

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING CHAPTER 11.40 OF TITLE 11 OF THE SAN JOSE MUNICIPAL CODE TO ADD SECTION 11.40.025 TO DEFINE PARKING METER, AMEND SECTION 11.40.200 TO REVISE THE BOUNDARY OF THE DOWNTOWN BUSINESS PARKING METER DISTRICT, ADD SECTION 11.40.250 TO ESTABLISH THE ARENA/DIRIDON AREA PARKING METER DISTRICT, AND TO AMEND SECTIONS 11.40.350, 11.40.370, 11.40.380, 11.40.390, 11.40.400 AND 11.40.420 TO UPDATE THE PARKING METER PROVISIONS TO INCLUDE MULTIPLE SPACE PARKING METERS OR PAY STATIONS**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Chapter 11.40 of Title 11 of the San José Municipal Code is hereby amended to add a section to be numbered, entitled and to read as follows:

**11.40.025 Parking Meter**

“Parking Meter” shall mean any single-space parking meter, multiple space parking meter, pay station, or any other equipment installed by the Director pursuant to this Chapter for the collection of payment to park in any designated metered parking space.

SECTION 2. Section 11.40.200 of Chapter 11.40 of Title 11 of the San José Municipal Code is amended to read as follows:

**11.40.200 Downtown Business Parking Meter District**

A. There is established a Downtown Business Parking Meter District, which also shall be known as Parking Meter District No. 1(a).

B. The Downtown Business Parking Meter District shall consist of all streets within and including the following boundaries:

Beginning from the northeast corner of East Julian Street and North Fifth Street, heading southward along the east side of North Fifth Street to the northeast corner of Fifth and East St. John Street, then heading eastward to include the north side of East St. John Street to the centerline of North Tenth Street at St. John Street, then heading southward along the centerline of Tenth Street until the centerline of East San Carlos Street at the intersection of East San Carlos Street and Tenth Street, then heading westward along the centerline of San Carlos Street (through San José State University along the abandoned centerline of East San Carlos Street) to the intersection of West San Carlos Street and Delmas Avenue, and then heading northward along the west side of Delmas Avenue to the ~~north side of West Santa Clara Street, then northwest corner of West Santa Clara Street, then heading eastward along the north side of West Santa Clara Street to the Guadalupe River, then heading northbound along the east bank of Guadalupe River to the north side of West Julian Street, heading eastward along the north side of West Santa Clara Street to the west side of North River Street, then heading northward along the west side of North River Street to the north side of West Julian Street,~~ then heading eastward along the north side of West Julian Street to the ~~east side of Highway 87, but not including Highway 87, then heading northward along the east side of Highway 87, but not including Highway 87, to the north side of west side of North Almaden Boulevard, then heading northward along the west side of North Almaden Boulevard to and adjacent to the Guadalupe Expressway to the north side of~~ Bassett Street, then heading ~~west~~eastward along the north side of Bassett Street to North First Street, then heading southward along the east side of North First Street to Julian Street then heading eastward along the north side of Julian Street to the point of origination.

SECTION 3. Chapter 11.40 of Title 11 of the San José Municipal Code is hereby amended to add a section to be numbered, entitled and to read as follows:

**11.40.250 Arena/Diridon Area Parking Meter District**

A. There is established a Arena/Diridon Area Parking Meter District, which also shall be known as Parking Meter District No. 5.

- B. The Arena/Diridon Area Parking Meter District shall consist of all streets within and including the following boundaries:

Beginning at the northwest corner of Bassett Street and Highway 87, but not including Highway 87, then heading westward along the north side of Bassett Street to Cinnabar Street, then continuing along the north side of Cinnabar Street westward to the intersection of Stockton Avenue, then heading southbound along the west side of Stockton Avenue to the southwest corner of White Street and The Alameda, then southbound along the west side of White Street to West San Carlos Street, then eastbound along the south side of West San Carlos Street to Delmas Avenue, then northbound along the west side of Delmas Avenue, but not including Delmas Avenue, to the northwest corner of West Santa Clara Street, then heading eastward along the north side of West Santa Clara Street, but not including West Santa Clara Street, to the Guadalupe River, then northbound along the west bank of Guadalupe River to the north side of West Julian Street, but not including West Julian Street, then eastbound along the north side of West Julian Street, but not including West Julian Street, to the west side of Highway 87, but not including Highway 87, to the northeast corner of Bassett Street and Highway 87, but not including Highway 87.

SECTION 4. Section 11.40.350 of Chapter 11.40 of Title 11 of the San José Municipal Code is amended to read as follows:

**11.40.350 Designated Parking Spaces**

- A. The Director shall have lines or marks painted upon each curb or street next to each single-space parking meter, designating the parking space for which the meter is to be used. Each vehicle parked next to any single-space parking meter shall park within the designated lines or markings.

- B. The Director shall have lines or marks and space numbers painted upon each curb or street next to each metered parking space associated with a multiple space parking meter or pay station, designating the parking space for which the payment for parking is to be made. Each vehicle parked in any designated metered parking space area shall park within the designated lines or markings.

**BC.** No person shall park any vehicle across any line or marking, or park a vehicle in such a position that it shall not be entirely within the space designated by the lines or markings, except where otherwise provided.

**SECTION 5.** Section 11.40.370 of Chapter 11.40 of Title 11 of the San José Municipal Code is amended to read as follows:

**11.40.370 Parking Meter Funds**

The ~~coins-payments~~ deposited in ~~p~~Parking ~~m~~Meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation, control and inspection of traffic upon the public streets, including the alleviation of traffic congestion by means of establishment and operation upon the public streets of parking meters for the purpose of controlling, limiting and regulating the time for the use of streets for public parking.

**SECTION 6.** Section 11.40.380 of Chapter 11.40 of Title 11 of the San José Municipal Code is amended to read as follows:

**11.40.380 Parking Time Limit Prohibition**

**A.** No person shall cause or permit any vehicle registered in his or her name or operated or controlled by him or her to be parked in any parking space upon any street within a ~~p~~Parking ~~m~~Meter ~~d~~District next to which a ~~p~~Parking ~~m~~Meter is established, for more than the time indicated by proper signs placed in such ~~p~~Parking ~~m~~Meter ~~d~~District indicating the maximum parking time allowed in such parking space, or any time during which such ~~Parking~~ ~~m~~Meter is displaying a signal or message indicating that the space is illegally in use, ~~except during:~~

**B.** \_\_\_\_\_

~~1. The time necessary to insert money in the meter;~~

~~2. The time between six p.m. of any day and nine a.m. on the following day;~~

~~3. All Sundays;~~

~~4. All legal holidays.~~

~~B. Notwithstanding the above provisions, the Director is authorized to vary parking meter time limits in the vicinity of the United States Post Office branch, which is situated on North First Street, and the Japantown Neighborhood Business Parking Meter District, by posting appropriate signs specifying applicable parking meter time limits.~~

SECTION 7. Section 11.40.390 of Chapter 11.40 of Title 11 of the San José Municipal Code is amended to read as follows:

**11.40.390 Payment of Meter Charges**

A. When any vehicle shall be parked in any parking space alongside of or next to which a single-space parking meter is located in accordance with the provisions of this Chapter ~~or and Title 11 any other provision of this Code~~, the operator of the vehicle, upon so parking, shall immediately deposit one or more five-cent, or one or more ten-cent, or one or more twenty-five-cent, or one-dollar coins of the United States in such parking meter, or any other authorized method of payment, and then turn the operating key, if applicable, of the meter in a clockwise direction to the extent allowed by the proper operation of the meter.

~~B. When any vehicle shall be parked in any parking space associated with a multiple space parking meter or pay station established in accordance with the~~

provisions of this Chapter or any other provision of this Code, the operator of the vehicle, upon so parking, shall immediately deposit currency of the United States in denominations indicated on the multiple space parking meter or pay station or by other payment methods as identified on the multiple space parking meter or pay station.

SECTION 8. Section 11.40.400 of Chapter 11.40 of Title 11 of the San José Municipal Code is amended to read as follows:

**11.40.400 Depositing Slugs, Counterfeit Bills, or Other Unauthorized Payment Prohibited**

No person shall deposit in any pParking mMeter any slug, device or metallic substitute for a coin of the United States, counterfeit currency of the United States, or other unauthorized payment; provided, however, that should tokens or tickets be issued to officers and employees of the City, to be used by them while engaging in official business on behalf of the City, a deposit of such official token or ticket in any pParking mMeter shall not be deemed to be a violation of the provisions of this Section.

SECTION 9. Section 11.40.420 of Chapter 11.40 of Title 11 of the San José Municipal Code is amended to read as follows:

**11.40.420 Parking Citation**

Each person authorized to enforce the parking laws of the City shall take the number of any Parking Mmeter and designated metered parking space number, if applicable, at which any vehicle is overparked, the state vehicle license of such vehicle, the time and date of such overparking, and the make of the vehicle, and issue, in writing, a citation for illegal parking.

RD:JVP:ERD  
9/1/09

PASSED FOR PUBLICATION of title this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk