

ORDINANCE NO 2019-07

**AN ORDINANCE OF THE ALBANY CITY COUNCIL PERMITTING PARKING
WITHIN THE PARKWAY ON THE NORTH SIDE OF WASHINGTON AVENUE**

WHEREAS, the City of Albany has found the portion of Washington Avenue between
Pierce Street and Cerrito Street to be only 22 feet wide, and where parking is currently
permissible on both sides, thus allowing room for only one lane of traffic; and

WHEREAS, this configuration has contributed to cars mounting on both sidewalks to
park safely, restricting pedestrian access; and

WHEREAS, the Albany City Council at its meeting on January 22, 2018, directed the
preparation of designs for closing the sidewalk on the north side of Washington Avenue,
permitting cars to mount the curb and park on the north side, providing roadway for curbside
parking on the south side, and maintaining a clear sidewalk on the south side; and

WHEREAS, the parkway is defined in Chapter 9, Section 1.1, Subsection b of the
Albany Municipal Code to mean that portion of a street other than a roadway or a sidewalk; and

WHEREAS, the sidewalk is defined in the California Vehicle Code, Division 1. Words
and Phrases Defined, Section 555 as that portion of a highway, other than the roadway, set apart
by curbs, barriers, markings or other delineation for pedestrian travel, and said definition is
incorporated into the Albany Municipal Code in Chapter 9, Section 1.1, Subsection a; and

WHEREAS, closing the north side of Washington Avenue to pedestrian travel will turn
that area into a parkway; and

WHEREAS, this area is now intended for cars to mount and park mostly out of the
roadway.

1 **NOW, THEREFORE, THE ALBANY CITY COUNCIL ORDAINS AS**
2 **FOLLOWS:**

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4 **SECTION 1: CHAPTER 9 OF THE ALBANY MUNICIPAL CODE, SECTION**
5 **10.2 TITLED “STANDING IN PARKWAYS PROHIBITED” IS HEREBY AMENDED**
6 **AS FOLLOWS:**

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9 **9-10.2 Standing in Parkways Prohibited.**

10 No person shall stop, stand or park a vehicle within any parkway, except that:

- 11
12 a. A person may stop, stand, or park a vehicle within the parkway on the north side of
13 Washington Avenue, from Pierce Street to Gateview Avenue and from Polk Street to
14 Cerrito Street as so marked or designated, in order to leave a clear pedestrian path on the
15 sidewalk on the south side of Washington Avenue and maintain sufficient roadway
16 width for emergency vehicle access (Ord. #58-016, Art. 11, §2; Ord. #2019-07; 1958
17 Code §20.54)

18 **SECTION 2: CHAPTER 9 OF THE ALBANY MUNICIPAL CODE, SECTION 10.23**
19 **TITLED “PARKING PROHIBITED OUTSIDE OF SPACES” IS HEREBY AMENDED**
20 **AS FOLLOWS:**

21 **9-10.23 Parking Prohibited Outside of Spaces.**

22 The operator of a motor vehicle shall park a vehicle entirely within the designated or
23 lined pavement markings for diagonal or parallel parking spaces. The operator of a motor vehicle
24 shall park a vehicle entirely within the marked or designated pavement marking(s) on
25 Washington Avenue between Pierce Street and Cerrito Street. Any person who fails to park
26 within such designated spaces or areas shall be subject to citation for a violation of this
27 subsection. (Ord. #85-07; Ord. #2019-07; 1958 Code §20.81A)

28 **SECTION 3: PUBLICATION AND EFFECTIVE DATE.**

 This ordinance shall be posted at three public places within the City of Albany and shall
become effective thirty days after the date of its posting.

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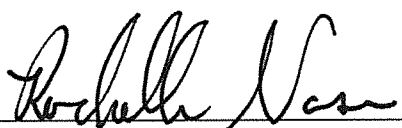
PASSED AND ADOPTED by the City Council of the City of Albany at its meeting on the 16th day of Sept., 2019, by the following vote:

AYES: Council Members: Barnes, Maass, McQuaid, Pilch + Mayor Nason

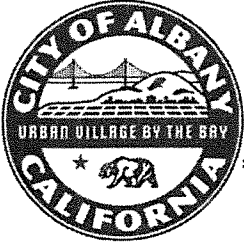
NOES: none

ABSENT: none

ABSTAIN: none



ROCHELLE NASON, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

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PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 16th day of September, 2019 by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, Pilch and Mayor Nason

NOES: none

ABSTAINED: none

ABSENT: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

17th day of September, 2019.

Eileen Harrington

Eileen Harrington
DEPUTY CITY CLERK