City of Sebastopol

CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF: December 1, 2026

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To:	Honorable Mayor and City Councilmembers
From:	Sean McDonagh, Police Chief Oriana Hart, Public Works Director Public Works
Department:	Second Reading and Adoption of an Ordinance Amending Title 10, Vehicles
Subject:	and Traffic, of the Sebastopol Municipal Code to Replace References to City Traffic Engineer with Police Chief

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RECOMMENDATION(S):
That the City Council adopt the ordinance amending Title 10, Vehicles and Traffic, of the Sebastopol Municipal Code to replace references to City Traffic Engineer with Police Chief.

PROCESS OF AGENDA ITEM:
If the item remains on the Consent Calendar, no presentation is required, and the item will be approved as part of the Consent Calendar. If the item is removed from the Consent Calendar, it will be heard as a regular agenda item and will proceed as follows:

- Presentation of Agenda item by the Requestor or Responsible Department
- Questions and Discussion from Councilmembers
- Public Comment Period
- Presentation Received

EXECUTIVE SUMMARY:
On November 17, 2026, the City Council considered and approved the first reading of an ordinance generally amending Title 10, Vehicles and Traffic, of the Sebastopol Municipal Code to replace references to the City Traffic Engineer with the Police Chief. The ordinance is returning to the City Council for its second reading and adoption. The proposed amendment corrects the use of the title "Traffic Engineer" in the Municipal Code, as the Police Chief is not a California-licensed Traffic Engineer. The amendment does not change the existing duties or responsibilities assigned to the Police Chief under Title 10.

BACKGROUND:
California requires individuals practicing and holding the title of Traffic Engineer to be licensed by the State of California. Under the existing Sebastopol Municipal Code, Section 10.04.180 assigns the title of City Traffic Engineer to the Police Chief. Because the Police Chief does not hold a California Traffic Engineer license, the City's Municipal Code requires amendment to remove the designation. At its November 17, 2026 meeting, the City Council considered the proposed ordinance and approved its first reading.

DISCUSSION:
The ordinance is presented for second reading and adoption. The amendment generally updates Title 10, Vehicles and Traffic, of the Sebastopol Municipal Code by replacing references to City Traffic Engineer with Police Chief. The ordinance also clarifies the respective responsibilities of the Police Chief and City Engineer under the City's traffic regulations. The amendment does not change the existing duties, responsibilities, or authority assigned to the Police Chief for enforcement and administration of Title 10. Traffic engineering work requiring professional engineering expertise, including traffic analysis, studies, and engineering consultation, will continue to be performed by a California-licensed Traffic Engineer as necessary.

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No substantive changes to the ordinance are proposed since its first reading. For any tasks and activities such as design of traffic control devices; design of roadways to provide free traffic flow; and collecting and analyzing data on traffic volumes, speeds, delays, queues to improve traffic flow and bicycle and pedestrian mobility, all in accordance with State of California engineering design standards, should be performed by a licensed Traffic Engineer as required by the State.

STAFF ANALYSIS:
The tasks and duties as specified in Title 10, Vehicles and Traffic, do not warrant a traffic engineer license since the said tasks and duties do not pertain to performing traffic-related engineering work such as the design, planning, and management of traffic systems for public works projects. The only non-compliant terminology in the Municipal Code is the use of the title "Traffic Engineer." To be compliant with State regulations, it is recommended that the title of City Traffic Engineer be replaced with the Police Chief. The duties and the responsibilities required under Title 10 will continue to be assigned to the Police Chief.

FISCAL IMPACT:
There is no fiscal impact pertaining to the passage of this ordinance.

CITY COUNCIL GOALS/PRIORITIES/AND OR GENERAL PLAN CONSISTENCY:
This agenda item represents the City Council goals/priorities as follows:

- Goal 3 – Infrastructure. Maintaining high quality infrastructure, facilities and services includes repairing/ replacing outdated city facilities, improving streets, stormwater and wastewater infrastructure.

PUBLIC COMMENT:
This agenda item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

COMMUNITY OUTREACH:
This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date. Following the November 17th meeting, the City received a public comment questioning the use of the title "Traffic Control Chief" and suggesting that a title such as "Transportation" may better reflect the City's consideration of transportation modes beyond automobiles. The proposed amendment is intended to accurately identify the position responsible for the duties outlined in Title 10. These responsibilities are primarily related to traffic regulation and control, including enforcement of traffic regulations, accident investigation, speed limit recommendations, and coordination of traffic control devices such as signs and pavement markings. These functions have historically been assigned to the Police Chief and are consistent with the Police Chief's role. The amendment is a housekeeping change to address the use of "Traffic Engineer," a state regulated professional designation requiring a California license.

RESTATED RECOMMENDATION:
That the City Council adopt the ordinance amending Title 10, Vehicles and Traffic, of the Sebastopol Municipal Code to replace references to "City Traffic Engineer" with "Police Chief."

CITY COUNCIL OPTIONS:
There is no other alternative to approving this ordinance in order to be compliant with State regulations governing the use of the Traffic Engineer title.

ATTACHMENT:
1 – Proposed Ordinance Amendment
2 – Municipal Code Title 10 with markups showing all changes

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APPROVALS:

Department Head Approval: Approval Date: 11/23/26

CEQA Determination (Community Development): Approval Date: N/A

Exempt from CEQA pursuant to Title 14 of the CCR, Section 15378(b)(5).

Administrative Services (Financial) Approval Date: N/A

Costs authorized in City Approved Budget: ☐ Yes ☐ No N/A ☒

Account Code (f applicable) _____

City Attorney Approval: Approval Date: 11/24/26

City Manager Approval: Approval Date: 11/24/26

ORDINANCE NUMBER _____

FIRST READING AND INTRODUCTION

AN ORDINANCE OF THE CITY OF SEBASTOPOL GENERALLY AMENDING THE SEBASTOPOL MUNICIPAL CODE TITLE 10, VEHICLES AND TRAFFIC, TO CHANGE THE REFERENCES TO AND TITLE OF CITY TRAFFIC ENGINEER TO CITY TRAFFIC CONTROL MANAGER THROUGHOUT TITLE 10 OF THE MUNCIPAL CODE

WHEREAS, in California, persons practicing and holding the title of "Traffic Engineer" are required to be licensed in the State of California; and

WHEREAS, under the Sebastopol Municipal Code (SMC) Section 10.04.180, the City Traffic Engineer is assigned to the Chief of Police; and

WHEREAS, the Chief of Police is not a licensed Traffic Engineer and is not eligible to hold said City Traffic Engineer title under the State of California; and

WHEREAS, the tasks and duties as specified in Title 10, Vehicles and Traffic, do not warrant a traffic engineer license since said tasks and duties do not pertain to performing traffic-related engineering work such as the design, planning, and management of traffic systems for public works projects, transportation agencies and private parties.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Chapter 10.02 is hereby added to Title 10, Vehicles and Traffic, and reads as follows:

Chapter 10.02 Administration

Section 10.02.010 Police Chief.

The Police Chief shall be responsible for the following:

A. Enforcement of traffic regulations, investigation of traffic accidents, and other duties imposed by this Chapter, other traffic ordinances, or state law.

B. Enforcement of the California Vehicle Code and any provisions of this Code.

C. Recommendations to the City Council on maximum posted speed limits, based on the requirements of the California Vehicle Code.

D. Coordination with the Public Works Department for installation, replacement and/or removal of street signs, markings, and other traffic control devices as authorized in this Chapter.

E. Engaging with a California-licensed Traffic Engineer for traffic analysis, studies, and traffic engineering consultation as necessary, to perform the duties of this Chapter.

Section 10.02.020 City Engineer.

The City Engineer shall be responsible for the following:

A. The designation, location, and removal of no parking zones and red zones (except bus red zones).

B. The designation, location and removal of stop signs and yield signs.

C. Recommendations to the City Council on appropriate street engineering standards.

SECTION 3. Section 10.04.180, City Traffic Engineer, shall be removed from Chapter 10.04.

SECTION 4. The words "city traffic engineer" shall be replaced with "police chief" throughout Title 10 and more specifically in Chapters 10.12 Traffic Control Devices, 10.16 Turning Movements, 10.36 Stopping, Standing and Parking for Certain Purposes or in Certain Places, 10.40 Stopping, Standing or Parking Restricted or Prohibited on Certain Streets, 10.44 Stopping for Loading or Unloading Only, and Sections 10.20.010. 10.24.010, 10.28.040, 10.32.010, 10.48.030, 10.48.040, and 10.60.010 of Title 10 of the Municipal Code.

SECTION 5. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(5), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

SECTION 6. If any Person violates any provision of this Ordinance, he or she shall be liable to the Filing Officer at a minimum of ten ($10) dollars per day of violation, in addition to any other legal remedies provided by law. This amount shall be deemed a penalty in accordance with Government Code Section 91013.

SECTION 7. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 8. A summary of this Ordinance shall be published in a newspaper published and circulated in the City of Sebastopol at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those City Council members voting for and against the Ordinance shall be published again, and the City Clerk shall post a certified copy of the full text of such adopted Ordinance.

SECTION 9. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

APPROVED FOR WAIVING OF FIRST READING AND INTRODUCTION OF ORDINANCE at the Regular City Council Meeting of December 1, 2026.

VOTE:
AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: _____
Mayor Jill McLewis

ATTEST: _____
Mary Gourley, City Manager

APPROVED AS TO FORM: _____
Alex Mog, City Attorney

Title 10

VEHICLES AND TRAFFIC

Chapters:

10.02 Administration
10.04 Vehicles and Traffic
10.08 Enforcement and Obedience to Traffic Regulations
10.10 Vulnerable User Protection
10.12 Traffic Control Devices
10.16 Turning Movements
10.20 One-Way Streets and Alleys
10.24 Special Stops Required
10.28 Miscellaneous Driving Rules
10.32 Pedestrians Regulations
10.36 Stopping, Standing and Parking for Certain Purposes or in Certain Places
10.40 Stopping, Standing or Parking Restricted or Prohibited on Certain Streets
10.44 Stopping for Loading or Unloading Only
10.48 Restricted Use of Certain Streets
10.52 Trains
10.56 Special Speed Zones
10.60 Obstruction to Visibility at Intersections
10.64 Miscellaneous Use of Streets and Sidewalks
10.68 Bicycle Regulations
10.72 Abatement and Removal as Public Nuisances of Abandoned, Wrecked, Dismantled or Inoperative Vehicles
10.76 Recreational Vehicle Parking Ordinance

Chapter 10.02

ADMINISTRATION

Sections:

10.02.010 Police Chief
10.02.020 City Engineer

10.02.010 Police Chief

The Police Chief shall be responsible for the following:

A. Enforcement of traffic regulations, investigation of traffic accidents, and other duties imposed by this Chapter, other traffic ordinances, or state law.

B. Enforcement of the California Vehicle Code and any provisions of this Code.

C. Recommendations to the City Council on maximum posted speed limits, based on the requirements of the California Vehicle Code.

D. Coordination with the Public Works Department for installation, replacement and/or removal of street signs, markings, and other traffic control devices as authorized in this Chapter.

E. Engaging with a California-licensed Traffic Engineer for traffic analysis, studies, and traffic engineering consultation as necessary, to perform the duties of this Chapter.

10.02.020 City Engineer

The City Engineer shall be responsible for the following:

A. The designation, location, and removal of no parking zones and red zones (except bus red zones).

B. The designation, location and removal of stop signs and yield signs.

C. Recommendations to the City Council on appropriate street engineering standards.

Chapter 10.04
VEHICLES AND TRAFFIC

Sections:

10.04.010 Definitions of words and phrases.
10.04.020 Motor Vehicle Code definitions to be used.
10.04.030 Central Traffic District.
10.04.040 Coach.
10.04.050 Council.
10.04.060 Curb.
10.04.070 Divisional island.
10.04.080 Holidays.
10.04.090 Loading zone.
10.04.100 Official time standard.
10.04.110 Parkway.
10.04.120 Parking meter.
10.04.130 Passenger loading zone.
10.04.140 Pedestrian.
10.04.150 Police officer.
10.04.160 Stop.
10.04.170 Vehicle Code.
~~10.04.180 City Traffic Engineer.~~

10.04.010 Definitions of words and phrases.

The following words and phrases when used in this chapter shall for the purpose of this chapter have the meanings respectively ascribed to them in this chapter.

10.04.020 Motor Vehicle Code definitions to be used.

Whenever any words or phrases used herein are not defined, but are defined in the Vehicle Code of the State of California and amendments thereto, such definitions shall apply.

10.04.030 Central Traffic District.

All streets and portions of streets within the area described as follows:

All that area bounded by Healdsburg Avenue at its intersection with:

Florence Avenue,

then south of Florence Avenue to Bodega Avenue,

then west on Bodega Avenue to Jewell Avenue,

then south on Jewell to Willow Street,

then east on Willow to High Street,

then south on High Street to Calder Avenue,

then east on Calder Avenue to South Main Street,

then east on Fannen Avenue to Petaluma Avenue,

then north on Petaluma Avenue to Sebastopol Avenue,

then east on Sebastopol Avenue to the City Limits,

then from the intersection of Sebastopol Avenue and Brown Street, north on Brown Street to McKinley Street,

then west on McKinley Street to North Main Street,

then north on North Main Street to Healdsburg Avenue,

then west on Healdsburg Avenue to its intersection with Florence Avenue.

10.04.040 Coach.

Any motor bus, motor coach, trackless trolley, or passenger stage used as a common carrier of passengers.

10.04.050 Council.

The Council of the City of Sebastopol.

10.04.060 Curb.

The lateral boundary of the roadway whether such curb be marked by curbing construction, or not so marked; the word “curb” as herein used shall not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracks or rights-of-way of public utility companies.

10.04.070 Divisional island.

A raised island located in the roadway and separating opposing or conflicting streams of traffic.

10.04.080 Holidays.

Within the meaning of this chapter, holidays are:

A. January 1st;

B. February 12th;

C. February 22nd;

D. May 30th;

E. July 4th;

F. The first Monday in September;

G. September 9th;

H. October 12th;

I. November 11th;

J. December 25th; and

K. Thanksgiving Day.

If January 1st, February 12th, February 22nd, May 30th, July 4th, September 9th, October 12th, November 11th or December 25th falls upon a Sunday, the Monday following is a holiday.

10.04.090 Loading zone.

The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

10.04.100 Official time standard.

Whenever certain hours are named herein, they shall mean Standard Time or Daylight Saving Time as may be in current use in this City.

10.04.110 Parkway.

That portion of a street other than a roadway or a sidewalk.

10.04.120 Parking meter.

A mechanical device installed within or upon the curb or sidewalk area, immediately adjacent to a parking space, for the purpose of controlling the period of time occupancy of such parking meter space by any vehicle.

10.04.130 Passenger loading zone.

The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

10.04.140 Pedestrian.

Any person afoot.

10.04.150 Police officer.

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 regulations.

10.04.160 Stop.

When required, means complete cessation of movement.

10.04.170 Vehicle Code.

The Vehicle Code of the State of California.

~~10.04.180 City Traffic Engineer.~~

~~The office of City Traffic Engineer is hereby established. The Chief of Police shall serve as City Traffic Engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this chapter.~~

Chapter 10.08

ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

Sections:

10.08.010 Authority of Police and Fire Department officials.
10.08.020 Obedience to police or authorized officers.
10.08.030 Required obedience to traffic ordinance.
10.08.040 Traffic regulations apply to persons riding bicycles or animals.
10.08.050 Police or authorized officers.
10.08.060 Public employees to obey traffic regulations.
10.08.070 Exemption of certain vehicles.
10.08.080 Report of damage to certain property.
10.08.090 When vehicles may be removed from streets.

10.08.010 Authority of Police and Fire Department officials.

Officers of the Police Department and such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, audible or other signal in conformance with traffic laws, except that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department or members of the Fire Department may direct traffic as conditions may require, notwithstanding the provisions to the contrary contained in this chapter or the Vehicle Code.

10.08.020 Obedience to police or authorized officers.

No person shall fail or refuse to comply with or to perform any act forbidden by any lawful order, signal, or direction of a traffic or police officer, or a member of the Fire Department, or a person authorized by the Chief of Police or by law.

10.08.030 Required obedience to traffic ordinance.

It is a misdemeanor for any person driving any vehicle or other conveyance upon any street or any pedestrian, to do any act forbidden, or fail to perform any act required as applicable to any such person under this chapter.

10.08.040 Traffic regulations apply to persons riding bicycles or animals.

Every person riding a bicycle or riding or driving an animal upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except those provisions which by their very nature can have no application.

10.08.050 Police or authorized officers.

No person shall interfere with or obstruct in any way any police officer or other officer or employee of this City in their enforcement of the provisions of this chapter. The removal, obliteration or concealment of any chalk mark or other distinguishing mark used by any police officer or other employee or officer of this City in connection with the enforcement of the parking regulations of this chapter shall, if done for the purpose of evading the provisions of this chapter, constitute such interference or obstruction.

10.08.060 Public employees to obey traffic regulations.

The provisions of this chapter shall apply to the operator of any vehicle owned by or used in the service of the United States Government, this State, any county or city, and it shall be unlawful for any said operator to violate any of the Uniform Traffic Ordinance provisions of this chapter except as otherwise permitted in this chapter or by the Vehicle Code.

10.08.070 Exemption of certain vehicles.

A. The provisions of this chapter regulating the operation, parking and standing of vehicles shall not apply to vehicles operated by the Police or Fire Department, any public ambulance or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this section is operated in the manner specified by the Vehicle Code in response to an emergency call.

B. The foregoing exemptions shall not, however, relieve the operator of any such vehicle from obligation to exercise due care for the safety of others or the consequences of his willful disregard of the safety of others.

C. The provisions of this chapter 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 or operated by the United States Post Office Department while in use for the collection, transportation or delivery of United States mail.

10.08.080 Report of damage to certain property.

A. The operator 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, parking meter, lighting post, telephone pole, electric light or power pole, or resulting in damage to any tree, traffic control device or other property of a like nature located in or along any street, shall within 24 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 operating or in charge of such vehicle or animal, the license number of every such vehicle, and shall briefly describe the property damage in such accident.

C. The operator of any vehicle involved in an accident shall not be subject to the requirements or penalties of this section if and during the time he is physically incapable of making a report, but in such event he shall make a report as required in subsection A of this section within 24 hours after regaining ability to make such report.

10.08.090 When vehicles may be removed from streets.

Any regularly employed and salaried officer of the Police Department of this City may remove or cause to be removed:

A. Any vehicle that has been parked or left standing upon a street or highway for 72 or more consecutive hours.

B. Any vehicle that is parked or left standing upon a street or highway between the hours of 7:00 a.m. and 7:00 p.m. when such parking or standing is prohibited by ordinance or resolution of this City and signs are posted giving notice of such removal.

C. Any vehicle which is parked or left standing upon a street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair or construction of the street or highway or for the installation of underground utilities or where the use of the street or highway or any portion thereof is authorized for a purpose other than the normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or improvement; provided, that signs giving notice that such vehicle may be removed are erected or placed at least 24 hours prior to the removal.

Chapter 10.10
VULNERABLE USER PROTECTION

Sections:

10.10.010 Title.
10.10.020 Findings and purpose.
10.10.030 Definitions.
10.10.040 Prohibited activities.
10.10.050 Remedies.

10.10.010 Title.

This chapter shall be known as the "Vulnerable User Protection" ordinance of the City of Sebastopol.

10.10.020 Findings and purpose.

After public hearings and receipt of testimony, the City Council finds and declares:

A. That the City of Sebastopol encourages people to walk and ride bicycles rather than drive motor vehicles in order to lessen traffic congestion, improve air quality, and improve public health;

B. That people walking and riding bicycles are vulnerable users of the City roads, sidewalks, and/or pathways;

C. That harassment of vulnerable users on the basis of their status as pedestrians and/or persons riding bicycles exists in the City of Sebastopol;

D. That existing criminal and civil laws do not effectively prevent the unlawful harassment of vulnerable users because of their status as pedestrians and/or persons riding bicycles;

E. That unavoidable hazards exist for persons walking, running, and/or riding a bicycle on City roads, sidewalks, and/or pathways, and that these hazards are amplified by the actions of persons who deliberately harass and endanger these vulnerable users because of their status as pedestrians and/or persons riding bicycles; and

F. That because people have a right to walk, run and/or ride a bicycle in the City of Sebastopol and should be able to do so safely on City roads, sidewalks, and/or pathways where allowed, it is against the public policy of the City of Sebastopol to permit harassment of these vulnerable users due to a person's status as a pedestrian and/or person riding a bicycle.

10.10.030 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

"Bicycle" means a device upon which any person may ride, propelled exclusively by human power through a belt, chain or gears, and having one or more wheels.

"Pedestrian" means a person who is afoot or who is using a means of conveyance propelled by human power other than a bicycle, or an electric personal assistive mobility device. "Pedestrian" includes a person who is operating a self-propelled wheelchair, motorized tricycle, or motorized quadricycle and, by reason of physical disability, is otherwise unable to move about as a pedestrian.

"Vulnerable users" means pedestrians and people riding bicycles using any public road, sidewalk, and/or pathway that allows use by persons riding bicycles and/or pedestrians.

10.10.040 Prohibited activities.

A person shall not do or attempt to do any of the following:

A. Physically assault or attempt to physically assault a vulnerable user because of, in whole or in part, a vulnerable user's status as a pedestrian and/or person riding a bicycle.

B. Threaten to physically injure a vulnerable user because of, in whole or in part, a vulnerable user's status as a pedestrian and/or person riding a bicycle.

C. Intentionally injure, attempt to injure, or threaten to physically injure, either by words, vehicle, or other object, a vulnerable user because of, in whole or in part, a vulnerable user's status as a pedestrian and/or person riding a bicycle.

D. Intentionally distract or attempt to distract a vulnerable user because of, in whole or in part, a vulnerable user's status as a pedestrian and/or person riding a bicycle.

E. Intentionally force or attempt to force a vulnerable user off a street for purposes unrelated to public safety.

F. Pass at an unsafe distance, which is defined as passing with less than three feet of clearance between any portion of the passing vehicle and the vulnerable user, with the intent to intimidate or physically injure a vulnerable user.

G. Fail to yield to a pedestrian walking or running along a road, crossing the roadway, or using a public sidewalk or pathway with the intent to intimidate or physically injure the pedestrian.

10.10.050 Remedies.

A. Any aggrieved person may enforce the provisions of this chapter by means of a civil lawsuit.

B. Any person who violates the provisions of this chapter shall be liable for treble the actual damages with regard to each and every such violation, or $1,000, whichever is greater, and shall be liable for reasonable attorneys' fees and costs of litigation. In addition, a jury or a court may award punitive damages where warranted.

C. Violations of any of the provisions of this chapter shall not constitute a misdemeanor or infraction, except where such actions, independently of this chapter, constitute a misdemeanor or infraction.

D. The remedies provided by the provisions of this chapter are in addition to all other remedies provided by law, and nothing in this chapter shall preclude any aggrieved person from pursuing any other remedy provided by law.

Chapter 10.12
TRAFFIC CONTROL DEVICES

Sections:

10.12.010 Authority to install traffic control devices.
10.12.020 Traffic control signs required for enforcement purposes.
10.12.030 Obedience to traffic control devices.
10.12.040 Installation of traffic signals.
10.12.050 Lane marking.
10.12.060 Distinctive roadway markings.
10.12.070 Authority to remove, relocate and discontinue traffic control devices.
10.12.080 Traffic control devices – Hours of operation.
10.12.090 Unauthorized painting of curbs.

10.12.010 Authority to install traffic control devices.

A. The ~~City Traffic Engineer~~Police Chief shall have the power and duty to place and maintain or cause to be placed and maintained official traffic control devices when and as required to make effective the provisions of this chapter.

B. Whenever the Vehicle Code 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 ~~City Traffic Engineer~~Police Chief is hereby authorized to install or cause to be installed the necessary devices subject to any limitations or restrictions set forth in the law applicable thereto.

C. The ~~City Traffic Engineer~~Police Chief may also place and maintain or cause to place and maintain such additional traffic control devices as he may deem necessary or proper to regulate traffic or to guide or warn traffic, but he shall make such determination only upon the basis of traffic engineering principles and traffic investigations and in accordance with such standards, limitations, and rules as may be set forth in this chapter or as may be determined by ordinance or resolution of the Council.

10.12.020 Traffic control signs required for enforcement purposes.

No provision of the Vehicle Code or of this chapter for which signs are required shall be enforced against an alleged violator unless appropriate legible signs are in place giving notice of such provisions of the traffic laws.

10.12.030 Obedience to traffic control devices.

The operator of any vehicle or train shall obey the instructions of any official traffic control device placed in accordance with this chapter unless otherwise directed by a police officer or other authorized person subject to the exceptions granted the operator of an authorized emergency vehicle when responding to emergency calls.

10.12.040 Installation of traffic signals.

A. The ~~City Traffic Engineer~~Police Chief is hereby directed to install and maintain 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 Traffic Engineer~~Police Chief shall ascertain and determine the locations where such signals are required by field investigation, traffic counts and other traffic information as may be pertinent and his determination therefrom may be made in accordance with those traffic engineering and safety standards and instructions set forth in the California Maintenance Manual issued by the Division of Highways of the State Department of Public Works.

C. Whenever the ~~City Traffic Engineer~~Police Chief installs and maintains an official traffic signal at any intersection, he shall likewise erect and maintain such intersection street name signs clearly visible to traffic approaching for all directions unless such street name signs have previously been placed and are maintained at any said intersection.

10.12.050 Lane marking.

The ~~City Traffic Engineer~~Police Chief is hereby authorized to make centerlines 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 centerline of the highway.

10.12.060 Distinctive roadway markings.

The ~~City Traffic Engineer~~Police Chief is authorized to place and maintain distinctive roadway markings as described in the Vehicle Code on those streets or parts of streets where the volume of traffic or the vertical or other curvature of the roadway renders it hazardous to drive on the left side of such marking or signs and markings. Such marking or signs and marking shall have the same effect as similar markings placed by the State Department of Public Works pursuant to provisions of the Vehicle Code.

10.12.070 Authority to remove, relocate and discontinue traffic control devices.

The ~~City Traffic Engineer~~Police Chief is hereby authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by the Vehicle Code or this chapter whenever he shall determine in any particular case that the conditions which warranted or required the installation no longer exist.

10.12.080 Traffic control devices – Hours of operation.

The ~~City Traffic Engineer~~ Police Chief 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 chapter.

10.12.090 Unauthorized painting of curbs.

No person, unless authorized by this City, shall paint any street or curb surface; provided, however, that this section shall not apply to the painting of numbers on the curb surface by any person who has complied with the provisions of any resolution or ordinance of this City pertaining thereto.

Chapter 10.16
TURNING MOVEMENTS

Sections:

10.16.010 Authority to place turning markers, intersections, multiple lanes.
10.16.020 Authority to place restricted turn signs.
10.16.030 Signal controlled intersections – Right turns.

10.16.010 Authority to place turning markers, intersections, multiple lanes.

The ~~City Traffic Engineer~~Police Chief is authorized to place official traffic control devices within or adjacent to intersections and indicating the course to be traveled by vehicles turning at such intersections, and the ~~City Traffic Engineer~~Police Chief is authorized to locate 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 so indicated may conform to or be other than as prescribed by law or ordinance.

10.16.020 Authority to place restricted turn signs.

The ~~City Traffic Engineer~~Police Chief is hereby 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 and 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.

10.16.030 Signal controlled intersections – Right turns.

A. No driver of a vehicle shall make a right turn against a red or stop signal at any intersection which is sign-posted giving notice of such restriction as hereinafter provided in this section.

B. The ~~City Traffic Engineer~~Police Chief shall post appropriate signs giving effect to this section where he determines that the making of right turns against a traffic signal “stop” indication would seriously interfere with the safe and orderly flow of traffic.

Chapter 10.20
ONE-WAY STREETS AND ALLEYS

Sections:

10.20.010 The ~~City Traffic Engineer~~Police Chief to sign one-way streets and alleys.

10.20.010 The ~~City Traffic Engineer~~Police Chief to sign one-way streets and alleys.

Whenever any ordinance or resolution of this City designates any one-way street or alley, the ~~City Traffic Engineer~~Police Chief 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.

Chapter 10.24
SPECIAL STOPS REQUIRED

Sections:

10.24.010 The ~~City Traffic Engineer~~Police Chief to erect stop signs.
10.24.020 Stop at through street or stop sign.
10.24.030 Emerging from alley, driveway or building.

10.24.010 The ~~City Traffic Engineer~~Police Chief to erect stop signs.

Whenever any ordinance or resolution of this City designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop, the ~~City Traffic Engineer~~Police Chief shall erect and maintain stop signs as follows:

A stop sign shall be erected on each and every street intersection of such through street or portion thereof so designated and at those entrances to other intersections where a stop is required and at any railroad grade crossing so designated; provided, however, stop signs shall not be erected or maintained at any entrance to an intersection which such entrance is

controlled by an official traffic control signal. Every such sign shall conform with and shall be placed as provided in the Vehicle Code.

10.24.020 Stop at through street or stop sign.

A. Those streets and parts of streets established by resolution of the Council are hereby declared to be through streets for the purposes of this section.

B. The provisions of this section shall also apply at one or more entrances to the intersections as such entrances and intersections are established by resolution of the Council.

C. The provisions of this section shall apply at those highway railway grade crossings as established by resolution of the Council.

10.24.030 Emerging from alley, driveway or building.

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

Chapter 10.28
MISCELLANEOUS DRIVING RULES

Sections:

10.28.010 Driving through funeral procession.
10.28.020 Clinging to moving vehicle.
10.28.030 Commercial vehicles using private driveways.
10.28.040 Riding or driving on sidewalk.
10.28.050 New pavement and markings.
10.28.060 Limited access.
10.28.070 Restrictions on use of freeways.
10.28.080 Obedience to barriers and signs.

10.28.090 No entrance into intersection that would obstruct traffic.
10.28.100 Pandemoniac motor vehicles.

10.28.010 Driving through funeral procession.

No operator of any vehicle shall drive between the vehicles comprising a funeral procession or a parade; provided, that such vehicles are conspicuously so designated. The directing of all vehicles and traffic on any street over which such funeral procession or parade wishes to pass shall be subject to the orders of the Police Department.

10.28.020 Clinging to moving vehicle.

No person shall attach himself with his hands, or catch on or hold on with his hands or by other means, to any moving vehicle or train for the purpose of receiving motive power therefrom.

10.28.030 Commercial vehicles using private driveways.

No person shall operate or drive a commercial vehicle in, on or across any private driveway approach or sidewalk area or the driveway itself without the consent of the owner or occupant of the property, if a sign or markings are in place indicating that the use of such driveway is prohibited.

For the purpose of this section, a commercial vehicle shall mean a vehicle having a rated capacity in excess of one-half ton.

10.28.040 Riding or driving on sidewalk.

No person shall ride, drive, propel, or cause to be propelled any vehicle or animal across or upon any sidewalk excepting over permanently constructed driveways and excepting when it is necessary for any temporary purpose to drive a loaded vehicle across a sidewalk; provided further, that said sidewalk area be substantially protected by wooden planks two inches thick,

and written permission be previously obtained from the ~~City Traffic Engineer~~Police Chief. Such wooden planks shall not be permitted to remain upon such sidewalk area during the hours from 6:00 p.m. to 6:00 a.m.

10.28.050 New pavement and markings.

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

10.28.060 Limited access.

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

10.28.070 Restrictions on use of freeways.

No person shall drive or operate any bicycle, motor driven cycle, or any vehicle which is not drawn by a motor vehicle upon any street established as a freeway, as defined by State law, 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.

10.28.080 Obedience to barriers and signs.

No person, public utility or department in the City shall erect or place any barrier or sign on any street unless of a type approved by the ~~City Traffic Engineer~~Police Chief or disobey the

instructions, remove, tamper with or destroy any barrier or sign lawfully placed on any street by any person, public utility or by any department of this City.

10.28.090 No entrance into intersection that would obstruct traffic.

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

10.28.100 Pandemoniac motor vehicles.

A "pandemoniac motor vehicle" is a motor vehicle designed, constructed or operated in such a manner as to create audible noise from tire friction caused by the acceleration or breaking of traction of tires of the vehicle. It is unlawful to operate a pandemoniac motor vehicle on any street or any other public place within the City of Sebastopol.

Chapter 10.32
PEDESTRIANS REGULATIONS

Sections:

10.32.010 Traffic Engineer to establish marked crosswalks.
10.32.020 When pedestrians must use crosswalks.
10.32.030 Pedestrians to obey special pedestrian traffic signals.

10.32.010 ~~Traffic Engineer~~Police Chief to establish marked crosswalks.

A. The ~~City Traffic Engineer~~Police Chief shall establish, designate and maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadway as follows:

Crosswalks shall be established and maintained at all intersections within the Central Traffic District and at such intersections outside such District, and at other places within or outside said District where the ~~City Traffic Engineer~~Police Chief determines that there is a particular hazard to pedestrians crossing the roadway subject to the limitation contained in subsection B of this section.

B. Other than crosswalks at intersections, no crosswalk shall be established in any block which is less than 400 feet in length and such crosswalk shall be located as nearly as practicable at mid-block.

C. ~~The City Traffic Engineer~~Police Chief may place signs at or adjacent to an intersection in respect to any crosswalk directing that pedestrians shall not cross in the crosswalk so indicated.

10.32.020 When pedestrians must use crosswalks.

No pedestrian shall cross a roadway other than by a crosswalk in the Central Traffic District or in any business district.

10.32.030 Pedestrians to obey special pedestrian traffic signals.

Pedestrians shall obey the indication of special traffic signals installed for pedestrians only and shall disregard the indication of a vehicular traffic signal at any location where special pedestrian traffic signals are in place.

Chapter 10.36
STOPPING, STANDING AND PARKING FOR CERTAIN PURPOSES OR IN CERTAIN PLACES

Sections:

10.36.010 Application of regulations.
10.36.020 Stopping or standing in parkways prohibited.

10.36.030 Traffic Engineer to maintain no stopping zones and no parking areas.
10.36.040 No parking areas.
10.36.050 Use of streets for storage of vehicles prohibited.
10.36.060 Parking for demonstration.
10.36.070 Repairing or greasing vehicles on public streets.
10.36.080 Washing or polishing vehicles.
10.36.090 Parking adjacent to schools.
10.36.100 Parking prohibited on narrow streets.
10.36.110 Parking on grades.
10.36.120 Unlawful parking peddlers, vendors.
10.36.130 Emergency parking signs.
10.36.140 Display of warning devices when commercial vehicle disabled.

10.36.010 Application of regulations.

A. The provisions of this chapter prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times herein specified, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

B. The provisions of this chapter 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 Vehicle Code or the ordinances of this City, including the recreational vehicle parking ordinance contained in Chapter 10.76 SMC, prohibiting or limiting the standing or parking of vehicles in specified places or at specified times. (Ord. 1142, 2022; Ord. 1136 § 2, 2022)

10.36.020 Stopping or standing in parkways prohibited.

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

10.36.030 ~~Traffic Engineer~~Police Chief to maintain no stopping zones and no parking areas.

The ~~City Traffic Engineer~~Police Chief is hereby authorized to maintain, by appropriate signs or by paint upon the curb surface, all no stopping zones, no parking areas, and restricted parking areas, as defined and described in this chapter.

10.36.040 No parking areas.

No operator of any vehicle shall stop, stand, park, or leave standing such vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or other authorized officer, or traffic sign or signal:

A. Within any divisional island unless authorized and clearly indicated with appropriate signs or markings.

B. On either side of any street between the projected property lines of any public work, public steps, street or thoroughfare terminating at such street, when such area is indicated by appropriate signs or by red paint upon the curb surface.

C. In any area where the ~~City Traffic Engineer~~Police Chief determines that the parking or stopping of a vehicle would constitute a traffic hazard or would endanger life or property, when such area is indicated by appropriate signs or by red paint upon the curb surface.

D. In any area established by resolution of the Council as a no parking area, when such area is indicated by appropriate signs or by red paint upon the curb surface.

E. Upon, along or across any railway track in such manner as to hinder, delay, or obstruct the movement of any car traveling upon such track.

F. In any area where the parking or stopping of any vehicle would constitute a traffic hazard or would endanger life or property.

G. On any street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair or construction of the street or highway or the installation of underground utilities or where the use of the street or highway or any portion thereof is

authorized for a purpose other than the normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles, or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or movement; provided, that signs giving notice of such no parking are erected or placed at least 24 hours prior to the effective time of such no parking.

H. At any place within 20 feet of a point on the curb immediately opposite the mid-block end of a safety zone, when such place is indicated by appropriate signs or by red paint upon the curb surface.

I. At any place within 20 feet of a crosswalk at an intersection in the Central Traffic District or in any business district when such place is indicated by appropriate signs or by red paint upon the curb surface except that a bus may stop at a designated bus stop.

J. Within 20 feet of the approach to any traffic signal, boulevard stop sign, or official electric flashing device.

10.36.050 Use of streets for storage of vehicles prohibited.

A. No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street, alley, or City-owned parking lot for more than a consecutive period of 72 hours. For purposes of this section, a vehicle shall be considered to have been parked or left standing for 72 or more consecutive hours if it has remained inoperable or has not been moved at least one mile during said period. Obstruction of the odometer of a vehicle shall give rise to a presumption that the vehicle has not been moved as required by this section and the odometer reading shall be presumptively correct.

B. In the event a vehicle is left parked or standing upon a street, alley, or City-owned parking lot in violation of this section, it may be removed or towed; provided, that a warning notice has been placed on the windshield or other conspicuous place on the vehicle (if it has no windshield) advising that such removal or towing will occur without any further notice or warning 72 hours after the posting of the notice. Any member of the Police Department authorized by the Police Chief may remove the vehicle from the street in the manner and subject to the requirements of the Vehicle Code or issue a citation in lieu of towing removal.

C. A vehicle shall not be re-parked or returned to any location within one-half mile of the location where such vehicle was first parked sooner than 72 hours following the time that the vehicle was first moved. (Ord. 1142, 2022)

10.36.060 Parking for demonstration.

No operator of any vehicle shall park said vehicle upon any street in this City for the principal purpose of advertising or displaying it for sale, unless authorized by resolution of the Council.

10.36.070 Repairing or greasing vehicles on public streets.

No person shall construct or cause to be constructed, repair or cause to be repaired, grease or cause to be greased, any vehicle or any part thereof upon any public street in this City. Temporary emergency repairs may be made upon a public street.

10.36.080 Washing or polishing vehicles.

No person shall wash or cause to be washed, polish or cause to be polished any vehicle or any part thereof upon any public street in this City, when a charge is made for such service.

10.36.090 Parking adjacent to schools.

A. The ~~City Traffic Engineer~~Police Chief is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

B. When official signs are erected prohibiting parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place.

10.36.100 Parking prohibited on narrow streets.

A. The ~~City Traffic Engineer~~Police Chief is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed 30 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.

10.36.110 Parking on grades.

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 said vehicle by turning them against the curb, or by other means.

10.36.120 Unlawful parking peddlers, vendors.

A. Except as otherwise provided in this section, no person shall stand or park any vehicle, wagon or pushcart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this City except that such vehicles, wagons or pushcarts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed 10 minutes at any one place. The provisions of this subsection shall not apply to persons delivering such articles upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.

B. No person shall park or stand on any street, any lunch wagon, eating cart or vehicle, or pushcart from which tamales, peanuts, popcorn, candy or other articles of food are sold or offered for sale without first obtaining a written permit to do so from the ~~City Traffic Engineer~~Police Chief which shall designate the specific location in which such cart shall stand.

C. No person shall park or stand any vehicle or wagon used or intended to be used in the transportation of property for hire on any street while awaiting patronage for such vehicle or wagon without first obtaining a written permit to do so from the ~~City Traffic Engineer~~Police Chief which shall designate the specific location where such vehicle may stand.

D. Whenever any permit is granted under the provisions of this section and a particular location to park or stand is specified therein, no person shall park or stand any vehicle, wagon or pushcart on any location other than as designated in such permit. In the event that the holder of any such permit is convicted in any court of competent jurisdiction for violating any of the provisions of this section, such permit shall be forthwith revoked by the ~~City Traffic Engineer~~Police Chief upon the filing of the record of such conviction with such officer and no permit shall thereafter be issued to such person until six months have elapsed from the date of such revocation.

10.36.130 Emergency parking signs.

A. Whenever the ~~City Traffic Engineer~~Police Chief shall determine 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 Traffic Engineer~~Police Chief 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 Traffic Engineer~~Police Chief shall direct 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 Traffic Engineer~~Police Chief 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.

10.36.140 Display of warning devices when commercial vehicle disabled.

Every motor truck having an unladen weight of 4,000 pounds or more, and every truck tractor irrespective of weight when operated upon any street or highway during darkness, shall be equipped with and carry at least three pot torches or three red electric lanterns or three red emergency reflectors, which reflectors shall be of a type approved by the California Highway Patrol. When any vehicle above mentioned or any trailer or semi-trailer is disabled upon streets or highways within this City and upon which street or highway there is insufficient street lighting to reveal a vehicle at a distance of 200 feet during darkness, a warning signal of the character indicated above shall be immediately placed as follows: one at the traffic site of the disabled vehicle not more than 10 feet to the front or rear thereof, one at a distance of approximately 100 feet to the rear of the disabled vehicle in the center of the traffic lane occupied by said vehicle, and one at a distance of approximately 100 feet to the front of the disabled vehicle in the center of the traffic lane occupied by such vehicle by the driver thereof. The continuous flashing of at least four approved Class A – Type I turn signal lamps, at least two toward the front and at least two toward the rear of the vehicle, shall be considered to meet the requirements of this section until the devices mentioned above can be placed in the required locations. The warning signals herein mentioned shall be displayed continuously during darkness while such vehicle remains disabled upon such street or highway.

Chapter 10.40
STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

Sections:

10.40.010 Twenty-four minute parking.
10.40.020 Forty-minute parking.
10.40.030 One-hour parking.
10.40.040 Four-hour parking.
10.40.050 Parking parallel on one-way streets.
10.40.060 Diagonal parking.
10.40.070 Parking space markings.
10.40.080 No stopping zones.
10.40.090 *Repealed.*
10.40.100 City-owned parking lots.

10.40.110 Parking permits.
10.40.120 Handicapped parking.
10.40.130 Designation of parking spaces for disabled.
10.40.140 Infraction penalty.

10.40.010 Twenty-four minute parking.

Green curb marking shall mean no standing or parking for a period of time longer than 24 minutes at any time between 8:00 a.m. and 6:00 p.m. on any day except Sundays and holidays.

When authorized signs, parking meters or curb markings have been determined by the ~~City Traffic Engineer~~Police Chief to be necessary and are in place giving notices thereof, no operator of any vehicle shall stop, stand or park said vehicle adjacent to any such legible curb marking or sign or parking meter in violation thereof.

10.40.020 Forty-minute parking.

When authorized signs, parking meters or curb markings have been determined by the ~~City Traffic Engineer~~Police Chief to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours of 8:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for a period time longer than 40 minutes.

10.40.030 One-hour parking.

When authorized signs, parking meters or curb markings have been determined by the ~~City Traffic Engineer~~Police Chief to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours of 8:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for a period of time longer than one hour.

10.40.040 Four-hour parking.

When authorized signs, parking meters or curb markings have been determined by the ~~City Traffic Engineer~~Police Chief to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours of 8:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for a period of time longer than three hours, four hours, or such time as shall be determined by the Traffic Engineer.

10.40.050 Parking parallel on one-way streets.

A. Subject to other and more restrictive limitations, a vehicle may be stopped or parked within 18 inches of the 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 Traffic Engineer~~Police Chief 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 and shall erect signs giving notice thereof.

D. The requirements of parallel parking imposed by this section shall not apply in the event any commercial vehicle is actually engaged in the process of loading or unloading freight or goods, in which case such vehicle may be backed up to the curb; provided, that such vehicle does not extend beyond the centerline of the street and does not block traffic thereby.

10.40.060 Diagonal parking.

On any of the streets or portions of streets established by resolution of the Council as diagonal parking zones, when signs or pavement markings are in place indicating such diagonal parking, it shall be unlawful for the operator of any vehicle to park said vehicle except:

A. At the angle to the curb indicated by signs or pavement markings allotting space to parked vehicles and entirely within the limits of said allotted space.

B. With the front wheel nearest the curb within six inches of said curb. The provisions of this section shall not apply when such vehicle is actually engaged in the process of loading or unloading passengers, freight or goods, in which event the provisions applicable in SMC 10.40.050 shall be complied with.

10.40.070 Parking space markings.

The ~~City Traffic Engineer~~Police Chief is authorized to install and maintain parking space markings to indicate parking spaces adjacent to curbing where authorized parking is permitted. When such parking space markings are placed on the highway, subject to other and more restrictive limitations, no vehicle shall be stopped, left standing or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible.

10.40.080 No stopping zones.

The ~~City Traffic Engineer~~Police Chief shall designate established no stopping zones by placing and maintaining appropriate signs indicating that stopping of vehicles is prohibited and indicating the hours and days when stopping is prohibited.

During the hours and on the days designated on the signs, it shall be unlawful for the operator of any vehicle to stop said vehicle on any of the streets or parts of streets established by resolution of the Council as no stopping zones.

10.40.090 Trailers.

Repealed by Ord. 1115.

10.40.100 City-owned parking lots.

All parking regulations of the City of Sebastopol, as provided in this chapter, shall be applicable to publicly owned off-street parking facilities.

The City Council may designate certain City-owned parking lots, upon which it charges for parking. Said charges may be collected by parking meters, parking permits, or by other means.

10.40.110 Parking permits.

The City Council may, by resolution, authorize the issuance of stamps, stickers, or other methods of identification indicating upon their face the month or other period of time during which the authorization is effective for a consideration to be determined by the City Council as just and equitable, which stickers, stamp or other device shall be visibly placed in the car and shall constitute authorization for the parking of such car upon and within any parking lot owned and operated by the City of Sebastopol during the period of time indicated upon said stamp, sticker or other device. No person shall park or leave any vehicle in any space designated as “reserved” or other designation indicating its use for permit parking.

10.40.120 Handicapped parking.

No person shall park any vehicle or cause, allow, permit, or suffer any vehicle registered in his name or operated or controlled by him, to be parked adjacent to a curb painted blue, or in any parking space on or off street painted blue or otherwise designated and identified as reserved for handicapped persons, unless said vehicle displays either one of the distinguishing license plates issued to disabled persons, pursuant to Section 22511.5 of the California Vehicle Code, or to disabled veterans as specified in Section 9105 of the California Vehicle Code.

10.40.130 Designation of parking spaces for disabled.

The ~~City Traffic Engineer~~Police Chief shall designate special “blue curb” parking spaces for the purposes of providing on-street parking or parking in publicly owned off-street facilities for exclusive use of physically handicapped persons.

10.40.140 Infraction penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of an infraction and any person violating any section or portion of this chapter on a second or subsequent occasion shall thereafter be deemed guilty of a misdemeanor and, upon conviction of either an infraction or a misdemeanor, shall be punishable as provided by law.

Chapter 10.44
STOPPING FOR LOADING OR UNLOADING ONLY

Sections:

10.44.010 Authority to establish loading zones.
10.44.020 Curb markings to indicate no stopping and parking regulation.
10.44.030 Effect of permission to load or unload.
10.44.040 Standing for loading or unloading only.
10.44.050 Standing in passenger loading zone.
10.44.060 Standing in any alley.
10.44.070 Coach zones to be established.

10.44.010 Authority to establish loading zones.

A. The ~~City Traffic Engineer~~Police Chief is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:

1. At any place in the Central Traffic District or any 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.

B. In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.

C. Loading zones shall be indicated by yellow paint upon the top of all curbs within such zones.

D. Passenger loading zones shall be indicated by white paint upon the top of all curbs in said zones.

10.44.020 Curb markings to indicate no stopping and parking regulation.

A. The ~~City Traffic Engineer~~Police Chief is hereby authorized, subject to the provisions and limitations of this chapter, to place, and when required herein, shall place the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meanings as herein set forth:

1. Red shall mean no stopping, standing, or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.

2. Yellow shall mean no stopping, standing or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays 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 20 minutes.

3. White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers, or for the purpose of depositing mail in an adjacent mailbox, which shall not exceed three minutes and such restrictions shall apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays and except as follows:

   a. When such zone is in front of a hotel or in front of a mailbox, the restrictions shall apply at all times.

   b. When such zone is in front of a theater, the restrictions shall apply at all times except when such theater is closed.

4. When the ~~City Traffic Engineer~~Police Chief as authorized under this chapter 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.

10.44.030 Effect of permission to load or unload.

A. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials shall apply only to commercial vehicles and shall not exceed beyond the time necessary therefor, and in no event for more than 20 minutes.

B. The loading or unloading of materials shall apply only to commercial deliveries, also the delivery or pick-up 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 shall include 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.

10.44.040 Standing for loading or unloading only.

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 SMC 10.44.030.

10.44.050 Standing in passenger loading zone.

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 SMC 10.44.030.

10.44.060 Standing in any alley.

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.

10.44.070 Coach zones to be established.

A. The ~~City Traffic Engineer~~Police Chief is hereby 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.

B. Coach zones shall normally be established on the far side of an intersection.

Chapter 10.48
RESTRICTED USE OF CERTAIN STREETS

Sections:

10.48.010 Certain vehicles prohibited in Central Traffic District.
10.48.020 Advertising vehicles.
10.48.030 Truck routes.
10.48.040 Commercial vehicles prohibited from using certain streets.

10.48.010 Certain vehicles prohibited in Central Traffic District.

A. No person shall operate any of the following vehicles in the Central Traffic District between the hours of 7:00 a.m. and 6:00 p.m. of any day:

1. Any freight vehicle more than eight and one-half feet in width, with load, or any freight vehicle so loaded that any part of its load extends more than 20 feet to the front or rear of said vehicle.

2. Any vehicle carrying building material that has not been loaded, or is not to be unloaded, at some point within the Central Traffic District.

3. Any vehicle conveying refuse, rubbish, garbage or dirt.

B. Provided that the ~~City Traffic Engineer~~Police Chief may by written permit authorize the operation of any such vehicle for the purpose of making necessary emergency deliveries to or in this section shall prohibit the operator of any vehicle exceeding a maximum gross weight of

three tons coming from a truck route having ingress and egress by direct route to and from points within the Central Traffic District, unless a written permit authorizing the same is issued by the Chief of Police or his authorized representative.

10.48.020 Advertising vehicles.

No person shall operate or drive any vehicle used for advertising purposes or any advertising vehicle equipped with a sound-amplifying or loud-speaking device upon any street or alley at any time within the Central Traffic District.

No person shall drive any animal drawn vehicle into or within the Central Traffic District between the hours of 4:30 p.m. and 6:00 p.m. of any day.

10.48.030 Truck routes.

A. Whenever any resolution of this City designates and describes any street or portion thereof as a street, the use of which is permitted by any vehicle exceeding a maximum gross weight limit of three tons, the ~~City Traffic Engineer~~Police Chief is hereby authorized to designate such street or streets by appropriate signs as "Truck Routes" for the movement of vehicles exceeding a maximum gross weight limit of three tons.

B. When any such truck route or routes are established and designated by appropriate signs, the operator of any vehicle exceeding a maximum gross weight limit of three tons shall drive on such route or routes and none other, except that nothing in this section shall prohibit the operator of any vehicle exceeding a maximum gross weight of three tons coming from a truck route having ingress and egress by direct route to and from restricted streets when necessary, for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.

C. The provisions of this section shall not apply to (1) passenger buses under the jurisdiction of the Public Utilities Commission, or to (2) any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility.

D. Those streets and parts of streets established by resolution of the Council are hereby declared to be truck routes for the movement of vehicles exceeding a maximum gross weight of three tons.

10.48.040 Commercial vehicles prohibited from using certain streets.

A. Whenever any resolution of this City designates and describes any street or portion thereof as a street, the use of which is prohibited by any commercial vehicle, the ~~City Traffic Engineer~~Police Chief shall erect and maintain appropriate signs on those streets affected by such ordinance.

B. Those streets and parts of streets established by resolution of the Council are hereby declared to be streets, the use of which is prohibited by any commercial vehicle. The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission.

C. Certain streets or portions of streets within the City of Sebastopol may hereafter or by amendment of this chapter be declared to be limited to the use of family, service and pleasure vehicles and the use thereof by vehicles for commercial purposes may be prohibited.

D. When and after appropriate signs have been installed designating such streets and prohibiting the use of said streets to trucks or other vehicles for commercial purposes, the driver of any truck or other vehicle being so used for commercial purposes shall not drive on said streets or portions thereof except when necessary for the purposes of making pick-ups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained.

E. The following streets within the City of Sebastopol are herewith limited to the use of family, pleasure and service vehicles and commercial vehicles of less than 6,000 pounds gross weight:

1. Zimpher Drive.

2. Pleasant Hill Avenue North.

3. Valentine Avenue.

4. Murphy Avenue.

5. Washington Avenue between Bodega and Huntley Avenue.

6. Florence Avenue.

7. Wallace Street.

8. Sunset Avenue.

9. Taft Street.

10. Johnson Street.

11. Lyding Lane.

F. The Chief of Police may issue a revocable permit authorizing the parking of certain commercial vehicles in excess of 6,000 pounds gross weight on said streets; provided, that the Chief of Police has determined:

1. That the owner or operator of said vehicle lives on the designated street;

2. There is adequate parking in front or side of the residence of said owner or operator for said vehicle;

3. Said vehicle is not used for commercial purposes on said designated street. The permit issued hereunder may be revoked by the Chief of Police for violation of any of the conditions of this chapter or the permit.

Chapter 10.52
TRAINS

Sections:

10.52.010 Railway gates.
10.52.020 Trains not to block crossings.

10.52.010 Railway gates.

No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

10.52.020 Trains not to block crossings.

No person shall cause or permit any railway train or railway cars or similar vehicle on rails to stop or stand or to be operated in such a manner as to prevent the use of any street for the purposes of travel for a period of time longer than 10 minutes, except that this provision shall not apply to railway trains, cars or similar vehicles on rails while blocking or obstructing a crossing because of an accident which requires the operator of the train, car or similar vehicle on rails to stop at or near the scene of the accident.

Chapter 10.56
SPECIAL SPEED ZONES

Sections:

10.56.010 Change of speed limit in certain zones.

10.56.010 Change of speed limit in certain zones.

It is hereby determined that the speed permitted by State law upon the following streets is different from that which is necessary for the safe operation of vehicles on said streets. The prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

A. On Bodega Avenue from the City limits to Pleasant Hill Avenue North: 40 miles per hour.

B. On Bodega Avenue from Pleasant Hill Avenue North to Main Street: 25 miles per hour.

Chapter 10.60
OBSTRUCTION TO VISIBILITY AT INTERSECTIONS

Sections:

10.60.010 Shrubbery obstructing visibility of intersections.

10.60.010 Shrubbery obstructing visibility of intersections.

Whenever the ~~City Traffic Engineer~~Police Chief finds that any hedge, shrubbery or tree growing in a parkway obstructs the view of any intersection, or any traffic upon the streets approaching such intersection, he shall cause the hedge, shrubbery or tree to be immediately removed or reduced in height.

Chapter 10.64
MISCELLANEOUS USE OF STREETS AND SIDEWALKS

Sections:

10.64.010 Use of streets as play areas.

10.64.010 Use of streets as play areas.

It shall be unlawful for any person to go upon any roadway or street in the City of Sebastopol for the purpose of playing thereon. This is not intended to limit the use of the streets for lawful purposes as pedestrians.

Chapter 10.68
BICYCLE REGULATIONS

Sections:

10.68.010 Parking.
10.68.020 Riding on sidewalks.
10.68.030 Electric-assisted bicycle or push scooter.

10.68.010 Parking.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

10.68.020 Riding on sidewalks.

A. No person shall ride a bicycle upon a sidewalk within a commercially zoned district.

B. The Police Department is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place, no person shall disobey the same.

C. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

10.68.030 Electric-assisted bicycle or push scooter.

An “electric-assisted bicycle or scooter” means any electric transportation device, with an electric motor that is incapable of propelling the vehicle at speeds greater than 20 miles per hour. Electric bicycles and scooters shall be prohibited from traveling where bicycles are prohibited, and shall be subject to all rules and regulations governing the ownership, maintenance and use of bicycles.

Chapter 10.72
ABATEMENT AND REMOVAL AS PUBLIC NUISANCES OF ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLES

Sections:

10.72.010 Findings and declarations.
10.72.020 Exceptions.
10.72.030 Supplement to other regulatory codes, statutes and ordinances.
10.72.040 Enforcement.
10.72.050 Authorization.
10.72.060 Administrative costs.
10.72.070 Abatement.
10.72.080 Notice of intention.
10.72.090 Public hearing.
10.72.100 Hearings to be held before City Council.
10.72.110 Timeline.
10.72.120 Notice to Department of Motor Vehicles.
10.72.130 Assessment of costs.

10.72.010 Findings and declarations.

In addition to and in accordance with the determination made and the authority granted by the State of California under Section 22660 of the Vehicle Code to remove abandoned, wrecked, dismantled or inoperative vehicles or parts thereof as public nuisances, the City Council hereby 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 hereby 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 hereby declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter.

As used in this chapter:

"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.

"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.

"Owner of the vehicle" means the last registered owner and legal owner of record.

"Public property" does not include "highway."

"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.

10.72.020 Exceptions.

This chapter shall not apply to:

A. A vehicle or parts thereof, which is completely enclosed within a building 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 Vehicle Code and this chapter.

10.72.030 Supplement to other regulatory codes, statutes and ordinances.

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.

10.72.040 Enforcement.

Except as otherwise provided herein, the provisions of this chapter shall be administered and enforced by the Chief of Police. 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.

10.72.050 Authorization.

When the City Council has contracted with or granted a franchise to any person or persons, such person or 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.

10.72.060 Administrative costs.

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. The cost of administration may be set as a fixed sum per removal, or as a percentage of the actual cost of removal.

10.72.070 Abatement.

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 Chief of Police shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed herein.

10.72.080 Notice of intention.

A 10-day notice of intention to abate and remove the vehicle, or parts thereof, as a public nuisance shall be mailed by registered 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 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 Council within such 10-day period, the Chief of Police 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)

NOTICE OF INTENTION TO ABATE AND REMOVE AS 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 City Council within such ten day period, the Chief of Police shall have the authority to abate and remove said vehicle (or said parts of a vehicle) without a hearing.

Notice Mailed _____ (date)

(Chief of Police)

10.72.090 Public hearing.

Upon request by the owner of the vehicle or owner of the land received by the Chief of Police within 10 days after the mailing of the notice 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 10-day period, said 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 10 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 said 10 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.

10.72.100 Hearings to be held before City Council.

All hearings under this chapter shall be held before the City Council, which shall hear all facts and testimony it deems pertinent. Said facts and testimony may include testimony on the condition of the vehicle or parts thereof and the circumstances concerning its location on the said 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 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.

10.72.110 Timeline.

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 SMC 10.72.080, or 15 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 scrap yard or automobile dismantler's yard. After a vehicle has been removed it shall not thereafter be reconstructed or made operable.

10.72.120 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.

10.72.130 Assessment of costs.

If the administrative costs and the cost of removal which are charged against the owner of a parcel of land pursuant to SMC 10.72.080 are not paid within 30 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. Said assessment shall have the same priority as other City taxes.

Chapter 10.76

RECREATIONAL VEHICLE PARKING ORDINANCE

Sections:

10.76.010 Title.
10.76.020 Findings and purpose.
10.76.030 Definitions.
10.76.040 Parking prohibitions.
10.76.050 Exceptions.
10.76.060 Notice.
10.76.070 Prohibited activities.
10.76.080 Violations.

10.76.010 Title.

This chapter shall be known as the “recreational vehicle parking ordinance.” (Ord. 1136 § 3, 2022)

10.76.020 Findings and purpose.

The regulations enacted by this chapter are intended to ensure there is adequate parking for residents of the City and to regulate the parking of vehicles actively used as sleeping accommodations. (Ord. 1136 § 3, 2022)

10.76.030 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter:

“Homeowner” means any person who owns their home.

“Out-of-town visitor” means any natural person who does not reside in the City and who is temporarily visiting a resident of the City.

"Recreational vehicle" or "RV" means a motorhome, travel trailer, truck camper, camping trailer, or other vehicle or trailer, with or without motive power, designed or altered for human habitation for recreational, emergency, or other human occupancy. "Recreational vehicle" specifically includes, but is not limited to: a "recreational vehicle" as defined by Cal. Health & Safety Code § 18010; a "truck camper" as defined by Cal. Health & Safety Code § 18013.4; a "camp trailer" as defined in Cal. Veh. Code § 242; a "camper" as defined in Cal. Veh. Code § 243; a "fifth-wheel travel trailer" as defined in Cal. Veh. Code § 324; a "house car" as defined by Cal. Veh. Code § 362; a "trailer coach" as defined in Cal. Veh. Code § 635; a van camper; or a van conversion.

"Tenant" means any person who occupies land or property rented from a landlord. (Ord. 1136 § 3, 2022)

10.76.040 Parking prohibitions.

A. It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the City that is zoned residential at any time.

B. It is unlawful for a person to park or leave standing any recreational vehicle on any public street in the City that is zoned commercial, industrial, or community facility at any time between the hours of 7:30 a.m. and 10:00 p.m.

C. It is unlawful for a person to park or leave standing any recreational vehicle on any park, square, or alley at any time.

D. It is unlawful for a person to park or leave standing any recreational vehicle in any City-owned parking lot at any time unless that person is conducting City-related business during business hours. The City-owned parking lots for the Police, Fire, Public Works, and City Hall buildings may only be used when actively conducting business at those specific buildings.

E. It is unlawful for a person to park or leave standing any recreational vehicle less than 30 feet from the corner of any street so as not to impede site visibility for other motorists. (Ord. 1142, 2022; Ord. 1136 § 3, 2022)

10.76.050 Exceptions.

The prohibitions of this section do not apply to:

A. Recreational vehicles parked or left standing as a result of a mechanical breakdown so as to allow the performance of emergency repairs on the vehicle for a period not to exceed 48 hours.

B. Recreational vehicles parked or left standing on any public street in the City that is zoned residential so as to allow the use of a homeowner, tenant, or out-of-town visitor to load/unload the vehicle for a period not to exceed 72 hours, which includes the loading/unloading of items and/or persons.

C. Nothing in this chapter is applicable to commercial vehicles providing services to businesses, such as the delivery or picking up of goods or vehicles otherwise approved by other City of Sebastopol departments through that department's permitting process (e.g., construction vehicles). (Ord. 1142, 2022; Ord. 1136 § 3, 2022)

10.76.060 Notice.

Signs giving reasonable notice of the prohibitions contained in this chapter will be erected within the City as required by the California Vehicle Code. (Ord. 1136 § 3, 2022)

10.76.070 Prohibited activities.

No person shall:

A. Run electrical cords, extension cords, hoses, cables, or other items across, above, or on the parkway or sidewalk from any property to a recreational vehicle parked on a public street at any time;

B. Make a sewer connection with a recreational vehicle or dump wastes from a recreational vehicle onto public or private land other than a designated RV dump. Violation of this subsection is a misdemeanor. (Ord. 1136 § 3, 2022)

10.76.080 Violations.

Unless otherwise specified, all violations of this chapter shall be an infraction and such persons shall be subject to citation, towing or both. Parking citations may be appealed under Cal. Veh. Code § 40215 et seq. (Ord. 1136 § 3, 2022)

The Sebastopol Municipal Code is current through Ordinance 1169, passed September 1, 2026.

Disclaimer: The City Clerk's Office has the official version of the Sebastopol Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: www.ci.sebastopol.ca.us

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