

ORDINANCE No. 2010-05

AN ORDINANCE OF THE CITY OF ALBANY AMENDING THE PARKING ENFORCEMENT PROVISIONS IN SECTION 9-1.1 OF THE ALBANY ~~MUNICIPAL~~ MUNICIPAL CODE

WHEREAS, the Police Department has recommended modifications to Albany Municipal Code Section, 9-1.1 in order to clarify ambiguities in notice provisions for purposes of issuing valid parking citations;

THEREFORE THE ALBANY CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1: Section 9-1.1 of the Albany Municipal Code is amended to read as follows:

CHAPTER IX -MOTOR VEHICLES AND TRAFFIC

9-1 GENERAL PROVISIONS.

9-1.1 Definitions.

- a. Whenever any words or phrases used in this Chapter are not defined herein, but are now defined in the Vehicle Code, such definitions are incorporated herein and shall be deemed to apply to such words and phrases used in this Chapter as though set forth in this subsection in full.
- b. The following words and phrases when used in this Chapter shall, for the purposes of this Chapter, have the meanings respectively ascribed to them in this subsection:

Holidays shall mean New Year's Day; Martin Luther King, Jr.'s Birthday; Lincoln's Birthday; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans Day; Thanksgiving Day; and Christmas Day. If New Year's Day; Martin Luther King, Jr.'s Birthday; Lincoln's Birthday; Washington's Birthday; Memorial Day; Independence Day; Columbus Day; Veterans Day; or Christmas Day falls upon a Sunday, the Monday following is a holiday.

Holidays, where used in this chapter or on official signs, shall mean the following days:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- President's Day (third Monday in February)
- Memorial Day (last Monday in May)

- Independence Day (July 4)
- Labor Day (first Monday in September)
- Columbus Day (second Monday in October)
- Veterans Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- Christmas Day (December 25)

If any of the holidays enumerated above shall fall upon a Sunday, then the Monday following shall be considered as the holiday.

Loading Zone shall mean the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Official time standard. Whenever certain hours are named in this Chapter, they shall mean Standard Time or Daylight Saving Time, as may be in current use in the City.

Oversized Vehicles shall mean any vehicle or combination of vehicle and trailer or dolly the dimension of which exceed twenty ~~one~~two feet in length, or ~~eighty~~ninety inches in width, or ~~eighty-two~~ninety-six inches in height or has a gross vehicle weight of eight thousand (8,000) pounds or greater.

Park shall mean 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.

Parkway shall mean that portion of a street other than a roadway or a sidewalk.

Passenger loading zone shall mean the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Pedestrian shall mean any person afoot.

Police Officer shall mean every Officer of the Police Department of this City, or any Officer authorized to direct or regulate traffic or to make arrests for violation of traffic regulations.

Recreational Vehicle shall mean both of the following:

(a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed ~~primarily~~ for human habitation for recreational, emergency, or other occupancy; ~~that meets all of the following criteria:~~

~~(1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.~~

~~(2) It contains 400 square feet or less of gross area measured at maximum horizontal projections.~~

~~(3) It is built on a single chassis.~~

(42) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.

(b) A park trailer, as defined in Section 18009.3 of the Health and Safety Code. (Amended Sec. 2, Ch. 566, Stats. 2000. Effective January 1, 2001.)

Stop when required, shall mean complete cessation of movement.

Stop or stand when prohibited shall mean 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 direction of a Police Officer or official traffic-control device.

Section 2. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. Posting or publishing.

This ordinance shall be published in a newspaper of general circulation in the City of Albany, which said newspaper is designated for that purpose, or it shall be posted in three locations.

Section 4. Effective Date.

This ordinance shall become effective 30 days after its passage and adoption by the City Council.

Mayor Joanne Wile