

Article 3

Residential Parking Permit Program(Legislative History: Ordinance No. 2003-001, 2/18/03 (Sections 6-2-300—6-2-365); Ordinance No. 2005-013, 10/6/05 (Section 6-2-360); Ordinance No. 2018-001, 3/19/18 (Sections 6-2-310—6-2-345, 6-2-355))

§ 6-2-300. SHORT TITLE.

This Article shall be known as the "Residential Parking Permit Program."

§ 6-2-305. PURPOSE.

Public streets in neighborhoods in the City have parking accessible to residents in those neighborhoods. Parking by non-residents causes inaccessibility to parking and congestion on neighborhood streets. Such parking by non-residents threatens the health, safety and welfare of all residents of San Leandro. In order to protect and promote the integrity of these neighborhoods, it is necessary to enact parking regulations restricting unlimited parking by non-residents, while providing the opportunity for residents to park near their homes.

§ 6-2-310. DEFINITIONS.

Unless the context otherwise requires, the terms used in the Article shall have the following meanings:

"Designated residential parking permit area" means any contiguous area upon which the Council imposes parking limitations pursuant to the authority granted by this Article.

"Non-residential vehicle" means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this Article, for the specific area in which it is parked.

"Visitor permit" means a parking permit issued pursuant to this Article or an ordinance enacted pursuant to the authority granted herein, which shall exempt the vehicle from parking time restrictions established pursuant to this Chapter for a period of 14 days, beginning upon the date authorized.

§ 6-2-315. PARKING PERMIT EXEMPTION.

- (a) A motor vehicle that has been assigned a valid residential parking permit as provided for herein shall be permitted to stand or be parked in the residential parking permit area for which the permit has been issued without being limited by time restrictions established pursuant to this Article or any resolution hereunder. Any vehicle that has not been issued a valid parking permit shall be subject to the residential parking permit regulation and consequent penalties in effect for such area.
- (b) A residential parking permit or any other permit as designated by the Council shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential parking permit area.
- (c) This Article shall not be interpreted or applied in a manner that shall abridge or alter regulations established by authority other than this Article.

§ 6-2-320. DESIGNATION OF A RESIDENTIAL PARKING PERMIT AREA.

- (a) There shall be two alternative processes by which the City Council can consider any area for designation as a residential parking permit area:
 - (1) Resident's Petition: The City Council shall consider for designation as a residential parking permit area any proposed area for which a petition has been submitted that meets and satisfies both requirements and any administrative guidelines adopted by the City Council.
 - (2) The City Council or City Manager shall consider for designation as a residential parking permit area a location that satisfies both requirements and any administrative guidelines adopted by the City Council.
 - (i) The City Council or City Manager shall initiate the process for establishing the area as a residential parking permit area.
 - (ii) A notice of intent to establish permit parking shall be sent to all addresses within the proposed residential parking permit area.
- (b) Upon receipt by the City Council of a resident's petition with at least 75% of the residential addresses within the designated area or upon City Council or City Manager initiation as described above, the Engineering and Transportation Department shall do the following:
 - (1) Undertake or cause to be undertaken any surveys or studies which it deems necessary;
 - (2) Refer the matter to the Planning Commission for review in its capacity as the Traffic Advisory Commission; and
 - (3) Present to the City Council for consideration a resolution that would establish a residential parking permit area based upon the aforementioned proposal and studies, including all regulations and time restrictions determined by the City Council to be reasonable and necessary in such area.
- (c) The City Council may, by resolution, modify a designated residential parking permit area in any manner consistent with this Article.

§ 6-2-325. ISSUANCE OF PERMITS.

- (a) Residential parking permits shall be issued by the Finance Department in accordance with requirements set forth in this Article. Permits will be valid in the particular residential parking permit area for which it is issued.
- (b) The Finance Department and Engineering and Transportation Departments are authorized to issue such rules and regulations necessary to implement this Article that are consistent with it.

§ 6-2-330. RESIDENTIAL PARKING PERMIT.

- (a) The City Manager, or designee, shall issue residential parking permits with a term not to exceed one year to residents that comply with the requirements set forth in this Article.

- (b) A residential parking permit may be issued only to an applicant who can demonstrate that he or she is currently a resident of the area for which the permit is to be issued.
- (c) Proof of motor vehicle ownership or vehicle use and control and valid registration shall be demonstrated in a manner determined by the City Manager or designee. Permits are not valid for non-motorized vehicles (i.e., trailers).
- (d) The City Council may, by resolution, limit the number of permits issued to any resident or dwelling unit if such limitation would further the goals of the residential permit parking program.

§ 6-2-335. VISITOR PERMITS.

- (a) A visitor parking permit may be used on resident or nonresident vehicles. The City Council may, by resolution, authorize the issuance of visitor parking permits in any residential permit parking area. When authorized, visitor parking permits may be issued under the following conditions:
 - (1) The applicant for a visitor parking permit has not reached the limits, if any, set by the City Council.
 - (2) Such other conditions and restrictions that the City Council by resolution imposes or that the City Manager, or designee, deems appropriate.
- (b) Visitor permits must be registered with the City and comply with permit regulations to be valid in the particular residential parking permit area for which it applies.
- (c) A 14 day visitor permit shall, for the period of 14 days, commencing upon the date authorized, exempt the applicable vehicle from parking time restrictions established pursuant to this Article.

§ 6-2-340. ESTABLISHMENT OF RESIDENTIAL PARKING PERMIT AREA.

Upon adoption by the City Council of a resolution designating a residential parking permit area, street parking in the area shall be limited for a period as determined by the Engineering and Transportation Director with input from the area residents and as may be specifically posted; provided, however, that unlimited parking shall be allowed by vehicles for which a residential or visitor's parking permit has been obtained in accordance with requirements of the ordinance unless otherwise designated.

§ 6-2-345. POSTING OF RESIDENTIAL PARKING PERMIT AREA.

Upon adoption by the City Council of a resolution designating a residential parking permit area and after at least 60% of the households have purchased permits, the Director of the Engineering and Transportation Department, or designee, shall cause appropriate signs to be erected in the area, indicating prominently thereon the area prohibition or time limitation, period of its application, and conditions under which permit parking shall be exempt therefrom.

§ 6-2-350. PARKING PERMIT FEES.

The annual fee and renewal fee for residential parking permits and for visitor permits, or any other parking permit designated by the City Council, shall be established by City Council resolution.

§ 6-2-355. PENALTIES, LIABILITY AND ENFORCEMENT.

This Chapter shall be enforced pursuant to Chapter 1-12 of the San Leandro Municipal Code. The following acts shall constitute fraudulent use of a permit punishable by a fine to be prescribed by City Council resolution and/or revocation of any permit currently held. Violations of this Article shall include, but are not limited to, the following:

- (a) Falsely representing oneself as eligible for a parking permit or furnishing false information in an application therefor.
- (b) Copying, reproducing, or otherwise bringing into existence counterfeit parking permit or permits without written authorization from the Finance Director.
- (c) Knowingly using or displaying a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a residential parking permit area.
- (d) Changing dates on a visitor parking permit without written authorization from the Finance Director.
- (e) Knowingly committing any act that is prohibited by the terms of this Chapter or any ordinance or resolution enacted by authority granted by this Chapter.

§ 6-2-360. REVOCATION OF RESIDENTIAL PARKING PERMIT AREA.

A residential parking area may be revoked by resolution of the City Council after following the same procedures for establishing a residential parking permit area as set forth in Chapter 2-320 of this Article.

If 60% of the households in a residential parking area fail to purchase permits after being duly noticed, the City Manager may revoke the residential parking area upon notice to the residents without further action of the City Council.

§ 6-2-365. ADMINISTRATIVE REGULATIONS.

The Finance Department and the Engineering and Transportation Department are empowered to issue rules and regulations consistent with this Chapter.