

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.02

FEES

Sections:

- 10.02.010 Citation signoff.
- 10.02.020 Accident report fees.

10.02.010 Citation signoff.

All citations signed off by any officers of the city will be charged a fee of ten dollars (\$10.00) per citation in addition to the penalty for the offense cited. This fee includes all citations issued both inside and outside the city limits. (Ord. 286, 1996: Ord. 231 (part), 1988).

10.02.020 Accident report fees.

All persons or companies wishing to receive a copy of their accident report will be charged a fee of five dollars (\$5.00) for all non-injury accident reports and twenty-five dollars (\$25.00) for all accident reports in which an injury has occurred. (Ord. 231 (part), 1988).

Chapter 10.04

UNIFORM TRAFFIC ORDINANCE*

Sections:

- 10.04.010 Adoption--Excepted sections--On file.
- 10.04.020 Appointing authority for city traffic engineer designated.
- 10.04.030 Section 6 added.
- 10.04.040 Section 1.3 added.
- 10.04.050 Section 2.7 added.
- 10.04.060 Section 2.8 added.
- 10.04.070 Section 11.8 added.

* For statutory provisions authorizing cities to adopt codes by reference, see Gov. Code §50022.1 et seq.

10.04.010 Adoption--Excepted sections--On file.

A. All of the provisions of the Uniform Traffic Ordinance, 1960 Edition, adopted by the League of California Cities, except sections 2, 2.1, 2.2, 2.3, 2.4, 2.6, 2.7, 2.8, 6, 11.8, 14, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 14.10, 14.11, 16, 16.1, 16.2, and 16.3 are adopted and made a part of this title as though fully set forth in this chapter.

B. Three (3) copies of this Uniform Traffic Ordinance are on file for use and examination by the public in the office of the city clerk. (Ord. 22 §1, 1961).

10.04.020 Appointing authority for city traffic engineer designated.

The appointing authority referred to in Section 2.5 of the Uniform Traffic Ordinance is designated as the city council, which council shall appoint the city traffic engineer. (Ord. 22 §2, 1961).

10.04.030 Section 6 added.

There is adopted a section to be numbered Section 6 which section is to be a part of the Uniform Traffic Ordinance adopted by reference in Section 10.04.010, such section to read as follows:

"Section 6. Authority of police in crowds. At places where large numbers of people and vehicles are to gather or have gathered, nothing in this ordinance shall be construed to prevent any police officer from prohibiting any person from parking any vehicle upon or using any street or sidewalk, or from prohibiting any pedestrian from using any street or sidewalk, and said police officer shall have the authority to direct the parking of vehicles in any reasonable manner, way or direction, and it is hereby declared to be unlawful for any person to fail to obey the said police officer's order, signal or command, regardless of any other provision of this ordinance."

(Ord. 22 §3, 1961).

10.04.040 Section 1.3 added.

There is adopted a section to be numbered Section 1.3 which section is to be a part of the Uniform Traffic Ordinance adopted by reference in Section 10.04.010, such section to read:

"Section 1.3. Central Traffic District. All streets and portions of streets within the area described as follows:

All that area bounded on the west by North Campus Drive and Meyer Street, on the north by Fourth Avenue and a line extending said Fourth Avenue, on the east by Derby Street, and on the south by Tucker Street; plus the following street:

'All of Bear Mountain Boulevard.'"

(Ord. 42 §1, 1963).

10.04.050 Section 2.7 added.

There is adopted a section to be numbered Section 2.7 which section is to be a part of the Uniform Traffic Ordinance adopted by reference in Section 10.04.010, such section to read:

"Section 2.7. Traffic Committee. There is hereby established an advisory traffic committee to serve without compensation, consisting of the city traffic engineer, a member of the city council and such num-

ber of other city officers and representatives of unofficial bodies as may be determined and appointed by the mayor. The chairman of the committee shall be appointed by the mayor and may be removed by him."

(Ord. 41 §1(part), 1963).

10.04.060 Section 2.8 added.

There is adopted a section to be numbered Section 2.8 which section is to be a part of the Uniform Traffic Ordinance adopted by reference in Section 10.04.010, such section to read:

"Section 2.8. Duties of Traffic Committee. It shall be the duty of the traffic committee to suggest the most practicable means for coordinating the activities of all officers and agencies of this city having authority with respect to the administration or enforcement of traffic regulations; to stimulate and assist in the preparation and publication of traffic reports; to receive complaints having to do with traffic matters; and to recommend to the City Council of this city and to the city traffic engineer and other city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations."

(Ord. 41 §1(part), 1963).

10.04.070 Section 11.8 added.

There is adopted a section to be numbered Section 11.8 which section is to be a part of the Uniform Traffic Ordinance adopted by reference in Section 10.04.010, such section to read:

"Section 11.8. Taxicab Stands.

(a) The city traffic engineer shall establish taxicab stands and determine the locations thereof.

(b) The curb surface within each taxicab stand shall be painted white and marked "Taxicab Stand" in red lettering, or shall be designated by signs of a type and size approved by the city traffic engineer.

(c) No operator of any vehicle, other than a taxicab or automobile for hire, shall park said vehicle in such taxicab stand."

(Ord. 37 §1, 1962).

Chapter 10.08

PARKING PROHIBITIONS*

Sections:

- 10.08.010 Removal of vehicle authorized when.
- 10.08.020 Using street for vehicle storage prohibited--Removal.
- 10.08.030 Penalties.

* For statutory provisions on the local regulation of removal of parked cars, see Vehicle Code §22652.

10.08.010 Removal of vehicle authorized when.

Any vehicle parked or left standing in violation of any parking prohibition in the city may be removed by any salaried police officer of the Arvin police department; provided, that signs are posted giving notice of removal as provided in this section. (Ord. 78 §1, 1971).

10.08.020 Using street for vehicle storage prohibited-- Removal.

No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any streets or highway or alley for more than a consecutive period of seventy-two (72) hours. In the event a vehicle is parked or left standing upon a street, alley or highway in excess of a consecutive period of seventy-two (72) hours, any salaried police officer of the Arvin police department may remove such vehicle from the street in the manner and subject to the requirements of the California Vehicle Code. (Ord. 78 §2, 1971).

10.08.030 Penalties.

Any violation of any regulation governing the standing or parking of a vehicle under the California Vehicle

Code, under federal statute or regulation, or under this code is subject to a civil penalty. The enforcement of those civil penalties shall be governed by the civil administrative procedures as set forth in Section 40200 et seq. of the California Vehicle Code. The schedule of parking penalties for parking violations, late payment penalties, administrative fees, and other related charges for parking violations shall be established by resolution duly adopted by the council. (Ord. 269 §1, 1993).

Chapter 10.12

OFF-ROAD OPERATION

Sections:

10.12.010 Written permission from owner required--
Exceptions.

10.12.010 Written permission from owner required--
Exceptions.

No person shall drive a motor vehicle on any lands belonging to or lawfully occupied by another without having, and upon request of a police officer displaying, written permission from the owner of such lands or his agent or the person in lawful possession thereof; provided, however, that this section shall not be applicable to persons having visible or lawful business with such owner, agent or person in lawful possession, nor applicable to those lands (or specified portions thereof) owned or administered by a governmental agency which are designated as open to the public for motor vehicular travel. (Ord. 101 §1, 1974).

Chapter 10.16

PARADES

Sections:

10.16.010 Parade defined.
10.16.020 Permit--Required.

- 10.16.030 Permit--Application--Time limit.
- 10.16.040 Permit--Late application.
- 10.16.050 Permit--Application--Filing on behalf of another organization.
- 10.16.060 Permit--Application--Contents.
- 10.16.070 Permit--Application--Action.
- 10.16.080 Permit--Issuance requirements.
- 10.16.090 Permit--Contents.
- 10.16.100 Permit refusal--Hearing.
- 10.16.110 Officials to be notified.
- 10.16.120 Throwing items from parade prohibited.
- 10.16.130 Interference with prohibited.

10.16.010 Parade defined.

"Parade" as used in this chapter, means any march or procession consisting of persons, animals or vehicles, or combinations thereof, except a funeral procession, upon any public street, public sidewalk, public alley or other public place, which does not comply with normal and usual traffic regulation or controls. (Ord. 102 §2, 1974).

10.16.020 Permit--Required.

No person shall conduct, manage or participate in any parade without a written permit from the city administrator. (Ord. 102 §3, 1974).

10.16.030 Permit--Application--Time limit.

Any person desiring to conduct or manage a parade shall, in not less than thirty (30) days nor more than ninety (90) days before the date on which it is proposed to conduct such parade, file an application with the city administrator for a permit. (Ord. 102 §4 (part), 1974).

10.16.040 Permit--Late application.

For good cause, the city administrator shall have power in its discretion to consider any application to conduct a parade which is filed less than thirty (30) days before the parade is to be conducted. (Ord. 102 §10, 1974).

10.16.050 Permit--Application--Filing on behalf of another organization.

If a parade is designated to be helped by and on behalf of or for any organization other than the applicant,

the applicant for such permit shall file a communication in writing for such organization, authorizing the applicant to apply for such permit on its behalf. (Ord. 102 §4(part), 1974).

10.16.060 Permit--Application--Contents.

Each application for a permit shall contain the following data:

- A. Date;
- B. Organization applying for permit;
- C. The event;
- D. The route;
- E. The proposed starting time;
- F. Proposed completion time;
- G. Proposed number of units in parade and character of its units;
- H. Size of units in parade. (Ord. 102 §7, 1974).

10.16.070 Permit--Application--Action.

The city administrator shall, within eight (8) days after the filing of an application for a parade permit, act thereon. (Ord. 102 §5, 1974).

10.16.080 Permit--Issuance requirements.

A. No permit shall be issued authorizing the conduct of a parade which the city administrator finds is proposed to be held for the sole purpose of advertising any products, goods, wares, merchandise or event and is designed to be held for private purposes.

B. The city administrator shall issue the permit if, after consulting with the chief of police and appropriate department heads, it finds that:

- 1. The conduct of such parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- 2. The conduct of such parade will not require the difference of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;
- 3. The conduct of such parade will not interfere with the movement of firefighting equipment on route to a fire;

4. The conduct of such parade is not reasonably likely to cause injury to persons or property, or cause disorderly conduct or tend to create a disturbance;

5. The congestion of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;

6. Such parade will move from its point of origin to its point of termination expeditiously and without stopping on route. (Ord. 102 §6, 1974).

10.16.090 Permit--Contents.

In each permit the city administrator shall prescribe:

A. Starting time;

B. Minimum speed;

C. Maximum speed;

D. The maximum interval of space to be maintained between the units of such parade;

E. The maximum number of units to be permitted in such parade and the maximum size of such units;

F. What portions of the street are to be traversed by such parade;

G. The maximum length of such parade and miles in fractions thereof;

H. The maximum amount of time during which such parade may be conducted. (Ord. 102 §8, 1974).

10.16.100 Permit refusal--Hearing.

If the city administrator disapproves the application for a parade permit there must be mailed to the applicant within fifteen (15) days after the date upon which the application was filed a notice of the action denying the permit stating the reasons for the denial. Where a denial has been made by the city administrator, an applicant shall have the right to appeal the denial of the parade permit to the city council by filing a written notice thereof with the city clerk within five (5) days of receipt of the notice of such action of denial by the city administrator. The decision of the city council after hearing on such appeal shall be final. (Ord. 102 §9, 1974).

10.16.110 Officials to be notified.

Immediately upon the granting of a parade permit the city administrator shall send a copy thereof to the following:

- A. The city clerk;
- B. The fire chief;
- C. The chief of police;
- D. The director of public works;
- E. The postmaster of the Arvin Post Office;
- F. The general manager or responsible head of each public transportation utility the regular routes of whose vehicles will be affected by the route of the proposed parade. (Ord. 102 §11, 1974).

10.16.120 Throwing items from parade prohibited.

No person shall throw any advertising material, product samples, candy or any other item from a parade unit or line of march. If samples of items or candy or materials are to be given away to the crowd along the line of march, those items shall be handed to members of the crowd on the side of the line of march. (Ord. 102 §13, 1974).

10.16.130 Interference with prohibited.

No person shall, without the consent of permittee, join or participate in a parade nor in any manner interfere with its orderly conduct. (Ord. 102 §12, 1974).

C. "Interstate truck" means a truck tractor and trailer or doubles with unlimited length as regulated by the Vehicle Code.

D. "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 vehicles are regularly maintained, stored or manufactured. (Ord. 204 §1, 1984).

Chapter 10.20

BICYCLES*

Sections:

- 10.20.010 Definitions.
- 10.20.020 Exemptions from chapter regulations.

- 10.20.030 License tag required.
- 10.20.040 License--Application--Fee.
- 10.20.050 License tag--Form--Transfer procedure.
- 10.20.060 Bicycle fund--Purpose and use.
- 10.20.070 Operation--Parks, playgrounds and schools.
- 10.20.080 Operation--Riding on sidewalk permitted when.
- 10.20.090 Parking.
- 10.20.100 Auction sales.
- 10.20.110 Wheeled toys prohibited on streets.
- 10.20.120 Wheeled toys and bicycles--Prohibited in business.
- 10.20.130 Wheeled toys and bicycles--Parking restrictions.
- 10.20.140 Violation--Penalties.

* For statutory provisions on the operation of bicycles, see Vehicle Code §21200 et seq.; for provisions on the registration and licensing of bicycles, see Vehicle Code §39000 et seq.

Prior history: Ord. 105 and 222.

10.20.010 Definitions.

For the purpose of this chapter, certain words and terms are defined in this section and shall have the meanings thus ascribed:

A. "Bicycle" includes every device propelled in whole or in part by human power upon which a person may ride, having two (2) or more wheels in a tandem or tricycle arrangement.

B. "Business district" shall be that as defined in the California Vehicle Code.

C. "Highway" shall be that as defined in the California Vehicle Code.

D. "Place of public assembly" includes all buildings or areas where persons congregate from time to time, exclusive of those within business districts as defined in this section.

E. "Registration" includes the completion of registration forms and license indicia necessary for proper recordation.

F. "Roadway" shall be that as defined in the California Vehicle Code.

G. "Sidewalk" means that area adjacent to a traveled roadway, whether hard-surfaced or not, upon which the public is customarily invited or permitted to walk or otherwise use.

H. "Wheeled toy" includes all other wheeled objects, regardless of motive power, not classified as bicycles in this code nor as vehicles in the Vehicle Code, and specifically includes, but without limitation, roller skates, skateboards, coasters, scooters and toy vehicles. (Ord. 303 §5, 1996).

10.20.020 Exemption from chapter regulations.

Devices designed, intended and used solely for the transportation of infants, invalids or incapacitated persons, or devices designed, intended and used for the transportation of merchandise to or from the place of purchase, and other wheeled devices when being used for either of these purposes, shall be exempted from the regulations imposed by this chapter. Likewise, the regulations specified in this chapter shall not apply to a place of public assembly when it is not open or in use, nor shall they apply if the person in charge of such place of public assembly expressly waives the same. (Ord. 303 §5, 1996).

10.20.030 License tag required.

No resident of the city shall ride or propel a bicycle upon any street, alley or public highway in the city or upon any part thereof, without first having secured and attached to such bicycle a proper unexpired license tag as provided in this chapter. (Ord. 303 §5, 1996).

10.20.040 License--Application--Fee.

Application for a license shall be made on forms to be provided by the police department. Information to be required on the application and the annual fee that must accompany such application shall be established by council resolution. (Ord. 303 §5, 1996).

10.20.050 License tag--Form--Transfer procedure.

As provided in the California Vehicle Code, the license tag required by this chapter shall be a standard statewide bicycle plate whether issued by the city or some other city or county; provided, that rules governing the transfer of such license or notification of change of ad-

dress as specified in a council resolution are fully complied with. (Ord. 303 §5, 1996).

10.20.060 Bicycle fund--Purpose and use.

There is established a bicycle fund. Revenues from the licensing and renewal of bicycle licenses shall be deposited in the bicycle fund beginning February 1, 1975. Revenue in the bicycle fund shall be used for the support of the bicycle licensing ordinance codified in this chapter, including any additions or amendments thereto, and for the support of any other ordinance or council resolution regulating the licensing, possession, purchase, sale or use of bicycles in the city, or may be used to reimburse retailers for services rendered. In addition, fees collected shall be used to improve bicycle safety programs and establish bicycle facilities, including bicycle paths and lanes, within the city. (Ord. 303 §5, 1996).

10.20.070 Operation--Parks, playgrounds and schools.

No person shall ride or operate a bicycle upon any playground, park or school ground where children are playing, without permission of the person having supervision thereof. (Ord. 303 §5, 1996).

10.20.080 Operation--Riding on sidewalk permitted when.

A. No person shall ride or operate a bicycle on any sidewalk in the city except as may be specifically exempted in this chapter.

B. Juveniles under the age of twelve (12) years, exercising due care and giving the pedestrian right-of-way, may ride and operate their bicycles upon sidewalks, excepting such sidewalks as are in front of schools, stores or buildings used for business purposes. (Ord. 303 §5, 1996).

10.20.090 Parking.

No person shall park a bicycle upon a street other than upon the roadway against the curb, or in a bicycle rack, or against a building or at the curb in such manner as to afford the least obstruction to pedestrian traffic. Where a parking rack is provided and space in such rack is available, no person shall park a bicycle at a location upon a public street or public sidewalk within a distance

of one hundred (100) feet from such rack. (Ord. 303 §5, 1996).

10.20.100 Auction sales.

Any unclaimed bicycle in the possession of the police department for six (6) consecutive months or more after recovery as stolen property, impounding or for other reasons, shall be sold at a public auction sale, notice of which shall be published in a local newspaper. (Ord. 303 §5, 1996).

10.20.110 Wheeled toys prohibited on streets.

No person shall use, operate, park or leave any wheeled toy upon the traveled way of any public street or alley. (Ord. 303 §5, 1996).

10.20.120 Wheeled toys and bicycles--Prohibited in business district.

No person shall use or operate any bicycle or wheeled toy upon any sidewalk in a business district or adjacent to any place of public assembly. (Ord. 303 §5, 1996).

10.20.130 Wheeled toys and bicycles--Parking restrictions.

No person shall park or leave any bicycle or wheeled toy upon any street or alley, nor upon any sidewalk in any business district or adjacent to any place of public assembly in such manner as to obstruct or hinder the free passage of pedestrians or other vehicles or devices permitted to use the same. Any bicycle or wheeled toy found in violation of this section may be impounded by the police department and returned to the owner under such reasonable conditions as may be established by the chief of police. (Ord. 303 §5, 1996).

10.20.140 Violation--Penalties.

Every person convicted of a violation of any provision of this chapter shall be guilty of an infraction and be punishable by a fine not to exceed two hundred fifty dollars (\$250.00) or ten (10) days in jail, or by impounding such person's bicycle or wheeled toy, as the case may be, for a period not to exceed thirty (30) days, or by any combination thereof. (Ord. 303 §5, 1996).

Chapter 10.24

INTERSTATE TRUCKS

Sections:

- 10.24.010 Purpose.
- 10.24.020 Definitions.
- 10.24.030 Application.
- 10.24.040 Fees and costs.
- 10.24.050 Retrofitting.
- 10.24.060 Revocation of route.
- 10.24.070 Appeal process.

10.24.010 Purpose.

The purpose of this chapter is to establish procedures for terminal designation and truck route designation to terminals for interstate trucks operating on a federally designated highway system and to promote the general health, safety and welfare of the public. (Ord. 294 §2, 1984).

10.24.020 Definitions.

The following words and phrases shall have the meanings set forth, and if any word or phrase used in this chapter is not defined in this section, it shall have the meanings set forth in the California Vehicle Code; provided, that if any such word or phrase is not defined in the Vehicle Code, it shall have the meaning attributed to it in ordinary usage.

A. "Caltrans" means the state of California Department of Transportation or its successor agency.

B. "City planner" means the transportation planner of the city or his authorized representative.

C. "Interstate truck" means a truck tractor and trailer or doubles with unlimited length as regulated by the Vehicle Code.

D. "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 vehicles are regularly maintained, stored or manufactured, (Ord. 204 §1, 1984).

10.24.030 Application.

A. Any interested person requiring terminal access 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 planner and appropriate fees to the city.

B. Upon receipt of the application, the city planner 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 alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radius 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 city of Arvin's application process. (Ord. 204 §3, 1984).

10.24.040 Fees and costs.

A. The applicant shall pay a nonrefundable application fee, as established by the city by resolution, sufficient to pay the cost of the 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 established by the city planner to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs will be required at every decision point in the city on 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 may be required are in place. (Ord. 204 §4, 1984).

10.24.050 Retrofitting.

A. If all feasible routes to a requested terminal are found unsatisfactory by the city planner, the applicant may request retrofitting the deficiencies. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the retrofitting of deficiencies is within the jurisdiction of Caltrans, the actual construction will be done by the city or by a constructor acceptable to it.

B. When the work is to be done by the city, the applicant shall deposit with the city the estimated cost of retrofitting. Adjustments between the estimated and actual cost shall be made after completion of 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 planner, on a form satisfactory to the city planner, a statement detailing the actual costs of the retrofitting. (Ord. 204 §5, 1984).

10.24.060 Revocation of route.

The city planner may revoke any approved terminal or route if the terminal or route becomes a traffic hazard for vehicular traffic. A safety hazard includes the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians. (Ord. 204 §6, 1984).

10.24.070 Appeal process.

A. If the city planner denies terminal designation, route feasibility or revokes a previously approved terminal or route, the applicant/terminal owner, within ten (10) days following the date of receipt of the decision of the city planner may appeal said decision to the city council in writing. An appeal shall be made on a form prescribed by the planning 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 planner or wherein its decision is not supported by the evidence in the record. Within five (5) days of the filing of an appeal, the city planner 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 planner, the findings of the city planner and his decision on the application.

B. The city clerk shall make copies of the data provided by the city planner 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 planner 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. 204 §7, 1984).