel fueled commercial vehicles. The purpose of this chapter is also to reduce such exposure especially to school-age children.
- C. The air resources board identified diesel exhaust particulate matter as a toxic air contaminant. Particulate matter (PM-10) can collect in lungs where it can increase the number and severity of asthma attacks, cause aggravated bronchitis, and cause other lung diseases. Particulate matter can also exacerbate other illnesses. Ozone is a strong irritant which can restrict airways, resulting in difficulty breathing and forcing respiratory and cardiovascular systems to work harder. Chronic exposure reduces lung capacity, lower stamina, and leaves people vulnerable to long-term respiratory problems. Ozone is especially harmful to children, senior citizens and those suffering from asthma or existing heart and lung disease.
- D. Public agencies can play an important role in improving air quality by limiting the amount of time engines are allowed to idle within their jurisdiction. Public agencies have the responsibility to lead the effort to improve air quality by adopting ordinances that are cost-effective in reducing ozone precursor emissions and toxic air contaminants.
- E. A study of idling exhaust emissions conducted by the U.S. Environmental Protection Agency (EPA420-R-02-025, October 2002) indicates that a typical 1980's—2001 model year truck operating on diesel fuel emits one hundred forty-four grams per hour of nitrogen oxide and eight thousand two hundred twenty-four grams per hour of carbon dioxide emissions and consumes about 0.82 gallons of diesel fuel per hour while idling.
- F. A limitation on engine idling is established by the city of National City to discourage the idling of engines in the city.
- G. The practice of commercial vehicles practicing repeated parking maneuvers near schools and residences contributes to the emission of toxic air contaminants in a manner similar to idling. A limitation on practicing parking maneuvers near schools and residences is established to discourage the emissions of toxic air contaminants.

(Ord. 2292 § 1 (part), 2007)

11.34.020 Definitions.

The following definitions shall apply unless the context clearly indicates or requires a different meaning.

- A. "Commercial motor vehicle" means any vehicle or combination of vehicles as defined in CVC Section 15210(b) and any other motor truck with a gross vehicle weight rating of ten thousand one pounds or more, except for either a zero-emission vehicle or a pickup truck as defined in CVC Section 471.
- B. "Driver" means any person who drives, operates, or is in actual physical control of a vehicle.
- C. "Emergency" means sudden, urgent, usually unforeseen occurrence.
- D. "Gross vehicle weight rating" means the weight specified by the manufacturer as the maximum loaded weight of a single vehicle.
- E. "Idling" means the engine is running while the vehicle is stationary.
- F. "Vehicle" means any on-road, self-propelled vehicle that is required to be registered and have a license plate by the Department of Motor Vehicles. G. "Vehicle/equipment owner" means the registered owner, lessee, licensee or bailee of any heavy- or medium-duty vehicle who operates or directs the operation of any such vehicle on either a for hire or not for hire basis.

(Ord. 2292 § 1 (part), 2007)

11.34.030 Applicability.

This chapter applies to all diesel fueled commercial motor vehicles with a gross vehicle weight rating over ten thousand pounds.

(Ord. 2292 § 1 (part), 2007)

11.34.040 Idling.

- A. A driver of a commercial motor vehicle:
 - 1. Shall turn off the engine upon stopping at a destination;
 - 2. Shall not cause or allow an engine to idle at any location for more than five consecutive minutes; and
 - 3. Shall not cause or allow a vehicle to idle at any location within one hundred feet of a school for:
 - a. More than five consecutive minutes, or
 - b. A period or periods aggregating more than five minutes in any one hour.
- B. A private property owner shall not allow a vehicle located on the owner's property to violate the provisions of this chapter. A private property owner shall notify owners and operators of vehicles entering the owner's private property of the requirements of this chapter.

(Ord. 2292 § 1 (part), 2007)

11.34.050 Exemptions.

- A. This chapter does not apply to a vehicle for the period or periods during which:
 - 1. Idling is necessary while stopped:
 - a. For an official traffic control device,
 - b. For an official traffic control signal,
 - c. For traffic conditions over which the driver has no control, including, but not limited to, stopped in a line of traffic, stopped at a railroad crossing, or stopped at a construction zone, or

-
- d. At the direction of a peace officer;
 - 2. Idling is necessary to ascertain that the vehicle is in safe operating condition, equipped as required by all provisions of law, and all equipment is in good working order, either as part of the daily vehicle inspection or as otherwise needed, provided that such engine idling is mandatory for such verification;
 - 3. Idling is necessary for testing, servicing, repairing or diagnostic purposes;
 - 4. Idling is necessary for a period not to exceed three to five minutes (as per the recommendation of the manufacturer) to cool down a turbo charged heavy-duty vehicle before turning the engine off;
 - 5. Idling is necessary to accomplish work for which the vehicle/equipment was designed, other than transporting goods, such as operating a lift, crane, pump, drill, hoist, mixer or other auxiliary equipment other than a heater or air conditioner;
 - 6. Idling is necessary to operate a lift or other piece of equipment designed to ensure safe loading and unloading of goods and people;
 - 7. Idling is necessary to operate defrosters, heaters, air conditioners, or other equipment to prevent a safety or health emergency, but not solely for the comfort of the driver or passengers.
 - a. The only exception for driver comfort would be a vehicle driver that is required to have rest time by law. In this case, the driver may only idle at a designated rest area or truck stop and will not idle within one thousand feet of a residential area or school,
 - b. The only specific exception for passenger comfort would be vehicles with a passenger onboard with a disability or health condition that would be critically aggravated if the vehicle were not maintained at an adequate temperature,
 - c. In the event idling is necessary to operate defrosters, heaters, air conditioners, or other equipment to prevent a safety or health emergency, but not solely for the comfort of the driver or passengers, such idling shall not occur within one hundred feet of a residence or a school;
 - 8. Idling is necessary solely to recharge a battery or other energy storage unit of a hybrid electric vehicle/equipment;
 - 9. Idling is necessary to operate equipment that runs intermittently.
 - B. Nothing in this chapter allows idling in excess of other applicable laws, including but not limited to:
 - 1. Title 13 Code of Regulations Section 2480—Requirements/restriction of idling near a school.
 - 2. Title 13 Code of Regulations Section 2485—Requirement/restriction of idling.
 - 3. CVC Section 22515—Requirements for leaving a motor vehicle unattended.
 - 4. Any local provision of this code or requirement as stringent as, or more stringent than, this chapter.

(Ord. 2292 § 1 (part), 2007)

11.34.060 Practicing parking maneuvers.

- A. A driver of a commercial motor vehicle shall not practice parallel parking, angled parking, perpendicular parking, or any type of parking, for the purpose of driver instruction, improvement, or education, within one hundred feet of a school.
- B. A driver of a commercial motor vehicle shall not practice parallel parking, angled parking, perpendicular parking, or any type of parking, for the purpose of driver instruction, improvement, or education, within one hundred feet of a residential neighborhood.

(Ord. 2292 § 1 (part), 2007)

11.34.070 Enforcement.

This chapter may be enforced by the local air pollution control or air quality management district, and/or any peace officer as defined in Penal Code Section 830 et seq., and their respective agencies authorized representative(s).

(Ord. 2292 § 1 (part), 2007)

11.34.080 Penalty.

Any violation of this chapter for which a penalty is not provided shall be punished according to Chapter 11.12 of this code.

(Ord. 2292 § 1 (part), 2007)

11.34.090 Severability of provisions.

The city council declares that the invalidity of any section or portion of this chapter shall not affect the validity of any other remaining section or portion; that the council would have adopted each of those remaining portions, notwithstanding any later declared invalidity. If any provision is determined by a court to be invalid, it shall be severed, or if it can be judicially interpreted in a way that would harmonize it with the remaining provisions, then it may be applied as interpreted, so as to give full purpose, meaning and effect to the remaining provisions of this chapter.

(Ord. 2292 § 1 (part), 2007)

Chapter 11.36 MISCELLANEOUS DRIVING RULES

11.36.010 Driving through funeral processions.

No driver of a vehicle shall drive between vehicles comprising a funeral procession while they are in motion and when the vehicles in such processions are conspicuously so designated.

(Ord. 827 § 43, 1951)

11.36.020 Clinging to moving vehicles.

Any person riding upon any bicycle, motorcycle, coaster, roller skates or any toy vehicle shall not attach the same or himself to any moving vehicle upon any roadway.

(Ord. 827 § 44, 1951)

11.36.030 Driving on sidewalk.

The driver of a vehicle shall not drive within any sidewalk area or any parkway except at a permanent or temporary driveway.

(Ord. 827 § 45, 1951)

11.36.040 New pavement.

No person shall ride or drive any animal or any vehicle over or across any newly made pavement or freshly painted marking in any street when a barrier or sign is in place warning persons not to drive over or across such pavement or marking, or when a sign is in place stating that the street or any portion thereof is closed.

(Ord. 827 § 46, 1951)

11.36.050 Restricted access.

No person shall drive a vehicle onto or from any limited access roadway except at such entrances and exits as are established by public authority.

(Ord. 827 § 47, 1951)

11.36.060 Freeway use.

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

(Ord. 827 § 48, 1951)

11.36.070 Traffic control devices—Damaging.

It is unlawful for any person to tear down, damage, mutilate or destroy any sign, sign-board, notice or traffic signal placed or affixed by the city, which sign is intended to direct or regulate traffic within the city.

(Ord. 827 § 49, 1951)

11.36.080 Vehicles on private property.

No person shall stop, stand or park any vehicle in a private driveway or on private property without the direct or implied consent of the owner or person in lawful possession of such driveway or property.

(Ord. 827 § 50, 1951)

11.36.090 Driving in park—Prohibited.

A. Definitions.

1. As used in this section, "motor vehicle" includes automobiles, motorcycles, motor bikes or any device which derives its motive power from internal combustion engines.
2. A "public park" is any land within the corporate limits which has been dedicated and accepted as a public park.
3. As used in this section "public street" means any street, roadway, or highway, or alley, or court dedicated to and accepted as a public street.

- B. Driving in Parks Prohibited. It is unlawful to operate a motor vehicle in a public park in the city other than on a public street.

(Ord. 1205 (part), 1968)

11.36.100 Driving in park—Violation—Penalty.

A violation of Sections 11.36.090 through 11.36.120 is a misdemeanor punishable by a fine of five hundred dollars and/or imprisonment for a period not to exceed six months.

(Ord. 1205 (part), 1968)

11.36.110 Driving in park—Damage.

Any person who violates Sections 11.36.090 through 11.36.120 and thereby causes damages to public park property shall be responsible for the cost of repairing said damage.

(Ord. 1205 (part), 1968)

11.36.120 Driving in park—Permitted.

The city council may suspend the application of Sections 11.36.090 through 11.36.120 to any person or persons, for the purpose of conducting special events in public parks.

(Ord. 1205 (part), 1968)

Chapter 11.37 PERMIT PARKING

11.37.010 Findings and purpose.

- A. The purpose of this Chapter is to outline the process, authority and evaluation criteria for establishing permit parking zones along designated public streets or portions thereof within the city that will provide preferential parking privileges to permit holders and their guests.
- B. CVC Section 22507 allows local authorities, by ordinance or resolution, to designate certain streets or portions thereof upon which preferential parking privileges are given to residents or employers adjacent to the designated streets for their use or the use of their guests / employees under which the residents or their guests / employees may be issued a permit that exempts them from specific parking restrictions or prohibitions as defined in the ordinance or resolution.
- C. Preferential permit parking districts and zones support the following initiatives of the city council:
 - 1. Increase parking utilization;
 - 2. Support economic development while mitigating the impacts of spillover parking into surrounding residential neighborhoods;
 - 3. Prohibit long-term parking by non-residents;
 - 4. Provide opportunities for local residents to park near their homes;
 - 5. Promote the safety, health and welfare of all the residents of the city by reducing unnecessary personal motor vehicle travel, noise and pollution, and by promoting improvements in air quality, the convenience and attractiveness of urban residential living, and the increased use of public mass transit facilities available now and in the future. The public welfare will also be served by ensuring a more stable and valuable property tax base in order to generate the revenues necessary to provide essential public services.
- D. This Chapter does not apply to resident-initiated requests for establishment of preferential permit parking districts, which is governed by City Council Policy 710, or any area located within the Coastal Zone as defined in Section 18.29.030 of the Code.

11.37.020 Permit Parking Districts—Designated.

The following permit parking districts are hereby designated for the purpose of establishing preferential parking privileges based on the findings and purpose established in Section 11.37.010:

- A. Downtown Parking District
 - 1. Defined as all streets and portions of streets owned and maintained by the City of National City within the area bounded by Division Street to the north, 16th Street to the south, Highland Avenue to the east and Interstate 5 to the west.
 - 2. Incorporates all streets and portions of streets owned and maintained by the City of National City within the Downtown Specific Area Plan boundary as adopted by city council and inclusive of any amendments thereto.

(Ord. XXX)

11.37.030 Permit Parking Zones—Establishment—Authority.

- A. The City Engineer, by ordinance or resolution of the city council, and pursuant to the provisions of CVC Section 22507, may establish preferential permit parking zones to aid in the regulation, control and inspection of the parking of vehicles, increase parking utilization, and/or mitigate the impacts of spillover parking from nearby developments or businesses. Zones shall be established within designated preferential permit parking districts based on parking surveys of streets or portions of streets that demonstrate a parking occupancy rate of 80% or greater during the time of survey.
- B. The City Engineer shall rely on the data collected from the parking surveys and/or planning studies conducted in and around the proposed permit parking zone to recommend appropriate parking restrictions or prohibitions by time of day and day of week to the city council.
- C. Upon authorization by the city council, the City Engineer or Director of Public Works shall cause appropriate signage to be displayed within permit parking zones. Modifications or elimination of permit parking zones shall be established by amendments to ordinance or resolution of the city council.
- D. The regulation of permit parking zones shall become effective upon the installation of appropriate signage giving notice of parking restrictions or prohibitions, at which point only vehicles displaying a valid parking permit or those vehicles registered to permit holders displaying valid license plates shall be exempt from said parking restrictions or prohibitions.
- E. The City Manager or designee has the authority to establish permit parking fees, which may differ between permit parking zones, based on the type and operations of surrounding land uses and/or market driven factors. Permit fees for each zone shall be established by ordinance or resolution of the city council and be included in the city's fee schedule. A copy of the fee schedule shall be filed in the rate book of fees on file in the Office of the City Clerk.
- F. Applications for parking permits may be obtained through the office of the City Engineer. The number and type of permits issued to residents or employers and their guests / employees may differ between permit parking zones based on data collected from the parking surveys and other factors such as type and operations of surrounding land uses and/or the availability of off-street parking within the zone. Permit requirements for each permit parking zone shall be established by ordinance or resolution of the city council.
- G. When temporary special parking or traffic conditions require different hours or days of parking restrictions, the City Engineer or Director of Public Works may vary the hours and days during which the restrictions in the permit parking zones shall be in effect; and, when authorized signs are in place giving notice thereof, no person shall stop, stand, or park any vehicle contrary to the direction or provisions of such signs.

(Ord. XXX)

11.37.040 Permit Parking—Penalty provisions.

- A. It shall be unlawful and a violation for any person to stand or park a motor vehicle for a period exceeding the posted time limitation or in violation of the parking prohibition established for a permit-parking zone pursuant to ordinance or resolution of the city council. Said violation shall be an infraction punishable in accordance with the provisions of this Title.
- B. It shall be unlawful and a violation for a person to falsely represent him/herself as eligible for a parking permit or to furnish false information in an application for a parking permit.
- C. It shall be unlawful and a violation for a person holding a valid parking permit issued by the city to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation both by the person holding the valid parking permit and by the person who uses or displays the permit on a motor vehicle other than that for which it is issued.

-
- D. It shall be unlawful and a violation for a person to copy, produce, or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the City Engineer. It shall further be unlawful and a violation for a person to knowingly use or display a facsimile or counterfeit parking permit in order to evade the parking restrictions or prohibitions established for a permit-parking zone.
- E. Any violation of Sections 11.37.040.B through 11.37.040.D shall be deemed a misdemeanor punishable in accordance with the provisions of this Title.

(Ord. XXX)

11.37.050 Revocation of Parking Permit.

The City Engineer or designee is authorized to revoke the parking permit of any person found to be in violation of this Chapter and, upon written notification thereof, the person shall surrender such permit to the City Engineer. Failure to surrender a parking permit when so requested shall constitute a violation of law.

(Ord. XXX)

Chapter 11.40 STREET USE RESTRICTIONS

11.40.040 Trains—Blocking streets prohibited.

No person shall operate any train or train of cars, or permit the same to remain standing so as to block the movement of traffic upon any street for a period of time longer than five minutes.

(Ord. 827 § 88, 1951)

11.40.050 Truck routes—Designated.

The City Engineer may designate certain streets as truck routes for the movement of motor vehicles exceeding a maximum gross vehicle weight of six thousand pounds for the purpose of goods movement and to mitigate cut-through truck traffic in residential neighborhoods. Designated truck routes within the city shall be established by resolution of the city council. A map of designated truck routes shall be maintained in the office of the City Engineer and made available to the public upon request.

11.40.060 Truck routes—Use required.

All motor vehicles exceeding a maximum gross weight of six thousand pounds are prohibited from using all other streets within said city, excepting commercial vehicles using any such street by direct route to and from the through routes for the movement of motor vehicles of more than six thousand pounds specified in Section 11.40.050, for the purpose of delivering or loading for transportation goods, wares or merchandise, and also excepting any vehicle which is subject to the provisions of Section 50 1/4 of the Public Utilities Act, and also excepting any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility.

(Ord. 857 § 2, 1954)

11.40.070 Truck routes—Signs marking.

Appropriate signs indicating the through traffic routes prescribed in Section 11.40.050 shall be erected by order of the City Engineer at such points as may be designated by the Chief of Police or City Engineer as being best to serve notice of such routes, and thereafter it shall be the duty of the Director of Public Works or designee to see that said signs indicating such through traffic routes will best serve notice of Sections 11.40.050 through 11.40.080.

(Ord. 857 § 3, 1954)

11.40.080 Truck routes—Violation—Penalty.

Any person, firm or corporation violating any of the provisions of Sections 11.40.050 through 11.40.070 is guilty of an infraction and upon conviction thereof shall be punishable as prescribed in Section 1.20.010.

(Ord. 1621, 1978; Ord. 1358 § 2 (part), 1973; Ord. 857 § 4, 1954)

11.40.090 Manchester Avenue—Trucks prohibited.

Notwithstanding the provisions of Section 11.40.060, pursuant to the authority given to city by the CVC, the use of Manchester Avenue by any commercial vehicle or by any vehicle exceeding a maximum gross weight of five tons is prohibited. This prohibition shall not apply to any vehicle which is subject to the provisions of Sections 1030 to 1036, inclusive, of the Public Utilities Code of California.

(Ord. 1027 § 1, 1962; Ord. 857 § 8a, 1954)

11.40.100 Van Ness and Granger Avenues—Trucks prohibited.

- A. Notwithstanding the provisions of Section 11.40.060, pursuant to the authority given to the city by Section 33701 of the Vehicle Code of California, the use of Van Ness Avenue from the southerly line of 20th Street to the northerly line of Leonard Street and of Granger Avenue from the southerly line of 24th Street to the northerly line of Leonard Street by any vehicle exceeding a maximum gross weight of five tons is hereby prohibited. This prohibition shall not apply to any vehicle which is subject to the provisions of Sections 1030 to 1036, inclusive, of the Public Utilities Code of California.
- B. This section shall not be effective until appropriate signs are erected on Van Ness and Granger Avenue indicating that its use by the vehicles described in paragraph (a) is prohibited.

(Ord. 1875, 1986; Ord. 857, 1954)

11.40.110 Transportation permit required.

No person shall move or cause to be moved over or across any public right-of-way under the jurisdiction of the city, any oversized vehicle or load, which exceeds the height, width, length, size or weight of vehicle or load limitation provided for in Division 15 of the CVC, without first obtaining a transportation permit from the office of the City Engineer, which will be subject to the following regulations:

- A. A transportation permit may be designated by the City Engineer as either a single-move transportation permit for the movement of an oversized vehicle or load over a designated route, and for a move on a specified date or dates, or an annual or repetitive transportation permit issued for the period specified on the permit. Repetitive load transportation permit may be issued on the type of vehicle carrying the load in the case of nonself-propelled vehicles, and on the specific vehicle in the case of the nonself-propelled vehicles, and on the specific vehicle in the case of the self-propelled vehicles. Repetitive load permits shall authorize the movement of the vehicles, or loads specified on the permit; provided however, that the vehicle or load shall not exceed a width of thirteen feet, a height of sixteen feet, or a length of one hundred feet. If the load proposed under the repetitive load transportation permit exceeds the weight limits as prescribed in Division 15 of the CVC by more than twenty-five percent, said move shall be subject to such route restrictions as are designated by the city engineer.
- B. The City Engineer shall use a standard transportation permit form established by the department of transportation.
- C. The applicant for a transportation permit shall be a person licensed as a specialty contractor by the state to engage in the business of moving oversized vehicles or loads.
- D. Application for a transportation permit shall be made to the office of the city engineer a minimum of twenty-four hours prior to the time proposed for the move.

-
- E. The transportation permit application shall include a sketch showing the approved route for the particular vehicle or load being moved, and no other route shall be utilized.
- F. At the time of making an application for a permit pursuant to this chapter, the applicant shall attach or have on file with the City a Certificate of Liability Insurance showing comprehensive, general liability insurance with a minimum of two million dollars per occurrence and four million dollars in aggregate or one million dollars per occurrence and two million dollars in aggregate with a two million dollar umbrella or excess coverage, covering all bodily injury and property damage arising out of its operation under this agreement, and vehicle insurance covering all bodily injury and property liability incurred during the moving period, with a minimum coverage of one million dollars per accident; such vehicle insurance shall include "any" auto or "owned, non-owned and hired autos." General aggregate limits must apply solely to the project or location and must be identified with specificity on a separate endorsement.

If any insurance coverage required is provided on a "claims made" rather than "occurrence" form, such insurance coverage shall be maintained for three years after expiration of the term of this permit.

The Certificate of Liability Insurance must include a separate endorsement adding the "City of National City, it's elected officials, officers, agents and employees" as an additional insured under the policy of the insurance in effect for both the Commercial General Liability and Automobile coverage. The Certificate of Liability Insurance shall further indicate the City will be entitled to at least ten days' written notice of cancellation of the policy of insurance. Blanket endorsements such as "by written contract" or "by agreement" are acceptable.

The Certificate Holder must be listed as City of National City, C/O Risk Manager, 1243 National City Boulevard, National City, California, 91950-4301.

- G. Governmental agencies, including the state and its political subdivisions, will not be required to provide the insurance required by this section, but shall be required to indemnify and hold the city harmless from any loss arising out of injury to persons, or damage to property, resulting directly or indirectly from the operation permitted by the transportation permit, including the defense of any action arising therefrom, at no cost to the city.
- H. The applicant shall submit at the time of the application or have on file with the city a copy of their policy of Workers' Compensation and Employers Liability insurance which meets the California statutory limits, plus Employers' Liability coverage of one million, which shall be in force during the moving period. A Waiver of Subrogation in favor of the City of National City is required. If there are no employees subject to Worker's Compensation law, a signed Declaration is required.
- I. The applicant shall submit at the time of application, a copy of his city business license and/or valid business license number.
- J. The applicant shall comply at all times with the CVC.
- K. All moving operations under a transportation permit shall be in conformance with all general and special conditions set forth by the City Engineer on said permit.
- L. The permittee shall have the responsibility to ascertain the adequacy of the route requested for the move. When an over-height load is authorized (over thirteen feet, six inches), the permittee shall check all underpasses, bridges, overhead wires, and other limiting structures or facilities for adequate clearance. The permittee shall notify the owners of all overhead lines or structures subject to disturbances or damage by his move and shall make arrangements for the temporary removal or relocation of the conflicting facility if required. The permittee shall bear all costs for such relocation where the facility is located in accordance with state and local regulations.
- M. For any move involving a load or vehicle whose vertical height is eighteen feet or over, or whose width is thirty feet or more, the permittee shall submit to the agencies whose facilities will be affected by

-
- such move the proposed route for approval at least seventy-two hours in advance of the move. No permit shall be issued until clearances have been received from the power company and telephone company. Applicant shall be responsible for obtaining such clearance.
- N. Transportation permits shall be carried on the vehicle whose movement is authorized by such permit, and shall be available for inspection by any police officer, or any authorized agent of the city. Transportation permits issued pursuant hereto shall be nontransferable.
- O. The City Engineer shall not issue a transportation permit if any one of the following conditions exists:
1. If the overweight per axle exceeds the limits provided in Division 15 of the CVC by fifty percent;
 2. If the move is determined by the City Engineer to be prohibitive from the standpoint of public safety or contrary to the public interest;
 3. If the applicant has repeatedly violated conditions of previously issued permits, or the applicant has unsettled claims against him for damages resulting from past moves;
 4. If the applicant has failed to obtain a permit on the next regularly scheduled working day following interim approval for an emergency move.
- P. Permit fees required subject to the following regulations:
1. The fee for a transportation permit within/or through the city shall reflect the fee schedule for an annual or repetitive permit. The fee shall not exceed the fee schedule developed by the department of transportation. Special services necessitated by unusually large or heavy loads requiring engineering investigations, escorts, tree trimming, or other services shall be billed separately for each permit.
 2. Permit fees required in this chapter shall be collected by the finance department in an amount as designated.
 3. Governmental agencies, including the state and any of its political subdivisions, shall make application for permits under the provisions of this chapter, and shall be issued a no-fee permit in accordance with the provisions herein. A contractor working for a governmental agency shall not be considered to be acting on behalf of that governmental agency and shall not be exempt from the payment of fees.
 4. An extension of the effective date or an amendment to a single-move permit may be made without payment of additional fees if approved by the City Engineer, provided that the request for such extension or amendment is received before the expiration of the permit.
- Q. Permittee shall provide "wide load" signs as necessary to be visible from both the front and rear of all loads in excess of ten feet in width. Signs shall be at least three feet by five feet in dimension; shall have a yellow background with black lettering; shall spell out "WIDE LOAD" in bold letters; and shall have an amber flasher mounted on each of the upper corners of the sign.
- R. In case of damage to any street or other public improvement by reason of the moving of any vehicle or load covered by the transportation permit, the city shall cause such work to be done as may be necessary to restore the public street improvement to an equal condition as it was prior to such damage, and shall charge the cost thereof to the permit-tee. Such damages as occur may be recovered from the insurance required under subsection F of this section.
- S. Movement of oversize loads and/or vehicles shall be prohibited during the hours of darkness (one-half hour after sunset to one-half hour before sunrise), and between the hours of seven a.m. and nine a.m., and three p.m. and six p.m., unless otherwise approved by the city engineer.
- T. For moves which, because of their emergency nature, require approval during periods other than the regularly scheduled working hours of the city engineer or chief of police, authorized representatives thereof may grant approval for such moves on the condition that a permit will be acquired during the

next regularly scheduled working day. Failure to acquire such permits may result in disqualification for obtaining future permits.

(Ord. 1998 § 2, 1990: Ord. 1940 § 2, 1988)

Chapter 11.42 SPECTATORS PROHIBITED AT ILLEGAL SPEED CONTESTS OR EXHIBITIONS OF SPEED

11.42.010 Purpose.

- A. The city council for the city finds and declares that pursuant to CVC Section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal. Motor vehicle speed contests and exhibitions of speed are more commonly known as street races or drag races.
- B. Such street racing threatens the health and safety of the public, interferes with pedestrian and vehicular traffic, creates a public nuisance, and interferes with the right of private business owners to enjoy the use of their property within the city. When illegal street races occur on various streets within the city, racers and spectators gather on these streets late at night and in the early morning hours, blocking the streets and sidewalks to traffic, forming a racetrack area, placing bets, and otherwise encouraging, aiding, and abetting the racing process.
- C. Illegal street racers can accelerate to high speeds without regard to oncoming traffic, pedestrians, or vehicles parked or moving nearby. The racers can drive quickly from street to street, race for several hours, and then move to other locations upon the arrival of the police. Participants in this illegal activity use cell phones, police scanners, and other electronic devices to communicate with each other to avoid arrest. Participants also use the Internet to provide information on where to race, and give advice on how to avoid detection and prosecution.
- D. In many cases, illegal street races can attract hundreds of spectators. The mere presence of spectators at these events fuels the illegal street racing and creates an environment in which these illegal activities can flourish.
- E. This chapter is adopted to prohibit spectators at illegal street races with the aim of significantly curbing this criminal activity. The division targets a very clear, limited population and gives proper notice to citizens as to what activities are lawful and what activities are unlawful. In discouraging spectators, the act of organizing and participating in illegal street races will be discouraged.
- F. This chapter makes evidence of specified prior acts admissible to show the propensity of the defendant to be present at or attend illegal street races, if the prior act or acts occurred within three years of the presently charged offense.

(Ord. 2214 § 1 (part), 2002)

11.42.020 Definitions.

- A. "Illegal motor vehicle speed contest" or "illegal exhibition of speed" means any speed contest or exhibition of speed referred to in CVC Sections 23109(a) and 23109(c).
- B. "Preparations for the illegal motor vehicle speed contest or exhibition of speed" include, but are not limited to, situations in which: (1) a group of motor vehicles or individuals has arrived at a location for the purpose of participating in or being spectators at the event; (2) a group of individuals has lined one or both sides of a public street or highway for the purpose of participating in or being a spectator at the event; (3) a group of individuals has gathered on private property open to the general public without the consent of the owner, operator, or agent thereof for the purpose of participating in or being a spectator at the event; (4) one or more individuals has impeded the free public use of a public street or highway by actions, words, or physical barriers for the purpose of conducting the event; (5) two or more vehicles have lined up with motors running

for an illegal motor vehicle speed contest or exhibition of speed; (6) one or more drivers is revving the vehicle's engine or spinning its tires in preparation for the event; or (7) an individual is stationed at or near one or more motor vehicles serving as a race starter.

- C. "Spectator" means any individual who is present at an illegal motor vehicle speed contest or exhibition of speed, or at a location where preparations are being made for such activities, for the purpose of viewing, observing, watching, or witnessing the event as it progresses. Spectator includes any individual at the location of the event without regard to whether the individual arrived at the event by driving a vehicle, riding as a passenger in a vehicle, walking, or arriving by some other means.

(Ord. 2214 § 1 (part), 2002)

11.42.030 Spectator at illegal speed contests or exhibitions of speed—Violation.

- A. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor subject to a maximum of ninety days in jail and a fine of five hundred dollars.
- B. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor and subject to a maximum of ninety days in jail and a fine of five hundred dollars.
- C. An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within two hundred feet of the location of the event, or within two hundred feet of the location where preparations are being made for the event.
- D. Exemption: Nothing in this section shall prohibit or make illegal law enforcement officers or their agents from being spectators at illegal motor vehicle speed contests or exhibitions of speed in the course of their official duties.

(Ord. 2214 § 1 (part), 2002)

11.42.040 Relevant circumstances to prove a violation.

Notwithstanding any other provision of law, to prove a violation of Section 11.42.030, admissible evidence may include, but is not limited to, any of the following:

- A. The time of day;
- B. The nature and description of the scene;
- C. The number of people at the scene;
- D. The location of the individual charged in relation to any individual or group present at the scene;
- E. The number and description of motor vehicles at the scene;
- F. That the individual charged drove or was transported to the scene;
- G. That the individual charged has previously participated in an illegal motor vehicle speed contest or exhibition of speed;
- H. That the individual charged has previously aided and abetted an illegal motor vehicle speed contest or exhibition of speed;
- I. That the individual charged has previously attended an illegal motor vehicle speed contest or exhibition of speed; or

-
- J. That the individual charged previously was present at a location where preparations were being made for an illegal speed contest or exhibition of speed or where an exhibition of speed or illegal motor vehicle speed contest was in progress.

(Ord. 2214 § 1 (part), 2002)

11.42.050 Admissibility of prior acts.

The list of circumstances set forth in Section 11.42.040 is not exclusive. Evidence of prior acts may be admissible to show the propensity of the defendant to be present at or attend an illegal motor vehicle speed contest or exhibition of speed, if the prior act or acts occurred within three years of the presently charged offense. These prior acts may always be admissible to show knowledge on the part of the defendant that a speed contest or exhibition of speed was taking place at the time of the presently charged offense. Evidence of prior acts shall not be limited to those that occurred within the city, and may include evidence of such acts from other jurisdictions within the county of San Diego.

(Ord. 2214 § 1 (part), 2002)

11.42.060 Enforcement.

Enforcement of this chapter shall be under the jurisdiction of the chief of police.

(Ord. 2214 § 1 (part), 2002)

Chapter 11.44 PEDESTRIANS

11.44.010 Crosswalks—Established.

- A. "Crosswalk" is defined by Section 275 of the CVC as follows:
1. That portion of a roadway included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approximately right angles, except the prolongation of such lines from an alley across a street.
 2. Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- B. The City Engineer shall make determinations as to whether or not to establish a marked crosswalk and the level of protection and/or traffic control needed based on traffic engineering guidelines, data collection and site evaluation of prevailing conditions.

(Ord. 827 § 51, 1951)

11.44.020 Crosswalks—Use required.

No pedestrian shall cross a roadway other than by a crosswalk, either marked or unmarked, in any business district or on any through street under the jurisdiction of the City of National City.

(Ord. 827 § 52, 1951)

11.44.030 Crossing at right angles.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.

(Ord. 827 § 53, 1951)

11.44.040 Standing in roadways.

No person shall stand in any roadway other than in a safety zone or in a crosswalk if such action interferes with the lawful movement of traffic. This section shall not apply to any public officer or employee or employee of a public utility when necessarily upon a street in the line of duty.

(Ord. 827 § 54, 1951)

11.44.050 Stopping, standing, sitting or lying down on public sidewalks.

- A. No person shall stop or stand on a public sidewalk in any commercial zone between the hours of seven a.m. and ten p.m. except as near as reasonably possible to an adjacent building or curb line.
- B. No person shall sit or lie down upon a public sidewalk, or upon a blanket, chair, stool or any other object placed upon a public sidewalk, between the hours of seven a.m. and ten p.m. in any commercial zone.
- C. The prohibitions in subsections A and B of this section shall not apply to any person:
 - 1. Stopping, standing, sitting or lying down on a public sidewalk due to a medical emergency;
 - 2. Who, as the result of disability, utilizes a wheelchair, walker, or similar device to move about the public sidewalk;
 - 3. Operating or patronizing a commercial establishment conducted on the public sidewalk pursuant to a temporary use permit; or a person participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event conducted on the public sidewalk pursuant to a temporary use or other applicable permit;
 - 4. Stopping or standing near, or sitting on a chair or bench located on the public sidewalk which is supplied by a public agency or by the abutting private property owner;
 - 5. Stopping or standing near, or sitting on a public sidewalk within a bus stop while waiting for public or private transportation.
- D. No person shall be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a police officer that the conduct violates this section.

(Ord. 2106 § 1, 1996; Ord. 827 § 55, 1951)

Chapter 11.48 PUBLIC NUISANCE VEHICLES

11.48.010 Findings.

In addition to and in accordance with the determination made and the authority granted by the state under Section 22660 of the CVC to remove abandoned, wrecked, dismantled or inoperative vehicles or parts thereof as public nuisances, the city council makes the following findings and declarations:

The accumulation and storage of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof on private or public property not including highways is found to create a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare. Therefore, the presence of an abandoned, wrecked, dismantled or inoperative vehicle or parts thereof, on private or public property not including highways, except as expressly hereinafter permitted, is a public nuisance which may be abated as such in accordance with the provisions of this chapter.

(Ord. 1433 § 1 (part), 1974)

11.48.020 Definitions.

As used in this chapter:

- A. "Highway" means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.
- B. "Owner of the land" means the owner of the land on which the vehicle, or parts thereof, is located, as shown on the last equalized assessment roll.
- C. "Owner of the vehicle" means the last registered owner and legal owner of record.
- D. "Public property" does not include "highway."
- E. "Vehicle" means a device by which any person or property may be propelled, moved or drawn upon a highway, except a device moved by human power or used exclusively upon stationary rails or tracks.

(Ord. 1433 § 1 (part), 1974)

11.48.030 Exclusions.

This chapter shall not apply to:

- A. A vehicle, or parts thereof, which is completely enclosed within a building or behind a solid fence in a lawful manner where it is not visible from the street or other public or private property; or
- B. A vehicle, or parts thereof, which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, a junk dealer, or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.

Nothing in this section shall authorize the maintenance of a public or private nuisance as defined under provisions of law other than Chapter 10 (commencing with Section 22650) of Division 11 of the CVC and this chapter.

(Ord. 1433 § 2, 1974)

11.48.040 Regulations not exclusive.

This chapter is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the city. It shall supplement and be in addition to the other regulatory codes, statutes and ordinances heretofore or hereafter enacted by the city, the state or any other legal entity or agency having jurisdiction.

(Ord. 1433 § 3, 1974)

11.48.050 Administration and enforcement.

Except as otherwise provided herein, the provisions of this chapter shall be administered and enforced by the Director of Community Development. In the enforcement of this chapter such officer and his deputies may enter upon private or public property to examine a vehicle or parts thereof or obtain information as to the identity of a vehicle and to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this chapter.

(Ord. 1433 § 4, 1974)

11.48.060 Removal contractor—Property entry right.

When the city council has contracted with or granted a franchise to any person or persons, such persons shall be authorized to enter upon private property or public property to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this chapter.

(Ord. 1433 § 5, 1974)

11.48.070 Administrative costs determination.

The city council shall from time to time determine and fix an amount to be assessed as administrative costs (excluding the actual cost of removal of any vehicle or parts thereof) under this chapter.

(Ord. 1433 § 6, 1974)

11.48.080 Abatement—Authorization.

Upon discovering the existence of an abandoned, wrecked, dismantled or inoperative vehicle, or parts thereof, on private property or public property within the city, the city manager shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed in this chapter.

(Ord. 1433 § 7, 1974)

11.48.090 Abatement—Notices.

A ten-day notice of intention to abate and remove the vehicle, or parts thereof, as a public nuisance shall be mailed by registered or certified mail to the owner of the land and to the owner of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notices of intention shall be in substantially the following forms:

**"NOTICE OF INTENTION TO ABATE AND
REMOVE AN ABANDONED, WRECKED,
DISMANTLED, OR INOPERATIVE
VEHICLE OR PARTS THEREOF AS
A PUBLIC NUISANCE**

(Name and address of owner of the land)

As owner shown on the last equalized assessment roll of the land located at (address), you are hereby notified that the undersigned pursuant to (section of ordinance or municipal code) has determined that there exists upon said land an (or parts of an) abandoned, wrecked, dismantled or inoperative vehicle registered to _____, license number _____, which constitutes a public nuisance pursuant to the provisions of (ordinance or municipal code chapter number).

You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of a vehicle) within 10 days from the date of mailing of this notice, and upon your failure to do so the same will be abated and removed by the City of National City and the costs thereof, together with administrative costs, assessed to you as owner of the land on which said vehicle (or said parts of a vehicle) is located.

As owner of the land on which said vehicle (or said parts of a vehicle) is located, you are hereby notified that you may, within 10 days after the mailing of this notice of intention, request a public hearing and if such a request is not received by the City Clerk within such 10-day period, the Director of Community Development shall have the authority to abate and remove said vehicle (or said parts of a vehicle) as a public nuisance and assess the costs as aforesaid without a public hearing. You may submit a sworn written statement within such 10-day period denying responsibility for the presence of said vehicle (or said parts of a vehicle) on said land, with your reasons for denial, and such statement shall be construed as a request for hearing at which your presence is not required. You may appear in person at any hearing requested by you

or the owner of the vehicle, or, in lieu thereof, may present a sworn written statement as aforesaid in time for consideration at such hearing.

Notice Mailed

(date)

s _____
/
(Director of Community
Development)"

**"NOTICE OF INTENTION TO ABATE AND
REMOVE AN ABANDONED, WRECKED,
DISMANTLED OR INOPERATIVE
VEHICLE OR PARTS THEREOF AS
A PUBLIC NUISANCE**

(Name and address of last registered and/or legal owner of record of vehicle—notice should be given to both if different)

As last registered (and/or legal) owner of record of (description of vehicle - make, model, license, etc.), you are hereby notified that the undersigned pursuant to (section of ordinance or municipal code) has determined that said vehicle (or parts of a vehicle) exists as an abandoned, wrecked, dismantled or inoperative vehicle at (describe location on public or private property) and constitutes a public nuisance pursuant to the provisions of (ordinance or municipal code chapter number).

You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of a vehicle) within 10 days from the date of mailing of this notice.

As registered (and/or legal) owner of record of said vehicle (or said parts of a vehicle), you are hereby notified that you may, within 10 days after the mailing of this notice of intention, request a public hearing and if such a request is not received by the (hearing body or officer) within such 10-day period, the Community Development Director shall have the authority to abate and remove said vehicle (or said parts of a vehicle) without a hearing.

Notice Mailed

(date)

s _____
/
(Community Development
Director)"

(Ord. 1958, 1988; Ord. 1433 § 8, 1974)

11.48.100 Abatement—Hearing—Requests.

Upon request by the owner of the vehicle or owner of the land received by the City Manager within ten days after the mailing of the notices of intention to abate and remove, a public hearing shall be held by the city council on the question of abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled or inoperative vehicle, and the assessment of the administrative costs and the cost of removal of the vehicle or parts thereof against the property on which it is located.

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his land within such ten-day period, the statement shall be construed as a request for a hearing which does not require his presence. Notice of the hearing shall be mailed, by registered mail, at least ten days before the hearing to the owner of the land and to the owner of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership. If such a request for hearing is not received within ten days after mailing of the notice of intention to abate and remove, the city shall have the authority to abate and remove the vehicle or parts thereof as a public nuisance without holding a public hearing.

(Ord. 1433 § 9, 1974)

11.48.110 Abatement—Hearing—Procedures.

All hearings under this chapter shall be held before the city council which shall hear all facts and testimony it deems pertinent. The facts and testimony may include testimony on the condition of the vehicle or parts thereof and the circumstances concerning its location on the private property or public property. The city council shall not be limited by the technical rules of evidence. The owner of the land may appear in person at the hearing, or present a sworn written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with his reasons for such denial.

The city council may impose such conditions and take such other action as it deems appropriate under the circumstances to carry out the purpose of this chapter. It may delay the time for removal of the vehicle or parts thereof if, in its opinion, the circumstances justify it. At the conclusion of the public hearing, the city council may find that a vehicle or parts thereof has been abandoned, wrecked, dismantled or is inoperative on private or public property and order the same removed from the property as a public nuisance and disposed of as hereinafter provided and determine the administrative costs and the cost of removal to be charged against the owner of the land. The order requiring removal shall include a description of the vehicle or parts thereof and the correct identification number and license number of the vehicle, if available at the site.

If it is determined at the hearing that the vehicle was placed on the land without the consent of the owner of the land and that he has not subsequently acquiesced in its presence, the city council shall not assess the costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such costs from such owner of the land.

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his land but does not appear, or if an interested party makes a written presentation to the city council but does not appear, he shall be notified in writing of the decision.

(Ord. 1433 § 10, 1974)

11.48.120 Vehicle disposal.

Five days after adoption of the order declaring the vehicle or parts thereof to be a public nuisance, five days from the date of mailing of notice of the decision if such notice is required by Section 11.48.110, or fifteen days after such action of the governing body authorizing removal following appeal, the vehicle or parts thereof may be disposed of by removal to a scrapyard or automobile dismantler's yard. After a vehicle has been removed it shall not thereafter be reconstructed or made operable, unless it is a vehicle which qualifies for either horseless carriage license plates or historical vehicle license plates, pursuant to Section 5004 of the CVC, in which case the vehicle may be reconstructed or made operable.

(Ord. 1886, 1986; Ord. 1433 § 11, 1974)

11.48.130 Notice to Department of Motor Vehicles.

Within five days after the date of removal of the vehicle or parts thereof, notice shall be given to the Department of Motor Vehicles identifying the vehicle or parts thereof removed. At the same time there shall be transmitted to the Department of Motor Vehicles any evidence of registration available, including registration certificates, certificates of title and license plates.

(Ord. 1433 § 12, 1974)

11.48.140 Removal costs assessment.

If the administrative costs and the cost of removal which are charged against the owner of a parcel of land pursuant to Section 11.48.110 are not paid within thirty days of the date of the order or the final disposition of an

appeal therefrom, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and shall be transmitted to the tax collector for collection. The assessment shall have the same priority as other city taxes.

(Ord. 1433 § 13, 1974)

Chapter 11.52 BICYCLES¹

11.52.010 Bicycle defined.

- A. A "bicycle" is any device upon which a person may ride, which is propelled by human power through the assistance of belts, chains or gears and which has wheels at least twenty inches in diameter and a frame size of at least fourteen inches.
- B. An "electric bicycle" has the same meaning as in CVC section 312.5:
 - 1. Class 1 eBike – a low-speed pedal-assisted electric bicycle, is equipped with a motor that provides assistance only when the rider is pedaling and that stops providing assistance when the bicycle reaches 20 mph. These e-bikes are legal on any paved surface that a regular bike is allowed to operate.
 - 2. Class 2 eBike – a low-speed throttle-assisted electric bicycle, is equipped with a motors that can exclusively propel the bicycle, but that cannot provide assistance when the bike reaches 20 mph. These e-bikes are legal on any paved surface that a regular bike is allowed to operate.
 - 3. Class 3 eBike – a speed pedal-assisted electric bicycle, is equipped with a motor that provides assistance only when the rider is pedaling and stops providing assistance when the bicycle reaches 28 mph. Operators of Class 3 e-bikes must be 16 or older and wear a helmet. Class 3 e-bikes are prohibited from Class I multi-use bike paths unless specifically authorized by a local ordinance.

(Ord. No. 2021-2493, § 2, 11-16-2021)

11.53.020 Traffic regulations.

- A. It is unlawful for any person to ride a bicycle upon a sidewalk within any business or residence district of the city, with the exception herein stated.
- B. The council may, by resolution duly adopted, authorize the riding of bicycles on the sidewalks of such residential districts or area with such limitations as to hours and specific purposes as they may deem proper.
- C. It is an infraction for any person to violate any of the terms or provisions of this chapter or to use a bicycle in and upon any street, alley, park or other public place in this city, or upon any path or lane set aside for the exclusive use of bicycles within this city, without complying in all respects with the terms and provisions of this chapter.

¹Editor's note(s)—Ord. No. 2021-2493, § 2, adopted Nov. 16, 2021, repealed the former Ch. 11.52, §§ 11.52.010—11.52.110, and enacted a new Ch. 11.52 as set out herein. The former Ch. 11.52 pertained to similar subject matter and derived from Ord. 1297(part), adopted 1972; Ord. 1298(part), adopted 1972; Ord. 1358 § 2(part), adopted 1973; Ord. 1374 § 1, adopted 1973; Ord. 1457 §§ 1—3, adopted 1975; and Ord. 1621, adopted 1978.

-
- D. It is an infraction for any parent or guardian of any child or of anyone who has the custody or control of any child in this city to knowingly permit such child to use a bicycle in this city in violation of the terms and provisions of this chapter.

(Ord. No. 2021-2493, § 2, 11-16-2021)

11.52.030 Violation—Penalties.

- A. Every person convicted of a violation of any provisions of this chapter is guilty of an infraction and is punishable as prescribed in Chapter 1.20 or by impounding the bicycle of the person convicted for a period not to exceed thirty days, or by any or all said penalties or any combination thereof.
- B. The Chief of Police shall also have authority, in the event that any juvenile or person under the age of twenty-one years is found violating any provision of this chapter to take and impound the bicycle of such juvenile or minor so found violating such chapter, and to hold the same for a period not to exceed thirty days, during which said time the chief of police shall notify the parents or guardian or other person having the custody and control of said juvenile or minor of such offense.

(Ord. No. 2021-2493, § 2, 11-16-2021)

Chapter 11.56 TOW TRUCK REGULATIONS

11.56.010 Tow truck defined.

A "tow car" or "tow truck" is a motor vehicle which has been altered or designed and equipped for, and exclusively used in the business of towing vehicles by means of a crane, tow bar, tow line or dolly or is otherwise exclusively used to render assistance to other vehicles.

(Ord. 1168 (part), 1967)

11.56.020 Chapter purpose.

It is the intent of this chapter to prescribe the basic regulations for the operation of tow cars, or tow trucks in police emergency situations in the removal of and towing away of motor vehicles which are illegally parked, apparently abandoned or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. It is the purpose of the council in enacting the ordinance codified in this chapter to provide a fair and impartial means of selecting private operators to engage in said business in the interest of the public as well as in the interest of efficient policing operations for the removal from the public streets of said vehicles.

(Ord. 1168 (part), 1967)

11.56.030 Regulations.

The city council shall, from time to time, by resolution, adopt policies for the selection and designation of tow car or tow truck services which shall be permitted to engage in emergency police towing upon notification of the need for such services by the police department. Any and all tow car or tow truck operators not so selected and designated pursuant to the policy of the city council are hereby prohibited from removing from the public streets and towing away any vehicles involved in the situations as set forth in Section 11.56.020 provided, however, that the owner of the vehicle so involved may designate any towing service to be used for the removal and towing away of such vehicle. The police department shall strictly adhere to the policies adopted by the city council and any administrative regulations instituted to efficiently carry out said policies. However, in the event that a towing service is contacted by the police department to perform said services, and performs said services in a manner not in accordance with the policies as established, the police department is held harmless from any and all liability or damages arising therefrom and shall not be accountable for, nor investigate, complaints of negligence and deviations from the policies unless said deviations are shown to be of a repeated and frequently

recurring nature, and any complaints received from the tow car or tow truck services selected and designated to carry out such police towing operations and any complaints received concerning the quality and standards of service performed by said operators shall be deemed sufficient cause for cancellation and termination of any contract or operating agreement entered into for the performance of such service.

(Ord. 1168 (part), 1967)

Chapter 11.60 INTERSTATE TRUCKS

11.60.010 Definitions—Generally.

For the purpose of carrying out the provisions of this chapter, the words, phrases and terms included herein shall be deemed to have the meanings set out in Sections 11.60.020 through 11.60.070.

(Ord. 1926 (part), 1987)

11.60.020 Terminal defined.

"Terminal" means any facility at which freight is consolidated to be shipped or where full load consignments may be loaded and off-loaded or at which the interstate trucks are regularly maintained, stored or manufactured.

(Ord. 1926 (part), 1987)

11.60.030 Interstate truck defined.

"Interstate truck" means a truck tractor and semitrailer or trailer or truck tractor, semitrailer with unlimited length as regulated by the CVC.

(Ord. 1926 (part), 1987)

11.60.040 Interstate truck service area defined.

"Interstate truck service area" means an area within one-half of a lane mile of an interstate highway which provides lodging, food, fuel or servicing to interstate trucks.

(Ord. 1926 (part), 1987)

11.60.050 CALTRANS defined.

"CALTRANS" means the State of California Department of Transportation or its successor agency.

(Ord. 1926 (part), 1987)

11.60.060 Trailblazer signs defined.

"Trailblazer signs" means an approved traffic sign used to identify the city's terminal access routes.

(Ord. 1926 (part), 1987)

11.60.070 Decision point defined.

"Decision point" means any point on the city's terminal access routes where installation of a trailblazer sign is necessary to identify the routes.

(Ord. 1926 (part), 1987)

11.60.080 Purpose—Interstate trucking regulated.

The purpose of this section is to establish procedures for terminal designation and truck route designation to terminals for interstate trucks operating on the federally designated highway system and to promote the general health, safety and welfare of the public. It shall be unlawful for any person to operate an interstate truck upon any street within the city outside of an interstate truck service area that has not been designated and marked in accordance with this chapter, unless the vehicle is exempt from the restrictions on interstate trucks pursuant to CVC Section 35401.5(c).

(Ord. 1926 (part), 1987)

11.60.090 Application.

- A. Any interested person requiring terminal access for interstate trucks from the federally designated highway system shall submit an application, on a form as provided by the city, together with such information as may be required by the city engineer and appropriate fees to the city.
- B. Upon receipt of the application the City Engineer will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon his approval of that designation, he will then determine the capability of the route requested and/or alternate routes. Determination of route capability will include, without limitation, a review of adequate turning radii and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of CALTRANS.
- C. Should the requested route pass through the city to a terminal located in another jurisdiction, the applicant shall comply with the jurisdiction's application process. City route designation approval will be required for those portions of the route located within the city. Cost for trailblazer signs shall be as provided in Section 11.60.100(B) below.

(Ord. 1926 (part), 1987)

11.60.100 Fees and costs.

- A. The applicant shall pay a nonrefundable application fee, as established by the city, sufficient to pay the cost of review of the terminal designation and the review of the route and alternate route.
- B. Upon the approval of the terminal designation and route by the city and by CALTRANS, the applicant shall deposit with the city, sufficient funds as estimated by the city engineer to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs will be required at every decision point in the city on the route to the terminal. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. No terminal or route may be used until such signs as are required are in place. Costs for trailblazer signs may be proportioned in accordance with procedures in Section 11.60.110(C).

(Ord. 1926 (part), 1987)

11.60.110 Retrofitting.

- A. If all feasible routes to a requested terminal are found unsatisfactory by the City Engineer, the applicant may request retrofitting the deficiencies. All costs of engineering, construction and inspection will be the responsibility of the applicant except when retrofitting deficiencies is within the jurisdiction of CALTRANS, the actual construction will be done by the city or by a contractor acceptable to the city.
- B. When the work is to be done by the city, the applicant shall deposit with the city the estimated cost of retrofitting. Adjustment between the estimated and actual cost shall be made after completion of the work and any difference between the actual and the estimated cost shall be billed or refunded to the applicant as the case may be. When the work is done by the applicant, the applicant may file with the City Engineer, on a form satisfactory to the City Engineer, a statement detailing the actual costs of the retrofitting.
- C. If at any time within five years from the date of completion of the retrofitting by the applicant, should any applicant seek terminal approval which would use the route upon which such retrofitting was accomplished, any such applicants' fee may include that applicants' proportionate share of the retrofitting, as determined by the City Engineer, which fee shall be disbursed by the city to the applicant who paid for the original retrofitting as well as to any applicant who contributed to the cost of retrofitting under this subsection. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file the applicant's report of costs with the city engineer as described in subsection B of this section.

(Ord. 1926 (part), 1987)

11.60.120 Revocation of route.

The City Engineer may revoke any approved terminal or route if the terminal or route becomes a traffic safety hazard for vehicular traffic. A safety hazard includes the inability of interstate trucks to negotiate the route or interstate trucks creating unsafe driving conditions for other vehicular traffic or pedestrians.

(Ord. 1926 (part), 1987)

11.60.130 Appeal process.

- A. If the City Engineer denies terminal designation, route feasibility or revokes a previously approved terminal or route, the applicant/terminal owner, within ten working days following the date of the receipt of the decision of the City Engineer may appeal the decision to the city council in writing. An appeal shall be made on a form prescribed by the engineering department and shall be filed with the City Clerk. The appeal shall state specifically wherein there was an error or abuse of discretion by the City Engineer or wherein the evidence in the record does not support his decision. Within five days of the filing of an appeal, the City Engineer shall transmit to the City Clerk the terminal application, the sketches of the revoked route and all other data filed therewith, the report of the City Engineer, the findings of the City Engineer, and his decision on the application.
- B. The City Clerk shall make copies of the data provided by the City Engineer available to the applicant and to the appellant (if the applicant is not the appellant) for inspection and may give notice to any other interested party who requested notice of the time when the appeal will be considered by the city council.
- C. If CALTRANS and not the city engineer denies or revokes terminal access from federally designated highways, no appeal may be made to the city council, but must be made to CALTRANS as may be permitted by CALTRANS.

(Ord. 1926 (part), 1987)

Chapter 11.64 MOBILITY DEVICES

11.64.010 Prohibitions and restrictions on use of skateboards, roller skates, coasters, scooters and similar toy vehicles.

- A. It is unlawful for any person upon a skateboard, roller skates, a coaster, a scooter or any similar toy vehicle or device to enter and travel upon, along or across any roadway within the city.
- B. Any person upon a skateboard, roller skates, a coaster, a scooter or any similar toy vehicle or device on any sidewalk or right-of-way not open to public vehicular traffic shall exercise due caution and shall yield the right-of-way to and not interfere with pedestrians.

(Ord. 1947 (part), 1988)

11.64.020 Violation—Penalty.

Any person violating any of the provisions of this chapter is guilty of an infraction.

(Ord. 1947 (part), 1988)

Chapter 11.70 TAXICABS AND OTHER FOR-HIRE VEHICLES²

11.70.010 Purpose.

The purpose of this chapter is to provide for the regulation of taxicabs and other for-hire vehicles within the city of National City through adoption of San Diego Metropolitan Transit System (MTS) Codified Ordinance No. 11, and to implement the provisions of Public Utilities Code Section 120266 by contract with MTS to license or regulate transportation services with the city of National City.

(Ord. No. 2017-2434, 4-4-2017)

11.70.020 Definitions.

The definitions set forth in Section 1.1 of San Diego Metropolitan Transit System Codified Ordinance No. 11 shall govern this chapter.

(Ord. No. 2017-2434, 4-4-2017)

11.70.030 Regulatory administration by contract with Metropolitan Transit System.

Notwithstanding the city's right to regulate taxicabs and other for-hire vehicles within its jurisdiction, the city council, by resolution currently in effect or as may be adopted from time to time, has authorized a contract with San Diego Metropolitan Transit System ("MTS") for the administration and enforcement by MTS of regulations, policies and ordinances for taxicabs and other for-hire vehicles operated within the city, including collection and administration of all applicable regulatory fees, fines and forfeitures. While that contract is in effect, the applicable regulations, policies and ordinances of MTS, including MTS Codified Ordinance No. 11, as now in effect or as may be amended from time to time, shall govern the operation of taxicabs and other for-hire vehicles within the city. Licensing of a taxicab and other for-hire vehicle or the operator or owner by MTS does not exempt the licensee from city business tax license requirements and payment of fees pursuant to Chapter 6.04. A copy of MTS Codified Ordinance No. 11 is on file in the office of the city clerk.

(Ord. No. 2017-2434, 4-4-2017)

²Editor's note(s)—Ord. No. 2017-2434, adopted April 4, 2017, amended Ch. 11.70 in its entirety, in effect repealing and reenacting said chapter to read as set out herein. The former Ch. 11.70, §§ 11.70.010—11.70.140, pertained to regulation and licensing of transportation services and derived from Ord. 2256 (part), 2004.