SAND CITY
PUBLIC SAFETY
COMMITTEE
AGENDA

Friday, October 16, 2015

10:30 A.M.

Sand City

Council Chambers

AGENDA
PUBLIC SAFETY COMMITTEE

Friday, October 16, 2015
10:30 A.M.
Sand City Council Chambers
#1 Sylvan Park, Sand City, CA 93955

1. CALL TO ORDER

2. ROLL CALL

3. COMMUNICATIONS

Members of the Public may address the Public Safety Committee on matters not appearing on the Public Safety Committee Agenda at this time for up to three minutes. In order that the Public Safety Committee Secretary may later identify the speaker in the minutes of the meeting, it is helpful if the speakers state their names. Public comments regarding items on the scheduled agenda will be heard at the time the item is being considered by the Public Safety Committee.

4. OLD BUSINESS

A. Capital Projects on Hickory/Diaz
B. Camping on Land East of Highway 1
C. Verbal Update and Discussion of previous tasks/priorities
    1) Speed survey
    2) Traffic cameras
    3) City-wide emergency plan
    4) Winter water flood plan
    5) Municipal Lighting – LED's
    6) Bulb outs planters and tree removal

5. NEW BUSINESS

A. Approval of September 3, 2015 Public Safety Committee Meeting Minutes
B. Dog waste ordinance
C. Parking issues with storage pods
D. Discussion of City Banners
E. Discussion of Agenda process

6. ADJOURNMENT

Agenda Item

4A

Creegan+D'Angelo
INFRASTRUCTURE ENGINEERS

2420 Martin Road, Suite 380
Fairfield, CA 94534
Tel (707) 429-5300
Fax (707) 429-2086
www.cdengineers.com

STREET IMPROVEMENTS
HICKORY STREET (BOTH SIDES) &
DIAS AVENUE

PROJECT # 715001.20 10/12/15

EXHIBIT 1

SHEET 1 OF 3

001

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)

1 inch =30 ft.

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Fax (707) 429-2086
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HICKORY STREET (ONE SIDE) &
DIAS AVENUE

PROJECT # 715001.20 10/12/15

EXHIBIT 2

SHEET 2 OF 3

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)

1 inch =30 ft.

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Fax (707) 429-2086
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STREET IMPROVEMENTS
HICKORY STREET (COMPROMISE) &
DIAS AVENUE

PROJECT # 715001.20 10/12/15

EXHIBIT 3

SHEET 3 OF 3

006

Agenda Item

4B

MEMORANDUM

TO: PUBLIC SAFETY COMMITTEE
FROM: CHIEF BRIAN FERRANTE
SUBJECT: CAMPING ORDINANCE
DATE: OCTOBER 9, 2015

BACKGROUND

The City has experienced negative impacts of persons camping within the city limits on roadways and shopping centers. These impacts include litter, blight, illegal disposal of waste, contamination of storm drains, and other health issues. In an effort to curb camping and the corresponding issues associated with it, staff has developed some potential plans to mitigate the impact of campers on the City. Since the majority of the campers are living in vehicles, the plans are meant to address this specific issue.

ANALYSIS

There has been considerable discussion throughout the state regarding the rights of persons to sleep in their vehicles. In 2014, a federal appeals court struck down a Los Angeles ban on homeless persons sleeping in their cars. The court determined that the Los Angeles ban was overly broad and could be enforced against almost anyone including persons eating in their car during a lunch break. The City is now considering an ordinance with a more specific definition of living in a vehicle. This court decision is often cited as making it unconstitutional for cities to prevent persons from sleeping or camping on city streets. However, it appears that an ordinance that is better defined and not overly broad would still be enforceable.

Discussions have also occurred at the legislative level. In 2015, the California Legislature introduced AB 718 which would make it illegal for city and county governments to ban resting or sleeping in vehicles. The bill did not pass. However, it is one of many bills within the past few years to address homeless rights and limit the ability of cities to create ordinances that might affect them.

If the city were to draft an ordinance specifically prohibiting sleeping overnight in a vehicle, it would likely be enforceable as long as it was not overly broad. However, it is unclear how long the ordinance would continue to be enforceable given the push to allow car camping through the legislature and the courts.

Another option is to simply limit parking in certain areas or maintain permit parking throughout the city during certain hours. The first option of limiting parking could be used in all non-residential areas. It would not impact residents who have guests or park their cars on the street overnight. However, it would prevent non-residents from using the roadways for camping and storage of vehicles overnight in areas fronting the shopping centers, non-residential, and commercial/light industrial areas. Because the ordinance does not specifically address camping/sleeping in vehicles, it would continue to be enforceable even if legislation permitted persons to live in their vehicles on city streets. The second option of creating permit parking for late night hours would have the same effect, although it would apply to the entire city. This option would require a greater investment in signage, permit issuance, and public education of the ordinance. The advantage would be that all areas of the city would be enforceable under the ordinance.

RECOMMENDATION

Staff is seeking direction from the committee regarding available options for addressing the problem of persons using vehicles for camping within the city limits.

the following day when not accompanied by his parent, guardian or other adult person having the legal care, custody or control of such person shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than six months, or both. (Ord. 63-36 §1, 1963)

Chapter 9.12

CAMPING AND SLEEPING ON PUBLIC LANDS AND STREETS

Sections:

9.12.010 Sleeping in vehicles prohibited. It is unlawful for any person to sleep in any vehicle parked on the public street, alley, way or parking area, or any privately owned parking area used for the parking of any customers of any business enterprise in the city between the hours of six p.m. and six a.m. on any day. A vehicle, for the purpose of this chapter, shall be as defined by Section 670 of the Vehicle Code of the state of California as it now exists or may hereafter be amended. (Ord. 69-63 §1, 1969)

9.12.020 Camping or sleeping facilities on public property. It is unlawful for any person to camp or place, erect, or maintain any tents, house trailers, campers, or other camping or sleeping facilities of any kind whatsoever on any public property of the city. (Ord. 69-63 §2, 1969)

9.12.030 Violation--Penalty. Any person violating any part of this chapter shall be guilty of an infraction, and upon commission thereof shall be punishable upon a first conviction by a fine not exceeding fifty dollars and for a second conviction within a period of one year by a fine of not exceeding one hundred dollars and for a third or any subsequent conviction within a period of one year by a fine of not exceeding two hundred fifty dollars. (Ord. 69-63 §3, 1969)

Chapter 9.16

COMMERCIAL SALE OF FIREARMS

Sections:

Marina ordinance aims to take RVs off city streets

By James Herrera , Monterey Herald

MontereyHerald.com

Several recreational vehicles are parked on Lapis Road north of Marina on Thursday. A new city ordinance in Marina that took effect Oct. 1 prevents overnight sleeping in vehicles and has forced people to locate north of town with their vehicles. (Vern Fisher - Monterey Herald)

A new city ordinance in Marina prevents overnight sleeping in vehicles and has forced people to locate north of town with their vehicles. (Vern Fisher - Monterey Herald)

Marina >> For some who call their recreational vehicles home, a new Marina city ordinance means moving from a city street near conveniences, lights and occasional police patrols to a county road outside the city limits where those things do not exist or are in short supply.

The ordinance went into effect Oct. 1 and prohibits the parking of trailers, boats and recreational vehicles on the streets of Marina.

According to the ordinance, its intent is "to provide for the public health and safety." By prohibiting the overnight parking of the items listed, it allows "for the parking of motor vehicles and will increase visibility and safety of pedestrians and motorists using the public streets."

"We're not trying to squeeze people out like toothpaste," said Bob Nolan, administrative services commander. "We're intent on enforcement but we need to help people out."

For some, the ordinance has compounded an already difficult existence. At a Marina City Council meeting in September, an elderly couple spoke of the hardship the ordinance would create. They said they were longtime residents of Marina and did not want to move, nor could they afford to. They wondered about the fairness of the rule on people of limited income whose

011

prospects were thin. Where, they wondered, were they supposed to go?

Alternatives for people living in their RVs range from moving out of the area, paying for space at RV parks which some cannot afford, or finding a place to park that could further put them in harm's way. Living in an open area with no streetlights or security poses some inherent risks.

"There were people who were upset about the ordinance," said Marina Mayor Bruce Delgado. "But in explaining the intent, most people understand what we are trying to accomplish."

Delgado said Marina spent more than two years coming up with a comprehensive ordinance that looked at many practical, ethical and legal considerations.

"Cities try to walk a balance between looking nice and being safe," said Delgado. "But we don't want to be unethical when it comes to the homeless."

Officials are aware that some people live in their RVs. It is an affordable answer to the area's high housing, rental and living costs. But it comes with its own set of problems. There are costs associated with parking in designated areas, disposal of waste material, water, gas and power.

Delgado said he does not see the city going back to long-term vehicle storage on city streets, but he wondered out loud if maybe an alternative RV parking site could be established.

"I would like to see the conversation continue," said Nolan. "Communities need to come up with long-term solutions."

According to Nolan, his people have not yet written any citations related to the new ordinance but by next week they will be aggressively enforcing. For those living in their RVs, they will be referred to agencies that can help.

But for the folks who have already swapped the city street for the country road, they should be aware that county ordinances prohibit "camping" — the use of a standing or parked vehicle for the purpose of sleeping — on public property or road unless it is expressly designated and posted for overnight stays.

As far as enforcement, the sheriff's office leaves it to the discretion of the enforcing officer to determine if the person sleeping or resting is doing so for health or safety purposes.

James Herrera can be reached at 726-4344.

James Herrera has been with The Herald for more than 24 years, during which he has been an ad designer, staff artist, newsroom graphic artist, videographer and now a reporter. He covers the cities of Pacific Grove, Marina, Seaside, Sand City and Del Rey Oaks. Reach the author at jherrera@montereyherald.com or follow James on Twitter: @jamerra1.

- Full bio and more articles by James Herrera
- Back to top

012

LOCAL / L.A. Now

L.A. will seek to impose new ban on living in vehicles

Gale Holland . Contact Reporter

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The city of Los Angeles will consider new ban on living in cars and RVs

APRIL 1, 2015, 5:05 AM

The Los Angeles City Council is considering reinstating a ban on homeless people living in their cars and RVs.

A federal appeals court last year struck down the city's existing ban as unconstitutionally vague. In a March 26 report, City Atty. Mike Feuer proposed a new ordinance with a tighter definition of living in a vehicle that he said would pass court muster.

In addition to a new ordinance, Feuer said the city could set up a limited permit process that would allow car camping on non-residential streets. Feuer said this "novel approach" would "strive to meet the City Council's goal to protect neighborhoods in a manner that is sensitive to the needs of the homeless."

Nearly 5,000 residents live in more than 3,000 vehicles parked along city streets and alleys, according to the Los Angeles Homeless Services Authority. The lawsuit that overturned the old ban stemmed from a 2010 LAPD enforcement effort in Venice, where residents had complained that people living in vehicles throw garbage, have fights and relieve themselves on their lawns.

Article continues below ↓

Civil rights attorney Carol Sobel, who challenged the old ban on behalf of a group of homeless people, called the new approach "a vast improvement" but said that the city already is struggling to get housing for veterans and chronically homeless people, who receive top priority.

Most of the car dwellers are formerly middle-class people who lost jobs and homes in the

013

recession, or fell ill or disabled and must wait two years or more for subsidized housing, she said.

"There is a problem with putting people in jail for performing life-sustaining functions when there is no other place to do it," Sobel said.

Twitter: @geholland

This article is related to: Los Angeles City Council

California LEGISLATIVE INFORMATION

AB-718 Local government: powers. (2015-2016)

AMENDED IN SENATE JULY 14, 2015
AMENDED IN ASSEMBLY MAY 18, 2015
AMENDED IN ASSEMBLY APRIL 21, 2015
AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

ASSEMBLY BILL **No. 718**

Introduced by Assembly Member Chu
(Coauthor: Assembly Member Gonzalez)

February 25, 2015

An act to add Section 50034 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 718, as amended, Chu. Local government: powers.

Existing law authorizes the legislative body of a city or county to pass ordinances not in conflict with state or federal law and the state or federal constitution.

This bill would prohibit the legislative body of a city, county, or city and county from prohibiting or otherwise subjecting to civil or criminal penalties, or removing or impounding a motor vehicle by reason of, the act of sleeping or resting in a lawfully parked motor vehicle. The bill would also find and declare that the provisions of the bill address the health and safety of homeless individuals, a matter of statewide concern, and that therefore, they apply to charter cities, charter counties, and charter cities and counties.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that the provisions of this measure address the health and safety of homeless individuals, a matter of statewide concern, and that therefore, they apply to charter cities, charter counties, and charter cities and counties.

SEC. 2. Section 50034 is added to the Government Code, to read:

50034. *(a)* The legislative body of a city, county, or city and county shall not prohibit or otherwise subject to

015

civil or criminal penalties, or remove and impound a motor vehicle by reason of, the act of sleeping or resting in a lawfully parked motor vehicle.

(b) Nothing in this section shall be interpreted to do any of the following:

(1) Prohibit a law enforcement officer from arresting, citing, or otherwise penalizing an occupant of a motor vehicle for any criminal activity or violation of the Vehicle Code.

(2) Exempt an occupant of a motor vehicle from compliance with any state or local law, including those relating to litter, sanitation, alcohol or drug consumption, weapons possession, animal control, or noise control.

(3) Exempt a vehicle owner from compliance with a local ordinance that restricts the use of public streets for vehicle storage.

016

Agenda Item

4C (1)

Hatch Mott MacDonald

1300-B First Street
Gilroy, CA 95020
T 408-848-3122 www.hatchmott.com

September 21, 2015

Brian Ferrante
City of Sand City Police Department
1 Sylvan Way
Sand City, CA 93955

Re: Sand City Speed Survey Update, Sand City, California

Dear Brian:

Hatch Mott MacDonald (HMM) has prepared a vehicle speed survey update for the City of Sand City. This survey was conducted along 11 roadways within the City, as required by the California Vehicle Code (CVC) and California Manual on Uniform Traffic Control Devices (CA MUTCD) to allow radar speed enforcement by the Sand City Police Department.

A. Project Approach

Speed surveys were conducted at the following 12 locations:

1) Contra Costa Street, between Del Monte Boulevard and end of road;
2) Redwood Avenue, between end of road (east) and end of road (west)
3) California Avenue, between Contra Costa Street and Sylvan Avenue;
4) California Avenue, between Sylvan Avenue and East Avenue;
5) California Avenue, between East Avenue and Tioga Avenue;
6) Dunes Drive, between City Limits and Tioga Avenue;
7) Tioga Avenue, between Dunes Drive and Del Monte Boulevard;
8) Metz Road, between Tioga Avenue and Playa Avenue;
9) Playa Avenue, between Metz Road and Del Monte Boulevard;
10) California Avenue, between Playa Avenue and Southbound State Route 1 On-Ramp; and
11) Catalina Street, between Ortiz Avenue and Olympia Avenue.

Exhibit 1 graphically depicts the locations of the surveyed roadways.

This speed survey was conducted in accordance with the requirements of the latest California Vehicle Code (CVC) and the 2014 California Manual on Uniform Traffic Control Devices (CA MUTCD). A minimum of 100 radar gun speed-readings were obtained on each surveyed roadway (i.e. a minimum of 50 readings in each travel direction). The speed surveys were conducted in good weather conditions and under normal vehicle operating conditions, and in off-peak travel periods where possible.

B. Speed Survey Frequency

CVC Section 40802 contains rules regarding the frequency of updating speed surveys. Under normal circumstances, speed surveys of a jurisdiction's roadways must be updated every five years for a speed limit to remain valid. (The sole exceptions to this rule are local streets, streets in business districts, and school zones, which by law are to be signed at 25 miles per hour (MPH). The CVC specifically defines each of the street types.) However, there are two exceptions that allow for a longer frequency between survey updates:

Exception #1: If speed enforcement officers have at least 24 hours of radar training and their radar equipment has been calibrated within the past 3 years, speed surveys only need to be updated every seven years. (If an agency uses lidar, then an additional 2 hours of training is also required to meet this rule.)

Exception #2: If Exception #1 is met and there have been no significant changes to a roadway, then speed surveys only need to be repeated every ten years. ("Significant changes" are defined in the CVC as changes to adjoining properties, land use, roadway width, or traffic volume. The 2014 CA MUTCD further clarifies that "significant changes" can also include addition or removal of driveways, addition or removal of on-street parking restrictions, changes in roadway lane configurations, additions or removal of bicycle lanes, changes in traffic control, or addition or removal of signal coordination.) Note that the CVC requires that the determination of "no significant changes" must be made by a Registered Engineer.

Note that these rules apply on a street-by-street basis. Thus, if a particular roadway that has been previously surveyed has significant changes, it may need to be re-surveyed in seven years, but an adjacent roadway with no changes may only need to be re-surveyed every ten years.

Finally, note that these rules apply to updates to a speed survey. If a roadway is not a local street, business district or school zone, a speed survey must be performed and adopted by a local agency prior to enforcement of its speed limit.

C. Speed Limits by Statute

The CVC identifies three specific instances where a specific speed limit may be established without a speed survey if certain conditions are met. They are business districts, local streets, and narrow streets. Each of these instances is described below.

1. *Business Districts* – CVC Section 235 defines a business district as an area in which at least 50 percent of the fronting properties are used for business for a minimum distance of 600 feet on one side or 300 feet on both sides of a roadway. As previously noted in Section 2.1 of this document, speed limits within business districts are defined in the CVC as 25 MPH.

2. *Local Streets*
   CVC section CVC Section 40802(a) defines local streets and roads as ones that are functionally classified as "local" on the California Road System Maps approved by the Federal Highway Administration and maintained by the California Department of Transportation (Caltrans). **Exhibit 2** depicts the current California Road System Maps covering the City of Sand City.

   If a local street or roadway is not indicated on the California Road System Maps, CVC Section 40802(b) also allows local streets and roads to be defined as those roadways that meet the following four conditions:

   - Primarily provides access to abutting residential property;
   - Roadway width of not more than 40 feet;
   - Not more than one-half mile of uninterrupted length. Interruptions shall include official traffic control devices; and
   - Not more than one traffic lane in each direction.

As noted in CVC Section 40802(a), roadways meeting either of the above CVC definitions for local streets and roadways are categorically exempt from any of the speed trap provisions within Section 40802. This means that the City of Sand City may enforce speed limits on local streets and roads meeting either definition without first performing an engineering and traffic survey (i.e. speed survey). However, enforcement on local streets would still be based upon the Basic Speed Law (i.e. 85th percentile).

Note: A jurisdiction's functional classification of a local street or roadway has no bearing on whether the roadway actually meets either of the CVC definitions. For example, if there is a discrepancy in function classification between the city's General Plan and the California Road System Maps, the California Road System Maps is the controlling definition. It is therefore important that cities submit their roadway classifications to Caltrans after adoption of city General Plan revisions.

3. *Narrow Streets*
   CVC Section 22358.3 states that roadways not exceeding 25 feet in width that are also located in business districts, residential districts, or in public parks can be signed at either 20 or 15 MPH if a speed survey identifies that such speed limits are reasonable and safe.

D. Procedures to Establish Speed Limits

The CA MUTCD summarizes the CVC procedures to select an appropriate speed limit for a roadway. Normally, the speed limit is established at the nearest 5 mile-per-hour (MPH) increment of the 85th-percentile speed, a.k.a. critical speed. (The 85th-percentile speed, also known as the critical speed, is defined as the speed at which 85% of all surveyed drivers are traveling at or below.) Note that this procedure could result in a speed limit either below or above the critical speed. Two examples follow:

Example 1: For a critical speed of 27 MPH, the nearest 5 MPH increment is 25 MPH, and thus the speed limit would be established at 25 MPH.

Example 2: For a critical speed of 28 MPH, the nearest 5 MPH increment is 30 MPH, and thus the speed limit would be established at 30 MPH.

The CA MUTCD and CVC provide for three speed reductions that can supplement these procedures. Each reduction method is summarized below.

Reduction #1 – Residential Density:
CVC Section 627 allows for the consideration of residential and commercial building densities when determining speed limits, as long as said densities meet or exceed specific thresholds. The CA MUTCD provides further guidance, allowing for a specific speed reduction of 5 MPH to be applied to the nearest 5 MPH increment of the critical speed if either of the following building densities currently exists along a roadway:

1. The density of separate dwelling houses or business structures contiguous along one side of a roadway is at least 13 houses or structures per 0.25 miles; or

2. The density of separate dwelling houses or business structures contiguous along both sides of a roadway is at least 16 houses or structures per 0.25 miles.

Note that the previously described speed reduction can only be applied after the critical speed has been initially adjusted. For example, for a critical speed of 28 MPH, the critical speed would normally be adjusted to 30 MPH. If the densities within Reduction #1 are applicable, then the initial 30 MPH speed recommendation could be reduced by 5 MPH to a final recommendation of 25 MPH.

Reduction #2 – Pedestrian and Bicycle Safety

The CA MUTCD and CVC Section 627 state that pedestrian and bicyclist safety can also be used as justification for keeping a speed limit low. No specific criteria is provided in either document for use in this justification; however, in the spirit of the other guidance and statutes in the CA MUTCD and CVC, it is recommended that reductions be limited to no more than 5 MPH and that they be limited to roadways with moderate to heavy pedestrian and bicycle activity, such as near schools, parks, and other public gathering areas, as well as along obvious and established routes to schools. The factors which can enter into this decision process can include roadway geometry (including changes in horizontal and vertical profile); collision histories; lack of sidewalks or bicycle lanes, and any highway, traffic, or roadway conditions not readily apparent to the driver.

Similar to Reduction #1, Reduction #2 can only be applied after the critical speed has been initially adjusted.

Reduction #3 – Exception for Adjustment of Critical Speed

The CVC contains an exception to the CA MUTCD procedure to establish a speed limit from the critical speed (i.e. 85th percentile speed). Section 21400(b) of the CVC allows for the speed limit of a roadway to be rounded down to the nearest 5 MPH increment below the critical speed, as long as the speed limit would have otherwise been rounded up to the 5 MPH increment above the critical speed. If this reduction is applied to the critical speed, no additional reductions can be made. This means that if Reduction #3 is applied, neither Reductions #1 or #2 could be applied afterwards, regardless of whether or not the criteria for those other reductions are met. Two examples of this reduction follow:

Example 1: For a critical speed of 28 MPH, instead of rounding up to 30 MPH (the nearest 5 MPH increment), the speed limit could be rounded down to 25 MPH using Reduction #3, but no further reductions could be taken.

Example 2: For a critical speed of 27 MPH, the nearest 5 MPH increment would be 25 MPH – a speed lower than the critical speed – and thus Reduction #3 would not apply. However, Reductions #1 or #2 could still be applied if their criteria are met.

Finally, the CA MUTCD also states that other factors can be used in establishing speed limits on city and county roadways, including the most recent 2-year collision record, roadway design speed, sight distance, intersection spacing and offsets, and commercial driveway characteristics.

E. Recommended Speed Limits

Exhibit 3 summarizes the recommended speed limits along the 11 study locations. Conditions and recommended speed limits are discussed below, including factors that explain the reasoning behind any speed reductions taken. The existing speed limits are indicated in parentheses next to each segment. (See **Appendix A** for individual field survey sheets.)

1. *Contra Costa Street – Del Monte to End of Road (25 MPH)*

   The critical speed is 25 MPH, which would require a speed limit of 25 MPH – this matches the existing signed speed limit. Therefore, it is recommended that the existing 25 MPH speed limit be retained.

2. *Redwood Avenue – End of Road (east) to End of Road (west) (25 MPH by statute)*

   (Note: This roadway does not have any speed limit signs. However, as it is a local street, the speed limit is 25 MPH, per the CVC.)

   The critical speed is 24 MPH, which would require a speed limit of 25 MPH – this matches the existing signed speed limit. Therefore, it is recommended that the existing 25 MPH speed limit be retained.

3. *California Avenue – Contra Costa Street to Sylvan Avenue (25 MPH)*

   The critical speed is 25 MPH, which would require a speed limit of 25 MPH – this matches the existing signed speed limit. Therefore, it is recommended that the existing 25 MPH speed limit be retained.

4. *California Avenue – Sylvan Avenue to East Avenue (25 MPH)*

   The critical speed is between 28 and 29 MPH, 3 to 4 MPH above the current speed limit; this would normally require a speed limit of 30 MPH. However, the rounding exception in Section 21400(b) of the CVC is being applied to this segment. For this reason, it is recommended that the existing speed limit of 25 MPH be retained.

5. *California Avenue – East Avenue to Tioga Avenue (25 MPH)*

   The critical speed is between 30 and 31 MPH, 5 to 6 MPH above the current speed limit; therefore, it is recommended that the existing speed limit be raised to 30 MPH.

6. *Sand Dunes Drive – City Limits to Tioga Avenue (35 MPH)*

   The critical speed is between 44 and 47 MPH, 9 to 12 MPH above the current speed limit; this would normally require a speed limit of 45 MPH. However, the rounding exception in Section 21400(b) of the CVC is being applied to this segment. For this reason, it is recommended that the existing speed limit be raised to 40 MPH.

7. *Tioga Avenue – Sand Dunes Drive to Del Monte Boulevard (25 MPH)*

   The critical speed is between 33 and 35 MPH, 8 to 10 MPH above the current speed limit; this would normally require a speed limit of 35 MPH. However, the rounding exception in Section 21400(b) of the CVC is being applied to this segment. For this reason, it is recommended that the existing speed limit be raised to 30 MPH.

8. *Metz Road – Tioga Avenue to Playa Avenue (20 MPH)*

   The critical speed is between 25 and 26 MPH, 5 to 6 MPH above the current speed limit; this would normally require a speed limit of 25 MPH. Therefore, it is recommended that the existing speed limit be raised to 25 MPH.

9. *Playa Avenue – Metz Road to Del Monte Boulevard (25 MPH)*

   The critical speed is between 25 and 26 MPH, which would require a speed limit of 25 MPH – this matches the existing signed speed limit. Therefore, it is recommended that the existing 25 MPH speed limit be retained.

10. *California Avenue – Playa Avenue to Southbound State Route 1 On-Ramp (35 MPH)*

    The critical speed is between 40 and 41 MPH, 5 to 6 MPH above the current speed limit; therefore, it is recommended that the existing speed limit be raised to 40 MPH.

11. *Catalina Street – Ortiz Avenue to Olympia Avenue (25 MPH)*

    The critical speed is between 25 and 26 MPH, which would require a speed limit of 25 MPH – this matches the existing signed speed limit. Therefore, it is recommended that the existing 25 MPH speed limit be retained.

F. Speed Reduction Techniques

The most extreme levels of violation of the current speed limits (i.e. largest difference between the measures 85th percentile speed and the current speed limit) were found on the following two roadways:

6. Sand Dunes Drive – City Limits to Tioga Avenue (9 to 12 MPH above speed limit); and
7. Tioga Avenue – Sand Dunes Drive to Del Monte Boulevard (8 to 10 MPH above speed limit).

Multiple additional roadways had 85% percentile speeds that were 5 or 6 MPH above the current speed limit:

5. California Avenue – East Avenue to Tioga Avenue;
8. Metz Road – Tioga Avenue to Playa Avenue; and
10. California Avenue – Playa Avenue to Southbound State Route 1 On-Ramp.

While continued speed enforcement is an important method to reduce travel speeds on these roadways, it cannot be implemented on all roadways at all times and is labor intensive. Other physical improvements to the se roadways could be considered to reduce travel speeds, such as:

- Additional (and more frequent) speed limit signs;
- Speed feedback signs (i.e. "Your Speed XX");
- Roadway narrowings;
- Speed humps and lumps; and
- Roundabouts.

While signs can be implemented relatively simply and inexpensively, a more comprehensive traffic calming study is recommended prior to implementation of other, more extensive physical improvements, like speed humps/lumps and roundabouts. Such a study will help to identify the most appropriate types of traffic calming for a corridor and the most effective placement of these traffic calming improvements to reduce vehicle speeds, as well as implement traffic calming improvements that minimize effects on emergency response times. It is also recommended that the City of Sand City continue to implement simpler traffic calming improvements that, as shown by the results of this speed survey, have been effective at reducing travel speeds on other city roadways, such as the roadway narrowings on Contra Costa Street and California Avenue.

G. Conclusion

In summary, it is recommended that the speed limits on five of the eleven surveyed segments be modified, while the speed limits on the other six segments would remain at their current levels.

If you have any questions regarding the contents of this letter or need additional information, please do not hesitate to contact Jeff Waller. Thank you for the opportunity to assist you with this project.

Very truly yours,

Hatch Mott MacDonald

Keith B. Higgins, PE, TE
Vice President
T 408.848.3122 F 408.848.2202
keith.higgins@hatchmott.com

kbh: jmw

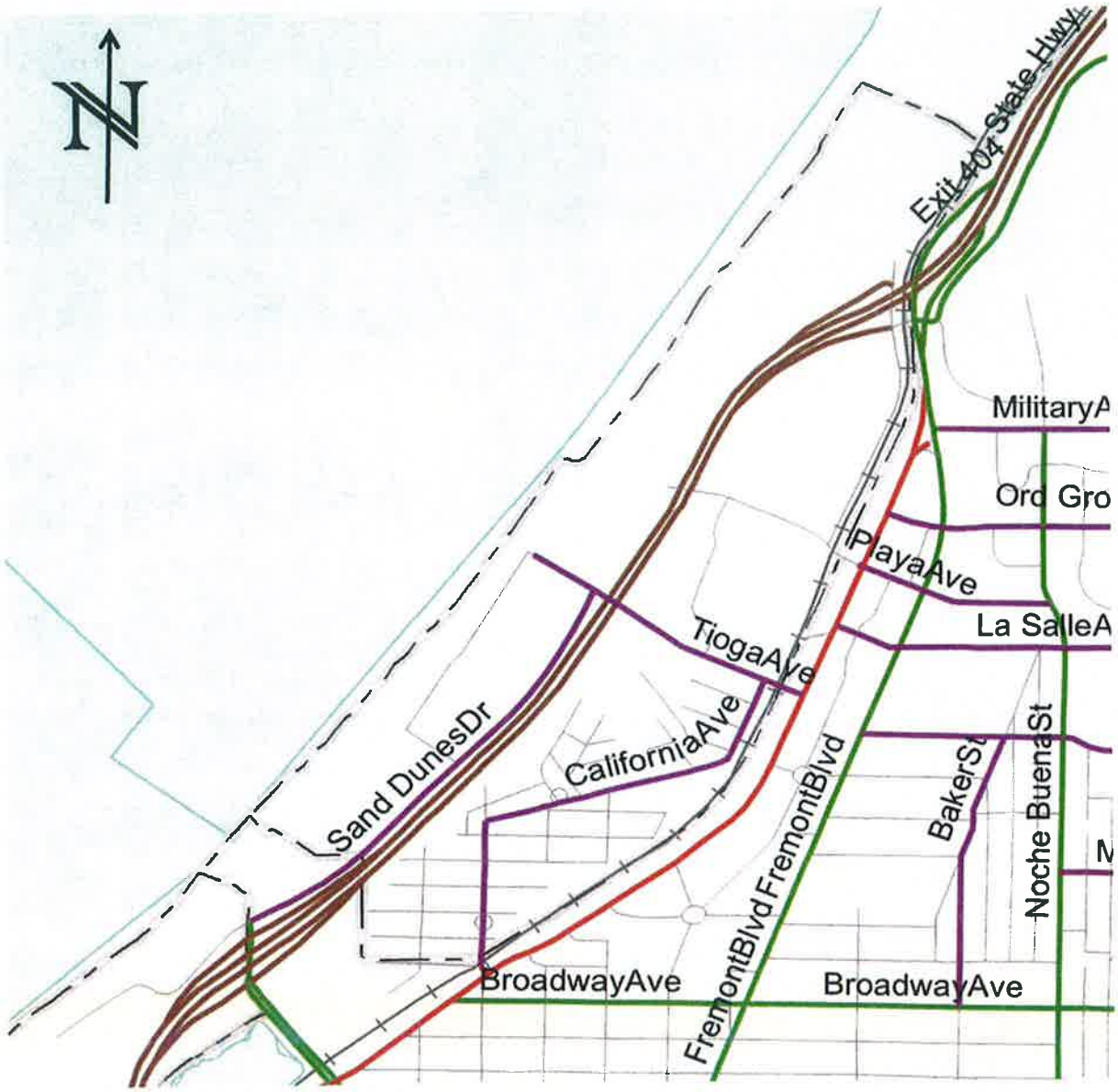
Enclosed

Map Source: Google Maps, 2013

EXHIBIT 1
Locations of Study Roadways

Hatch Mott MacDonald

361596 Exhibits1.xlsx
Vicinity Map



FUNCTIONAL CLASSIFICATION SYSTEM

INTERSTATE	1
OTHER FWY OR EXPWY	2
OTHER PRINCIPAL ARTERIAL	3
MINOR ARTERIAL	4
MAJOR COLLECTOR	5
MINOR COLLECTOR	6
LOCAL	7

Source: California Department of Transportation, 201
http://www.dot.ca.gov/hq/tsip/hseb/crs_maps/

Hatch Mott MacDonald

361596 Exhibits1.xlsx
Road System Map

EXHIBIT 2
California Road System Map
for Sand City

No.	Street	Segment	Direction	Existing Speed Limit (mph)	Median Speed (mph)	Critical Speed (mph)	10 mph Pace Speed	% within Pace	Recommended Speed (mph)
1	Contra Costa Street	Del Monte - End of Road	NB	25	22	25	19-28	87%	25
			SB	25	22	25	17-26	80%	25
2	Redwood Avenue	End of Road (east) - End of Road (west)	EB	25*	19	24	15-24	73%	25
			WB	25*	19	24	13-22	71%	25
3	California Avenue	Contra Costa Street - Sylvan Avenue	EB	25	23	25	18-27	87%	25
			WB	25	23	25	17-26	88%	25
4	California Avenue	Sylvan Avenue - East Avenue	EB	25	25	28	19-28	67%	25
			WB	25	25	29	18-27	79%	25
5	California Avenue	East Avenue - Tioga Avenue	NB	25	26	31	22-31	69%	30
			SB	25	27	30	21-30	77%	30
6	Sand Dunes Drive	City Limits - Tioga Avenue	NB	35	41	47	35-44	71%	40
			SB	35	39	44	35-44	73%	40
7	Tioga Avenue	Sand Dunes Drive - Del Monte Boulevard	EB	25	27	33	25-34	69%	30
			WB	25	29	35	24-33	69%	30
8	Metz Road	Tioga Avenue - Playa Avenue	NB	20	22	26	18-27	83%	25
			SB	20	20	25	17-26	76%	25
9	Playa Avenue	Metz Road - Del Monte Boulevard	EB	25	22	25	16-25	88%	25
			WB	25	22	26	17-26	83%	25
10	California Avenue	Playa Avenue - SB State Route 1 On-Ramp	NB	35	36	40	31-40	81%	40
			SB	35	36	41	32-41	75%	40
11	Catalina Street	Ortiz Avenue - Oympia Avenue	NB	25	22	26	17-26	79%	25
			SB	25	19	25	15-24	75%	25

Notes:
1. NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound.
2. * = No signed speed limit. Listed speed limit is by statute (i.e. "local" streets are 25 mph per California Vehicle Code).

Hatch Mott

EXHIBIT 3
Speed Survey

Agenda Item

4C (5)

Dekra-Lite™
Decoration Innovation

3102 W. ALTON AVE.
SANTA ANA, CA 92704
Phone: (714) 436-0705
Fax: (714) 436-0612

Proposal

PRP062830

TO

City of Sand City
Attn: David Pendergrass
1 Sylvan Park
Sand City, CA 93955
USA
Phone: (831) 394-1386 Fax: (831) 394-2472

SHIP TO

City of Sand City
Attn: David Pendergrass
1 Sylvan Park
Sand City, CA 93955
USA

Customer P.O. Number

Quote Date	10/9/15
Ship Date	11/5/15
Account Rep	Scot Behnke
Ship Via	QUOTED
F.O.B.	Santa Ana
Payment Terms	Net 30
Sales Tax Code	MONTEREY
Customer ID:	SAN130

Line	Product ID	Description	UOM	Qty	Unit Price	Tax	Extended
1	DLIVINYLBANMATTE13	13oz Matte Finish Vinyl Banner	Each	24	$149.00	Y	$3,576.00

30" x 84" Single Holiday Banner, Full color process digital banner printed on 13oz Industrial grade Matte finish vinyl sewn back to back for a total weight of 26oz 3 year no fade warranty
(3) Different Designs Print (8) of the following
Rudolph
Snowy Gifts
Gold Bells

Terms & Payment Notes

Please sign and email or fax to (714) 436-0612

Sub-Total	$3,576.00
Misc. Fees	0.00
Freight	50.00
Discount	0.00
Tax	$272.67
Total	**$3,898.67**

ACCEPTED BY DATE

AUTHORIZED SIGNATURE DATE

NAME

029

Dekra-Lite Terms and Conditions

Warranty: We warranty to the original buyer that all of our displays and accessories will be free from manufacturer's defects. Under normal conditions of use and service, this protection is extended for six (6) seasons on all steel frames, five (5) seasons on garland, three (3) seasons on electrical wiring, and one (1) season on all computerized lighting modules. This warranty does not apply to light bulbs or light strands. Pole Mount displays are designed to withstand up to 40 mph winds with no ice load. Obligation under this warranty is limited to repairing or replacing any part that is found to be defective.

LED Light strands have a warranty for three (3) 60 day seasons or 25,000 hours, whichever comes first. Simply ship the product to us and we will replace the LED Light strand free of charge.

Frame Trees are covered by a ten (10) year warranty against defect under normal conditions and use.

All items not specifically listed are covered by a one (1) season (60 day) warranty.

Under this warranty, the company's obligation to repair or replace is on a non pro-rated basis.

Labor to install and the cost of shipping are not included in this warranty and are expressly in lieu of all other warranties expressed or implied. Bulb burnouts or electrical damage caused by the buyer or weather elements, or damage caused by rough handling in transit are not covered by this warranty. Therefore, units should be inspected and tested for bulb outage upon delivery and prior to installation. All merchandise is carefully inspected before packing and is packed in an approved manner in approved cartons when it leaves the warehouse.

For the purposes of this warranty 1season is defined as one installation and removal for a duration lasting no more than 60 days.

Return Policy: Any returned products under the following conditions will result in a 20% restocking fee and the customer will incur the freight charges: Customer ordered incorrect product. Never opened or used product for its intended purpose. No merchandise returns will be accepted without prior written authorization. Return requests will be accepted for credit if submitted and approved within 30 days of receipt of product.

Acceptance of Merchandise: All claims of merchandise delayed, lost or damaged in transit are the responsibility of the consignee/customer. When accepting shipment, claims of any missing cartons or visible damage must be noted on delivery driver's bill of lading or the receipt of delivery. All claims must be filed with the delivering carrier. Failure to properly file claims may result in refusal of the claim by the carrier.

General Terms: The parties agree to the following additional terms of this contract
This contract is governed by California law and is the entire contract between the parties, superseding all prior conversations and writings between the parties. In the event of a dispute arising out of this Contract, the parties shall arbitrate in Orange County before a single arbitrator selected through J.A.M.S./ENDISPUTE. Any judgement upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. T he prevailing party in arbitration shall be entitled to its reasonable attorney's fees and costs.
A deposit of 50% plus any applicable sales tax is due upon execution of any contract with installation services, custom or special product. The balance is due on the installation date or upon shipping unless specified in payment terms on the proposal/order.
Cancellation and reductions are subject to a 20% restocking fee. Any amount not paid when due, is subject to a late charge of 1.5% per month (18% per annum). All payments are due according to the terms of each individual proposal/order.
Installation: All requested changes to the described work on the proposal/order will be subject to additional charges.
Installation dates are approximate and generally scheduled as a date range. All installation or ship dates specified are subject to change due to inclement weather, acts of God or unforeseen circumstances beyond our control. Changes may occur for reasons including but not limited to, weather conditions, property accessibility, early project completion, or acts of God.
Electrical Requirements: Owner is responsible for providing and maintaining adequate and functional electrical outlets adjacent to the proposed locations for lit decorations, tree lights and building lights. GFI receptacles can, will, and should interrupt power to décor or lighting in the presence of water or heavy moisture sometimes caused by rain, fog, dew, and sprinklers. Wet décor, lighting, outlets and surrounding areas may take several hours after exposure, and in some cases days, to completely dry before receptacles can be reset and power restored. Dekra-Lite is not responsible for outlets that will not reset due to the presence of moisture.
Lighting or décor outages must be reported to our operations department. Dekra-Lite is not responsible for unreported outages that we have never been made aware of.
Dekra-Lite is not responsible for any products damaged or lost due to vandalism, extreme weather conditions, or acts of God. This includes leased product. The owner accepts all responsibility while the décor is installed on their property. Dekra-Lite will make efforts when possible to replace such product for an additional charge.
Storage: Storage charges and dates begin upon removal of décor each year and end November 1st annually. Items not installed must be picked up or have a storage fee paid prior to November 1st of the current year. Unpaid storage or unclaimed items may be discarded without further notice.

Insurance: Our standard liability coverage limits are $2,000,000.00 General Aggregate; 2,000,000.00 Products-Comp/Op Agg.; $1,000,000.00 Personal & Adv. Injury; $1,000,000.00 Each Occurrence; $1,000,000.00 Automobile Liability; $1,000,000.00 Workers' Compensation. Our excess liability coverage limits are $2,000,000.00 General Aggregate; $2,000,000.00 Products-Comp/Op Agg.; $2,000,000.00 Each Occurrence. Other insurance requirements including special language, endorsements or additional coverage may be able to be obtained at the expense of the customer.

Agenda Item

5A

MEETING OF THE

SAND CITY PUBLIC SAFETY COMMITTEE

Thursday, September 3, 2015

MINUTES

LOCATION: Sand City City Hall
1 Sylvan Park
Sand City, CA

COMMENCEMENT: 2:00 P. M.

MEMBERS PRESENT: Todd Bodem
Todd Kruper
Jerry Blackwelder
Chief Ferrante
Linda Scholink

MEMBERS ABSENT: None

ALSO PRESENT: Leon Gomez, and Charles Pooler

1. **CALL TO ORDER:** The meeting was called to order by Committee Member Todd K. at 2:00 P.M.

2. **ROLL CALL:** All members present.

3. **COMMUNICATIONS:** Todd K. opened the floor to public comments. None were taken.

4. **OLD BUSINESS:**

   A. Approval of June 30, 2015 Public Safety Committee Minutes. Motion made by Jerry, seconded by Linda. Motion passed on a unanimous vote 5-0.
   B. Review Structure of the Public Works Department Chief Brian Ferrante gave his review of the current staffing structure of the Public Works Department. He feels the Department is working well with the resources for the projects to date. Within the discussion of past projects, the Committee agreed that the City Engineer would inspect any and all work that must follow Federal and State building code requirements. Through the Planning Department, the City Engineer would be informed ahead of time of the projects and give direction to staff of said building code requirements. Committee member Blackwelder reminded all Committee member that were present, that when in the public eye, all employees reflect an image of Sand City and should always act in a professional manor.

5. **NEW BUSINESS:**

   A. **Post West End Celebration debriefing from Police Department.** Chief Ferrante gave a report of several incidents that the police officers had to deal with and felt the event went off with minimal problems. Committee member Kruper passed on statements from residents of the Independent of how quickly the Public Works Crew cleaned up all

infrastructures involved with the festival.

B. Verbal update and Discussion on previous tasks/priorities:

1. Per City Council request the Public Safety Committee reviewed the option to purchase a street sweeper and perform the work in house. The Committee agreed through consensus that this project should be supported for the cost savings the city would see in the future.

2. Traffic and Retail Surveillance Cameras:
   Chief Brian Ferrante reported on the progress his department has had in collecting information on camera systems for Sand City. Brain also suggested the city look into grant opportunities, and cost sharing with property owners of the two shopping centers in Sand City. PD will continue to look into the traffic portion of this proposal.

3. Survey of city street speeds.
   In progress.

4. Calabrese Park:
   Chief Ferrante gave an update on work that the PW's crew has been performing to bring the park up to safety standards. New railings and stands have been replaced, and work on the steps will soon be completed. All work has been performed in house, saving the City a great deal of money.

5. Police Dept. Locker Room:
   Completed.

6. Sign Mandate:
   This is put on hold waiting state action.

7. Camping ordinance on property East of HY 1:
   No action to date.

8. Homeless update:
   Chief Ferrante has seen a big reduction of camping on the beach and credits having the use of the ATV presence along the beach.

9. State Emergency Response Program:
   In progress.

10. Capital Works project on Hickory:
    The City Engineer stated the base information was being collected to create the file needed for design work to get started.

C. Continuation of "Walking Tour" of Infrastructure Conditions/Needs Assessment:

The Planning Department has again, like in the past, shown the depth and range of understanding of Sand City's streets. Charles Pooler's efforts on how to plan out the city's need to upgrade the streets, intersections, and sidewalks is greatly appreciated by the Committee. His work sets the city at a future advantage for grant opportunities available to all agencies. No walking tour was needed.

6. ADJOURNMENT

Meeting adjourned at 12:40 P.M. Motion made by Jerry, seconded by Linda. Motion passed unanimously by a 5-0 vote. The next scheduled meeting will be October 14, 2015 at 10:00 A.M.

Chairs Notes:

Due to the nature that the Public Safety Committee is a Standing Committee and is guided by "Roberts Rules of Order", any item to be discussed must be agendized and posted.

Respectfully submitted,

Councilmember Todd Kruper
Chair

Agenda Item

5B

Pet Waste

Scoop it, bag it and trash it – even in your yard!

What's the problem?

We have more than 125,000 dogs and 60,000 outdoor cats in Seattle! That amounts to about 50,000 lbs of pet waste every day!

Left on streets, curb strips and in yards and parks, pet waste can be carried by rainwater to storm drains and into our creeks, lakes and Puget Sound without treatment. It is one of the leading causes of bacterial contamination in our streams and causes other water quality problems just like livestock manure and fertilizer.

There are bacteria and micro-organisms in pet waste such as Roundworms, E. coli, and Giardia that can make people sick if they're ingested. Some can last in your yard for as long as four years if not cleaned up. Children who play outside and adults who garden are at greatest risk of infection. If pet waste is washed into the storm drain it ends up in lakes, streams or marine water, and people can accidentally swallow bacteria and other disease-causing organisms while swimming or playing in the water. These bacteria also end up in shellfish, and can make the people who eat them very sick.

Here's the solution

1. Scoop the poop,
2. Put it in a plastic bag,
3. Place it in the trash, and
4. Wash your hands

Did you know?

- 87% of pets use their back yards and 48% of the people in King County say they don't always properly dispose of pet waste at home.
- A single gram of pet waste, the size of a pea, contains 23 million fecal coliform bacteria.

What should I do?

- Put pet waste in a plastic bag, seal it, and throw it in the garbage- not in the yard waste! There are also Mutt Mitt (pdf) dispensers located around the City. The next time you're out walking your pet, take advantage of this free resource to help keep our waterways clean.
- Cat litter should be bagged and placed in the trash. Do not flush it down the toilet.

Get involved

- Purchase a pet waste baggie dispenser and bags for your street. Available online or in pet supply stores (these are not supplied or maintained by the City).
- Spread the word about the importance of picking up pet waste. Print an I Poop poster from the Puget Sound Starts Here website and ask a local business to post it.

What if pet waste isn't picked up?

It's bad for your health, our waterways, and potentially your pocketbook! There are laws in Seattle to protect our health and our environment which require pet waste to be picked up and disposed of properly.

SMC 9.25.082
(A) Allowing the accumulation of feces (civil infraction, $109.00 fine)
(B) Not removing feces from another's property (civil infraction, $54.00 fine)
(C) Not having equipment to remove feces (civil infraction $54.00 fine)

SMC 9.25.081
(G) Keeping an animal in unsanitary conditions (criminal – animal cruelty, maximum $1,000 fine)

SMC 18.12.080
(C) In Parks: Failure to carry equipment for removing feces OR failure to place feces in appropriate receptacle. (civil infraction, maximum $54 fine)

Related links

Off-Leash Areas
Seattle Animal Shelter
Look It Up Tool – How to dispose of pet waste
Public Health of Seattle & King County – Infectious diseases spread from animal to humans
Puget Sound Starts Here – Get involved in improving the health of the Puget Sound
City of Seattle Stormwater Management Program

Model Ordinance - Pet Waste

Ordinance # [ ] - Pet Waste

SECTION I. Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in **[insert name of municipality]**, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Immediate – shall mean that the pet solid waste is removed at once, without delay.

b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement

f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal. [Disposal into a stormdrain or stormwater system is strictly prohibited. From Morris, NJ ordinance, full reference below]

SECTION III. Requirement for Disposal:

1All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION IV. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

SECTION V. Enforcement: The provisions of this Article shall be enforced by the **[Police Department and the Local Board of Health]** of **[insert name of municipality]**.

SECTION VI. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed **[insert amount]**.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void,

or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ALL OF WHICH IS ADOPTED this _____ day of ____, 200_, by the _____.

2

Model ordinance based on NJ Model Pet Waste Ordinance:

http://nj.gov/dep/stormwater/tier_A/pdf/pet%20waste%20ordinance.pdf accessed February 5, 2006

Annotations:

Operation and Maintenance Program for the Prevention and Reduction of Pollution in Storm Water Runoff From Municipal Operations within the city of {Municipality Name}, St. Louis County, Missouri, February 2005, Adopted {date} Appendix 2-F6: Model – Animal Waste Ordinance

6.06.030 Possession of Removal Equipment. It is unlawful for the owner or handler of any animal to fail to have in their possession the equipment necessary to remove their animals' fecal matter when accompanied by said animal on public property or public easement, or private property of another.

6.06.040 Set Aside Areas. The above prohibitions shall not extend to areas set aside and designated by the city as areas where animals can be off-lease for exercise or training.

Ordinance #1-05, Chapter 99A Pet Waste, Township of Morris NJ – http://www.morristwp.com/ord-petwaste.asp accessed January 31, 2007

Section III. Requirements for Disposal: "...On any property owned or possessed by that person, all pet owners and keepers are required to properly dispose of their pet's solid waste at a frequency of at least weekly or more frequently if necessary to prevent a public health nuisance."

Section VI. Violations and Penalty: "....for each offense, together with the costs of prosecution. A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues."

North Kingstown code of ordinances, Chapter 3 ANIMALS, http://www.municode.com/ accessed 1/21/07

Sec. 3-23. Removal of dog feces. (a) *Required.* It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by such person's dog on any sidewalk, street or other public area. It shall, further, be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by such person's dog on any private property neither owned nor occupied by the person. (b) *Duty to possess means of removal.* No person who owns, possesses or controls a dog shall appear with such dog on any sidewalk, street, park or other public area without the means of removal of any feces left by such dog. Furthermore, no person who owns, possesses, or controls such dog shall appear on any private property neither owned nor occupied by such person without the means of removal of any feces left by the dog.

3

(c) *Method of removal and disposal.* For the purpose of this section, the means of removal shall be any tool, implement or other device carried for the purpose of picking

up and containing such feces, unexposed to such person or the public. Disposal shall be accomplished by transporting the feces to a place suitable and regularly reserved for the disposal of human feces, to a place specifically reserved for the disposal of dog feces, or to a place so designated as appropriate by the department of public works. (d) *Fines for violation.* Violation of this section shall be punishable by a fine not exceeding: (1) $10.00 for the first offense; (2) $25.00 for the second offense within a year of the first offense; and (3) $50.00 for the third and any subsequent offenses within a year of the first offense. Fines to be recovered by action of debt or by complaint or warrant, to use as the town council may prescribe. (e) *Exemption.* This section shall not apply to a licensed dog accompanying any handicapped person who, because of such person's handicap, is physically unable to comply with the requirements of this section. (Ord. No. 96-13, § 1, 7-8-1996; Ord. No. 03-06, § 3, 5-12-2003)

The Codified Ordinances of the City of Newport, Rhode Island, Chapter 6.08. ANIMAL CONTROL REGULATIONS, 6.08.050. Restraint of animals.

F. No person having control of an animal shall knowingly permit the same to defecate in or upon any sidewalk, public place, park or building, or in or upon any part of a building used by or open to the public, or upon the property of a person other than the owner of such animal. Any person having control of an animal which defecates in or upon any sidewalk, public place, park or building, or in or upon any part of a building used by or open to the public, or upon the property of a person other than the owner of such animal, shall forthwith remove the feces.

2. Any person who brings into an off-leash site shall: a. Carry materials and implements for removing and disposing of *dog* excreta and remove all excreta deposited by the *dog* in the off-leash site, in compliance with Section 6.08.050;

4

Purpose.
The purpose of this Ordinance is to educate the public and promote public health and welfare relating to the removal of dog waste from public property or the private property of another, as defined herein.
Section 2: Definitions.
When used in this Ordinance, the following words, terms, and phrases, and their derivations shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:
DOG shall mean any member of the canine species, male, female, neutered male or spayed female.
OWNER shall mean any person or persons, firm, association, partnership, LLC or corporation having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or having property rights to a dog, or in the case of a person under the age of 18, the person's parent or legal guardian. A dog shall be deemed to be harbored if it is fed or sheltered for three (3) or more consecutive days.
PUBLIC PROPERTY shall mean town-owned parks, recreation areas, playing fields, school grounds, sidewalks, easements, rights-of-way, and the traveled portion of public streets and roads.
PRIVATE PROPERTY OF ANOTHER shall mean property of any person or persons, firm, association, partnership, LLC or corporation, other than property of the owner or of the owner's family.
Section 3: Removal of Dog Waste.
If any dog shall defecate upon any public property, or the private property of another, the owner of said dog shall immediately remove or cause to be removed from the property all feces deposited by said dog. If such feces are not removed, then the owner of said dog shall be deemed in violation of this Ordinance.
Section 4: Penalty.
Violations of this Ordinance shall be punishable by fine. The fine shall be in an amount of $50 for each violation. If said fine is not paid within 30 days of issuance or, if a hearing is requested, within 30 days of a decision sustaining the violation, then the amount of fine shall be doubled.Section 5: Guide Dogs Excepted.
The provisions of this Ordinance do not apply to a guide dog when walked by an unaccompanied blind person.
Section 6: Enforcement.
The provisions of this Ordinance are designated for enforcement in accordance with Sections 7-148 and 7-152c of the Connecticut General Statutes as amended. The Town of Wilton may institute civil proceedings to enforce the provisions herein contained.
Section 7: Hearing Procedure.
Pursuant to the provisions of Section 7-152c of the Connecticut General Statutes, as amended, the Town of Wilton hereby adopts the provisions authorized by Section 7-152c and establishes a hearing procedure as follows:
(a) Hearing Officers. The First Selectmen shall appoint one (1) or more Hearing Officers. No person who serves as a police officer, member of the Police Commission, employee of the police department or person who issues citations shall serve as a Hearing Officer.
(b) Notice of Citation. The municipality, acting by the First Selectmen or the First Selectman's designee, shall at any time within twelve (12) months from the

expiration of the final period for uncontested payment of a fine, penalty, cost or fee for any citation issued under this Ordinance shall send notice to the person cited. Such notice shall contain the following information:

(1) The allegations against the person cited, together with the amount of the fines, penalties, costs, or fees due.

(2) The fact that the person may contest his or her liability before a Hearing Officer by delivery in person or by mail of a written notice within ten (10) days from the date of the notice.

(3) That if a hearing is not demanded, an assessment and judgment shall be entered against the person cited.

(4) Any such judgment may issue without further notice.

(c) If an individual cited wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs and fees admitted to, in person or by mail, to an official designated by the First Selectman. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment.

(d) Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the first notice, shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond
to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances.

(e) Any person who requests hearing within the time specified in this Ordinance shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) nor more than thirty (30) days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation shall be filed and retained by the municipality. The notice shall be deemed to be a business record within the scope of Section 52-180 of the Connecticut General Statutes and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if the accused so requests. A person wishing to contest his or her liability shall appear at the hearing and may present evidence on his or her own behalf. A designated municipal official, other than the Hearing Officer, may present evidence on behalf of the municipality. Any person who fails to appear may be defaulted and an assessment by default entered against him or her upon a finding of proper notice and liability under applicable statutes or ordinances. The Hearing Officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he or she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his or her decision at the end of the hearing. If the Hearing Officer determines that the person is not liable, he or she shall dismiss the matter and enter the determination in writing. If the Hearing Officer determines that the person is liable for the violation, he or she shall enter and assess the fines, penalties, costs or fees against such person.

(f) Notice of Assessment. If the assessment is not paid on the date of its entry, the

Hearing Officer shall send by first class mail a notice assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice assessment with the Clerk of the Superior Court facility designated by the Chief Court Administrator within the boundaries of the Judicial District in which the municipality is located, together with an entry fee of $8.00. A certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve (12) month period assessment against the same person may be accrued and filed as one record of assessment. The Clerk of the Superior Court shall enter judgment in the amount of such record of assessment and Court costs of $8.00 against such person in favor of the municipality. Notwithstanding any other provision of the Connecticut General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the affect of a civil money judgment and a levy of execution on such judgment may be made without further notice to such person.

(g) Appeal. There shall exist a right of appeal in favor of any person against whom an assessment has been entered pursuant to the provisions of this Ordinance. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52- 259 of the Connecticut General Statutes in the Superior Court designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Superior Court.

Agenda Item

5C

CITY & COUNTY OF SAN FRANCISCO

Mobile Storage Container Site

A mobile storage container permit is required to occupy any part of the street or sidewalk with a mobile storage container. Permits are issued directly to authorized companies and are not available to the general public. Article 15 Section 726 (PWC).

A mobile storage container is a temporary facility that may be placed, may occupy the public right-of-way and used by property owners or tenants for short-terms storage of items, including, but not limited to: clothing, equipment, goods, household/office fixtures or furnishings, materials, and merchandise. The containers shall be used only for the purpose of loading and transporting the items specified above.

Placement of Containers

A **mobile storage container** shall be placed in the roadway area of the right-of-way, level with the existing street grade/slope and parallel to the curb with its outer edge no more than eight feet from the face of the curb. The container shall not occupy more than the designated parking lane width along the frontage of the subject property. Its placement shall also be subject to all existing parking regulations unless specifically exempted from compliance therewith by written approval of the Director of Public Works. Further, no mobile storage container shall be placed in the sidewalk area without permission of said Director. A minimum clear path of travel for pedestrians of four feet shall be maintained at all times on sidewalks. In commercial areas and/or in other areas with a high volume of pedestrians, a minimum six foot path of travel shall be provided and maintained.

Insurance and Bond Requirements

All mobile storage container operators shall file and maintain a **performance bond** in the minimum amount of $25,000 with Public Works. All operators are also required to maintain and submit proof of General Liability Insurance in the minimum amount $2,000,000, naming the City and County of San Francisco as additional insured on the policy(ies).

Required Permits

All companies operating and providing mobile storage containers, who plan to locate them in the public right of ways, shall obtain an annual permit from Public Works. The permits will allow the holder to place a container in the public right of way subject to provisions of Section 726. An applicant for an annual permit shall submit to Public Works a written request for a permit no sooner than 15 days prior to the first day of occupancy of the public right of way with a mobile storage container. The application shall contain the name of the company or individual seeking the annual permit, local contact information, an annual permit fee of $500.00, the deposit set forth in Section 726.3, and any other information specified in this departmental order or other regulations.

Annual mobile storage container permits may be obtained at :

Bureau of Street-Use & Mapping (BSM)
1155 Market Street, 3rd Floor
San Francisco, CA 94103
Telephone (415) 554-5810

Individual Location Permit

An individual location permit may be obtained for each mobile storage container that is proposed to be placed within the public right of way. Only annual permit holders may apply for individual location permits.

1. Said permit holders shall submit a written request to Public Works no later than three days prior to occupancy of the public right of way with a mobile storage container at a specific location with the following information :
   - Name of the annual permit holder
   - Local contact information for the permit holder
   - Proposed location of the mobile storage container(s)
   - Name and contact information for the property owner or tenant who will use the container
   - Any other information specified in this departmental order or other regulations
2. The individual location permit fee shall be as specified in the fee schedule per day of occupancy. When the permit is to be issued for a period not to exceed 24 hours, or for the first three days of occupancy, said fee(s) may be paid separately for each individual location permit or deducted from the deposit.
3. No individual location permit shall be issued for a period that exceeds seven days.
4. The property owner shall apply for a Temporary Occupancy Permit and post "No Parking" signs at least 72 hours in advance for the occupancy of the public right of way.

The director, in his or her discretion, may approve, conditionally approve or disapprove a Mobile Storage Container Permit.

The director's decision on an annual permit shall be appealable to the Board of Appeals.

Other Requirements:

- A valid registration number or permit shall be affixed to either end of the mobile storage container.

- Debris boxes shall be placed in the roadway area parallel to the curb with its outer edge no more than 8 feet from the face of the curb.
- No mobile storage container or debris box shall be placed within the public right of way without prior approval from Public Works. No container shall be delivered, placed or removed in a residential area between the hours of 7:00 pm and 6:00 am.
- Four reflective type warning devices, each having a red reflecting area of at least 3 inches in diameter shall be installed on the exterior ends of each container. The reflective device shall be placed so that one device shall be located near each edge that abuts the side of the box and shall be no less than 24 inches or more than 45 inches from the ground level. Both ends of each box shall be painted entirely in 4-inch wide alternate diagonal striping with a color to be approved by Public Works.
- All contents of a mobile storage container shall be completely covered at all times while being transported.
- The owner's name, address, telephone number and debris box identification number shall be clearly printed on both sides of each box.
- Advertisement on any box is strictly prohibited.
- Mobile storage containers shall be locked and covered at all times unless contents are being removed or added to the container.
- All mobile storage containers shall be governed by existing parking and traffic regulations, including but not limited to: tow-away zones, accessible curb ramps, bus stops, blue zones for disability parking and fire hydrants. If the SFMTA Blue Book requirements cannot be satisfied, you will need to obtain a Special Traffic Permit from SFMTA, located at 1 South Van Ness Ave.,7th Floor San Francisco, telephone: (415) 701-4500.
- Upon registration, the registrant(s) and all agents of the mobile storage container companies shall be bound by the Public Works Code and all other applicable laws, codes and ordinances.
- By acceptance of each registration number and/or permit number issued for a debris box and/or mobile storage container , this shall bind the owner of the debris box and/or mobile storage container to indemnify and hold harmless the City and County of San Francisco, its officers, agents and employees.
- An individual location permit sign shall be posted on the street-facade of each storage container. The sign shall include the name of the annual permit holder, a 24-hour local contact person and telephone number for the permittee; the name and address of the property owner or tenant who is renting the storage container, the duration of the permit, including the starting and completion dates, a geographic description of the public right of way occupied under the permit, the annual and individual location permit numbers, and the Public Works Street Space hotline telephone number. All information contained on the sign shall be legible. An additional sign shall be posted on the storage container's side that faces the fronting property. This informational sign shall also include the 24-hour local contact person and telephone number for the permittee and Street Space hotline. Public Works shall provide sign templates for each annual permit holder. It shall be the responsibility of the annual permittee to insert the required information, mount the sign, keep the sign posted during the entire term of the permit, and ensure proper maintenance of the sign.

Violations and Penalties
Violations of may result in a financial penalty. Non-conformance to any related City regulation may result in the revocation of the annual and/or individual permits.

Failure to comply with the rules and regulations of this order are deemed as violations, and may be subject to the issuance of Notice of Violations and associated penalties.

Violations may include, but are not limited to:

1. Placement of container in restricted traffic street zones shall result in a $1,000/day fine and/or cost of removal.
2. Placement of the container on a sidewalk area without special permits shall result in a $1,000/day fine and/or cost of removal.
3. No permits posted on mobile storage container shall result in a $100/day fine, plus the cost of a seven-day permit
4. Absent or missing registration number on Mobile Storage Container shall result in a $1,000/day fine.
5. Mobile Storage Container with missing or damaged reflectors or safety striping shall result in a $1,000/day fine.
6. Failure to notify Public Works prior to placement of a mobile storage container in the right of way shall result in a $1,000/day fine.
7. Failure to pay fines may result in the following penalties: invalidation of all current permits held by the debris box and/or mobile storage container permittee(s).

Removal of mobile storage containers:

The Director of Public Works is authorized to order the immediate removal of a mobile storage container when, in his or her opinion, the storage container constitutes a safety hazard or public nuisance, or when the presence of an emergency requires removal. Upon the Director's notification of the removal, the responsible annual permit holder or person(s) shall immediately remove the storage container from the right of way. If the permittee or person(s) do not remove the storage container immediately, the Director may order Public Works to remove the container. The permittee or person shall pay Public Works for the costs of removal. If a permittee does not pay such cost, the Director shall deduct said cost from the permittee's deposit. No mobile storage container shall be placed at that location until all the conditions, which have caused the removal of said container, have been abated to the satisfaction of the Director. In addition, any use of the mobile storage containers that is inconsistent with Public Works Code Sections 726 et seq. shall be grounds for immediate removal.

Fees
Mobile storage container permits are issued on a per-day (per container over three days) basis and include SFMTA meter fees. A processing fee shall be applied to any permit requiring modification. See the fee schedule for updated fees. Any requested permit shall be submitted a minimum of 72 hours in advance of the proposed occupancy.

Violations
Violations of Public Works Code may result in the imposition of a financial penalty. Nonconformance to any related City regulation may result in the revocation of the permit. Violations of these requirements may be subject to financial penalties of up to $1,000 per day.

Mobile Storage Container Companies

- ABF Freight Systems, Inc. / U-Pack Moving (800) 240-7422 | http://www.upack.com
- Door To Door (888) 366-7222 | http://www.doortodoor.com
- PODS, Inc (877) 770- 7637 | http://www.pods.com
- Pack Rat of California LLC Fremont (800) 722-5728 | http://www.1800packrat.com
- Cool Box Portable Storage (888) 943-8266 | http://getacoolbox.com

An applicant shall submit a written request no sooner than 15 days prior to initiation of the first occupation of the public right-of-way with a mobile storage container. The request shall contain the name of the company, local contact information, and any other information specified in department orders or regulations.

For more information on how to become an authorized agent:

SF Public Works • Bureau of Street-Use & Mapping

1155 Market Street, 3rd Floor • San Francisco, CA 94103 - map

Telephone : (415) 554-5810 • Monday-Friday

Operating Hours : 8:00am-5:00pm

Permit Processing Hours : 7:30am-4:00pm

City and County of San Francisco

Large Vehicles

Santa Monica has a number of regulations to help manage the presence of large vehicles on city streets. In particular:

- Vehicles exceeding a width of eight feet, a height of eight feet, or a length of twenty feet are prohibited from parking on any City street or alley between 9:00 PM and 6:00 AM [SMMC 3.12.860].
- Commercial vehicles exceeding a width of eight feet or a height of eight feet are prohibited from parking in residential areas at any time, except in the event of an emergency or for the purpose of loading and unloading [SMMC 3.12.870].
- Unattached trailers are prohibited from being parked on any City street or alley at any time, unless in the process of being loaded or unloaded [SMMC 3.12.880].

Oversize Permits

Various types of permits are offered to allow temporary parking of oversized vehicles or equipment on City streets.

- Temporary No Parking Signs are issued by the Strategic & Transportation Planning Division for the purpose of reserving on-street parking spaces for moving trucks, when off-street parking or loading spaces are not large enough.
- Storage containers (e.g., PODS) require a Use of Public Property Permit from the Public Works Department.
- Residents may request an Overnight Oversize permit from Parking Operations to temporarily park a non-commercial recreational vehicle in residential areas.
- Any vehicle or its load that is wider, taller, longer or heavier than specified thresholds is considered oversized and must have an Oversize Load Permit from Transportation Engineering and Management.
- Physically moving a house requires a House Moving Permit from the Strategic & Transportation Planning Division.

Walking

Walking in Santa Monica
Safety & Education
Maps & Organizations

Biking

Biking in Santa Monica
Lanes, Facilities, & Parking
Safety & Education
Maps & Organizations
Bikeshare

Driving & Parking

Parking in Santa Monica
Where to Park
Pay or Contest Citation
Enforcement Information
Electric Vehicles
Large Vehicles
Car Share
Tour Bus Parking Program
Valet Parking Permits

Public Transportation

Buses, Trains, & More!

Vehicles for Hire

Taxi Cabs & Operators

Transportation Services

Shuttles

Employers

Ordinance 1604
Documents & Forms

Developers

Development Standards
Transportation Impact Fee
Temporary Traffic Control Plans
Auto Dealerships