

### **Parking Enforcement Policy**

It shall be the policy of the OFD Fire Prevention Bureau to empower its Fire Inspectors with the authority to issue citations per California Penal Code sections 830.37(b) & 836.5 (c). Fire Inspectors shall issue citations for observed violations of the Oakland Municipal Code (OMC) and the California Vehicle Code (CVC) under their authority as Public / Peace Officers when on active duty and while in the performance of their regularly performed inspection activities.

This authority shall apply to all violations that relate specifically to Fire Safety, to include sections of the Oakland Municipal Code and California Vehicle Code.

The issuance of citations by Fire Inspectors shall be at the discretion of the individual Inspector based on the immediate threat to public safety.

As such, the following sections of the Oakland Municipal Code and the California Vehicle Code will be of primary concern and shall be enforced via citation when required to insure public safety and reduce immediate hazardous conditions.

This policy for Fire Inspectors is in addition to the agencies having the primary responsibility of issuing traffic citations – The Oakland Police Department (OPD) and the Parking Enforcement Division of the Finance and Management Agency. OPD issues citations via regular sworn patrol officers, the Traffic Division and the Park Rangers. All of these entities issue citations as a part of their regular beat responsibilities. They also respond on a complaint basis when the issue is a matter of public safety. Any citizen can call (510) 238-3099 or log on to the City of Oakland website and click on “Report a Problem” [www.Oaklandnet.com](http://www.Oaklandnet.com).

### **Primary Enforcement Articles**

**10.28.250 OMC: No Parking Anytime – \$35.00 Bail:** When City of Oakland signs stating “NO PARKING ANYTIME” are present, vehicles parked next to, between or behind these signs are in violation of the OMC. These signs are located throughout the City of Oakland and the Wildfire Prevention Assessment District.

**10.40.020 OMC: Red Zones – \$50.00 Bail:** Red Zones are designated emergency vehicle lanes adjacent to commercial and residential buildings to provide emergency services vehicles immediate access to these properties for the purpose of emergency response. These lanes shall remain open and unoccupied by vehicles other than Police / Fire / EMS / Parking Enforcement / Animal Control / Public Services or US Government vehicles. All other private or commercial vehicles may be cited.

**10.32.130 OMC: Parking for Official Vehicles, Fire Department – \$35.00 Bail:** These areas are posted “Fire Department Only” parking locations found throughout the City of Oakland. Only Fire Department personnel are authorized to park in these designated zones. All other vehicles, except US Government & Emergency Services (Police / Ambulance / Animal Control / Parking Enforcement) may be cited.

**10.16.110 OMC: Obedience to Signs and Barriers – \$47.00 Bail:** Use this code when “NO STOPPING ANYTIME” City of Oakland signs are present (i.e., streets in the Oakland Hills area of the Wildfire Prevention Assessment District). When portable signs or barriers restricting parking access have been posted along City of Oakland streets to allow special access to emergency response

or pedestrian traffic, illegal parking in violation of these signs and barriers may be cited. These postings are most common at City of Oakland permitted special events such as street fairs, concerts, civic events and movie film sets.

**22514 CVC: Parking Within 15 feet of a Fire Hydrant – \$30.00 Bail:** No person shall stop, park or leave standing any vehicle within 15 feet of a fire hydrant except when local authorities indicate a different distance by sign or markings, and EXCEPT when such vehicle is attended by a licensed driver who is seated in the front seat and who can immediately move said vehicle in case of necessity. This section does not apply to marked Fire Department apparatus / vehicles.

**22500 (c) CVC: No Parking – Safety Zone (red zone between stop bar and right hand street curb) – Bail \$30.00:** It is a violation of the CVC to park at the corner of an intersection in the direction of the traffic flow when the curb is painted RED. This is a designated safety zone to allow traffic to yield to oncoming / responding emergency vehicles, thus allowing responding Emergency Services to pass.

**22500.1 CVC: No Parking, Fire Lane – Bail \$30.00:** It is a violation of the CVC to stop, park or leave unattended a vehicle within a designated “FIRE LANE.” Street-side curbs shall be painted red in color and state “FIRE LANE” either in a contrasting color on the curb or posted on signs immediately adjacent to the red curb. These lanes are most commonly found at schools, hotels, airports, city parks and in front of commercial buildings.

### **Secondary Enforcement Articles**

Situations may occur where a vehicle is present that requires the vehicle be identified (tagged) for removal. The vehicle must meet the following criteria as directed by the OMC in order to be tagged for removal via the Oakland Police Department 905 Courtesy Warning tag and report.

**10.64.170 OMC: No vehicle shall be parked on private property, public property or roadway for more than 72 hours in an inoperable condition if it is visible to others. Vehicle may be towed and reduced to scrap under provision of law. Bail \$50.00 or more depending on the type of violation specified above.**

**12.24.070 OMC: Unlawful to use the streets for the purpose of washing, greasing, repairing or storing of vehicles. Bail \$50.00 or more depending on the type of violation specified above.**

A yellow Courtesy Warning sticker is filled out and posted on the violating vehicle’s windshield. The front driver side tire is marked with chalk to record the vehicles position at the time of report. An **Assignment Report Form** is completed by the officer and submitted to the OPD Traffic Division. If the tagged vehicle remains in the location in excess of 72 continuous hours, it will be towed and impounded by the OPD.