

In the City Council  
City of Lodi  
Lodi, California

ORDINANCE NO- 353

AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF STREETS AND HIGHWAYS IN THE CITY OF LODI; CREATING AND DEFINING PARKING METER ZONES; PROVIDING FOR THE DESIGNATION OF INDIVIDUAL PARKING SPACES; DEFINING AND PROVIDING FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF PARKING METERS; PRESCRIBING PARKING TIME LIMITS; REQUIRING DEPOSIT OF COINS FOR THE USE OF PARKING METERS AND PARKING METER ZONES AND PROVIDING FOR THE COLLECTION AND DISPOSITION OF SUCH COINS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR THE ENFORCEMENT HEREOF; DEFINING OFFENSES AND PRESCRIBING PENALTIES; AND PROVIDING THAT INVALIDITY OF PART SHALL NOT AFFECT THE VALIDITY OF THE REMAINDER.

The City Council of the City of Lodi does ordain as follows:

Section 1. DEFINITIONS. For the purpose of this ordinance:

- (a) The word "vehicle" shall mean any device in, upon or by which any person or property is transported on a street or highway ~~is operated~~ other than upon rails or tracks.
- (b) The word "street" shall mean any public street, avenue, road, alley, highway, lane, path, or other public place located in the City of Lodi and established for the use of vehicles.
- (c) The word "person" shall mean and include any individual, firm, co-partnership, association or corporation.
- (d) The word "operator" shall mean and include every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of a vehicle.
- (e) The word "park" or "parking" shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.
- (f) The words "Parking Meter" shall mean and include any mechanical device or meter not inconsistent with this ordinance placed or erected for the regulation of parking by authority of this ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall

at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

(g) The words "Parking Meter Zone" shall mean and include any restricted street upon which parking meters are installed and in operation.

(h) The words "Parking Meter Space" shall mean ~~any~~ space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

Section 2. PARKING METER ZONE. The following named and described areas, streets, or portions of streets and such other areas, streets, or portions of streets as may hereafter be included in this section by amendment hereto or by resolution of said council, lying within the corporate limits of the City of Lodi, shall constitute a Parking Meter Zone, namely:

Streets bounded within and by Stockton Street, Hutchins Street, Lockeford Street and Lodi Avenue; Central Avenue from Lodi Avenue to Kettleman Lane; Cherokee Land from Lockeford Street to Kettleman Lane.

All frontages in said squares, streets, or avenues defining said zones to be included therein.

Section 3. DESIGNATION OF PARKING SPACES. The Superintendent of Streets is hereby directed and authorized to mark off individual parking spaces in the parking zones designated and described in Section 2 of this ordinance and in such other zones as may hereafter be established, said parking spaces to be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

Section 4. INSTALLATION OF PARKING METERS. In said parking meter zones the Chief of Police shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces provided in Section 3 of this ordinance, said installation to be placed not more than two (2) feet from the curb nor more than four (4) feet from the front line of the parking space as indicated, and the Chief of Police shall be responsible for the regulation, control, operation, maintenance, and use of such parking meters. Each device shall be so set as to display a signal showing legal parking

upon the deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by this ordinance. Each device shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper visible signal that the lawful parking period has expired and in such cases the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties hereinafter provided.

Section 5. OPERATION OF PARKING METERS. Except in a period of emergency determined by an officer of the Fire or Police Department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space <sup>alongside</sup> ~~alongside~~ or next to which a parking meter is located, the operator of such vehicle shall, upon entering the said parking meter space, immediately deposit or cause to be deposited in said meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin, and to set the time mechanism in operation when so required, shall constitute a violation of this ordinance. Upon the deposit of such coin (and the setting of the timing mechanism in operation when so required) the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this ordinance.

Section 6. PARKING TIME LIMITS. (a) Parking or standing a vehicle in a designated space in a parking meter zone shall be lawful for twelve (12) minutes upon deposit of a one-cent coin, twenty-four (24) minutes upon the deposit of two (2) one cent coins, thirty-six minutes upon the deposit of three (3) one-cent coins, forty-eight (48) minutes

upon the deposit of four one-cent coins, sixty (60) minutes upon the deposit of five (5) one-cent coins or one (1) five-cent coin and one hundred twenty (120) minutes upon the deposit of one (1) ten-cent coin, or any combination of one-cent or five-cent coins that will equal one (1) ten-cent coin of the United States of America, or any less or more multiples thereof, as the City Council may by resolution designate, for any particular parking meter space.

(b) Said parking meters shall be operated in said parking meter zones every day between the hours of nine o'clock A. M. and six o'clock P. M., except Sundays and holidays; provided however that within the meaning of this ordinance the term "holiday" shall include the following days only:- the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the first Monday in September, the eleventh day of November, the day designated and set aside by the President of the United States as a day of Thanksgiving and the twenty-fifth day of December.

Section 7. VIOLATIONS. It shall be unlawful and a violation of the provisions of this ordinance for any person:

(a) To cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as herein described, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

(b) To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space.

(c) To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

(d) To deface, injure, tamper with, open or wilfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this ordinance.

(e) To deposit or cause to be deposited in any parking meter any slugs, device or metal substance, or other substitute for lawful coins.

Section 8. ENFORCEMENT. It shall be the duty of the Police Department to enforce the provisions of this ordinance.

Section 9. COLLECTIONS. It shall be the duty of the Chief of Police to designate some member or members of the Police Department to make regular collections of the moneys deposited in said meters and it shall be the duty of such persons so designated to remove from the parking meters the coins deposited in said meters and to deliver the same to the City Clerk of the City of Lodi under such regulations as he may provide. Said City Clerk will deposit the moneys so collected with the City Treasurer at the times and in the manner now provided by law.

Section 10. USE OF FUNDS. The coins deposited in parking meters are required and shall be used to defray the expense of proper regulation of traffic upon the public streets of the City of Lodi; to provide for the cost of supervision, regulation and control of the parking of vehicles in parking meter zones; and to cover the cost of purchase, supervision, protection, inspection, installation, \*operation, maintenance, control and use of parking meters. And also to acquire, maintain and operate lots for off-street parking and for maintenance and construction of the streets of the City.

Section 11. PENALTY. Any person who shall violate or fail to comply with any of the provisions of this ordinance, or who shall counsel, aid or abet any such violation or failure to comply, shall be deemed guilty of <sup>a misdemeanor</sup> ~~an offense~~ and shall be punished by a fine or not to exceed \$50.00 or by imprisonment for not to exceed 30 days, either or both penalties to be imposed at the discretion of the court.

Section 12. RESERVATION OF POWERS. Nothing in this ordinance shall be construed as prohibiting the City of Lodi from providing for bus stops, for taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans, or other commercial vehicles.

Section 13. REPEAL OF COWLICING ORDINANCES. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 14. SEVERABILITY. If any section or provisions, or parts thereof in this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the ordinance as a whole or of any other section or provision or part hereof.

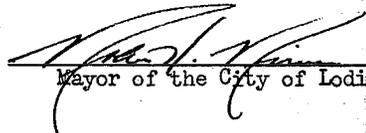
Section 15. EXERCISE OF POLICE POWER. This entire ordinance shall be deemed and

construed to be an exercise of the police power of the City of Lodi in the State of California for the preservation and protection of public safety, and all of its provisions shall be liberally construed with a view to the effectuation of such purpose.

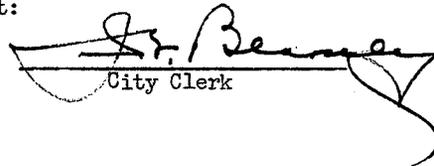
Section 16. Each and all the provisions of this ordinance shall apply to any off-street parking space which may be designated for that purpose by amendment hereto, or by resolution of said City Council, provided that in cases of off-street parking the rates and parking time limits therefore may be fixed by resolution of said Council.

Section 17. This ordinance shall be published one time in the Lodi Times and shall be in force and take effect at the time in the manner provided herein and by law.

Approved this 27th day of August 1947.

  
Mayor of the City of Lodi

Attest:

  
City Clerk

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I, J. F. BLAKELY, City Clerk of the City of Lodi do hereby certify that the foregoing Ordinance No. 353 was regularly introduced in the City Council of said City on the 13th day of August, 1947, and was thereafter, on the 27th day of August, 1947, passed, adopted and ordered to print by the following vote:

AYES: Councilmen Haskell, Lytle, Riggs, Tolliver and Rinn

NOES: Councilmen None

ABSENT: Councilmen None

I also further certify that Ordinance No. 353 was approved and signed by the Mayor on the date of its adoption.

  
J. F. BLAKELY, City Clerk

Dated: August 27 1947.