

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE TO AMEND SECTIONS 10.04.090
(GENERAL), 10.16.020 (PARKING REGULATIONS),
10.36.065 (LOADING AND SPECIAL ZONES), AND
10.56.140 (BICYCLES), OF TITLE 10 (VEHICLES AND
TRAFFIC) OF THE SUNNYVALE MUNICIPAL CODE**

WHEREAS, the City of Sunnyvale desires to amend certain sections of Title 10 of the Sunnyvale Municipal Code relating to vehicles and traffic.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 10.04.090 AMENDED. Section 10.04.090 of Chapter 10.04(Bicycles) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

10.04.090. Traffic direction by unauthorized person prohibited. No person other than an officer of the public safety department or a person ~~deputized~~ authorized by the director of public safety, or other person authorized by law, including, but not limited to, certain trained employees of the department of public works and the department of environmental services, as referenced in Section 10.04.092, shall direct or attempt to direct traffic by voice, hand or other signal, except that persons may operate when and as herein provided any mechanical pushbutton signal erected by order of the city traffic engineer.

SECTION 2. Section 10.16.020(b) AMENDED. Section 10.16.020 of Chapter 10.16 (Parking Regulations) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

10.16.020. Signs or markings indicating restricted stopping, standing or parking.

(a) [Text unchanged].

(b) When appropriate signs or curb markings are in place, it is unlawful for any person to stop, stand or park a vehicle in violation of any ~~legible-such~~ sign or curb marking.

(c) [Text unchanged].

(d) [Text unchanged].

SECTION 3. Section 10.36.065 AMENDED. Section 10.36.065 of Chapter 10.36 (Loading and Special Zones) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

10.36.065. Disabled parking zones—Parking restricted.

(a) [Text unchanged].

(b) It is unlawful for any person to park a vehicle ~~within three feet of any sidewalk access ramp which has been constructed adjacent to a crosswalk so as to be accessible to and usable by the physically disabled. in front of, upon, or within three feet of that portion of a curb that has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk.~~

SECTION 4. Section 10.56.140 AMENDED. Section 10.56.140 of Chapter 10.56 (Bicycles) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

10.56.140. Riding on sidewalks and overhead pedestrian crossings—Prohibited.

(a) It is unlawful for any person to ride or operate a bicycle, motor driven cycle or motor scooter upon any sidewalk.

~~(b) It is unlawful for any person to ride or operate a bicycle, motor driven cycle or motor scooter or upon any overhead pedestrian crossing over any street, or on a roadway, state highway or state freeway that is signed for pedestrian use only within the city. except as provided herein Children under the age of thirteen years must walk their bicycles upon any overhead pedestrian crossing that is signed for pedestrian use only.~~

~~(bc)~~ Notwithstanding the provisions of subsections (a) and (b), ~~C~~children under the age of thirteen years or persons sixty-two years of age or older may ride and operate their bicycles in single file upon any sidewalk, except sidewalks adjacent to schools, store buildings or other buildings used for commercial purposes, subject to their exercising due care and giving any pedestrian the right-of-way. Any individual regardless of age may ride a bicycle on a sidewalk if riding upon the adjacent street would place the cyclist in an unsafe situation.

(d) This section shall not apply to members of the Sunnyvale Department of Public Safety while engaged in their official duties.

SECTION 5. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 6. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 8. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney