

**REGULAR**

**NUMBER: 43.213**

**TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING VARIOUS SECTIONS OF TITLE V, CHAPTER 100 ("TRAFFIC") OF THE MILPITAS MUNICIPAL CODE**

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_ and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Wendy Wood, City Clerk

\_\_\_\_\_  
Rich Tran, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher J. Diaz, City Attorney

## **RECITALS AND FINDINGS:**

**WHEREAS**, the California Vehicle Code (see Veh. Code §§ 21100–21117) authorizes local governments to adopt traffic rules and regulations regarding certain matters, including regulating traffic by means of traffic officers and regulating traffic by means of official traffic control devices; and

**WHEREAS**, the California Vehicle Code (see Veh. Code § 22507) authorizes local governments to regulate parking within their jurisdictions; and

**WHEREAS**, the City of Milpitas (“City”) regulates traffic and parking upon its streets and sidewalks through Title V, Chapter 100 (Traffic) of the Milpitas Municipal Code (“Traffic Ordinance”); and

**WHEREAS**, the Traffic Ordinance was last updated in 1969; and

**WHEREAS**, the responsibilities assigned by the Traffic Ordinance are inconsistent with current City operations and provisions of the California Vehicle Code; and

**WHEREAS**, City staff has identified various sections of the Traffic Ordinance requiring corrections, clarifications, updates and modifications and requests that the City Council take action to correct these issues through the adoption of this Ordinance.

**NOW, THEREFORE**, the City Council of the City of Milpitas does ordain as follows:

### **SECTION 1. RECORD AND BASIS FOR ACTION**

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

### **SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-2.02 “Holidays”**

Title V, Chapter 100, Section V-100-2.02 “Holidays” of the Milpitas Municipal Code is hereby amended to read as follows:

#### **V-100-2.02 – Holidays**

Within the meaning of this Chapter, holidays are the following:

- A. January 1st
- B. The third Monday in February
- C. March 31<sup>st</sup>, known as “Cesar Chavez Day”
- D. The last Monday in May, known as “Memorial Day”
- E. July 4th
- F. The first Monday in September, known as “Labor Day”
- G. November 11th known as "Veteran's Day"
- H. Thanksgiving Day
- I. The Friday after Thanksgiving Day
- J. December 24th

K. December 25th

**SECTION 3. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-2.05 “Official Traffic Control Devices”**

Title V, Chapter 100, Section V-100-2.05 “Official Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-2.05 - Official Traffic Control Devices**

All signs, signals, markings and devices as authorized in this Chapter and/or the California Vehicle Code or the California Manual of Traffic Control Devices shall be placed or erected consistent with the California Vehicle Code or the California Manual of Traffic Control Devices by authority of a public body or official having jurisdiction for the purposes of promoting safety and efficiency by providing orderly movement of all users on streets, bikeways, and pedestrian paths open to public travel.

**SECTION 4. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-3.01 “Authority of Police and Fire Department Officials”**

Title V, Chapter 100, Section V-100-3.01 “Authority of Police and Fire Department Officials” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-3.01 - Authority of Police, Fire Department Officials and Other Authorized City Officers**

3.01-1 There are conferred upon the City Manager those powers and duties necessary for the administration of this Chapter. In addition, there is also conferred upon the City Manager the authority and power to designate such officers and employees of the City as may be required to assist him or her in carrying out the intent and purpose of this Chapter.

3.01-2 It shall be the duty of the officers of the Police Department and/or other authorized City officers to enforce all street traffic laws of this City and all of the State vehicle laws applicable to street traffic in this City.

3.01-3 Officers of the Police Department and/or other authorized City officers are hereby authorized to direct all traffic by voice, hand or other signal in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

3.01-4 Officers of the Fire Department, in the course of their duties at the scene of a fire, may direct or assist the police in directing traffic.

**SECTION 5. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.01 “General”**

Title V, Chapter 100, Section V-100-4.01 “General” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-4.01 - General**

All acts of the City Manager or designee required or authorized by the provisions of this Section shall be made in accordance with any applicable standards, limitations or rules as may be set forth in this Chapter or amendments thereto or as may be determined by ordinance or resolution of the legislative body of this City.

4.01-1 Reserved.

**SECTION 6. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.02 “Authority to Install Traffic Control Devices”**

Title V, Chapter 100, Section V-100-4.02 “Authority to Install Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-4.02 - Authority to Install Traffic Control Devices**

4.02-1 The City Manager or designee shall place and maintain or cause to be placed and maintained official traffic control devices when and as required under the traffic ordinances of this City to make effective the provisions of said ordinances.

4.02-2 Whenever the Vehicle Code of this State requires for the effectiveness of any provision thereof that traffic control devices be installed to give notice to the public of the application of such law the City Manager or designee is hereby authorized to install the necessary devices subject to any limitations or restrictions set forth in the law applicable thereto.

4.02-3 The City Manager or designee may also place and maintain such additional traffic control devices as he may deem necessary to regulate traffic or to guide or warn traffic upon the basis of traffic engineering principles and traffic investigation.

4.02-4 The City Manager or designee shall maintain schedules of all official traffic control devices in electronic format.

**SECTION 7. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.05 “Installation of Traffic Signals”**

Title V, Chapter 100, Section V-100-4.05 “Installation of Traffic Signals” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-4.05 - Installation of Traffic Signals**

4.05-1 The City Manager or designee shall install and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard.

4.05-2 The City Manager or designee shall ascertain and determine the locations where such signals are required by resort to field observation, traffic counts and other traffic information as may be pertinent and his determinations therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth in the Manual of Uniform Traffic Control Devices for streets and highways promulgated by The American Association Streets and Highways Officials and Public Roads Administration.

4.05-3 Whenever the City Manager or designee installs and maintains official traffic signals at any intersection, the City Manager or designee shall likewise erect and maintain at such intersection street name signs visible to the principal flow of traffic unless such street name signs have previously been placed and are maintained at any said intersection.

**SECTION 8. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.06 “Lane Markings”**

Title V, Chapter 100, Section V-100-4.06 “Lane Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

#### **V-100-4.06 - Lane Markings**

The City Manager or designee is hereby authorized to mark center lines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway.

### **SECTION 9. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.07 “Distinctive Roadway Markings”**

Title V, Chapter 100, Section V-100-4.07 “Distinctive Roadway Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

#### **V-100-4.07 - Distinctive Roadway Markings**

Whenever the State Department of Public Works determines by resolution and designates a distinctive roadway marking which shall indicate no driving over such marking, the City Manager or designee is authorized to designate by such marking those streets or parts of streets where the volume of traffic or the vertical or other curvature of the roadway renders it hazardous to drive on the left side of such marking or signs and markings. Such marking or signs and marking shall have the same effect as similar markings placed by the State Department of Public Works pursuant to provisions of the Vehicle Code.

### **SECTION 10. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.08 “Authority to Remove, Relocate or Discontinue Traffic Control Devices”**

Title V, Chapter 100, Section V-100-4.08 “Authority to Remove, Relocate or Discontinue Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

#### **V-100-4.08 - Authority to Remove, Relocate or Discontinue Traffic Control Devices**

The City Manager or designee is hereby authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by state law or this Chapter whenever the City Manager or designee shall determine in any particular case that the conditions which warranted or required the installations no longer exist or obtain.

### **SECTION 11. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.09 “Traffic Control Devices—Hours of Operation”**

Title V, Chapter 100, Section V-100-4.09 “Traffic Control Devices—Hours of Operation” of the Milpitas Municipal Code is hereby amended to read as follows:

#### **V-100-4.09 - Traffic Control Devices—Hours of Operation**

The City Manager or designee shall determine the hours and days during which any traffic control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this Chapter.

### **SECTION 12. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.01 “General”**

Title V, Chapter 100, Section V-100-5.01 “General” of the Milpitas Municipal Code is hereby amended to read as follows:

#### **V-100-5.01 - General**

All acts of the City Manager or designee required or authorized by the provisions of this Section shall be made in accordance with any applicable standards, limitations or rules as may be set forth in this Chapter or amendments thereto or as may be determined by ordinance or resolution of the legislative body of this City.

**SECTION 13. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.02 “Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes”**

Title V, Chapter 100, Section V-100-5.02 “Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-5.02 - Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes**

5.02-1 The City Manager or designee is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and the City Manager or designee is authorized to allocate and indicate more than one lane of traffic from which drivers of vehicles may make right or left hand turns.

5.02-2 When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

**SECTION 14. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.03 “Authority to Place Restricted Turn Signs”**

Title V, Chapter 100, Section V-100-5.03 “Authority to Place Restricted Turn Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-5.03 - Authority to Place Restricted Turn Signs**

The City Manager or designee is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

**SECTION 15. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.05 “Authority to Prohibit Right Turns Against Traffic Stop Signal”**

Title V, Chapter 100, Section V-100-5.05 “Authority to Prohibit Right Turns Against Traffic Stop Signal” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-5.05 - Authority to Prohibit Right Turns Against Traffic Stop Signal**

The City Manager or designee is hereby authorized to determine those intersections within any business or residence district at which drivers of vehicles shall not make a right turn against a red or stop signal and shall erect proper signs giving notice of such prohibition. No driver of a vehicle shall disobey the directions of any such sign.

**SECTION 16. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.06 “Specific Turning Movements Prohibited at Specific Places”**

Title V, Chapter 100, Section V-100-5.06 “Specific Turning Movements Prohibited at Specific Places” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 17. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-6.01 “The Chief Police Officer to Sign One-Way Streets and Alleys”**

Title V, Chapter 100, Section V-100-6.01 “The Chief Police Officer to Sign One-Way Streets and Alleys” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-6.01 - One-Way Streets and Alleys**

Whenever the City Manager designates any one-way street or alley, the City Manager or designee shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

**SECTION 18. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.01 “The Chief Police Officer to Erect Stop Signs”**

Title V, Chapter 100, Section V-100-7.01 “The Chief Police Officer to Erect Stop Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-7.01 - Stop Signs**

Whenever the City Manager designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop, the City Manager or designee shall erect and maintain stop signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances of other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in the California Vehicle Code.

**SECTION 19. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.02 “Stop at Through Street Or Stop Sign”**

Title V, Chapter 100, Section V-100-7.02 “Stop at Through Street Or Stop Sign” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 20. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.04 “Chief Police Officer to Erect Right-of-Way Signs”**

Title V, Chapter 100, Section V-100-7.04 “Chief Police Officer to Erect Right-of-Way Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-7.04 - Right-of-Way Signs**

7.04-1 Whenever the City Manager designates and describes any approach to an intersection of streets or highways (which are not through streets or highways), as one at which yield right-of-way signs shall be erected, the City Manager or designee shall erect and maintain at said approach, a Yield Right-of-Way sign.

7.04-2 Every Yield Right-of-Way sign shall conform with and be placed as provided in the California Vehicle Code.

7.04-3 Reserved.

**SECTION 21. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.05 “Entrance Only And Exit Only Signs”**

Title V, Chapter 100, Section V-100-7.05 “Entrance Only And Exit Only Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-7.05 - Entrance Only And Exit Only Signs**

7.05-1 Whenever the City Manager designates and describes any entrance as "entrance only" and designates and describes any exit as "exit only", the City Manager or designee shall erect and maintain at said entrance and at said exit an "Entrance Only" sign and an "Exit Only" sign.

7.05-2 Reserved.

**SECTION 22. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.06 “Stop Sign At Intersection of Street and Alley or Private Driveway”**

Title V, Chapter 100, Section V-100-7.06 “Stop Sign At Intersection of Street and Alley or Private Driveway” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-7.06 - Stop Sign At Intersection of Street and Alley or Private Driveway**

7.06-1 Whenever the City Manager designates and describes the intersection of any public street with any alley or private driveway as one at which a stop sign should be posted, the City Manager or designee shall erect and maintain at the intersection of said public street and alley or private driveway, the stop sign which shall stop traffic upon said public street. The purpose of this Subsection is to provide stop signs upon public streets at the intersection of said streets with alleys or private driveways in such special circumstances where conditions are hazardous to traffic, and a stop sign on said street is necessary for the safety of persons traveling on said street, or upon said alley or private driveway. Nothing herein contained, however, shall be deemed or construed to repeal or amend Subsection V-100-7.03 of this Chapter.

7.06-2 Reserved.

**SECTION 23. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-9.01 “Crosswalks”**

Title V, Chapter 100, Section V-100-9.01 “Crosswalks” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-9.01 - Crosswalks**

9.01-1 the City Manager or designee shall establish, designate and maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadway.

9.01-2 Reserved.

**SECTION 24. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-9.04 “Pedestrian Walkways”**

Title V, Chapter 100, Section V-100-9.04 “Pedestrian Walkways” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-9.04 - Pedestrian Walkways**

9.04-1 Whenever the City Manager restricts pedestrian travel to marked or constructed walkways in subways, tubes and tunnels or upon bridges or viaducts, the City Manager or designee shall erect appropriate signs giving notice thereof.

9.04-2 When signs have been posted restricting pedestrian travel as herein provided, no person shall stand or walk other than on the designated walkway.

9.04-3 Reserved.

**SECTION 25. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.06 “Signs or Markings Indicating Angle Parking”**

Title V, Chapter 100, Section V-100-10.06 “Signs or Markings Indicating Angle Parking” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-10.06 - Signs or Markings Indicating Angle Parking**

10.06-1 Whenever the City Manager designates and describes any street or portion thereof upon which angle parking shall be permitted, the City Manager or designee shall mark or sign such street indicating the angle at which vehicles shall be parked.

10.06-2 When signs or markings are in place indicating angle parking as herein provided, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

10.06-3 Reserved.

**SECTION 26. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.07 “Permit for Loading or Unloading at an Angle to the Curb”**

Title V, Chapter 100, Section V-100-10.07 “Permit for Loading or Unloading at an Angle to the Curb” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 27. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.08 “Parking Adjacent to Schools”**

Title V, Chapter 100, Section V-100-10.08 “Parking Adjacent to Schools” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-10.08 - Parking Adjacent to Schools**

10.08-1 The City Manager or designee is hereby authorized to erect signs indicating no parking upon either side of any street adjacent to or opposite any school property when such parking would, in his opinion, interfere with traffic or create a hazardous condition.

10.08-2 When official signs are erected indicating "no parking" upon either side of a street adjacent to or opposite any school property, or "no parking" upon either side of a street between certain hours on certain days, no persons shall park a vehicle in any such designated place.

**SECTION 28. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.09 “Parking Prohibited on Narrow Streets”**

Title V, Chapter 100, Section V-100-10.09 “Parking Prohibited on Narrow Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-10.09 - Parking Prohibited on Narrow Streets**

10.09-1 The City Manager or designee is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of the street as indicated by such signs or markings when the width of the roadway does not exceed 30 feet.

10.09-2 When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking.

**SECTION 29. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.10 “Stopping, Standing or Parking Prohibited—Signs Required”**

Title V, Chapter 100, Section V-100-10.10 “Stopping, Standing or Parking Prohibited—Signs Required” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-10.10 - Stopping, Standing or Parking Prohibited—Signs Required**

The City Manager or designee shall appropriately sign or mark the following places and when so signed or marked no person shall stop, stand or park a vehicle in any of said places.

10.10-1 At any place within twenty (20) feet of a point on the curb immediately opposite the mid-block end of a safety zone.

10.10-2 Within twenty-five (25) feet of the approach to any traffic signal, boulevard stop sign, or official electrical flashing device.

10.10-3 At any place where the City Manager or designee determines that it is necessary in order to eliminate dangerous traffic hazards.

10.10-4 Reserved.

**SECTION 30. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.11 “Unlawful Parking—Peddlers, Vendors”**

Title V, Chapter 100, Section V-100-10.11 “Unlawful Parking—Peddlers, Vendors” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-10.11 - Unlawful Parking—Peddlers, Vendors**

10.11-1 Except as otherwise provided in this section, no person shall stand or park any vehicle, wagon or push-cart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this City, except that such vehicles, wagons or push-carts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten (10) minutes at any one place. The provisions of this Subsection shall not apply to persons delivering such articles upon order of, or by agreement with a customer from a store or other fixed place of business or distribution.

10.11-2 Deleted by Ord. 43.139.

10.11-3 Deleted by Ord. 43.139.

10.11-4 Deleted by Ord. 43.139.

10.11-5 Reserved.

10.11-6 Reserved.

**SECTION 31. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.15 “Parking on City Property”**

Title V, Chapter 100, Section V-100-10.15 “Parking on City Property” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-10.15 - Parking on City Property**

10.15-1 Whenever the City Manager determines that the orderly, efficient conduct of the City's business requires that parking or standing of vehicles on City property be prohibited, limited or restricted, the City Manager shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

10.15-2 When signs authorized by the provisions of this Subsection are in place, giving notice thereof, no person shall park or stand any vehicle contrary to the directions or provisions of such signs, and any vehicle parked in violation of such signs may be towed to a public storage garage at the expense of the owner of such vehicle; or the Police Department may, and it is granted authority to, issue a citation in the usual form and manner for any violation of the prohibition, limitation or restriction indicated by such signs or for any violation of the provisions of this Subsection.

10.15-3 No person shall park or stand any vehicle exceeding twenty feet (20') in length on any City-owned parking lot except for the loading or unloading of materials or passengers as permitted by Section V-100-11.03 of this Chapter.

10.15-4 Reserved.

10.15-5 Reserved.

**SECTION 32. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.16 “Bicycle Parking Zones”**

Title V, Chapter 100, Section V-100-10.16 “Bicycle Parking Zones” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-10.16 - Bicycle Parking Zones**

Whenever the City Manager or designee determines that the establishment of a bicycle parking zone is reasonably necessary or desirable for the regulation of traffic or to provide facilities for the temporary parking of bicycles being operated upon the public streets, or to safeguard life or property, the City Manager or designee is hereby authorized to set aside a space on the street not more than thirty-six feet (36') in length for the parking of bicycles during such hours of such days as are found by him to be best suited for the accomplishment of the purposes set forth in this Section. When a bicycle parking zone is so established, the City Manager or designee shall cause appropriate signs to be posted there at during such hours, giving notice that parking of other vehicles is prohibited. No person shall stop, stand or park any other vehicle in front of such zone while such signs are in place.

**SECTION 33. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.01 “Authority to Establish Loading Zones”**

Title V, Chapter 100, Section V-100-11.01 “Authority to Establish Loading Zones” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-11.01 - Authority to Establish Loading Zones**

11.01-1 The City Manager is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:

- (a) At any place in any business district.
- (b) Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.

11.01-2 In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.

11.01-3 Deleted by Ord. 43.140.

11.01-4 Deleted by Ord. 43.140.

#### **SECTION 34. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.02 “Curb Markings to Indicate No Stopping and Parking Regulations”**

Title V, Chapter 100, Section V-100-11.02 “Curb Markings to Indicate No Stopping and Parking Regulations” of the Milpitas Municipal Code is hereby amended to read as follows:

##### **V-100-11.02 - Curb Markings to Indicate No Stopping and Parking Regulations**

11.02-1 The City Manager or designee is hereby authorized, subject to the provisions and limitations of this Chapter, to place, and when required herein shall place, the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meanings as herein set forth.

- (a) Red shall mean no stopping, standing or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.
- (b) Yellow shall mean no stopping, standing or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes nor the loading or unloading of materials more than twenty (20) minutes.
- (c) White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers or depositing mail in an adjacent mailbox which shall not exceed three (3) minutes and such restrictions shall apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays and except as follows:
  - (1) When such zone is in front of a hotel or adjacent mailbox the restrictions shall apply at all times.
  - (2) When such zone is in front of a theater the restrictions shall apply at all times except when such theater is closed.
- (d) Green shall mean no standing or parking for longer than twenty (20) minutes at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays.
- (e) Blue indicates parking limited exclusively to vehicles of physically handicapped persons.

11.02-2 When the City Manager or designee as authorized under this ordinance has caused curb marking to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.

**SECTION 35. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.07 “Bus Zones to be Established”**

Title V, Chapter 100, Section V-100-11.07 “Bus Zones to be Established” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-11.07 - Bus Zones**

11.07-1 The City Manager or designee is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses of common carriers of passengers and to determine the location thereof subject to the directives and limitations set forth herein.

11.07-2 The word "bus" as used in this section shall mean any motor bus, motor coach, trackless trolley coach, or passenger stage used as a common carrier of passengers.

11.07-3 No bus zone shall exceed 80 feet in length, except that when satisfactory evidence has been presented to the City Manager or designee showing the necessity therefor, the City Manager or designee may extend bus zones not to exceed a total length of 125 feet.

11.07-4 Bus zones shall normally be established on the far side of an intersection.

11.07-5 No bus zone shall be established opposite and to the right of a safety zone.

11.07-6 The City Manager or designee shall paint a red line stencil with white letters "NO STANDING", together with the words "BUS ZONE" upon the top or side of all curbs and places specified as a bus zone.

11.07-7 No person shall stop, stand or park any vehicle except a bus in a bus zone.

11.07-8 Reserved.

11.07-9 Reserved.

**SECTION 36. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.08 “Mail deposit zones”**

Title V, Chapter 100, Section V-100-11.08 “Mail deposit zones” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-11.08 - Mail deposit zones**

11.08-1 Whenever the City Manager designates and describes any portion of any street as a mail deposit zone, the City Manager or designee shall place a white marking on the curb within said zone in accordance with the provisions of Subsection V-100-11.02 hereof.

11.08-2 Reserved.

**SECTION 37. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.01 “Parking Time Limited on Certain Enumerated Streets”**

Title V, Chapter 100, Section V-100-12.01 “Parking Time Limited on Certain Enumerated Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.01 - Parking Time Limited**

Whenever the City Manager designates and describes any street or portion thereof as time limited parking, the City Manager or designee shall erect and maintain parking restriction signs.

**SECTION 38. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.02 “Parking Prohibited at all Times on Certain Streets”**

Title V, Chapter 100, Section V-100-12.02 “Parking Prohibited at all Times on Certain Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.02 - Parking Prohibited at all Times**

Whenever the City Manager designates and describes any street or portion thereof as prohibited parking, the City Manager or designee shall erect and maintain parking restriction signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances of other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in the California Vehicle Code.

**SECTION 39. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.04 “Parking Space Markings”**

Title V, Chapter 100, Section V-100-12.04 “Parking Space Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.04 - Parking Space Markings**

The City Manager or designee is authorized to install and maintain parking space markings to indicate parking spaces adjacent to curbs where authorized parking is permitted.

When such parking space markings are placed in the highway, subject to other and more restrictive limitations, no vehicle shall be stopped, left standing or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible.

**SECTION 40. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.05 “Truck Routes”**

Title V, Chapter 100, Section V-100-12.05 “Truck Routes” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.05 - Truck Routes**

12.05-1 Whenever the City Manager designates and describes any street or portion thereof as a street the use of which is permitted by any vehicle exceeding a maximum gross weight limit of three tons, the City Manager or designee is hereby authorized to designate such street or streets by appropriate signs as "Truck Traffic Routes" for the movement of vehicles exceeding a maximum gross weight limit of three tons.

12.05-2 When any such truck traffic route or routes are established and designated by appropriate signs the operator of any vehicle exceeding a maximum gross weight limit of three tons shall drive on such route or routes and none other except that nothing in this Section shall prohibit the operator of any vehicle exceeding a maximum gross weight of three tons coming from a "Truck Traffic Route" having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.

12.05-3 The provisions of this Section shall not apply to (i) passenger buses under the jurisdiction of the Public Utilities Commission, or to (ii) any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility.

12.05-4 Reserved.

**SECTION 41. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.06 “Commercial Vehicles Prohibited From Using Certain Streets”**

Title V, Chapter 100, Section V-100-12.06 “Commercial Vehicles Prohibited From Using Certain Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.06 - Commercial Vehicles Prohibited From Using Certain Streets**

12.06-1 Whenever the City Manager designates and describes any street or portion thereof as a street the use of which is prohibited by any commercial vehicle, the City Manager or designee shall erect and maintain appropriate signs on those streets affected by such ordinance.

12.06-2 The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission.

12.06-3 The provisions of this Section shall not apply to house cars or camper-type pickup trucks provided the same are not designated, maintained or classified or required to be licensed as "commercial vehicle" under the provisions of the California Vehicle Code.

**SECTION 42. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.07 “Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets”**

Title V, Chapter 100, Section V-100-12.07 “Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.07 - Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets**

12.07-1 Whenever the City Manager designates and describes any street or portions thereof as a street the use of which is prohibited by any vehicle exceeding a maximum gross weight limit of 4 tons, the City Manager or designee shall erect and maintain appropriate signs as necessary to adequately provide notice of the prohibition.

12.07-2 Reserved.

12.07-3 The provisions of this Section shall not apply to any commercial vehicle having ingress and egress by direct route to and from said restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.

12.07-4 The provisions of this Section shall not apply to (i) passenger buses under the jurisdiction of the Public Utility Commission or to (ii) any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility or (iii) any vehicle owned or operated by a City Department while necessarily in use for construction or repair work or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

12.07-5 The provisions of this Section shall not apply to the bridge at Old Alviso-Milpitas Road over Coyote Creek just north of Highway 237 which lies partly in the County of Santa Clara and partly within the City of Milpitas, which shall have a maximum limit of 10 tons.

"The provisions of this Section shall not apply to non-commercial recreational vehicles or trailers, including boat and utility trailers, having ingress and egress by direct route to and from said restricted streets when necessary for the purpose of parking, loading, or unloading said recreational vehicle or trailer on said restricted street."

**SECTION 43. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.10 "Commercial Vehicle Parking Time Limited on Certain Streets"**

Title V, Chapter 100, Section V-100-12.10 "Commercial Vehicle Parking Time Limited on Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.10 - Commercial Vehicle Parking Time Limited**

When authorized signs are in place giving notice thereof, no person shall stop, stand or park any commercial vehicle between the hours of 9:00 p.m. and 6:00 a.m. of any day on any street or portion thereof except to load or unload materials or passengers to the extent described and within the time limits specified in Subsection V-100-11.03 hereof.

**SECTION 44. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.12 "Commercial Vehicle Parking Prohibited on Certain Streets"**

Title V, Chapter 100, Section V-100-12.12 "Commercial Vehicle Parking Prohibited on Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.12 - Commercial Vehicle Parking Prohibited on Certain Streets**

When authorized signs are in place giving notice thereof, no person shall stop, stand or park any commercial vehicle at any time of any day on any street or portion thereof except to load or unload materials or passengers to the extent described and within the time limits specified in Subsection V-100-11.03 hereof.

**SECTION 45. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.14 "Parking Time Limited On Certain Streets Except By Permit"**

Title V, Chapter 100, Section V-100-12.14 "Parking Time Limited On Certain Streets Except By Permit" of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-12.14 - Parking Time Limited On Certain Streets Except By Permit**

12.14-1 When authorized signs are in place giving notice thereof, no person shall stop, stand, or park any vehicle on any of the streets or portions thereof and during the hours posted on authorized signs.

12.14-2 Any vehicle on which is displayed a valid parking permit, as provided for herein, shall be permitted to be parked on such street without being limited by time restrictions established in Section 12.14-1.

12.14-3 Vehicle permits required under Section 12.14-2 shall be issued by the Police Department in accordance with the provisions of this section and in compliance with such administrative procedures as may be required by the Chief of Police. One permit may be issued for a vehicle which may otherwise be legally parked, owned, or under the control of, a resident of property adjacent to a street within the restricted parking area.

12.14-4 Permits shall be valid until the vehicle is sold or the permittee ceases to be resident of the restricted parking area; at such time the permit will be void and shall be removed from the vehicle. No permit issued

hereunder shall be transferred or sold. Replacement permits for vehicles which are sold will be issued without charge upon surrender of the old permit.

12.14-5 The Chief of Police may issue temporary parking permits.

12.14-6 The provisions of this Section shall not apply to any disabled person or disabled veteran whose vehicle displays either a distinguishing license plate or distinguishing placard issued in accordance with the California Vehicle Code.

**SECTION 46. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-14.04 “Regulation of Speed by Traffic Signals”**

Title V, Chapter 100, Section V-100-14.04 “Regulation of Speed by Traffic Signals” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 47. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.01 “One-Way Streets”**

Title V, Chapter 100, Section V-100-15.01 “One-Way Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 48. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.03 “Stop Intersections”**

Title V, Chapter 100, Section V-100-15.03 “Stop Intersections” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 49. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.04 “Reserved for schedule pursuant to V-100-7.02-3”**

Title V, Chapter 100, Section V-100-15.04 “Reserved for schedule pursuant to V-100-7.02-3” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 50. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.05 “Angle Parking on Certain Streets”**

Title V, Chapter 100, Section V-100-15.05 “Angle Parking on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 51. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.06 “Parking Time Limited on Certain Enumerated Streets”**

Title V, Chapter 100, Section V-100-15.06 “Parking Time Limited on Certain Enumerated Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 52. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.07 “Reserved for schedule pursuant to V-100-12.02”**

Title V, Chapter 100, Section V-100-15.07 “Reserved for schedule pursuant to V-100-12.02” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 53. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.08 “Reserved for schedule pursuant to V-100-12.05-4”**

Title V, Chapter 100, Section V-100-15.08 “Reserved for schedule pursuant to V-100-12.05-4” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 54. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.09 “Reserved for schedule pursuant to V-100-12.06-2”**

Title V, Chapter 100, Section V-100-15.09 “Reserved for schedule pursuant to V-100-12.06-2” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 55. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.10 “Crosswalks”**

Title V, Chapter 100, Section V-100-15.10 “Crosswalks” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 56. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.11 “Stopping, Standing, Parking Prohibited”**

Title V, Chapter 100, Section V-100-15.11 “Stopping, Standing, Parking Prohibited” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 57. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.12 “Vehicles in Excess of Certain Gross Weight Limits Prohibited”**

Title V, Chapter 100, Section V-100-15.12 “Vehicles in Excess of Certain Gross Weight Limits Prohibited” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 58. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.13 “Mail Deposit Zones”**

Title V, Chapter 100, Section V-100-15.13 “Mail Deposit Zones” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 59. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.14 “Bus Zones”**

Title V, Chapter 100, Section V-100-15.14 “Bus Zones” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 60. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.16 “Specific turning movements prohibited at specific areas”**

Title V, Chapter 100, Section V-100-15.16 “Specific turning movements prohibited at specific areas” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 61. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.17 “Approaches to Intersections at Which Yield-Right-of-Way Signs Shall be Erected”**

Title V, Chapter 100, Section V-100-15.17 “Approaches to Intersections at Which Yield-Right-of-Way Signs Shall be Erected” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 62. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.18 “Entrances and Exits at which Signs Shall Be Erected”**

Title V, Chapter 100, Section V-100-15.18 “Entrances and Exits at which Signs Shall Be Erected” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 63. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.19 “Places at Which Stop Signs Shall Be Erected”**

Title V, Chapter 100, Section V-100-15.19 “Places at Which Stop Signs Shall Be Erected” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 64. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.20 “Streets or Portions Thereof From Which Vehicles Can Be Removed”**

Title V, Chapter 100, Section V-100-15.20 “Streets or Portions Thereof From Which Vehicles Can Be Removed” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 65. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.21 “Private Roads Open for Public Use”**

Title V, Chapter 100, Section V-100-15.21 “Private Roads Open for Public Use” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-15.21 - Private Roads Open for Public Use**

Pursuant to the provisions of Section 21107.5 of the California Vehicle Code, the City Council may from time to time, by resolution, find and declare that there are privately owned and maintained roads within the City generally held open for use of the public for purposes of vehicular traffic which so connect with highways that the public cannot determine that such roads are not highways. Upon enactment of such a resolution, the provisions of the California Vehicle Code shall apply to the privately owned and maintained roads unless the owner of the road erects a notice of a size, shape, and color as to be readily legible during daylight hours from a distance of 100 feet to the effect that the road is privately owned and maintained and that it is not subject to public traffic regulations or control.

**SECTION 66. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.22 “Parking Prohibited Adjacent to Schools”**

Title V, Chapter 100, Section V-100-15.22 “Parking Prohibited Adjacent to Schools” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 67. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.23 “Pedestrian Walkways”**

Title V, Chapter 100, Section V-100-15.23 “Pedestrian Walkways” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 68. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.24 “Commercial Vehicle Parking Time Limited on Certain Streets”**

Title V, Chapter 100, Section V-100-15.24 “Commercial Vehicle Parking Time Limited on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 69. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.25 “Commercial Vehicle Parking Prohibited on Certain Streets”**

Title V, Chapter 100, Section V-100-15.25 “Commercial Vehicle Parking Prohibited on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 70. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.26 “Vehicle Parking Time Limited on Certain Streets Except by Permit”**

Title V, Chapter 100, Section V-100-15.26 “Vehicle Parking Time Limited on Certain Streets Except by Permit” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 71. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.27 “ Vehicle Parking Time on Certain Streets Except by Permit”**

Title V, Chapter 100, Section V-100-15.27 “Vehicle Parking Time on Certain Streets Except by Permit” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 72. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.04-3**

Title V, Chapter 100, Section V-100-16.04-3 of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 73. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.09 “Inspection of Bicycles”**

Title V, Chapter 100, Section V-100-16.09 “Inspection of Bicycles” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 74. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.10 “Attachment of License Plates”**

Title V, Chapter 100, Section V-100-16.10 “Attachment of License Plates” of the Milpitas Municipal Code is hereby deleted and reserved.

**SECTION 75. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.16-1 “Bicycle Lanes, Routes and Paths Established”**

Title V, Chapter 100, Section V-100-16.16-1 “Bicycle Lanes, Routes and Paths Established” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-16.16-1 - Bicycle Lanes, Routes and Paths Established**

The City Manager may establish bicycle lanes and routes along designated streets or portions of streets and may establish bicycle paths in the interest of providing recreation and developing open space programs. Any person operating a bicycle along a bicycle route shall be subject to all of the rights and duties applicable to the operators of motor vehicles generally along the streets or portions of streets so designated, such designation being intended only to inform the operators of bicycles that such streets or portions of streets afford an expeditious route of travel by bicycle, and to alert the operators of motor vehicles of the likelihood of a higher incidence of bicycle traffic where the roadway is so marked.

**SECTION 76. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.16-2 “Bicycle Lanes, Routes and Paths Signs and Markings”**

Title V, Chapter 100, Section V-100-16.16-2 “Bicycle Lanes, Routes and Paths Signs and Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

**V-100-16.16-2 - Bicycle Lanes, Routes and Paths Signs and Markings**

The City Manager or designee shall designate bicycle lanes, routes and paths by the placement of appropriate signs and roadway markings.

#### **SECTION 77. SEVERABILITY**

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

#### **SECTION 78. EFFECTIVE DATE AND POSTING**

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.