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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA AMENDING RESOLUTION NO. 09-71, RELATING TO AMENDING THE COMMERCE MUNICIPAL CODE TRAFFIC BAIL SCHEDULE AS IT SPECIFICALLY RELATES TO TITLE 10, “VEHICLES, TRAFFIC, AND PARKING” OF THE COMMERCE MUNICIPAL CODE

WHEREAS, Title 10, “Vehicles and Traffic,” of the City of Commerce (“City”) Municipal Code (“Code”) was adopted by the City to regulate the orderly operation and interaction of motor vehicles, bicycles, pedestrians and others upon public right of ways within the City’s jurisdiction. Title 10 includes definitions, regulations, standards and enforcement mechanisms to achieve this goal. City Council initially adopted Title 10 in 1964, with relatively few and minor amendments to Title 10 since its adoption;

WHEREAS, to ensure Title 10 was up to date and consistent with state law, industry standards, and the City’s policies, practices, and current needs relating to traffic and parking enforcement on the City’s public right of ways, extensive and comprehensive amendments to Title 10 were made. Specifically, on February 5, 2019, the City Council approved and adopted Ordinance No. 706, revising Title 10 to be consistent with state law, city practices, industry standards, and to promote internal consistencies within said Title, and within the overall Code;

WHEREAS, as a result of these municipal code amendments, amendments to the City’s Traffic Bail Schedule as it relates to Title 10, as well as the corresponding traffic enforcement citations need to be made;

WHEREAS, amendments to Title 10 included adopting new provisions and regulations, as well as deleting provisions and regulations, which also resulted in new chapters and code section numbers and/or renumbering of prior chapters and code sections within Title 10;

WHEREAS, the City’s Traffic Bail Schedule as it relates to Title 10 of the Commerce Municipal Code, and the City’s corresponding traffic and parking citation form, also need to be amended to refer to the correct code section numbers, title of violation, as well as to add new regulations consistent with the revisions to Ordinance No. 706;

WHEREAS, the City Council approved and adopted Resolution No. 09-71 on November 17, 2009, revising certain sections of the Commerce Municipal Code Traffic Bail Schedule;

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WHEREAS, Chapter 1.12 of the Municipal Code authorizes the City Council to recommend the amount of bail, fine, or penalty to be imposed by a magistrate; and

WHEREAS, the City Council finds the recommended changes to the Traffic Bail Schedule included herein to be reasonable, within municipal parking enforcement standards, and in compliance with the law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. City Council of the City of Commerce hereby finds and declares that the foregoing recitals are true and correct, and incorporates them herein as findings and as a substantive part of this Resolution

Section 2. AMENDMENTS TO BAIL, FINE, AND PENALTY SCHEDULE

The City Council recommends the following amendments to the bail schedule previously adopted by Resolution No. 09-71, as amended:

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL / FINE</u>
<i>CHAPTER 10.12 - APPLICATION AND ENFORCEMENT</i>		
10.12.020	Unlawfully Directing Traffic	\$80.00
10.12.030	Failure to Comply with a Law Enforcement or Authorized Officer	\$150.00
10.12.040	Disobedience of Traffic Code – General	\$80.00
10.12.050	Violation of Person Riding a Bicycle	\$50.00
10.12.060	Obstruction or Interference with a Law Enforcement or Authorized Officer	\$160.00
10.12.070	Public Employee Disobeying Traffic Regulation	\$80.00
<i>CHAPTER 10.20 - TRAFFIC CONTROL DEVICES AND TRAFFIC CONTROL SIGNALS</i>		
10.20.030	Violation of a Traffic Control Device, Signal, Marking, Barrier, or Barricade	\$80.00
10.20.090	Unauthorized Curb Painting	\$200.00
10.20.100	Erecting Unapproved Barrier, Barricade, or Sign	\$80.00
10.20.110	Disobeying, Removing, Tampering with, or Destroying a Barrier or Sign	\$80.00

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10.20.110	Failure to Obtain a Permit for the Installation of a Barrier or Sign	\$80.00
<i>CHAPTER 10.36 - DRIVING REGULATIONS</i>		
10.36.010	Failure to Stop Before Exiting an Alley, Driveway, or Building	\$80.00
10.36.020	Driving Between Vehicles at a Funeral Procession, Parade, or other City-Approved Event	\$70.00
10.36.030	Clinging to a Moving Vehicle	\$70.00
10.36.040	Driving a Commercial Vehicle onto a Private Driveway or Sidewalk without Owner's Permission	\$90.00
10.36.050	Driving or Riding onto a Sidewalk	\$80.00
10.36.060	Driving, Walking, Riding on New Pavement or Painted Markings	\$90.00
10.36.070	Unlawfully Entering or Exiting a Limited Access Roadway	\$80.00
<i>CHAPTER 10.44 - STOPPING, STANDING, AND PARKING</i>		
10.44.020	Parking in a Parkway	\$80.00
10.44.025	Unauthorized Parking in a Residential Front or Side Yard Setback Area	\$110.00
10.44.030	Parking in Violation of a Curb Marking, Traffic Control Device, or Sign Designating Restricted Parking or Stopping Areas	\$85.00
10.44.040(1)	Parking in a No Stopping Zone or No Parking Zone	\$85.00
10.44.040(2)	Parking - Safety hazard	\$80.00
10.44.040(3)	Parking in an Intersection or Crosswalk	\$80.00
10.44.040(4)	Parking within 15 feet of an Emergency Vehicle Driveway	\$90.00
10.44.040(5)	Parking within 15 feet of a Fire Hydrant	\$80.00
10.44.040(6)	Parking in front of a Public or Private Driveway	\$70.00
10.44.040(7)	Parking on a Sidewalk	\$80.00

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10.44.040(8)	Parking on a Median Strip	\$80.00
10.44.040(9)	Parking Over 18 Inches from a Curb	\$80.00
10.44.040(10)	Obstructing Traffic or Blocking Lane of Travel	\$80.00
10.44.040(11)	Parking Over 72 Consecutive Hours	\$120.00
10.44.040(12)	Parking on or Near a Railroad Track	\$100.00
10.44.040(13)	Parking within 25 feet of a Crosswalk or Intersection	\$80.00
10.44.040(14)	Parking within 20 feet of the Approach to any Traffic Control Device or Sign	\$80.00
10.44.040(15)	Parking in an Alley or Narrow Street	\$80.00
10.44.040(16)	Unauthorized Parking within a Setback Area on Private Property	\$110.00
10.44.040(17)	Parking within a Parkway	\$80.00
10.44.040(18)	Parking when Obstructing Street Sweeping, or When Parking Blocks Authorized Street Cleaning, Repair or Construction	\$60.00
10.44.040(19)	Parking within an Island or Median	\$80.00
10.44.050	Parking a Vehicle for Advertisement or Sale	\$70.00
10.44.060	Constructing or Repairing a Vehicle on a Public Street	\$120.00
10.44.070	Washing or Polishing a Vehicle on a Public Street	\$120.00
10.44.080(b)	Parking Adjacent to a School	\$70.00
10.44.090(b)	Parking on a Narrow Street	\$80.00
10.44.100	Nuisance Caused by Motor Vehicles	\$80.00
10.44.110(b)	Violation of a Temporary Emergency Traffic Control Device or Sign	\$70.00
10.44.120	Parking of Unattached Trailer/Semi-Trailer	\$100.00
10.44.130(a)	Restrictions on Oversized Vehicle Parking	\$149.00

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10.44.140(a)	Parking a Semi-Trailer/Trailer, Bus, Mobile Home, Recreational Vehicle, or Commercial Truck for over 2 hours on a public-right-of-way	\$80.00
10.44.140(b)	Parking a semi-trailer/trailer, bus, mobile home, recreational vehicle, or Vehicle capable of carrying more than 1500 lbs between 2:00am and 6:00am on a public-right-of-way	\$80.00
10.44.140(c)	Parking a Vehicle used for Dwelling Purposes on a Public-Right-of-Way	\$80.00
10.44.150	Violation of Curb Color Markings	\$80.00
10.44.160(a)	Restrictions on Time Limitations for Parking	\$80.00
10.44.170(a)	Restrictions on One-Way Street Parking	\$80.00
10.44.180	Parking Outside Parking Space Markings, including Occupying More than One Parking Space	\$80.00
10.44.190(a)	Restrictions on Overnight Parking (Prohibited Between 2:00 a.m. and 6:00 a.m.)	\$80.00
<i>CHAPTER 10.48 – LOADING</i>		
10.48.010	Parking in a Disabled Parking Space	\$400.00
10.48.020	Parking in a Loading zone	\$80.00
10.48.030	Parking in an Alley	\$80.00
10.48.040	Parking in a Bus Zone	\$138.00
<i>CHAPTER 10.52 - OVERWEIGHT VEHICLE RESTRICTIONS</i>		
10.52.010	Restrictions on Overweight Vehicles (exceeding 6,000 lbs)	\$85.00
<i>CHAPTER 10.56 - RAILWAYS</i>		
10.56.010	Violations at a Railroad Crossing Gate, Barrier, or Barricade	\$85.00
10.56.020	Trains Unlawfully Blocking Travel through Railroad Crossings	\$85.00

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Section 3. Applicability. Except as provided herein, all other provisions of Resolution No. 09-71 shall remain in full force and effect and force. In the event of any conflicting provisions, the most restrictive provision shall apply.

Section 4: Severability. If any section, subsection, paragraph, sentence, clause, phrase, or portion thereof, of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council declares that it would have adopted this Resolution, and each section, subsection, paragraph, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, phrases, or portions thereof, be declared invalid or unconstitutional. To this end, the provisions of this Resolution are declared to be severable.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, THIS _____ day of _____, 2020.

John Soria, Mayor

ATTEST:

Lena Shumway, City Clerk