

CITY OF HAYWARD

TRAFFIC CODE

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HAYWARD TRAFFIC CODE

ARTICLE 1.

GENERAL PROVISIONS

Section 1.00 TITLE. This ordinance shall be known and may officially be cited as the "HAYWARD TRAFFIC CODE".

Section 1.01 CITING IN PROSECUTIONS. In any prosecution for the violation of any provision of this Code, it shall be sufficient to refer to the Code as the "HAYWARD TRAFFIC CODE".

Section 1.02 AMENDATORY ORDINANCES. Any ordinance adding to amending or repealing this Code may be designated as an addition, amendment to, or repeal of, the "Hayward Traffic Code".

Section 1.03 FORMER ORDINANCES. The provisions of this Code, insofar as they are substantially the same as ordinances heretofore adopted by the City of Hayward, shall be construed as restatements and continuations thereof and not as new enactments.

Section 1.04 PRIOR ORDINANCE VIOLATIONS. Prosecution for violation of ordinances committed prior to the effective date of this Code shall not be affected by the adoption of the Code or its repeal of such ordinances.

Section 1.05 SAVING CLAUSE. If any article, section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Code, and the Council of the City of Hayward hereby declares that it would have adopted this Code and each article, section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more of other sections, subsections, sentences, clauses or phrases by declared invalid or unconstitutional.

Section 1.06 ORDINANCES REPEALED. Ordinance No. 450 N.S., and all amendments thereto, and all other ordinances or parts of ordinances in conflict with the provisions of this Code are hereby repealed.

Section 1.10 VIOLATIONS. A MISDEMEANOR. Any person violating any of the provisions of this Code, shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this Code shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for a period of not more than six (6) months, or by both such fine and imprisonment.

Section 1.20 STATE HIGHWAYS. TRAFFIC REGULATIONS. Any provision of this Code which regulates traffic or delegates the regulation of traffic upon state highways in any way for which the approval of the Department of Public Works is required by state law, shall cease to be operative six months after receipt by the City Council of written notice of withdrawal of approval of the Department of Public Works.

Whenever this code delegates authority to a city officer, or authorizes action by the City Council to regulate traffic upon a state highway in any way which by state law requires the prior approval of the Department of Public Works, no such officer shall exercise such authority nor shall such action by the City Council be effective with respect to any state highway without the prior approval in writing of the Department of Public Works when and to the extent required by Division 9 and Division 11 of the Vehicle Code. (As added by Ord. 131 C.S., adopted January 7, 1958)

ARTICLE 2.

DEFINITIONS

Section 2.00 DEFINITIONS OF WORDS AND PHRASES. The following words and phrases, when used in this Code shall for the purpose of this Code have the meanings respectively ascribed to them in this Article.

Whenever any words or phrases used in this Code are not defined herein, but are now defined in the Vehicle Code of the State of California, such definitions are incorporated herein and shall be deemed to apply to such words and phrases used herein as though set forth herein in full.

Section 2.01 ALLEY. The word "Alley" means any unnamed street, or any street designated as an alley in its name having less than twenty-five (25) feet between property lines.

Section 2.02 CENTRAL TRAFFIC DISTRICT. The Central Traffic District comprises all streets and portions of streets within an area designated by the Traffic Engineer, subject to the approval of the Council, as the Central Traffic District.

Section 2.03 HOLIDAYS. Holidays are New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Admission Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day. If New Year's Day, Lincoln's Birthday, Independence Day, Admission Day, Veterans Day, or Christmas Day falls upon a Sunday, the Monday following is a holiday. (As amended by Ord. 78-038 C.S., adopted November 21, 1978)

Section 2.04 LIMITED ACCESS HIGHWAY. Every highway, street, or roadway in respect to which owners or occupants of abutting property or lands, and other persons, have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Section 2.05 LOADING ZONE. The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Section 2.06 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.

Section 2.07 OFFICIAL TRAFFIC CONTROL DEVICES. All signs, signals, markings and devices not inconsistent with this Code placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

Section 2.08 OFFICIAL TRAFFIC SIGNALS. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed and which is erected by authority of a public body or official having jurisdiction.

Section 2.09 PARK. To stand or leave standing any vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of passengers or materials.

Section 2.10 PARKWAY. That portion of a street other than a roadway or a sidewalk.

Section 2.11 PASSENGER LOADING ZONE. The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Section 2.12 PEDESTRIAN. Any person afoot.

Section 2.13 PERSON. Every natural person, firm, copartnership, association, or corporation.

Section 2.14 POLICE OFFICER. Every officer of the Police Department of this City.

Section 2.15 a. STOP. When required, means complete cessation of movement.

b. STOP OR STAND. When prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

Section 2.16 STREET OR HIGHWAY. A way or place, of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel or parking.

Section 2.17 TRAFFIC. Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any street for purposes of travel.

Section 2.18 VEHICLE. A device, in or upon or by which any person or property is or may be propelled, moved or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

Section 2.19 MUNICIPAL PARKING LOTS. Municipal parking lots are those off-street areas maintained by the City of Hayward and open to the use of the public for purposes of vehicular parking. (As added by Ord. 219 C.S., adopted May 5, 1959)

Section 2.20 BICYCLE. A device upon which a person may ride, which is propelled by human power through a system of belts, chains, or gears and which has one or more wheels at least 20 inches in diameter or a frame size of at least 14 inches. (As added by Ord. 93-21, adopted September 14, 1993)

ARTICLE 3.

TRAFFIC ADMINISTRATION

Section 3.00 POLICE ADMINISTRATION. There is hereby established in the Police Department of this City a Traffic Division to be under the control of an officer of police appointed by and directly responsible to the Chief of Police.

Section 3.01 DUTY OF TRAFFIC DIVISION. It shall be the duty of the Traffic Division with such aid as may be rendered by other members of the Police Department to enforce the street traffic regulations of this City and all of the State vehicle laws applicable to street traffic in this City, to make arrests for traffic violations, to investigate traffic accidents and to cooperate with the Traffic Engineer and other officers of the City in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties especially imposed upon said division by this Code.

Section 3.02 TRAFFIC ACCIDENT STUDIES. Whenever the accidents at any particular location become numerous, the Traffic Division shall cooperate with the Traffic Engineer in conducting studies of such accidents and determining remedial measures.

Section 3.03 TRAFFIC ACCIDENT REPORTS. USE AND DISCLOSURE. The Traffic Division shall maintain a suitable system of filing traffic accident reports, and such reports shall be available for the use and information of the Traffic Engineer and other interested officers and departments of the City. The contents of such reports shall be available for inspection by and shall be disclosed to those persons entitled thereto and in the manner provided therefor by the provisions of the Vehicle Code of the State of California, including Section 20012, except when such reports or parts thereof are made confidential by other provisions of law. (As amended by Ord. 66-006 C.S., adopted February 15, 1966)

Section 3.035 REPRODUCTION OF TRAFFIC ACCIDENT REPORTS. The Police Department is authorized and directed, upon payment of fees hereinafter provided, to furnish copies of traffic accident reports by any suitable means to the Traffic Engineer and other interested officers and departments of the City, and to those persons entitled thereto as set forth in the immediately preceding section, except when such reports or parts thereof are made confidential by other provisions of law.

The City Council, from time to time, shall fix by resolution the fees to be charged by the Police Department for furnishing copies of traffic accident reports.

Neither Federal, State, County, local nor other governmental agency nor officer nor political subdivision, acting in its official capacity, shall be required to pay the fees hereinabove provided. (As amended by Ord. 66-006 C.S., adopted February 15, 1966)

Section 3.04 TRAFFIC DIVISION TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT. The Traffic Division shall annually prepare a traffic report which shall be filed with the City Council. Such a report shall contain information on traffic matters in this City as follows:

1. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
2. The number of traffic accidents investigated and other pertinent data on the safety activities of the police.
3. The plans and recommendations of the division for future traffic safety activities.

Section 3.05 DUTIES OF TRAFFIC ENGINEER. It shall be the general duty of the Traffic Engineer under this Code to determine the installation and proper timing and maintenance of traffic control devices and signals, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions and to cooperate with other City officials in the development of ways and means to improve traffic conditions.

Section 3.06 REGULATION OF SPEED BY TRAFFIC SIGNALS. The Traffic Engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections, and may erect appropriate signs giving notice thereof.

ARTICLE 4.

ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

Section 4.00 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICERS AND MEMBERS. It shall be the duty of the officers of the Police Department or such officers as are assigned by the Chief of Police to enforce all traffic laws of this City and all of the State vehicle laws applicable to traffic in this City. Civilian employees of the City, when designated by the Chief of Police, shall enforce those provisions of the Hayward Traffic Code, Hayward Traffic Regulations, and the State Vehicle Code relating to the standing or parking of vehicles that legally may be enforced by persons other than peace officers.

Officers of the Police Department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

Officers of the Fire Department, when at the scene of a fire, may direct or assist the Police in directing traffic thereat or in the immediate vicinity. (Amended by Ord. 70-023 C.S., adopted September 22, 1970)

Section 4.01 TRAFFIC CONTROL AT SCHOOL CROSSINGS OR OTHER PLACES. It shall be the duty of any person appointed by the Chief of Police for such purpose, to control traffic at school crossings or other places designated by him. It shall be unlawful for any person, at any school crossing, to refuse or fail to comply with any order, signal or direction of any person appointed by the Chief of Police to control traffic at school crossings or such other designated places, provided that such person giving any order, signal or direction shall at the time be wearing some insignia indicating such authority.

It shall be unlawful for any minor to direct or attempt to direct traffic unless authorized to do so by the Chief of Police.

Section 4.02 OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS. No person shall willfully fail or refuse to comply with any lawful order of a police officer or Fire Department official when directing traffic.

Section 4.03 PERSONS RIDING ANIMALS. Any person riding or driving an animal upon a City street shall be granted all of the rights and shall be subject to all of the duties applicable to a driver of a vehicle by this Code, except those provisions which by their very nature have no application.
(As amended by Ord. 93-21, adopted September 14, 1993)

Section 4.04 PERSONS OTHER THAN OFFICIALS SHALL NOT DIRECT TRAFFIC. No person other than an officer of the Police Department or a person authorized by the Chief of Police, or person authorized by law, shall direct or attempt to direct traffic by voice, hand or other signal, except, that persons may operate any mechanical push-button signal erected by order of the Traffic Engineer.

Section 4.05 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS. The provisions of this Code shall apply to the driver of any vehicle owned by or used in the service of the United State Government, this state, any county or city, and it shall be unlawful for any said driver to violate any of the provisions of this Code except as otherwise permitted in this Code or by State statute.

Section 4.06 EXEMPTIONS TO CERTAIN VEHICLES. The provisions of this Code regulating the operation, parking and standing of vehicles shall not apply to any vehicle of 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 in the Vehicle Code in response to an emergency call.

The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his willful disregard of the safety of others.

The provisions of this Code regulating the parking or standing of vehicles shall not apply to any vehicle of a City department or public utility while necessarily in use for construction or repair work, or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

Section 4.07 REPORT OF DAMAGE TO CERTAIN PROPERTY. The driver of a vehicle or the person in charge of any animal involved in any accident resulting in damage to any property publicly owned or owned by a public utility, including but not limited to any fire hydrant, ornamental lighting post, telephone pole, electric light or power pole, or resulting in damage to any ornamental shade tree, traffic control device or other property of a like nature located in or along any street, shall within twenty-four (24) hours after such accident make a written report of such accident to the Police Department of this City.

Every such report shall state the time when and the place where the accident took place, the name and address of the person owning and of the person driving or in charge of such vehicle or animal, the license number of every such vehicle, and shall briefly describe the property damaged in such accident.

A driver involved in an accident shall not be subject to the requirements of this Section if, and during the time, such driver is physically incapable of making a report, but in such event said driver shall make a report as required herein within twenty-four (24) hours after regaining ability to make such report. (As amended by Ord. 213 C.S., adopted April 7, 1959)

ARTICLE 5.

TRAFFIC CONTROL DEVICES

Section 5.00 AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES. The Traffic Engineer shall have the exclusive power and duty to place and maintain, or cause to be placed and maintained, official traffic control devices when and as required under the traffic regulations of this City to make effective the provisions of said regulations.

Whenever the Vehicle Code of this State 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 Traffic Engineer is hereby authorized to install the necessary devices subject to any limitations or restrictions set forth in the law applicable thereto.

The Traffic Engineer may also place and maintain such additional traffic control devices as he may deem necessary 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 the traffic regulations of this City.

Section 5.01 WHEN TRAFFIC CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES. No provisions of the Vehicle Code or of this Code for which signs are required shall be enforced against an alleged violator unless appropriate signs are in place and sufficiently legible to be seen by an ordinarily observant person, giving notice of such provisions of the traffic laws.

Section 5.02 OBEDIENCE TO TRAFFIC CONTROL DEVICES. The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic regulations of this City, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle when responding to emergency calls.

Section 5.03 INSTALLATION OF TRAFFIC SIGNALS. Official traffic signals shall be installed and maintained 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.

The Traffic Engineer shall ascertain and determine the locations where such signals are required by resort to field observation, traffic counts and other traffic information as may be pertinent.

Section 5.04 LANE MARKINGS. The Traffic Engineer is hereby authorized to mark, when deemed necessary, center lines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway.

When authorized signs have been placed designating off-center traffic lanes, no person shall disobey the instructions given by such signs.

Section 5.05 AUTHORITY TO REMOVE, RELOCATE OR DISCONTINUE TRAFFIC CONTROL DEVICES. The Traffic Engineer is hereby authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by State law or this Code whenever he shall determine in any particular case that the conditions which warranted or required the installation no longer exist or obtain.

Section 5.06 TRAFFIC CONTROL DEVICES -- HOURS OF OPERATION. The Traffic Engineer shall determine the hours and days during which any traffic control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this Code.

Section 5.07 UNAUTHORIZED PAINTING OF CURBS. It shall be unlawful for any person, without authority from the City of Hayward, to place or maintain paint or other material upon any curb, sidewalk or pavement in the City of Hayward in a manner which purports to be, or is, an imitation of or resembles official indication of parking regulations.

Section 5.10 ONE-WAY STREETS AND ALLEYS. Whenever any traffic regulation of this City designates any one-way street or alley, the Traffic Engineer 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.

Section 5.20 AUTHORITY TO PLACE AND OBEDIENCE TO TURNING MARKERS. The Traffic Engineer is authorized to place markers, buttons, or signs within or adjacent to intersections, indicating the course to be traveled by vehicles turning at such intersections, and the Traffic Engineer is authorized to allocate and indicate more than one lane of traffic from which drivers of vehicles may make right or left hand turns, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or this Code.

When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

Section 5.21 AUTHORITY TO PLACE RESTRICTED TURN SIGNS. The Traffic Engineer 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.

Section 5.22 OBEDIENCE TO NO-TURN SIGNS. Whenever authorized signs are erected indicating that NO right or left or "U" turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

Section 5.23 AUTHORITY TO PROHIBIT RIGHT TURNS AGAINST TRAFFIC STOP SIGNAL. The Traffic Engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right turn against a red or stop signal and shall erect proper signs giving notice of such prohibition. No driver of a vehicle shall disobey the directions of any such sign.

Section 5.24 PARKING ON CITY PROPERTY. Subject to approval of the City Manager, whenever the Traffic Engineer determines that the orderly, efficient conduct of the business of this City requires that parking or standing of vehicles on off-street property possessed and used by this City, other than municipal parking lots, be prohibited, limited, or restricted, the Traffic Engineer shall have the power and authority to erect or emplace signs or markings indicating that the parking of vehicles is thus prohibited, limited, or restricted. (As added by Ord. 219 C.S., adopted May 5, 1959)

Section 5.30 TRAFFIC ENGINEER TO ERECT STOP SIGNS. Whenever any traffic regulation of this City designates and describes any street or portion thereof as a through street, the Traffic Engineer shall erect and maintain stop signs at each and every street intersecting such through street or portion thereof so designated.

Whenever the Traffic Engineer determines that stop signs are necessary at other intersections or at one or more entrances thereto, he shall erect and maintain stop signs as the circumstances warrant.

Whenever the Traffic Engineer determines that unusual hazard exists at a railroad grade crossing and that flashing light signals or other suitable warning devices have not been installed, he shall erect and maintain stop signs on the street approaches to such railroad grade crossing.

Every such sign shall conform with and shall be placed as provided in Section 471 of the Vehicle Code. (As amended by Ord. 243 C.S., adopted August 11, 1959)

Section 5.31 STOP AT THROUGH STREET OR STOP SIGN. Those streets and parts of streets described in such traffic regulations, and those streets and parts of streets heretofore designated and signed by this City as through streets until other designations are made, are hereby declared to be through streets for the purposes of this Section.

The provisions of this Section shall also apply at one or more entrances to the intersections as such entrances and intersections have been heretofore designated and signed by this City until other designations are made, or as may be hereafter described in such traffic regulations.

The provisions of this Section shall also apply at those railroad grade crossings as such railroad grade crossings have been heretofore designated and signed by this City until other designations are made, or as may be hereafter described in such traffic regulations.

When stop signs are erected, as herein provided, at the entrance to any intersection or at any railroad grade crossing, every driver of a vehicle shall stop, as required by the Vehicle Code.

Section 5.32 EMERGING FROM ALLEY OR PRIVATE DRIVEWAY. 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 alley way.

Section 5.33 YIELD RIGHT-OF-WAY SIGNS. Whenever the Traffic Engineer determines that the right of way at an intersection should be assigned to one or more entrances thereto, he shall erect and maintain yield right-of-way signs. Every such sign shall conform with and be placed as provided in Section 471.1 of the Vehicle Code.

ARTICLE 6.

SPECIAL TRAFFIC REGULATIONS

Section 6.00 **LOADING ZONES. ESTABLISHMENT.** Subject to approval of Council, the Traffic Engineer 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.

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

Loading zones shall be indicated by a yellow paint line stenciled with black letters, "LOADING ONLY", upon the top of all curbs within such zones.

Passenger loading zones shall be indicated by a white line stenciled with black letters, "PASSENGER LOADING ONLY" upon the top of all curbs in said zones.

Section 6.01 **CURB MARKINGS TO INDICATE NO STOPPING AND PARKING REGULATIONS.** The Traffic Engineer is hereby authorized, subject to the provisions and limitations of this Code 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 9 a.m. and 6 p.m. of any day except Saturdays, Sundays, and holidays for any purpose other than the loading or unloading of passengers and materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes nor the loading or unloading of materials more than twenty (20) minutes, and except that a taxicab may stand in a yellow zone marked or signed as the taxi stand for the taxicab owner or operator to whom said taxi stand has been allotted. Provided, further, that the driver of a passenger vehicle may temporarily stop at a taxi stand for the purpose of, and while actually engaged in, loading or unloading passengers when such stopping does not interfere with any taxicab waiting to enter or about to enter such zone.

3. White shall mean no stopping, standing, or parking for any purposed other than loading or unloading of passengers which shall not exceed three (3) minutes, and such restrictions shall apply between 9 a.m. and 6 p.m. of any day except Saturdays, Sundays, and holidays.

When such zone is in front of a school, said restrictions shall apply at all times of any day except Saturdays and Sundays, and school holidays.

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

When such zone is in front of a theater or church, said restrictions shall apply at all times of any day except when such theater or church is closed.

(As amended by Ord. 03-17, adopted December 16, 2003)

4. Green shall mean no standing or parking for longer than twenty-four (24) minutes or as posted at any time between 9 a.m. and 6 p.m. of any day except Saturdays, Sundays, and holidays.

5. Blue shall mean parking for the exclusive use of physically handicapped persons whose vehicles display State Vehicle Code-authorized, distinguishing license plates or placards.

When the Traffic Engineer, as authorized under this Code, 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.

(As amended by Ord. 79-044 C.S., adopted December 18, 1979)

Section 6.02 EFFECT OF PERMISSION TO LOAD OR UNLOAD. 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 extend beyond the time necessary therefor, and in no event for more than twenty (20) minutes.

The loading or unloading of materials shall apply only to commercial deliveries, and the delivery or pickup of express and parcel post packages and United States mail.

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 (3) minutes.

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.

Section 6.03 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 Section 6.02.

Section 6.04 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 Section 6.02.

Section 6.05 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.

Section 6.06 BUS ZONES. ESTABLISHMENT. The Traffic Engineer is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses of common carriers of passengers and to determine the location thereof subject to the directives and limitations set forth herein.

The word "bus" as used in this Section shall mean any motor bus, motor coach, or passenger stage used as a common carrier of passengers.

No bus zone shall exceed fifty (50) feet in length, except that when satisfactory evidence has been presented to the Traffic Engineer showing the necessity therefor, the Traffic Engineer may extend bus zones not to exceed a total length of eighty (80) feet.

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

The Traffic Engineer shall paint the curb red and stencil with white letters the words "BUS ZONE" upon the top or side of all curbs and places specified as a bus zone.

No person shall stop, stand or park any vehicle except a bus in a bus zone.

Section 6.07 BICYCLE LANES. ESTABLISHMENT. Whenever any regulation of this City describes any street or portion thereof to have bicycle lanes, such lanes shall be deemed established as required by the provisions of State Vehicle Code Section 21207. The Traffic Engineer shall erect and maintain appropriate signs and markings to indicate the existence of bicycle lanes on all streets or portions thereof where such bicycle lanes have been established. (As added by Ord. 80-017 C.S., adopted June 10, 1980)

Section 6.10 RESTRICTED USE OF CERTAIN STREETS. 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.

Section 6.11 RESTRICTED USE OF CERTAIN STREETS. TRUCK ROUTES. Whenever any regulation 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 (3) tons, the Traffic Engineer is hereby authorized to designate such street or streets by appropriate signs as "Truck Traffic Routes" for the movement of vehicles exceeding a maximum gross weight limit of three (3) tons.

When any such truck traffic route or routes are established and designated by appropriate signs the operator of any vehicle exceeding a maximum gross weight limit of three (3) 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 (3) tons coming from a "Truck Traffic Route" having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets 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 such restricted streets for which a building permit has previously been obtained therefor.

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

Those streets and parts of streets so marked are hereby declared to be truck traffic routes for the movement of vehicles exceeding a maximum gross weight of three (3) tons.

Section 6.12 RESTRICTED USE OF CERTAIN STREETS. COMMERCIAL VEHICLES. Whenever any regulation 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 Traffic Engineer shall erect and maintain appropriate signs on those streets affected by such regulation.

Those streets and parts of streets so marked 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.

Section 6.20 SPECIAL SPEED ZONES. INCREASE OR DECREASE OF PRIMA FACIE SPEED LIMIT. It is hereby determined upon the basis of an engineering and traffic survey that a speed limit as indicated hereafter would facilitate the orderly movement of traffic on the streets indicated and is reasonable and safe. It is hereby declared that the prima facie speed limit shall be as set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

Prima Facie Speed Limit Declared 15 Miles per Hour

Halifax Place, between a point 450 ft. south of Roxbury Lane to the end of Halifax Place

(As added by Ord. 80-029 C.S., adopted October 7, 1980)

Prima Facie Speed Limit Declared 25 Miles per Hour

Arden Road between Baumberg Avenue and Corporate Avenue

(As added by Ord. 77-005 C.S., adopted January 18, 1977)

Prima Facie Speed Limit Declared 30 Miles per Hour

"A" Street between Second Street and easterly City Limits

"A" Street and West "A" Street between a point 150 feet west of Grand Street and S. Garden Avenue

Campus Drive between Second Street and Highland Boulevard

Hayward Boulevard between Highland Blvd. and Call Ave.

Huntwood Way and Huntwood Avenue between Gading Road and southerly City Limits

Point Eden Way - In its entirety

Whitman Street between Harder Road and Sorenson Road

Winton Avenue between Jackson Street and the Southern Pacific Railroad

(As amended by Ord. 81-010 C.S., adopted March 10, 1981)

Prima Facie Speed Limit Declared 35 Miles per Hour

Cabot Boulevard between Depot Road and W. Winton Avenue (As added by Ord. 85-03 C.S., adopted February 19, 1985)

Carlos Bee Boulevard - In its entirety

Clawiter Road - In its entirety

Fairview Avenue between Hayward Boulevard and City limits

Grand Street between "A" Street and Jackson Street

Harder Road between Santa Clara Street and easterly City limits

Hayward Boulevard between Call Avenue and Fairview Avenue

Hesperian Boulevard between "A" Street and the southerly City limits

Industrial Boulevard between Clawiter Road and Baumberg Avenue

Industrial Parkway between Mission Boulevard and Dixon Street

Industrial Parkway Southwest between Whipple Road and Industrial Parkway West

Palomares Road - In its entirety

Santa Clara Street between Harder Road and Jackson Street

Tennyson Road between Mission Boulevard and Baldwin Street and between Harvey Avenue and Industrial Boulevard

West "A" Street between Hesperian Boulevard and S. Garden Avenue

West Winton Avenue between Soto Road-Myrtle Street and the westerly City limits

(As amended by Ord. 78-025 C.S., adopted August 8, 1978)

Prima Facie Speed Limit Declared 40 Miles per Hour

Industrial Parkway West between Hopkins Street and a point 2,000 feet easterly

Whipple Road between Industrial Parkway Southwest and easterly City limits

(As amended by Ord. 77-005 C.S., adopted January 18, 1977)

Prima Facie Speed Limit Declared 45 Miles per Hour

Industrial Boulevard between Baumberg Avenue and Hesperian Boulevard

Industrial Parkway and Industrial Parkway West between Hesperian

Boulevard and Hopkins Street between 2,000 feet easterly of

Hopkins Street and Dixon Street

(As amended by Ord. 76-022 C.S., adopted December 7, 1976)

Prima Facie Speed Limit Declared 50 Miles per Hour

(Deleted by Ord. 72-037 C.S., adopted September 26, 1972)

Section 6.22 SPEED LIMIT. MUNICIPAL PARKING LOTS AND CITY PROPERTY. No person shall drive a vehicle upon any municipal parking lot or upon other off-street property possessed and used by this City, at a speed greater than is reasonable or prudent, having due regard for the traffic thereon and the surface and width of the roadways and moving lanes thereof, and in no event at a speed which endangers the safety of persons or property, and, when heretofore or hereafter provided by regulations of this City, and appropriate signs or markings are placed giving notice thereof, in no event at a speed which is in excess of the posted speed limit. (As amended by Ord. 219 C.S., adopted May 5, 1959)

Section 6.23 SPECIAL REGULATIONS - MUNICIPAL PARKING LOTS AND CITY PROPERTY. Where heretofore and hereafter provided by regulations of this City, and appropriate signs or markings are in place giving notice thereof, no person shall drive, operate, stop, stand, or park any vehicle contrary to such regulations upon any municipal parking lot or upon other off-street property possessed and used by this City.

In the absence of any such regulations all the provisions of the Vehicle Code of the State of California and the Hayward Traffic Code relating to traffic upon streets and highways shall be applicable to traffic upon said municipal parking lots and other off-street City property, except those provisions which by their very nature can have no application. (As amended by Ord. 75-008 C.S., adopted April 1, 1975)

Section 6.24 SELLING MERCHANDISE ON CITY PROPERTY.

a. No persons shall sell, offer for sale, or exchange for donations, any solid or liquid food or beverage, or any type of goods or merchandise, or conduct any commercial activity upon any City street, municipal parking lot, or other off-street property possessed and used by the City.

b. Notwithstanding the prohibition of subsection (a), the City may issue a temporary permit for a period not to exceed seven (7) days that authorizes certain specified commercial activity upon a City street, municipal parking lot, or other off-street City property in conjunction with street fairs, parades, and other community events or in other special circumstances. Requests for a permit for such temporary activity shall be made in writing to the Director of Public Works at least two weeks in advance of the desired commencement of the temporary activity. The Director of Public Works, in consultation with the Chief of Police, shall deny the permit if the proposed activity would necessarily impair the public health, safety, or general welfare. If that determination is not made, the Director of Public Works, in consultation with the Chief of Police and Risk Manager shall have the authority to issue a permit upon such conditions as are considered appropriate by them to protect the public health, safety, and general welfare. (As added by Ord 86-027 C.S., adopted September 2, 1986)

Section 6.30 PARKING LIMITS. When heretofore or hereafter provided by regulations of this City, and appropriate signs are in place giving notice thereof, no person shall stop, stand, or park any vehicle upon any street or Municipal off-street parking lot during the hours and days indicated below for a period of time longer than indicated upon such signs and set forth in said regulations:

1. Between the hours of 9 a.m. and 5 p.m. of any day except Saturdays, Sundays, and holidays.
2. During other hours and days established by regulations of this City.

(As amended by Ordinance No. 79-044 C.S., adopted December 18, 1979; and as amended by Ord 86-037 C.S., adopted October 28, 1986)

Section 6.32 PARKING PROHIBITION - COMMERCIAL VEHICLES ON DESIGNATED STREETS. Whenever any regulations of this City designates and describes any street or portion thereof as a street the parking or standing on which is prohibited for any commercial vehicle, the Traffic Engineer shall erect and maintain appropriate signs on those streets or portions thereof affected by such prohibition.

No person shall park or leave standing on such street or portion thereof for a period in excess of three (3) hours any commercial vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more. The prohibition hereby imposed shall not apply to the parking or standing of such a vehicle for the purpose of making pickups or deliveries from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the repair, alteration, remodeling or construction of any such building or structure for which a building permit has been obtained.

The prohibition imposed by this section is enacted pursuant to the authority of State Vehicle Code Sec. 22507. (As added by Ord. 77-013 C.S., adopted April 5, 1977)

Section 6.33 PARKING PROHIBITION - COMMERCIAL VEHICLES IN RESIDENCE DISTRICTS. Notwithstanding the provisions of Section 6.32, no person shall park or leave standing on any street or portion thereof in a residence district (as defined by the State Vehicle Code) any commercial vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more. The prohibition hereby imposed shall not apply to the parking or standing of such a vehicle for the purpose of making pickups or deliveries from or to any building or structure located within such residence district, or for the purpose of delivering materials to be used in the repair, alteration, remodeling or construction of any such building or structure for which a building permit has been obtained.

The prohibition imposed by this section is enacted pursuant to the authority of State Vehicle Code Sec. 22507.5 (As added by Ord. 77-013 C.S., adopted April 5, 1977)

Section 6.34 PARKING PROHIBITED. REMOVAL. Any vehicle parked or left standing in violation of a parking prohibition established under this Code may be removed by a Police Officer as provided in the State Vehicle Code, provided that signs are posted giving notice of the removal. (As amended by Ord. 64-049 C.S., adopted November 10, 1964)

Section 6.35 PARKING WITHIN DESIGNATED AREA. Whenever the Traffic Engineer shall cause to have lines or markings painted or otherwise designated upon the parkway, curb, sidewalk or street in such manner as to identify the parking area, it shall be unlawful to park or leave standing any vehicle across any such line or marking or in any position other than within the parking area so designated.

Section 6.36 PERMIT PARKING - ON DESIGNATED STREETS. PENALTIES.

(a) Whenever any regulation of this City designates and describes any street or portion thereof as a street the parking or standing on which shall be restricted to holders of permits therefor, the Public Works Department shall erect and maintain appropriate signs on those streets or portions thereof affected by such restriction.

No person shall park or leave standing on such street or portion thereof any vehicle unless such vehicle has displayed thereon an appropriate permit issued by the Finance Department which entitles the holder thereof to preferential parking privileges on the street or portion thereof in question. Motor vehicles identified as used by disabled persons meeting the requirements of Section 22511.5 of the California Vehicle Code shall be exempt from this subsection.

(b) Penalties. The following acts constitute an infraction and shall be punishable as set forth in Sections 40000.1 and 40000.28 of the California Vehicle Code and Section 36900 of the California Government Code, and by revocation of any permit currently held:

- (1) For any person to falsely represent himself or herself as eligible for a parking permit or to furnish false information in an application therefor.
- (2) For any person holding a valid parking permit issued pursuant hereto to permit use or display of or to use or display such permit on a motor vehicle other than that for which the permit was issued.
- (3) For any person to copy, reproduce or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the Finance Department of the City of Hayward.
- (4) For any person to knowingly use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a preferential residential parking permit area.
- (5) For any person holding a valid parking permit issued pursuant hereto to sell, give, loan, transfer, or exchange said permit to any other person except as is specifically authorized in the Traffic Regulations of the City.
- (6) For any person to knowingly commit any act which is prohibited by the terms of this Section or any permit parking regulations enacted pursuant to authority granted by California Vehicle Code Section 22507.

(As amended by Ord. 87-035 C.S., adopted December 1, 1987)

Section 6.37 INTERSTATE TRUCK TERMINALS -

(a) Permit: Upon application to operate an Interstate Truck Terminal, and verification that an acceptable interstate truck route is available between the proposed terminal and routes identified by the State of California Department of Transportation,

the City of Hayward Department of Public Works, subject to applicable planning and zoning regulations, is hereby authorized and empowered to issue a permit to operate an Interstate Truck Terminal. These permits shall be renewed annually. A City of Hayward Business License shall also be required to operate the terminal.

(b) Route: The City of Hayward Department of Public Works shall erect and maintain appropriate signs along the interstate truck route accepted in (a) above. Interstate trucks to and from the said terminal are permitted to use this signed route only. All costs of signing shall be determined by the Department of Public Works and paid by the applicant.

(c) Fees. Applicant shall pay an Applicant Fee and the annual Permit Fee which will be set from time to time by a City Council Resolution.

(d) Revoke Permit: The City of Hayward Department of Public Works has the right to revoke any permit issued under this section when there is evidence which indicates that the terminal and/or interstate truck route does not provide for the safe operation of interstate trucks, or designate an alternate route. All costs involved in establishing an alternate route shall be paid by the terminal operator.

(e) Definitions. For the purposes of this section the following definitions shall apply:

(1)Interstate Truck. A combination of vehicles consisting of a truck tractor and semi-trailer, or of a truck tractor, semi-trailer, and trailer that conform to the conditions set forth in Section 35401.5(a) of the California Vehicle Code.

(2)Interstate Truck Terminal. A facility at which freight is consolidated to be shipped by and where full-load consignments may be off-loaded from interstate trucks, or at which interstate trucks are regularly maintained, stored, or manufactured.

The prohibition imposed by this section is enacted pursuant to the authority of California Vehicle Code Section 35401.5. (As added by Ord. 84-031, C.S., adopted November 27, 1984)

Section 6.38 PARKING PROHIBITION - LARGE COMMERCIAL VEHICLES ON SIGNED STREETS. The Traffic Engineer is hereby authorized to determine those streets or portions thereof where the parking or standing of commercial vehicles 25 feet or more in length or having a vehicle weight rating of 10,000 pounds or more should be restricted or prohibited. Whenever the Traffic Engineer determines that such restrictions or prohibitions are appropriate, the Traffic Engineer shall erect and maintain signs on those streets or portions thereof giving adequate notice of such regulations.

No person shall park or leave standing on such street or portion thereof any such large commercial vehicle in violation of the posted regulations. The prohibition hereby imposed shall not apply to the parking or standing of such vehicle for the purpose of making pickups or deliveries from or to any building or structure located on such

regulated streets or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or construction of any such building or structure for which a building permit has been obtained.

The prohibition imposed by this section is enacted pursuant to the authority of California Vehicle Code Section 22507. (As added by Ord. 86-01 C.S., adopted January 14, 1986)

Section 6.39 VEHICLE PARKING AND STORAGE REQUIREMENTS. The term 'vehicle' as used in this section shall include an automobile or truck (excluding truck tractor), recreational vehicle, trailer, boat mounted on a trailer, special interest vehicle, or other vehicle referenced in California Vehicle Code section 5051, and other vehicles of similar kind and use.

(a) Parking or Storage on Property Zoned or Used for Single Family Purposes.

- (1) Vehicles shall be parked in the required front yard only on the paved driveway which provides direct access to the garage from a public street or an approved private street.
- (2) No vehicle shall be parked on the paved driveway in the required front yard other than perpendicular to the street, unless parked on an approved curved driveway.
- (3) No vehicle shall be parked or stored in a required side yard or side-street yard, with the following exceptions: a recreational vehicle such as a boat, compact trailer tent, or similar recreational vehicle less than six feet in height can be stored in a required side yard if screened from view from the street by a six-foot high solid fence.

(b) Parking or Storage on Property Zoned or Used for Multi-Family Residential Purposes.

Parking or storage of truck tractors or vehicles that are not self-propelled (trailers, boats mounted on trailers, and other vehicles or equipment of similar kind and use) are prohibited except within designated storage areas approved as part of the site plan review, use permit, planned development, or building permit.

- (c) A citation may be issued to the registered owner of any vehicle found to be in violation of this section.
- (d) Nothing in this section shall preclude any other remedy available whether it is criminal or civil, at law or in equity.

(As added by Ord. 95-08, adopted February 7, 1995)

ARTICLE 7.

PARKING METER ZONES

Section 7.00 PARKING METER ZONES. Subject to approval of Council, parking meter zones shall be established by the Traffic Engineer upon such streets, portions of streets or in municipal parking lots within the City of Hayward as may be necessary for traffic or parking control purposes.

The City Manager shall cause parking meters to be installed and maintained in such designated parking meter zones and the existence of a parking meter installed shall designate its location as a parking meter zone for the purposes of this Article.

Section 7.01 PARKING METER DEFINED. For the purposes of this Article, the term "parking meter" shall mean any receptacle, instrument, device, indicator, or machine which upon the deposit therein of an authorized token or coin of the United States as may be required, shows, indicates, registers, displays or permits legal parking in the parking meter zone wherein or adjacent to which such parking meter is situated.

Section 7.02 PARKING METERS - INSTALLATION. Parking meters shall be installed upon the street, parkway, curb, sidewalk, or municipal parking lot area immediately adjacent to the individual parking spaces designated as herein prescribed.

The Traffic Engineer shall cause to have lines or markings painted or otherwise designated upon the parkway, curb, sidewalk, street, or municipal parking lot area adjacent to each parking meter in such manner as to identify the parking space with each respective parking meter.

It shall be unlawful to park or leave standing any vehicle across any such line or marking or in any position other than within the parking area so designated.

Section 7.03 PARKING METERS - OPERATION. It shall be unlawful for any person to park or leave standing any vehicle in any parking meter zone at any time during which the parking meter indicates that the parking space is illegally in use, except during the time necessary to deposit tokens or coins in said parking meters, or on Saturdays, Sundays, and holidays, or between the hours of 5 p.m. to 9 a.m. on all other days. (As amended by Ord. 79-044 C.S., adopted December 18, 1979; and as amended by Ord. 86-037 C.S., adopted October 28, 1986)

Section 7.04 PARKING METERS - TIME LIMITS. Notwithstanding the fact that a parking meter shall indicate legal parking, it shall be unlawful for any person to park or leave standing any vehicle in any area or parking space for a period of time in excess of parking limits prescribed and established by traffic regulations of this City. (As amended by Ord. 63-006 C.S., adopted March 12, 1963)

Section 7.05 PARKING METERS - DAMAGE TO. It shall be unlawful for any person to deface, injure, tamper with, or willfully break, destroy, or impair the usefulness of any parking meter.

Section 7.06 PARKING METER RATES. The sum of 10¢ per hour is hereby established as a schedule of rates for parking meters. (As added by Ord. 80-025 C.S., adopted September 2, 1980)

Section 7.10 RATES FOR ATTENDANT MUNICIPAL PARKING FACILITIES. The following rates are hereby established for attendant municipal parking facilities:

1. Ten cents (10¢) or merchant validation for the first hour or portion thereof;
2. Twenty-five cents (25¢) for each additional hour or portion thereof.

The above rates are effective between the hours of 9:00 a.m. and 6:00 p.m., Monday through Friday, holidays excepted. (As added by Ord. 81-021 C.S., adopted June 9, 1981)

ARTICLE 8.

MISCELLANEOUS TRAFFIC REGULATIONS

Section 8.00 DRIVING THROUGH FUNERAL PROCESSIONS. No driver of a vehicle shall drive between vehicles comprising a funeral procession while they are in motion and when the vehicles in such processions are conspicuously so designated.

Section 8.01 CLINGING TO MOVING VEHICLES. (Deleted by Ord. 93-21, adopted September 14, 1993)

Section 8.02 VEHICLES SHALL NOT BE DRIVEN ON THE SIDEWALK. The driver of a vehicle shall not drive within any sidewalk area or any parkway except at a permanent or temporary driveway.

Section 8.03 NEW PAVEMENT. No person shall ride or drive any animal or any vehicle over or across any newly made pavement or freshly painted marking in any street when a barrier or sign is in place warning persons not to drive over or across such pavement or marking, when a sign is in place stating that the street or any portion thereof is closed.

Section 8.04 LIMITED ACCESS. No person shall drive a vehicle onto or from any limited access roadway except at such entrances and exits as are established by public authority.

Section 8.05 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 Section 604.5 of the Vehicle Code, 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.

Section 8.06 TOW SERVICE SOLICITATION PROHIBITED. No person shall at the location of any vehicular accident collision or other catastrophe or calamity, solicit or offer the sale of any tow service, or the sale of any other services.

The prohibition contained in this section shall apply from the time of the happening of any of the aforesaid occurrences until a reasonable time thereafter, and at all times while law enforcement officers, public health personnel, emergency personnel, and other persons discharging duties imposed by law, are actively engaged in the performance of duty at the location of said occurrences. (As added by Ord. 129 C.S., adopted December 17, 1957)

Section 8.07 NO ENTRANCE INTO INTERSECTIONS AND KEEP CLEAR ZONES. It shall be unlawful for the operator of any vehicle to enter an intersection, a marked crosswalk, or a marked "Keep Clear" zone unless there is sufficient space on the other side of the intersection, crosswalk, or "Keep Clear" zone to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed. (As amended by Ord. 80-009 C.S., adopted March 18, 1980)

Section 8.08 EXCESSIVE ACCELERATION, DECELERATION, OR OTHER OPERATION OF MOTOR VEHICLES. It shall be unlawful for any person in operating a motor vehicle within the City of Hayward on a street or other public place or on publicly-owned property or privately-owned property to so accelerate, decelerate, or otherwise operate same as to cause audible noise by tire friction on the pavement or surface on which the motor vehicle is being operated or to cause the tires of said vehicle to leave skid marks upon such pavement or surface except when such acceleration, deceleration, or other operation is reasonably necessary to avoid collision or upset of the motor vehicle or injury to person or damage to property. (As amended by Ord. 81-031 C.S. adopted September 8, 1981)

Section 8.09 ATTENDANT PARKING - PAYMENT OF FEES. No person shall drive a vehicle from any attendant Municipal parking lot without paying the required fee, either to the attendant on duty or by deposit into a receptacle provided for that purpose. (As added by Ord. 81-018 C.S., adopted May 5, 1981)

Section 8.10 STOPPING, STANDING AND PARKING. GENERAL. The provisions of this Code 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.

The provisions of this Code 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 State Vehicle Code or the regulations of this City, prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

Section 8.11 STANDING IN PARKWAYS PROHIBITED. No person shall stop, stand or park a vehicle within any parkway.

Section 8.12 USE OF STREETS FOR STORAGE OF VEHICLES PROHIBITED. No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours.

In the event a vehicle is parked or left standing upon a street in excess of a consecutive period of seventy-two (72) hours, any member of the Police Department authorized by the Chief of Police may remove said vehicle from the street in the manner and subject to the requirements of the State Vehicle Code. (As amended by Ord. 64-049 C.S., adopted November 10, 1964)

Section 8.13 PARKING FOR CERTAIN PURPOSES PROHIBITED. It shall be unlawful for any person to park any vehicle wholly or partly within any roadway, for the purpose of selling therefrom or therein or advertising the sale of any article, service, or thing, or of storing, servicing, repairing, or otherwise working upon any such vehicle, other than upon a vehicle which is temporarily disabled. (As amended by Ord. 92-35, adopted November 24, 1992)

The provisions of this section shall not prohibit a seller from taking orders or delivering any commodity from a vehicle on that part of any roadway immediately adjacent to the premises of the purchaser; nor shall the provisions of this section prohibit an owner or operator of a vehicle, or a mechanic, from servicing, repairing or otherwise working upon any vehicle which is temporarily disabled in such a manner and to such an extent that it is impossible to avoid parking such vehicle within such roadway. (As amended by Ord. 189 C.S., adopted September 30, 1958)

Section 8.13.01 PARKING ON STREETS AND PUBLIC LANDS WITHIN THE CITY FOR THE PRIMARY PURPOSE OF ADVERTISING THE PRIVATE SALE OF VEHICLES PROHIBITED. The parking of vehicles on streets and/or all public lands within the City of Hayward for the primary purpose of advertising the vehicle for private sale to the public is prohibited. City of Hayward Police Officers and Parking Enforcement Officers are authorized to remove a vehicle so parked after notice has been given and procedures followed pursuant to Vehicle Code Section 22651.9, as amended from time to time.

(As added by Ordinance 97-04, adopted April 22, 1997)

Section 8.14 VEHICLES ON PRIVATE PROPERTY. It shall be unlawful for any person to operate, drive or leave any vehicle in, over or upon any private property without the express permission of the owner or occupant thereof.

Section 8.15 HANDICAPPED PARKING - PRIVATE PROPERTY. It shall be unlawful for any person to stop, stand, or park any vehicle upon any private parking facility in areas designated by appropriate sign markings for the exclusive use of physically handicapped persons unless said vehicle has displayed thereon State Vehicle Code authorized distinguishing license plates or placards. (As added by Ord. 77-042 C.S., adopted October 4, 1977)

Section 8.16 PARKING ADJACENT TO SCHOOLS. The Traffic Engineer 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.

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

Section 8.17 PARKING ON NARROW STREETS. The Traffic Engineer is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty (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 thirty (30) feet.

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.

Section 8.18 PARKING ON HILLS. No person shall park or leave standing any vehicle unattended on a highway when upon any grade exceeding three (3) percent within any business or residence district without blocking the wheels of said vehicle by turning them against the curb or by other means. (As amended by Ord. 66-025 C.S., adopted May 10, 1966)

Section 8.19 PARKING FOR DISABLED PERSONS. Notwithstanding any other provision of this Code, any disabled person entitled to and using a vehicle equipped with special attachments and devices to enable such person to operate said vehicle, may park or leave standing such vehicle free of charge and overtime in any area or zone during all hours when it is otherwise lawful to park in the same area or zone subject to the following requirements:

1. Such disabled person shall possess an identification card to be exhibited when requested by any peace officer, issued by the Chief of Police certifying he meets the requirements of this Section and identifying the vehicle.

2. The vehicle shall bear a sticker, indicating the right to park as in this Section provided, to be issued by the Chief of Police and to be at all times displayed on the lower right hand corner of the windshield.

3. Disabled person, as used in this Section, shall mean any person who has completely lost the use of one or both feet, or one or both legs, or who has had one or both feet, or one or both legs amputated. Whenever requested by the Chief of Police, any disabled person applying for the privileges provided by this Section must supply satisfactory medical proof of his physical disability.

Section 8.20 STOPPING OR PARKING PROHIBITED - SIGNS REQUIRED. The Traffic Engineer shall appropriately sign or mark the following places and when so signed or marked no person shall stop, stand or park a vehicle in any of said places:

1. At any place within ten (10) feet of an intersection in the Central Traffic District or in any business district except that a bus may stop at a designated bus stop.

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

3. At any place where the Traffic Engineer determines that the parking of vehicles constitutes a dangerous traffic hazard or causes traffic congestion during certain or all hours of the day.

(As amended by Ord. 64-049 C.S., adopted November 10, 1964)

4. At any place and time where street sweeping operations are scheduled to occur.
(As added by Ord. 86-21 C.S., adopted July 15, 1986)

Section 8.21 PARKING PARALLEL WITH CURB. Subject to other and more restrictive limitations, a vehicle may be stopped or parked within eighteen (18) inches of the left-hand curb facing in the direction of traffic movement upon any one-way street unless signs are in place prohibiting such stopping or standing.

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.

The Traffic Engineer is authorized to determine when standing or parking shall be prohibited upon the left-hand side of any one-way street or when standing or parking may be permitted upon the left-hand side of any one-way roadway of a highway having two or more separate roadways and shall erect signs giving notice thereof.

Section 8.22 ANGLE PARKING. Angle parking of vehicles shall be authorized only on those streets or portions of streets within the City of Hayward which have been designated for such parking by regulations of this City and appropriate signs or markings are in place giving notice thereof.

This section is enacted pursuant to the authority of State Vehicle Code Section 22503.

(As amended by Ord. 79-005 C.S., adopted January 23, 1979)

Section 8.23 PERMIT FOR LOADING OR UNLOADING AT AN ANGLE TO THE CURB. The Chief of Police is authorized to issue special permits to allow the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

Section 8.30 EMERGENCY PARKING SIGNS. Whenever the Traffic Engineer shall determine that the emergency traffic congestion is likely to result from the holding of public or private assemblages, gatherings or functions, or for other reasons, the Traffic Engineer shall have power and authority to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys as the Traffic Engineer 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 Traffic Engineer shall cause such signs to be removed promptly thereafter.

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.

Section 8.40 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 the time specified in Section 618 of the Vehicle Code shall be equipped with and carry at least two flares or two red lanterns, or two warning lights or reflectors, which reflectors shall be of a type approved by the Department of California Highway Patrol.

When any vehicle above mentioned or any trailer or semi-trailer is disabled upon streets or highways outside of any business or residence district within this City and upon which street or highway there is insufficient street lighting to reveal a vehicle at a distance of five hundred (500) feet during any time mentioned in Section 618 of the Vehicle Code, a warning signal of the character indicated above shall be immediately placed at a distance of approximately one hundred (100) feet in advance of, and one hundred (100) feet to the rear of such disabled vehicle, by the driver thereof. The warning signals herein mentioned shall be displayed continuously during the times mentioned in Section 618 while such vehicle remains disabled upon such street or highway.

Section 8.50 PEDESTRIAN CROSSWALKS. The Traffic Engineer shall establish, designate and maintain crosswalks at the 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 where the Traffic Engineer determines necessary or desirable for the public safety and the orderly and efficient use of the streets by the public.

The Traffic Engineer shall also establish and maintain crosswalks at other locations than intersections which have been determined necessary or desirable for the public safety and the orderly and efficient use of the streets by the public and so designated by regulations of this City.

This section is enacted pursuant to the authority of State Vehicle Code Section 21106. (As amended by Ord. 79-005 C.S., adopted January 23, 1979)

Section 8.51 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.

Section 8.515 PROHIBITED CROSSWALKS. The Traffic Engineer may install signs at or adjacent to an intersection directing that pedestrians shall not cross in a crosswalk indicated at the intersection. It is unlawful for any pedestrian to cross at the crosswalk prohibited by a sign. (As added by Ord. 62-067 C.S., adopted November 13, 1962)

Section 8.52 CROSSING AT RIGHT ANGLES. No pedestrian shall cross a roadway at any place other than a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.

Section 8.53 STANDING IN ROADWAYS. No person shall stand in any roadway other than in a safety zone or in a crosswalk if such action interferes with the lawful movement of traffic. This Section shall not apply to any public officer or employee, or employee of a public utility when necessarily upon a street in line of duty.

Section 8.54 PEDESTRIAN SIGNALS. Whenever special pedestrian control signals exhibiting the word "WALK" or exhibiting the color red are in place, said term and color shall indicate and apply to pedestrians as follows:

"WALK". Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.

RED. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the "WALK" signal shall proceed to a sidewalk or safety zone while the color red is showing.

Section 8.60 TRAINS. 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.

Section 8.61 TRAINS NOT TO BLOCK STREETS. (Repealed by Ord. 75-002 C.S., adopted February 18, 1975)

Section 8.62 TRUCKS PROHIBITED ON STATE HIGHWAY 238. The maximum gross weight of vehicle and load on those segments of State Route 238 not presently nor hereafter designated Mission Boulevard or Foothill Boulevard and located in the City of Hayward is 9,000 pounds per truck or per truck and full trailer or semi-trailer combination. Mission Boulevard, Hesperian Boulevard, and Interstate 880 are

hereby designated as alternate routes for the use of such vehicles prohibited from using Route 238.

(As added by Ordinance 96-21, adopted November 12, 1996)

Section 8.63 EXCEPTIONS TO PROHIBITION. The following shall be excepted from the vehicular weight restriction imposed by Section 8.62: Police and Fire Department vehicles, passenger busses, recreation vehicles, and utility vehicles needed to service sections of State Route 238 restricted by Section 8.62 of this Code.

(As added by Ordinance 96-21, adopted November 12, 1996)

ARTICLE 9.

OBSTRUCTIONS TO VISIBILITY AT INTERSECTIONS

(Added by Ordinance 332 C.S., adopted October 18, 1960)

Section 9.01 OBSTRUCTIONS TO VISIBILITY AT INTERSECTIONS PROHIBITED. On property at any corner formed by intersecting streets, it shall be unlawful to install, set out, or maintain, or to allow the installation, setting out, or maintenance, of any sign, hedge, shrubbery, natural growth, or other obstruction to the view higher than three (3) feet above the level of the center of the adjacent intersection within that triangular area between the property lines and a diagonal line joining points on the property lines thirty (30) feet from the point of their intersection, or, in the case of rounded corners, within the triangular area between the tangents to the curve and a diagonal line joining points on said tangents thirty (30) feet from the point of their intersection. The tangents referred to are those at the beginning and at the end of the curve at the corner.

Section 9.02 OBSTRUCTIONS TO VISIBILITY AT INTERSECTIONS PROHIBITED. EXCEPTIONS. The foregoing section shall not apply to intersections at which vehicular traffic is controlled by either traffic signals or signs and when and to the extent that the City Traffic Engineer finds and determines that same is not necessary to traffic safety; nor to existing buildings; public utility poles; trees trimmed (to the trunk) to a line at least eight (8) feet above the level of the intersection; saplings; plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave at all seasons a clear and unobstructed crossview; supporting members of appurtenances to permanent buildings existing on the date this Article becomes effective; official traffic control devices; places where the contour of the ground is such that there can be no cross-visibility at the intersection; nor signs mounted ten (10) feet or more above the ground and whose supports do not constitute an obstruction as defined in Section 9.01. (As amended by Ord. 66-014 C.S., adopted March 22, 1966)

Section 9.03 OBSTRUCTIONS TO VISIBILITY AT INTERSECTIONS PROHIBITED. SCOPE. No obstruction to cross-visibility shall be deemed to be excepted from the application of this Article because of its being in existence at the time of the adoption hereof, unless expressly excepted by the terms of this Article.

Section 9.04 OBSTRUCTIONS TO VISIBILITY AT INTERSECTIONS PROHIBITED. ENFORCEMENT. The enforcement of this Article shall be under the direction of the Director of Public Works. The City Traffic Engineer shall investigate violations of this Article, give such notices as may be required to carry out this Article, and perform such other duties in connection with the enforcement of this Article as may be required.

Section 9.05 OBSTRUCTIONS TO VISIBILITY AT INTERSECTIONS PROHIBITED. REMEDIES. Any obstruction maintained in violation of this Article shall be deemed a nuisance, and, upon failure to abate the same within twenty (20) days after the posting upon the premises of notice to abate the nuisance signed by the City Traffic Engineer, such representatives of the Director of Public Works as he may so authorize may enter upon the premises and remove or eliminate the obstruction. In such event, the cost to the City of the abatement of the nuisance shall be a lien upon the premises, provided a notice thereof be given and a claim therefor be filed within the time and in the manner as prescribed in Article 3, Chapter 2, Title 4, Part 3, of the Code of Civil Procedure of the State of California, and said lien may be enforced as prescribed in said Chapter 2. The cost of such abatement shall, in addition, be a personal obligation against the owner of the premises upon which the nuisance was maintained, recoverable by the City in an action before any court of competent jurisdiction.

ARTICLE 10.

(Added by Ord. 93-21, adopted September 14, 1993)

BICYCLES, ROLLER SKATES, SKATEBOARDS, AND SIMILAR DEVICES

Section 10.01 RIDING BICYCLES AND SKATEBOARDS ON SIDEWALKS IN DOWNTOWN PROHIBITED. No person shall ride or operate any bicycle, moped, or skateboard whether powered by human or motorized means on any sidewalk in the area bounded by 'A' Street to the north, 'D' Street to the south, Foothill Boulevard to the east, and Watkins Street to the west, unless such sidewalk is specifically designated as a bicycle route.

Section 10.02 RIDING BICYCLES ON STREETS. Except as otherwise provided in the California Vehicle Code, any person riding or operating a bicycle on streets must ride in bicycle lanes where such lanes have been established pursuant to Hayward Traffic Code section 6.07 and are appropriate to his or her direction of travel. Where there are no established bicycle lanes, any person riding a bicycle upon a City street or right-of-way shall be granted all of the rights and shall be subject to all of the duties applicable to a driver of a vehicle under this code, except those provisions which by their very nature have no application.

Section 10.03 PARKING OF BICYCLES. No person shall park a bicycle against any store-front window or on the main-traveled portion of a sidewalk, nor in such a manner as to constitute a hazard to pedestrians, traffic, or property. Bicycles may be parked against parking meters only when the meter is equipped with a locking device designed for that purpose; otherwise, bicycles shall not be parked against or locked to meters. Bicycles shall be parked in designated bicycle locations (racks or specially equipped meters) whenever possible.

Section 10.05 USE OF ROLLER SKATES, SKATEBOARDS, COASTERS AND SIMILAR DEVICES PROHIBITED IN CITY-OWNED PARKING LOTS, GARAGES, OR OTHER PARKING FACILITIES. No person shall skate with roller skates or roller blades, propel any coaster or toy vehicle, or ride any skateboard or other similar device that is propelled by human or motorized means upon any City-owned, City-operated or City-controlled parking lots, garages, or other parking facilities or other City-owned property and facilities.

Section 10.06 USE OF ROLLER SKATES, SKATEBOARDS, COASTERS, AND SIMILAR DEVICES ON PRIVATE PROPERTY. No person shall skate with roller skates or roller blades, propel any coaster or toy vehicle, or ride any skateboard or other similar device that is propelled by human or motorized means upon any privately owned, operated, or controlled property without first obtaining the consent of the property owner, his or her designee, or a lawful occupant. In addition, the property

owner is authorized to post or erect signs at the owner's expense, prohibiting the riding of the devices described above, in or on those premises, if a request has been made to and approved by the Chief of Police or his or her designee, in accordance with established City sign standards.

Section 10.07 FACILITIES FOR TRICK RIDING PROHIBITED. No person shall erect, construct, or place any ramp or similar device for the purpose of performing or allowing to be performed any acrobatic, fancy, stunt, or trick riding in or upon any City street, sidewalk, or property or facilities owned or controlled by the City of Hayward.

Section 10.08 USE OF HUMAN OR MOTOR-PROPELLED DEVICES BY HANDICAPPED PERSONS. Notwithstanding the provisions of this article, the use of human or motor-propelled devices on any sidewalk, street, public right of way, or upon any land, property, or facility owned or controlled by the City of Hayward by any person who is disabled or handicapped, or whose ability to walk is impaired, is not prohibited.

Section 10.09 EXEMPTIONS. The provisions of this article shall not apply to peace officers operating bicycles in the performance of their official duties."