

TOWN OF SAN ANSELMO

ORDINANCE NO. 802

AN ORDINANCE AMENDING CHAPTER 5, TITLE 3; CHAPTER 2,  
TITLE 5; CHAPTERS 1, 3, 4 & 5, TITLE 7 and TITLE 1 OF  
THE SAN ANSELMO MUNICIPAL CODE

The Town Council of the Town of San Anselmo does hereby ordain the following changes to the San Anselmo Municipal Code:

SECTION 1. Amendments to Title 3 (Public Safety) Chapter 5 (Traffic):

Section 3-5.206 (Traffic Engineer: Designation) is hereby amended to read as follows:

The Office of Traffic Engineer is hereby established. ~~The Chief-of-Police~~ Director of Public Works shall serve as Traffic Engineer ~~in-addition-to-his-other-functions and-shall-exercise-the-powers-and-duties-with-respect to-traffic-as-provided-in-this-chapter.~~

Section 3-5.208 (Traffic Engineer: Authority & Power) is hereby repealed.

New Section 3-5.208 is hereby added:

Section 3-5.208. Traffic Safety Committee

There is hereby established a Traffic Safety Committee. Membership shall consist of the Chief Administrative Officer, Chief of Police, and Traffic Engineer. It shall be the duty of this committee to review requests for traffic control devices from Town staff and members of the public. Duties shall include location, relocation and removal of street signs and markings; designation of no parking zones; establishment of limited time parking zones; loading zones, bus zones, and other special parking areas; designation of through streets; establishment of turning movement restrictions; recommend establishment of one-way streets; and such other similar traffic-related items as the Chief Administrative Officer may designate.

Decisions of the Traffic Safety Committee may be appealed to the Town Council in accordance with Title 1, Chapter 4 of the San Anselmo Municipal Code.

Section 3-5.404 (Installation of Traffic Signals) is hereby amended to read as follows:

(a) Upon approval of the Traffic Safety Committee, the Traffic Engineer is hereby authorized to install and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve congestion or to protect life or property from exceptional hazard.

(b) The Traffic Engineer shall ascertain and determine the locations where such signals are required by resort to field observation, traffic counts and other traffic information as may be pertinent, and his determinations therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth under current manuals and policies of the State of California, Department of Transportation. in the Planning Manual of Instructions, Part 8, "Traffic issued by the Division of Highways of the State Department of Public Works.

~~(c) -- Whenever the Traffic Engineer installs and maintains an official traffic signal at any intersection, he shall likewise erect and maintain at such intersection street name signs visible to the principal flow of traffic, unless such street name signs have previously been placed and are maintained at any said intersection.~~

Section 3-5.406 (Distinctive Roadway markings) is hereby amended as follows:

Change "State Department of Public Works" to "State of California, Department of Transportation."

Section 3-5.601 (One-Way Streets and Alleys Authorized) is hereby amended to read as follows:

The Council may, by ~~ordinance or~~ resolution, ~~at any time when traffic conditions warrant recommended by~~ the Traffic Safety Committee close any public street, or portion thereof in the Town to traffic in one direction, and provide and direct by said ~~ordinance or~~

resolution that any automobile or other vehicle shall travel only in one direction over and along any such street. ~~Those streets and parts of streets described in Section 3-5.1501 of this Chapter are hereby declared to be existing one-way streets for the purposes of this section.~~

Section 3-5.602 (Traffic Engineer to Sign One-Way Streets and Alleys) is hereby amended to read as follows:

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

Section 3-5.701 (Traffic Engineer to Erect Stop Signs) is hereby amended to read as follows:

~~Whenever any ordinance or resolution of the City the~~ Traffic Safety Committee designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, the Traffic Engineer shall erect and maintain stop signs as follows: A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances of other intersections where a stop is required. Every such sign shall conform with and shall be placed as provided in ~~Section 471 of~~ the Vehicle Code of the State.

Section 3-5.703 (Yield Right-of-Way Signs) is hereby amended to read as follows:

The ~~Council~~ Traffic Safety Committee may ~~by ordinance or resolution~~ order the erection of yield right-of-way signs at the approaches to an intersection of streets and highways under ~~its~~ Town jurisdiction which are not through highways, but such yield right-of-way signs shall not be erected upon the approaches to more than one of the intersecting streets. Any person failing to yield the right of way pursuant to a posted sign as provided herein shall be guilty of a misdemeanor.

Section 3-5.808 (Restrictions on Use of Freeways) is hereby repealed.

Section 3-5.1007 (Bicycle Parking Restricted) is hereby amended

to read as follows:

It shall be unlawful for any person to stand, place, park, or leave unattended any bicycle upon any public street or sidewalk within the business district of the city-Town, save and except when such bicycle shall be parked ~~with-the-front-wheel-thereof-securely-placed-in-an-official bicycle-parking-rack-adjacent-to-the-street-curb,-and-with----~~ the-rear-wheel-thereof-parked-on-the-street-area- in such manner as to not block the street or sidewalk to public traffic. The Council hereby determines and declares that any bicycle left standing, lying, parked or unattended upon any street or sidewalk within the business district of the ~~city Town shall-be-an-obstruction~~ in such manner as to obstruct the free use and passage in the customary manner of such public street or sidewalk ~~and-any-such-bicycle~~ shall be, and is hereby declared to be a public nuisance and shall be summarily abated by any member of the Police Department by impounding such bicycle and placing the same in a place of safety for storage. The owner of any bicycle so impounded may redeem such bicycle upon the payment of a reasonable charge for the storage thereof, ~~which-charge-is-hereby-fixed--to-be-in-the-sum-of-Fifty-(50)-cents-for-each-month-or-fraction-thereof.~~ Such charges shall be paid to the Police Department and said money transferred to the General Fund of the city Town. Any bicycle which shall not have been redeemed within a period of three (3) months from the date of impounding shall be sold by the Chief of Police at public auction and the price paid therefor shall be transferred to the General Fund. ~~The-Chief-of-Police-shall-place-a-sufficient-number-of--official-bicycle-racks-at-appropriate,-suitable-and-conven----ient-locations-within-the-business-district-of-the-City.-~~

Section 3-5.1009 (Parking within stall lines) is hereby amended as follows:

Designate existing paragraph as Paragraph (a).

Add the following paragraph:

(b) Whenever angle parking is designated upon the surface of any paved street by lines so indicating, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such markings.

Sections 3-5.1012 (Signs or markings indicating angle parking) and 3-5.1013 (parking adjacent to schools) are hereby repealed.

Section 3-5.1014 (parking prohibited on narrow streets) is hereby amended to read as follows:

Section 3-5.1014. Parking-prohibited-on-narrow-streets.  
Clearance from parked vehicles.

~~(a)--The-Traffic-Engineer-is-hereby-authorized-to-place-signs or markings indicating no parking upon any street where the width of the roadway does not exceed twenty (20<sup>+</sup>) feet, or upon one side of a street as indicated by such signs or markings where the width of the roadway does not exceed thirty (30<sup>+</sup>) feet.~~

~~--(b)--Where official signs or markings prohibiting parking are erected upon narrow streets as authorized in this section, no person shall park a vehicle upon any such street in violation of any such sign or marking.~~

(e) Every vehicle parked on Town streets shall be so parked as to leave a space of at least twelve (12) feet of unimpaired roadway to the side of the parked vehicle exposed to traffic for an unimpaired distance of twelve (12) feet to the front and twelve (12) feet to the rear of such space. This restriction is to maintain a minimal clearance on narrow roadways for emergency vehicles.

Section 3-5.1016 (Stopping and Parking Prohibited: Signs) is hereby amended to delete all existing wording and to substitute the following:

The Traffic Safety Committee may order appropriate signs, and/or markings along Town streets prohibiting parking. When so signed or marked, no person shall stop, stand, or park a vehicle in any of such places.

Section 3-5.1018 (Emergency parking signs) is hereby amended as follows:

Each reference to "Traffic Engineer" shall be changed to "Chief of Police".

Section 3-5.1019 (Towaway Zones) is hereby amended as follows:

In the second sentence, change words "Traffic Engineer" to Chief of Police."

Section 3-5.1101 (Authority to Establish Loading Zones) is hereby amended to read as follows:

(a) The Traffic-Engineer Traffic Safety Committee is hereby authorized to determine and mark loading zones and passenger loading zones as follows:

~~(1) -- At any place in the central traffic district or any business district, and --~~

~~(2) -- Elsewhere in front of business or in front of any place used for the purpose of public assembly.~~

in commercial areas or in front of any place used for the purpose of public assembly.

(b) In no event shall more than one-half ( $\frac{1}{2}$ ) of the total curb length in any block be reserved for loading zone purposes.

(c) Loading zones shall be indicated by a yellow painted ~~curb stencilled with black letters "loading only"~~, upon the top of all curbs within such zones.

(d) Passenger loading zones shall be indicated by a ~~white painted curb stencilled with black letters "passenger loading only"~~ upon the top of all curbs in said zones.

Section 3-5.1102 (Curb markings to indicate no stopping and parking regulations), paragraph (a) (4) is hereby amended as follows:

(4) Green shall mean no standing or parking for longer than the period established by the Traffic Engineer, which time period shall be noted on the top of all curbs within such zones and on any signs used to designate such zones.

Section 3-5.1107 (Bus Zones) is hereby amended to read as follows:

(a) The Traffic Engineer Safety Committee is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses or common carriers of passengers, and to determine the location thereof subject to the directives and limitations set forth in this section.

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

~~(c) -- No bus zone shall exceed eighty (80) feet in length, except that when satisfactory evidence has been presented to the Traffic Engineer showing the necessity therefor, the Traffic Engineer may extend bus zones not to exceed a total length of 125 feet.~~

~~(d) -- Bus zones shall normally be established on the far side of an intersection.~~

~~(e) -- No bus zone shall be established opposite and to the right of a safety zone.~~

~~(f) -- The Traffic Engineer shall paint a red line stencil with white letters, "No Standing", together with the words, "Bus Zone", upon the top or side of all curbs and places specified as a bus zone.~~

(c) The Traffic Engineer shall designate all bus zones in accordance with appropriate provisions of the Vehicle Code and policies of the State of California, Department of Transportation.

~~(g)~~ (d) No person shall stop, stand or park any vehicle except a bus in a bus zone.

Section 3-5.1201 (Authority) is hereby amended to read as follows:

~~The Council~~ Traffic Safety Committee may, ~~by ordinance or resolution~~ regulate the parking of vehicles in the City Town and may limit the parking time on any public street, or portion thereof, and on public parking lots, regardless of district or zone, for such periods of time as ~~shall be set forth in such ordinance or resolution~~ deemed appropriate.

Sections 3-5.1202 through 3-5.1206 (Parking limited or prohibited) are hereby repealed.

Section 3-5.1302 (Closing of any Street Temporarily) is hereby amended as follows:

(a) The Traffic Engineer and Chief of Police ~~is~~ are hereby authorized....

Section 3-5.1305 (Parking on one side of the street only) is hereby repealed.

Sections 3-5.1501 through 3-5.1506 (Schedules of Designated Streets) are hereby repealed.

Section 3-5.1508 (Commercial Vehicles Prohibited), paragraph (b) is hereby amended to read as follows:

~~(b) Sequoia Drive northerly from the intersection of Redhill Avenue to the northerly line of the intersection with Hilldale Avenue, and Hilldale Ave. northerly from between Sequoia Drive to the northerly side of the intersection with~~ and Jordan Avenue.

SECTION 2. Amendments to Title 5 (Sanitation and Health),  
Chapter 2 (Creeks and Streams):

Section 5-2.201 (Permits Required to Dam Waters) is hereby amended to read as follows:

It shall be unlawful for any person to dam or impound any water flowing in any creek or stream in the Town without first obtaining a permit from the ~~Council~~-Director of Public Works. No such permit shall authorize any dam or impounding of any water ~~earlier than June 1 or for a period later than August 15 in any year~~, unless it is in accordance with requirements under a permit issued by the State of California Department of Fish and Game.

Section 5-2.202 (Removal of Dams upon reports to the Council) is hereby amended to read as follows:

It shall be the duty of the ~~Chief of Police~~ Director of Public Works to examine and report to the Council upon the safety or any unsanitary condition of any dam or impounding of any water. ~~It shall be the duty of the Health Officer to examine and report to the Council any unsanitary condition of any dam or impounding.~~ The Council may thereafter make any order it deems necessary or proper and cause a copy thereof to be posted at such dam or place of impounding. Unless such order shall be complied with within the time therein specified, such dam or impounding shall be summarily removed under the direction of the ~~Chief of Police~~ Director of Public Works. If any dam or impounding is maintained for a period longer than provided for by such permit of the ~~Council~~ Director of Public Works, such dam or impounding shall be summarily removed by direction of the ~~Chief of Police~~ Director of Public Works.

SECTION 3. Amendments to Title 7 (Public Works), Chapters 1 (Driveways), 3 (Street Excavations) and 5 (Sidewalks).

Section 7-1.07 (Driveway Construction), second paragraph, is hereby amended as follows:

No driveway gradient shall exceed 25%, and all driveways shall have asphalt or concrete pavement unless an exception is granted by the Director of Public Works in writing. An unpaved driveway not so excepted is hereby made subject to the provisions of Section 1-203 through 1.09 of this Code.

Section 7-3.02 (Permit Required) is hereby amended as follows:

Change words "Street Superintendent" to "Director of Public Works".

Section 7-3.03 (Application for Permit) is hereby amended as follows:

Change the words "Street Superintendent" to "Director of Public Works."

Section 7-3.04 (Deposit Fee) is hereby amended to read as follows:

~~The Street Superintendent~~ Director of Public Works, before issuing any such permit, shall estimate the length of the proposed excavation or opening and shall require a deposit from the applicant in ~~the sum of Two and No/100 (\$2.00) Dollars for each square foot of such cut, opening or excavation.~~ such amount as the Director of Public Works may establish. Such deposit shall be held and applied by the ~~Street Superintendent~~ Director of Public Works to defray the cost of resurfacing such opening or excavation in the event the permittee fails to complete the work in a timely manner.

Section 7-3.05 (Issuance of Permit) is hereby amended to read as follows:

~~If it appears to the Street Superintendent that travel over the street described in the application for the permit shall not be hindered or delayed by the work therein described beyond a reasonable time,~~ The Street Superintendent Director of Public Works shall, upon the receipt of such deposit, issue a written permit to the applicant to do and perform the work necessary to perform in accordance with the application for the permit.

~~Where the area of the cut, opening or excavation within the public right of way exceeds 100 sq. ft.,~~ The Street Superintendent Director of Public Works may attach such conditions to the permit as he deems appropriate, or require a special permit requiring the person obtaining the permit to backfill, compact, and resurface the right of way in accordance with current City specifications for such work comply with such conditions as the Public Works Director deems necessary under the particular circumstances.

Section 7-3.06 (backfilling) is hereby repealed.

Section 7-3.07 (Resurfacing) is hereby amended to read as follows:

Section 7-3.07 Backfilling & Resurfacing

~~When all of the backfilling has been accomplished and the fill tamped and prepared for any concrete, macadam, gravel, or other surface dressing, the applicant shall thereupon immediately notify the Street Superintendent in writing with the date and hour of notification written thereon. It shall be the duty of the Street Superintendent to repave or resurface the street. The Street Superintendent shall pay the cost of such repaving and resurfacing from the amount of the deposit received by him for the granting of the permit, making a reasonable charge for all labor, including that of the Street Superintendent and for all materials used in repaving or resurfacing. Should there be any amount on hand in possession of the Street Superintendent after making all the reasonable charges necessary for the work, such amount shall be returned to the applicant. In the event the cost of such repaving or resurfacing shall be in excess of the amount of the deposit, the Street Superintendent shall notify the applicant, and the applicant shall pay the amount of the excess to the Street Superintendent.~~

All backfilling and resurfacing shall conform to the current editions of the Standard Specifications, Cities of Marin and County of Marin; the Uniform Construction standards of the Cities of Marin and County of Marin; and the requirements of the Director of Public Works.

(a) In the case of the special permits required by the provisions of Section 7-3.05 of this Chapter, a security bond or cash bond in an amount ~~estimated by the Street Superintendent to cover the cost of backfilling and paving the trench~~ established by the Director of Public Works, shall may be required as a condition of the issuance of such special permit. Said bond, if required, shall be for the purpose of insuring full and complete restoration of the street right-of-way. If the work is not completed by the date specified in the special permit, such bond ~~shall~~ may be forfeited and the work of backfilling and resurfacing done by the City Town with the cost thereof deducted from the ~~cash deposit or bond~~.

(b) If, in the opinion of the Street Superintendent Director of Public Works, the scope of the work is such that a City Town inspector ~~should be assigned to the project, either full or part time, a daily inspection fee will be charged in the amount of sixteen (16) times the then current hourly wage rate for Operating Engineer Group 5. Such fee shall be charged for each "working day", as defined in the Standard Specifications, Cities of Marin and County of Marin, or, if the work is being done under contract for a public utility, "working day" shall be as defined in that utility's specifications.~~ is required for the project, either full or part time, a fee shall be charged as required to cover costs of such inspection. The amount of said fee shall be established by the Director of Public Works based on estimated actual cost to the Town for the required inspections.

Section 7-3. (Barriers and Warning Lights: Excavations) is hereby repealed.

Section 7-3.09 (Barriers and Warning Lights: Building Materials) is hereby amended to read as follows:

Any Person having occasion to deposit or maintain on any portion of any street or sidewalk any building material, lumber, debris or other material of any kind shall cause the same to be barricaded and marked ~~as provided in Section 7-3.08 of this chapter~~ in accordance with current construction safety orders of the State of California, Division of Industrial Safety, and as may be required by the Director of Public Works.

Section 7-4.02 (Temporary Permit) is hereby amended to read as follows:

Any person desiring to temporarily obstruct a portion of any street, highway, roadway, alley or lane may ~~make application therefor to the Chief of Police who may grant the permit, specifying the length of time during which the particular street may be obstructed, the character of safety devices and precautions and such other conditions as will protect the health and safety of the people of the city.~~ shall secure a permit as provided in Sections 7-3.02 through 7-3.09 of this Chapter.

Section 7-4.03 (Bonds) is hereby repealed.

Section 7-4.05 (Notice to Repair) is hereby amended as follows:

Change words "Street Superintendent" to "Director of Public Works."

Section 7-4.07 (Notice: Contents) is hereby amended as follows:

Change words "Street Superintendent" to "Director of Public Works."

Section 7-4.08 (Repair by Street Superintendent) is hereby amended as follows:

Change title to "Repair by Town." Change words "Street Superintendent" to read "Director of Public Works."

Sections 7-4.09 through 7-4.14 are hereby amended as

follows:

Change words "Street Superintendent" to "Director of Public Works."

Section 7-5.03 (Grades and Slopes) is hereby amended to read as follows:

(a) For the purposes of this Chapter, the grades of established curbs and gutters on the public streets, ways, and places in the Town shall be recognized as the proper grade to establish the grade and slope of any sidewalk, walkway, or driveway, except where it is clearly evident that such curb or gutter grade, by reason of structural failure or the rising or sinking of such curb or gutter, is not at the proper grade, in which event, or in the event no official curb or gutter grade has been established, no sidewalk, walkway or driveway shall be constructed until such official grade of the curb or gutter shall have been established by the ~~Town-Engineer-upon-an-order-of-the-Council~~ Director of Public Works.

Sections 7-5.04 through 7-5.08 are hereby repealed.

Section 7-5.09 (Permits required: Specifications) is hereby amended as follows:

No sidewalk, walkway and/or driveway from the curb to the property line shall be constructed, nor shall the construction thereof be commenced, unless a permit therefor shall be first obtained from the ~~Superintendent of Streets~~ Director of Public Works. All sidewalks, walkways and driveways shall be constructed under the supervision of the ~~Superintendent of Streets and/or Town-Engineer~~ Director of Public Works in accordance with ~~the following specifications and restrictions and requirements of this Chapter.~~ current editions of the Standard Specifications and the Uniform Construction Standards of the Cities of Marin and County of Marin, and in accordance with current requirements and policies of the Department of Public Works.

No portion of any driveway shall be permitted to extend onto the street side of the curb line.

Section 7-5.10 (Walkways and driveways) is hereby repealed.

Section 7-5.11 (Mailboxes) is hereby amended to read as follows:

No Boxes for the delivery of mail or newspapers shall not be placed or maintained within the public right-of-way except by an encroachment permit granted by the Town-Engineer Director of Public Works.

SECTION 4. Add the following paragraph to Section 1-3.13

(Definitions) of Title 1, General Provisions:

- (x) The "Director of Public Works" shall include the title "Superintendent of Streets".

Dated: May 12, 1981.

Mike Convis  
MAYOR

ATTEST:

Caroline Foster  
CAROLINE FOSTER, Town Clerk

The foregoing ordinance was read and introduced at a regular meeting of the San Anselmo Town Council held on April 14, 1981 amended and reintroduced at a regular meeting held on April 28, 1981, and was thereafter at a regular meeting of the Town Council held on May 12, 1981, duly passed and adopted by the following vote:

AYES: Councilmembers Toal, Capurro, Wooliever, Buckle, Convis

NOES: None

ABSENT: None

Caroline Foster  
CAROLINE FOSTER, Town Clerk

In the  
**SUPERIOR COURT**  
of the State of California in and for the  
County of Marin

PROOF OF PUBLICATION  
(2015.5 C.C.P.)

This space for County Clerk's filing  
stamp.

Town of San Anselmo  
P.O. Box 726  
San Anselmo, CA 94960  
Attn: Caroline Foster

Proof of Publication

STATE OF CALIFORNIA)  
County of Marin )ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the ROSS VALLEY REPORTER, a newspaper of general circulation, printed and published weekly in the City of San Rafael, County of Marin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Marin, State of California, CASE NUMBER 42326; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Public Notice  
RVR Legal # 233

**PUBLIC NOTICE**

The San Anselmo Town Council at its regular meeting on May 12, 1981 did adopt an ordinance amending Chapter 5, Title 3 (Public Safety), Title 5 (Sanitation and Health) and Title 7 (Public Works) of the San Anselmo Municipal Code by the following vote: Ayes: Councilmembers Toal, Capurro, Wooliever, Buckle, Convis.

Full text of the ordinance is available for inspection in the office of the Town Clerk, Town Hall.

CARLOINE FOSTER  
Town Clerk

RVR 233 5/20/81

5/20

all in the year 19 81

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Sharon Meyer  
signature Sharon Meyer, Legal Clerk

Dated at San Rafael, California, this

20 day of May 19 81

PROOF OF PUBLICATION