

Pg 52
cc 45/4
CITY COUNCIL MEETING

APRIL 7, 1982

PETITION RECEIVED
RE PROBLEMS FACING
MERCHANTS AND
RESIDENTS ON LODI
AVENUE

Mrs. Carol Grenko, 233 S. Pleasant Avenue, Lodi presented to the Council a petition bearing approximately 170 signatures of residents and merchants on Lodi Avenue regarding a limited no parking area on Lodi Avenue - Hutchins Street to Sacramento Street, and also petitioning the Council to establish an ordinance deeming it unlawful for any person to park, leave standing or cause or permit to be left standing any vehicle upon any privately owned off-street parking facility or lot when the adjoining business or commercial establishment is not open for business. Mrs. Grenko related that problems facing the merchants and residents do not stem from the movement of cars up and down "the drag"; problems stem from loitering of young people afoot who, on Friday and Saturday evenings during the school year and nightly during vacation periods, can be observed engaging in the following "recreational activities" between the approximate hours of 8:00 p.m. to 2:30 a.m:

1) Vehicles are parked at the curb of the 300 block of West Lodi Avenue. Their occupants then sit on top of these vehicles (or in the bed of pick-up trucks) to call out, whistle, yell, and throw objects to draw the attention from passing vehicles. Lawn chairs are occasionally set out on the sidewalks for additional seating. Car stereos are played at excessively loud levels.

Broken bottles, beer cans, food wrappers, cigarette packages and cigarette butts can be found the next morning in the street, on the sidewalk, and in flower boxes and flower beds. The merchants report that urine must be cleaned off of the sides of buildings and off of walkways. The merchants also must pick up all refuse

-4-

unnecessary daily clean-ups, bills to pay due to vandalism, and possible loss of business as customers are deterred from this area for nightly shopping and appointments. We feel that the physical imposition of posted signs (whether they be along the avenue or in a parking lot) and the mental awareness of an ordinance that would impose a monetary or restitutional fine will be an incentive to keep vehicles moving and thus reduce the problem of loitering and its side effects.

A very lengthy discussion concerning the matter followed with questions being directed to the City Attorney and to Staff.

COMMENTS BY CITY
COUNCILMEN

Council directed the City Attorney to meet with Judge Seibly regarding legality of the proposed ordinance, and to give Council a report regarding this meeting at his earliest possible convenience.

MEMORANDUM

To: Honorable Mayor and Council
From: Ron Stein, City Attorney
Re: Lodi Avenue
Date: April 8, 1982

In order to properly take care of the problem of people parking on streets and in private parking lots, a two-prong program should be initiated:

- (1) An ordinance implemented, prohibiting parking on Lodi Avenue, similar to City Code Section 14-59.3 which limits parking on Laurel Avenue;
- (2) An ordinance similar to that of the City of Fairfield which would prohibit parking in private lots. In speaking with the City Attorney of Fairfield, I was told that although there has been no challenge to said ordinance, it was his opinion and also that of the municipal judge of Fairfield, that said ordinance was constitutional regardless of the fact that there was no notice provisions therein.

If this Council is desirous of implementing either part of this program, please let me know.



RONALD M. STEIN
CITY ATTORNEY

RMS:vc

cc: Judge Thomas Seibly

The merchants doing business in the area of Lodi Avenue stated in the petition and the residents living in their homes and apartments bordering the area of Lodi Avenue stated on the petition would like the Lodi City Council to consider their two recommendations that might help to control the loitering and subsequent vandalism, theft, and littering associated with what is known as "the drag."

Problems facing the merchants and residents do not stem from the movement of cars up and down "the drag"; problems stem from loitering of young people afoot who, on Friday and Saturday evenings during the school year and nightly during vacation periods, can be observed engaging in the following "recreational activities" between the approximate hours of 8:00pm to 2:30am :

- 1.) Vehicles are parked at the curb of the 300 block of West Lodi Avenue. Their occupants then sit on top of these vehicles (or in the bed of pick-up trucks) to call out, whistle, yell, and throw objects to draw the attention from passing vehicles. Lawn chairs are occasionally set out on the sidewalks for additional seating. Car stereos are played at excessively loud levels.

Broken bottles, beer cans, food wrappers, cigarette packages and cigarette butts can be found the next morning in the street, on the sidewalk, and in flower boxes and flower beds. The merchants report that urine must be cleaned off of the sides of buildings and off of walkways. The merchants also must pick up all refuse left behind before the business day can begin.

- 2.) Vehicles are parked at the curb of the 200 block of West Lodi Avenue. Their occupants engage in the aforementioned activities, but in addition, they gather in the protected garden area of medical offices on this block. Litter and human excrement are found in the garden, in addition to the litter left on the sidewalk and streets.
- 3.) Vehicles park in area parking lots usually in groups. Their occupants also sit on top of cars, in truck beds, and yell, whistle, and throw objects at passing vehicles in and around the lot. The congregations last for hours, with music at excessive levels. Beer bottles, cans, cigarette butts and other assorted litter is left behind.
- 4.) Although it is usually not observed in progress, vandalism has plagued this section of Lodi Avenue. Some examples follow:
 - a.) plate glass window broken out at medical office
 - b.) "No Trespassing/Loitering" signs ripped down from buildings and destroyed
 - c.) plants stolen and/or destroyed (from flower beds and boxes)
 - d.) planter with miniature garden destroyed
 - e.) sign and property stolen from front lawn area and porch area of a store
 - f.) property of sentimental value stolen and destroyed at barber shop
 - g.) threat of serious vandalism/damage from smoldering cigarette butts left in flower boxes near wood-frame buildings
 - h.) urination on buildings, in gardens, on walkways

We merchants and residents in the area of Lodi Avenue between Hutchins and Sacramento Streets feel that controlling the stopping and parking of vehicles along the avenue and the closing of parking lots after business hours will help to alleviate the loitering that attributes to noise, vandalism, theft, and other assorted problems associated with "the drag."

It is an effort not to control the cruisers' civil rights, but an effort to protect our own. We feel that we deserve the consideration of relatively quiet neighborhoods after 9:00pm and we feel that our businesses should be able to remain as clean and secure as they were left that evening.

Lodi's most established neighborhoods have turned into a loiterer's recreational area and businesses face unnecessary daily clean-ups, bills to pay due to vandalism, and possible loss of business as customers are deterred from this area for nightly shopping and appointments. We feel that the physical imposition of posted signs (whether they be along the avenue or in a parking lot) and the mental awareness of an ordinance that would impose a monetary or restitutional fine will be an incentive to keep vehicles moving and thus reduce the problem of loitering and its side effects.

Addendum:

- 1.) The parking lot ordinance might also benefit all businesses in Lodi who provide parking facilities. It would not be feasible for cruisers/loiterers to move from this section of Lodi Avenue to congregate in any other lots in the city as it would be against the law there also.
- 2.) The City Attorney Mr. Stein indicated that posting limited parking signs in the proposed area is legal. In addition, Mr. Stein has in his office information regarding the parking lot ordinance as supplied by

City of Fairfield.

- 3.) Judge Baysinger, Judge Seibly, Chief Yates, and Captain Williams have been made aware of these proposals.

To: Honorable Mayor and City Council

c/o Alice Reimche

Subject: Limited No Parking area on Lodi Avenue--Hutchins
Street to Sacramento Street, and
Private Parking Lot Ordinance

We, do hereby petition the Lodi City Council to establish
Limited No Parking between the hours of 9:00pm and 6:00am daily,
in the area of Lodi Avenue from Hutchins Street to Sacramento
Street.

We, do hereby petition the Lodi City Council to establish
an ordinance deeming it unlawful for any person to park, leave
standing or cause or permit to be left standing any vehicle upon
any privately owned offstreet parking facility or lot when the
adjoining business or commercial establishment is not open for
business.

Name	Address	Date
1.) Frank Jones	407 W. Lodi Ave.	3-31-82
2.) Linda Lee	407 W. Lodi Ave.	3-31-82
3.) Cheryl Nelmeijer	709 Reising Ct.	3-31-82
4.) Gayle Evans	1711 W. Vine	4-1-82
5.) Hugh Ramsey	134 S. Drenge	4-1-82
6.) Ann Cartman	209 Audubon Dr.	4-1-82
7.) Gay McKeaster	1407 W. Elm	4/1/82
8.) Paul Turner	1731 Santa Cruz	4/1/82
9.) Catherine Thompson	723 S. Rose	4/1/82
10.) Lizzy Hickingbottom	624 Joaquin St	4/1/82
11.) Lorna Thomas	1111 W. Anthony	4/1/82

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|---------------------------|--------------------------------|--------|
| 12.) Dale A. Brazil | 241 Benson Dr. | 4/1/82 |
| 13.) J.M. Lewis | 169 Mulberry Circle. | 4-1-82 |
| 14.) Julia Gillespie | 1781 Corbin Court | 4-1-82 |
| 15.) Winifred T. Hulse | 1212 Dartmore Circle | 4/1/82 |
| 16.) Maureen J. Bocardo | 315 N. Loma Dr. | 4/1/82 |
| 17.) Beverly J. Ose | 931 Tara Pl. | 4/1/82 |
| 18.) Beverly Gabrielson | 730 S. Pleasant | 4/1/82 |
| 19.) Wylie Drogoff | 914 S. Lee Ave | 4/1/82 |
| 20.) Jim Hesel | 817 So Fairmont | 4/1/82 |
| 21.) James E. Peck | 1812 Royal Crest Dr. | 4/1/82 |
| 22.) David Lynch | 829 S. California | 4/1/82 |
| 23.) Stephen J. Berkowitz | 2440 Cochran Rd., #9 | 4/1/82 |
| 24.) Samuel M. Hatch | 709 1/2 N. Church St. | 4/1/82 |
| 25.) Delmar F. Petzold | 35 S. Cambridge | 4/1/82 |
| 26.) Clara Schoch | 806 W. Turner Rd | 4/1/82 |
| 27.) Doreen Kufordell | 742 S. Stockton St. | 4/1/82 |
| 28.) Alvinia Kuepfel | 428 E. Feril | 4-1-82 |
| 29.) Sheila Evans | 2307 Rockingham | 4-1-82 |
| 30.) Marquitta O. Donati | 1024 Kerkwood | 4-2-82 |
| 31.) Catherine A. Caruso | 216 N. Crescent | 4/2/82 |
| 32.) Tony E. Caruso | 216 N. Crescent | 4/2/82 |
| 33.) Norman Walker | 226 Wabon Ave | 4/2/82 |
| 34.) Eileen Fyell | 315 S. Crescent ⁵⁰⁰ | 4/2/82 |
| 35.) Gray Carney | 233 S. Fairmont | 4/2/82 |
| 36.) Mrs. Betty Chan | 601 St Clair Dr | 4/2/82 |
| 37.) Eugene W. Simos | 1327 CARDINAL ST | 4/2/82 |
| 38.) El Ann Johnson | 417 Florn | 4/2/82 |
| 39.) Ann Braden | 36 E. Harvey Ln. | 4/2/82 |
| 40.) Nancy Becker | 818 Waver Ct | 4/2/82 |

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standing or cause or permit to be left standing any vehicle upon
any privately owned offstreet parking facility or lot when the
adjoining business or commercial establishment is not open for
business.

Name	Address	Date
1.) Frank Agento, Jr	2335. Pleasant Ave	3-31-82
2.) Don McCall	32 S. Fairmont Ave	3-31-82
3.) Adriana Baglia	310 S. Orange	3-31-82
4.) Jeanne Cartwright	312 D Fairmont Ave.	
5.) Spendi HARD	1141 "	3-31-82
6.) Lynn M. Lewandowski	330 S. Fairmont, #9	3-31-82
7.) Joseph L. Sweeney	330 S. Fairmont #9	3-31-82
8.) Lou J. Thomas	1806 N. Locust	3-31-82
9.) Dominic DeFAMES	1912 Edith (330 S. Fairmont)	3-31-82
10.) A. Brook Lane	330 S. Fairmont #7, L.C.	3-31-82
11.) Tim Haley	330 S Fairmont #5 Lodi	3/31/82

Date

- 12.) *Wis Wauer* 330 S. Fairmont St 5 334-3715
- 13.) *Mary K. Werner* 2053 Gateway Cir. 368-6029
- 14.) *Paul J. [unclear]* 330 S. Fairmont Ave 334-3155
- 15.) *Patricia Shockey* 330 S. Fairmont Ave #3-B 3-31-82
- 16.) *Darlene [unclear]* 330 S. Fairmont Ave 3-31-82
- 17.) *Indy Richards* ✓ ✓ ✓ 3-31-82
- 18.) *Shirley T. Feet* ✓ ✓ ✓ 334-2141
- 19.) *Melanie Ammino* 1802 Reiding Dr
- 20.) *Betty A. Drunko* 321 S. Fairmont Ave 3/31/82
- 21.) *Frank Drunko* 321 S. Fairmont 3/31/82
- 22.) *Charles Mueller* 321 S. Fairmont Apts 4-3-82
- 23.) *Elizabeth K. Juch* 321 S. Fairmont - Apt. 4 4-3-82
- 24.) *Pearl W. Belding* 321 S. Fairmont Apt. 3 4-3-82
- 25.) *Anthony J. Nastasi* 321 S. Fairmont Ave 4.3.82
- 26.) *Mary C. Nastasia* 321 S. Fairmont Ave 4-3-82
- 27.) *Juanita Everly* 321 S. Fairmont Ave 4-3-82
- 28.) *Ann Busk* 321 S. Fairmont Ave 4.3.82
- 29.) *Fern S. Ogle* 321 S. Fairmont Ave 4-3-82
- 30.) *Elaine Goodwell* 321 S. Fairmont 4/3/82
- 31.) *Martha Wolf* " " " "
- 32.) *Emma Kelly* " " " "
- 33.) *Rose Petri* " " " "
- 34.) *Marian Johnson* " " " "
- 35.) *Hazel Kerney* 330 So. Fairmont 4/3/82
- 36.) *Arthur Jarey* 340 So. Fairmont 4-3-82 4/3/82
- 37.) *Mary Mondain* 1300 West Jodi Ave 4/3/82
- 38.) *David Mondain* 6753 Live Oak 4/3/82
- 39.) *Jack Chappell* 231 So. Avena 4/3/82
- 40.) *Abdullah Q. Gasim* 914 W. Coolidge Ave 4/3/82

To: Honorable Mayor and City Council

c/o Alice Reimche

Subject: Limited No Parking area on Lodi Avenue--Hutchins Street to Sacramento Street, and Private Parking Lot Ordinance

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Name	Address	Date
1.) Pat Holman	2017 W. Lodi Ave.	3/31/82
2.) Jero A. Tipton Jr. D.C.	310 West Lodi Ave	3-31-82
3.) Kathleen S. Machado	407 Whitney St	3-31-82
4.) Bud Mathis	27755 N. Sowers	3-31-82
5.) Kathy Winingen	409 Cedar Ct.	4-1-82
6.) Billie Ann O'Sipton D.C.	2342 Gateway Circle	4-1-82
7.) Carl Aguirre Bottani	504 W Lodi Ave	4-01-82
8.) Joseph Beppington	305 W LODI AVE	4-1-82
9.) Susan Nyström	220 W. Lodi Ave	4-1-82
10.) Joe Stallion	220 W. Lodi Ave	4-1-82
11.) Yvonne Kiser	220 W Lodi Ave	4-1-82

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|------|-------------------------|-----------------------------|--------|
| 12.) | Bennie B Weber DPM | 218 W Lodi Ave | 4/1/82 |
| 13.) | Jerry Howard | " | " |
| 14.) | Rick Christy | " | " |
| 15.) | Bryna Russell | " | " |
| 16.) | Carl, Jr. D.D.S. | 214 W Lodi Ave | 4-1-82 |
| 17.) | Alysa Suezle | 214 W Lodi Ave | 4-1-82 |
| 18.) | Jilly Schuppert | " | " |
| 19.) | Tom Siggins | 316 W LODI' AVE | 4-1-82 |
| 20.) | Mara Peña | 324 W Lodi Ave | 4-1-82 |
| 21.) | Pam Seiback | 19899 N MEVINS RD. Fochi | 4-1-82 |
| 22.) | Kenneth L Hajek DDS | 326 W. Lodi Ave, Lodi | 4-1-82 |
| 23.) | Betty L. Ferrara | 330 N. Lodi Ave, Lodi | 4-1-82 |
| 24.) | Kerry Baumback | 330 W Lodi Ave, Lodi | 4-1-82 |
| 25.) | Jinda O'Brien | 330 W Lodi Ave Lodi | 4/1/82 |
| 26.) | Carle Cicciello (owner) | Avenue Florest, 400 W. Lodi | 4/1/82 |
| 27.) | Karen Bertsch | Avenue Florest | 4/1/82 |
| 28.) | Gene Bertsch | Avenue Florest | 4/1/82 |
| 29.) | 4/1/82 | 408 West Lodi Ave | 4-1-82 |
| 30.) | Steve Zof | 420 W. Lodi Ave | 4/1/82 |
| 31.) | William H. Westmore | 316 1/2 West Lodi Ave | 4/1/82 |
| 32.) | Hazel Westmore | " " " " | " |
| 33.) | Henry C. Berendt | 243 Charles St | 4-2-82 |
| 34.) | Josephine M. Tipton | 310 W. Lodi Ave | 4-2-82 |
| 35.) | Loris V. Cavanaugh | 607 Cornie St | 4-2-82 |
| 36.) | Loris A. Kawamura | 1037 Lake Home | 4-2-82 |
| 37.) | M. Thomson | 330 W Lodi Ave | 4-2-82 |
| 38.) | Lila Hane | 314 N. Lodi Ave | 4-2-82 |
| 39.) | Wally Coleman | 1706 S. Dacto St | 4-2-82 |
| 40.) | Linda Hammore | 247 W. Lodi Ave. | 4-2-82 |
| 41.) | Carol Cumbis | 233 S. Pleasant | 4-5-82 |

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Name	Address	Date
1.) <i>Arnon Ormond</i>	<i>1120 Judon St</i>	<i>4-2-82</i>
2.) <i>John R. Allmon Jr.</i>	<i>665 DORCHESTER CIRCLE</i>	<i>"</i>
3.) <i>D. Dennis Gagnoli</i>	<i>665 DORCHESTER CIRCLE</i>	<i>"</i>
4.) <i>Glenn M. Mott</i>	<i>1323 S. Pleasant ave</i>	<i>"</i>
5.) <i>Matthias Johnson</i>	<i>535 Antora ave.</i>	<i>"</i>
6.) <i>Milton R. Stewart</i>	<i>116 Forrest Av. Lodi.</i>	<i>4-2-82</i>
7.) <i>Myrtle E. Jones</i>	<i>370 S Lee</i>	<i>"</i>
8.) <i>Paulina Evans</i>	<i>220 S Lee</i>	<i>4-2-82</i>
9.) <i>C. W. Campbell</i>	<i>230 S Lee</i>	<i>4-2-82</i>
10.) <i>Bida Fern Campbell</i>	<i>230 S Lee</i>	<i>4-2-82</i>
11.) <i>Una H. Caines</i>	<i>232 S Lee</i>	<i>4-2-82</i>

42. Mrs Barbara Schell 309 Chestnut St 4/2/82
43. Melvin Jagnaru 2066 Edgewood Dr. 4/2/82
44. Elise A Rammy 1301 W. Wood Ave #206 4/2/82
45. J.A. Tipton, 2342 Gateway Circle, Lodi, CA
46. LaVonne Ramirez 1301 W. Lodi Ave #207 Lodi, CA
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- 48.
- 49.
- 50.

To: Honorable Mayor and City Council

c/o Alice Reimche

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Name	Address	Date
1.) Jackie Newton	411 Century Apt. 4	4-2-82
2.) Jay Olson	233 5th	
3.) Harold Olson		4-2-82
4.) Shirley Mast	227 So. Lee	
5.) Julie Stevenson	225 So Lee	4-2-82
6.) W. J. Stevenson	225 So Lee ave	4-2-82
7.)		
8.)		
9.)		
10.)		
11.)		

COUNCIL COMMUNICATION

TO THE CITY COUNCIL
FROM THE CITY MANAGER'S OFFICE

DATE
April 16, 1982

NO.

SUBJECT:
LODI AVENUE

Subsequent to my Memorandum to you dated April 8, 1982 (attached), I did speak with Judge Seibly and he said that he would implement the ordinance if same were adopted. It is important for this Council to know that at this time, the Council could consider a number of alternatives:

- (1) Pass an ordinance similar to Lodi Municipal Code Section 14.59.3 re prohibited parking on Laurel Avenue (copy attached). This would prohibit parking on Lodi Avenue between the hours of nine p. m. and six a.m.;
- (2) Council could adopt an ordinance similar to that adopted in Fairfield which would prohibit the parking of vehicles in any privately owned facility or lot when the adjoining business is not open for business (copy attached); or
- (3) Council could ask the merchants to "sign" parking lots according to Lodi City Code Section 15-20 et seq. so that offenders can be cited by the Police Department for trespassing (copy attached).

I will await Council's further direction in this matter.



RONALD M. STEIN
CITY ATTORNEY

RMS:vc

attachments

14-59.2

§ 14-59.3

Motor Vehicles and Traffic

§ 14-61

between twelve-thirty p.m. and one-thirty p.m. on school days upon any of the following enumerated streets:

(a) Walnut Street between Ham Lane and Pacific Avenue;

(b) Oak Street between Ham Lane and Pacific Avenue;

(c) All of Wellington Way;

(d) On the east side of Pacific Avenue between west Walnut Street and West Elm Street. (Ord. No. 1148, § 2 (part).)

Sec. 14-59.3. Parking prohibited on designated part of Laurel Avenue.

Parking is prohibited on Laurel Avenue from the north line of Turner Road to the northerly termination of Laurel Avenue between the hours of nine p.m. and six a.m. In addition to the other penalties provided by this chapter, the violation of this Section authorizes any police officer of the city to remove said vehicle and store the same at the expense of the registered owner. Signs shall be posted giving notice of the right of removal. (Ord. No. 1148, § 2 (part).)

Sec. 14-60. Parking prohibited at all times.

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets of the city designated by ordinance or resolution as streets upon which parking is prohibited at all times. (Ord. No. 493, § 151.)

Division 2. Stopping for Loading and Unloading Only.²

Sec. 14-61. Permits for loading or unloading at angle to 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

² As to taxicabs stands generally, see § 24-16 of this Code.

CITY OF FAIRFIELD ORDINANCE

Sec. 12.16 Private parking lots.

(a) It shall be unlawful for any person to park, leave standing, or cause or permit to be left standing any vehicle upon any privately owned offstreet parking facility or lot when the adjoining business or commercial establishments are not open for business without the written consent of the owner of such privately owned parking facility or lot.

(b) It shall be unlawful for any person to enter and remain upon any privately owned offstreet parking facility or lot when the adjoining business or commercial establishments are not open for business without the written consent of the owner of such privately owned parking facility or lot. (Ord. No. 81-16, § 1.)

12-7a (Ord. No. 81-17 eff. 8/31/81;
Ord. No. 81-16 eff. 8/2/81)

Article II. Trespass and Loitering.

Sec. 15-20. Definition.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Posted property. Any property specified in section 5-21 which is posted in the manner provided in section 5-22.

Sign. A board, placard or card not less than one square foot in area and upon which, in lettering not less than two inches in height, appear the words "Trespassing-Loitering Forbidden by Law," and any time limit that may be specified thereon. (Ord. No. 941, § 1.)

Sec. 15-21. Property subject to posting.

Any property within the city may be posted against trespassing and loitering in the manner provided in section 5-22, and thereby become posted property subject to the provisions of this article. The provisions hereof shall not apply to the following property:

- (1) An established and existing right-of-way for public road purposes.
- (2) Any property which comes within the provisions of section 554 of the Penal Code of the state. (Ord. No. 941, § 2.)

Sec. 15-22. Method of posting.

Property may be posted against trespassing and loitering in the following manner:

- (1) If the property does not contain any lineal dimension exceeding three hundred feet, by posting signs at each corner of the area and at intervals not exceeding one hundred feet, and, if such property has a definite entrance or entrances, at each such entrance.
- (2) If the property has lineal dimensions exceeding three hundred feet, by posting signs at each corner of the area and at intervals not exceeding two hundred feet, and, if such property has a definite entrance or entrances, at each such entrance. (Ord. No. 941, § 3.)

Sec. 15-23. Trespass on posted property prohibited.

It shall be unlawful for any person to enter or remain on any posted property without the written permission of the owners, tenant or the occupant in legal possession or control thereof. (Ord. No. 941, § 4.)

Sec. 15-24. Exemption employees

The provisions of upon posted property or other duly authoriz

Sec. 15-25. Same—Un

The provisions of t activity by which the alleged labor dispute. (

Sec. 15-26. Destructio

It shall be unlawful down, deface or destro (Ord. No. 941, § 7.)

Sec. 15-27. Stopping, posted pro

It shall be unlawful stand, park or leave st upon any posted pro owner, tenant or the thereof. (Ord. No. 941

Sec. 15-28. Violations

Any person who is visions of this article s punished accordingly.

Article III.

Sec. 15-29. Administr

All city-owned nei and other public buil placed under the adr and parks director. (O

Sec. 15-24. Exemptions—Peace officers and other public employees.

The provisions of this article shall not apply to the entry upon posted property in the course of duty of any peace officer or other duly authorized public employee. (Ord. No. 941, § 5.)

Sec. 15-25. Same—Union activities.

The provisions of this article shall not apply to any lawful activity by which the public is informed of the existence of an alleged labor dispute. (Ord. No. 941, § 6.)

Sec. 15-26. Destruction of signs prohibited.

It shall be unlawful for any person without authority to tear down, deface or destroy any sign posted pursuant to this article. (Ord. No. 941, § 7.)

Sec. 15-27. Stopping, standing or parking vehicles on posted property.

It shall be unlawful for the operator of any vehicle to stop, stand, park or leave standing such vehicle at any time within or upon any posted property without written permission of the owner, tenant or the occupant in legal possession or control thereof. (Ord. No. 941, § 8.)

Sec. 15-28. Violations.

Any person who is convicted of a violation of any of the provisions of this article shall be deemed guilty of an infraction and punished accordingly. (Ord. No. 951, § 1.)

Article III. Permit for Use of City Facilities.

Sec. 15-29. Administration.

All city-owned neighborhood centers, recreational centers, and other public buildings used for recreational purposes, are placed under the administrative jurisdiction of the recreation and parks director. (Ord. No. 1225 § 1(1).)

cc: Judge Thomas Seibly

Dear Tom:

Attached hereto is a copy of my Memo which will be sent to the City Council. Your comments on the second part of this memo would be appreciated.

Apparently, the Municipal Court Judge in Fairfield has stated that there was no problem with there not being notice provisions therein.

I suppose this ordinance is similar to a number of the ordinances which have been passed by cities regarding off street parking of vehicles wherein there is no posting.

As I said previously, your comments would be appreciated.

Thank you.



RON STEIN
CITY ATTORNEY

MEMORANDUM

To: Honorable Mayor and Council
From: Ron Stein, City Attorney
Re: Lodi Avenue
Date: April 8, 1982

In order to properly take care of the problem of people parking on streets and in private parking lots, a two-prong program should be initiated:

- (1) An ordinance implemented, prohibiting parking on Lodi Avenue, similar to City Code Section 14-59.3 which limits parking on Laurel Avenue;
- (2) An ordinance similar to that of the City of Fairfield which would prohibit parking in private lots. In speaking with the City Attorney of Fairfield, I was told that although there has been no challenge to said ordinance, it was his opinion and also that of the municipal judge of Fairfield, that said ordinance was constitutional regardless of the fact that there was no notice provisions therein.

If this Council is desirous of implementing either part of this program, please let me know.



RONALD M. STEIN
CITY ATTORNEY

RMS:vc

cc: Judge Thomas Seibly