Title 5
HIGHWAYS, TRAFFIC

DIVISION 1.

HIGHWAY PERMIT

Chapters:

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2. Excavation Permits
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Chapter 1

GENERAL PROVISIONS

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51.011 Scope of General Provisions.

These general provisions, rules of construction and definitions shall govern the construction of this division, unless the provision or the context provides otherwise.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.012 Delegation of Authority.

Whenever a power is granted to, or a duty is imposed upon a public officer, the power may be exercised or the duty may be performed by a deputy of the officer or by a person authorized, pursuant to law or ordinance, by the officer, unless this division expressly provides otherwise.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.013 Reference to Ordinances or Statutes.

Whenever reference is made to any portion of this division or any other ordinance or statute, such reference applies to all amendments and additions now or hereafter made.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.014 Terms and Genders.

The present tense includes the past and future tenses; and the future, the present. The masculine gender includes the feminine. The singular number includes the plural, and the plural, the singular.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.015 Definitions.

Definitions as used in this division:

(a) The term "Section" means a section of this division unless some other ordinance or statute is specifically mentioned.

(b) "County" means the County of San Bernardino, State of California.

(c) "Commissioner" means the Road Commissioner of the County of San Bernardino.

(1) "Commissioner" and "Road Commissioner of the County of San

Bernardino are synonymous with the term "Director of Transportation of the County of San Bernardino."

(d) "Highway" means any public roadway, public street, public way, or public place in the unincorporated territory of the County, owned or maintained by the County, or dedicated to the public for the purpose of travel.

(e) "Width" means that dimension measured at right angles to the anterior-posterior axis of the conveyance upon which the building or structure or portion thereof is, or is to be, loaded or moved, or to the median line of the highway over which the same is being, or is to be moved.

(f) In addition to the meanings ordinarily ascribed thereto, the term "building and/or structure" *includes* any machine, implement, device, article of manufacture, tree, derrick, stage or other setting, lumber, sash or door, structural steel, dynamo, transformer, generator, press, industrial tooling, agitator, object or thing having a width of more than eight (8) feet, other than any implement of husbandry or any special mobile equipment, as defined in the California Vehicle Code having a width of ten (l 0) feet or less.

The term also includes a vehicle or load exceeding the maximum permitted by the California Vehicle Code.

(g) In addition to the meanings ordinarily ascribed thereto, the term "Banner" shall include any article of display, advertising or decorative matter, including but not limited to Christmas, Easter and other holiday festoons on, over, along or across any highway or highway right-of-way.

(h) "Person" includes any individual, firm, copartnership, joint venture, association, corporation, estate, trust, business trust, this State, any county, including this County, and all departments and bureaus thereof, city and county, municipality, district or other political subdivision thereof, or any other group or combination acting as a unit. Provided, however, that the above enumeration shall not include the Transportation Department of this County.

(i) "Moving Contractor" means any person who for himself or for another, moves or causes to be moved, any building or structure, over, upon, along or across any highway.

(j) "Encroachment" includes any tower, pole, pole line, pipe, pipeline, fence, billboard, stand, or building, or any structure or object of any kind or character not particularly mentioned in this division, which is placed in, under, or over any portion of the highway.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.016 Issuance of Permits by Commissioner.

The Commissioner may issue permits, as provided in this chapter, authorizing the permittee to do any of the following acts:

(a) Make or cause to be made any excavation or opening, fill or obstruction in, over, along, on, across or through any highway for any purpose, excepting, however, for or in connection with the installation of poles, guys and anchors constructed for use under a franchise for public utility purposes where such poles, guys and anchors are located outside of the paved or traveled portion of the highway.

(b) Construct or repair, or cause to be constructed or repaired any curb, sidewalk, gutter, driveway, roadway surface, retaining wall, storm drain or culvert, or work of any nature, or place, change or renew an encroachment in, over, along, on, across or

through any highway, excepting, however, for or in connection with the installation of poles, guys and anchors constructed for use under a franchise for public utility purposes where such poles, guys and anchors are located outside of the paved or traveled portion of the highway.

(c) Move or cause to be moved over, upon, along or across any highway, any building or structure.

(d) Place any banner over, across, on, or along any highway.

(e) Plant, remove, cut, cut down, injure or destroy any tree, shrub, plant or flower growing within any highway excepting necessary pruning or trimming to protect persons or property.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.017 Violation.

Every person is guilty of a misdemeanor who violates any provision of this chapter or any permit issued pursuant to the provisions of this chapter, or who fails or neglects to comply with any requirement of this chapter, or who does any of the acts specified in Section 51.016 of this chapter for which a permit is required, without first obtaining a permit from the Commissioner so to do.

Such person is guilty of a separate offense for each and every day during any part of which any such violation or noncompliance occurs, and is punishable by a fine of not more than five hundred dollars ($500) or by imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960); Amended Ordinance #2377 (1979);

51.018 Application - Issuance Fee.

An application for a permit pursuant to the provisions of this division shall be made in writing and filed with the Commissioner, accompanied by any deposit required by this division and an issuance fee of two dollars and fifty cents ($2.50). Provided, however, that the United States, the State of California, the County of San Bernardino, or any other county in the State of California, any municipal corporation, school district, or other public district or public body, upon filing a written guarantee of payment of all costs for which they may become liable to San Bernardino County, shall not be required to make said deposit or issuance fee. The filing of an application or the issuance of a permit pursuant to this section shall not be deemed a waiver of any right or claim of right by the applicant or permittee.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.019 Requirement of Plans.

If, in the opinion of the Commissioner, the work proposed to be done requires the making of plans or the setting of stakes, or both, the Commissioner may require the application to be accompanied by the necessary plans, which plans shall be prepared by a competent engineer.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

15.0110 Performance of Work to Satisfaction of Commissioner.

The permittee shall perform all work in accordance with plans, if plans are made, and specifications referred to in the permit, to the satisfaction of and under the supervision of the Commissioner.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0111 Fees, Deposits and Bonds.

(a) PAYMENT. Except as otherwise provided in this division, the Commissioner shall not issue any permit until all deposits and issuance fees have been paid.

(b) ISSUANCE FEES NOT REFUNDABLE The issuance fees required by the provisions of this division are for the purpose of defraying the cost of issuing the requested permit. No part of any issuance fee may be refunded to any applicant.

(c) DEPOSIT IN FUNDS. Issuance fees and charges for repairs, inspection, or engineering collected under the provisions of this division shall be deposited in the respective funds from which the corresponding disbursements are made.

(d) WAIVER OF ISSUANCE FEES. At the request of permittee who maintains with the Commissioner a general deposit as provided in Chapter 2 or Chapter 4 of this division, the Commissioner may waive the requirements covering prepayment of the issuance fees and bill said permittee for issuance fees covering permits issued subsequent to such request, provided that the amount of said deposit is sufficient to cover said fees and to provide for the other contingencies for which it is given. The Commissioner may revoke such waiver at any time and must revoke the waiver if the permittee fails to pay his bill for fees within the required time.

(e) GENERAL DEPOSIT. In lieu of making any special deposit required by this division, the applicant may make and maintain with the Commissioner a general deposit in an amount estimated by the Commissioner to be sufficient to pay for the cost of permit issuance fees and expected repairs or costs occasioned by the future acts of the applicant for which a permit has been issued. The general deposit shall be held and used for the same purposes as any special deposit prescribed by this division would have been used.

(f) UNDERTAKING IN LIEU OF GENERAL OR SPECIAL DEPOSITS. In lieu of making either a general or special deposit, or to supplement a general deposit not sufficient in amount, the applicant may file an undertaking with the Commissioner in a penal sum of not less than one thousand dollars ($1,000). Said undertaking to be in compliance with Sections 1056 and 1057 of the Code of Civil Procedure.

(I) Alternative. In lieu of filing an undertaking under the terms set forth in this section and subsection, an applicant under Chapter 4 herein may post with the Commissioner forms approved by the County Counsel consisting of:

(A) An endorsement to any policy of insurance naming the applicant, the County of San Bernardino, State of California, as named insured, and insuring the same against at least the same contingencies against which the said bonds would be security, and in an amount not less than ten thousand dollars ($10,000); and

(B) A certificate by which the insurer certifies that a policy exists covering the said objects.

Wherever the term "undertaking" is used in Chapter 4 of this division it includes the forms referred to in Section 51.0111, subsection (f)(I) herein.

(g) WAIVER OF SPECIAL DEPOSIT. While a general deposit is maintained, or while an undertaking is filed, either or both of which are of an amount sufficient to cover the amount of any special deposit required by this division, the applicant need not make any special deposit.

(h) EXTRA DEPOSITS AND BONDS. If, in the opinion of the Commissioner, any special or general deposit, or any undertaking or any combination thereof is not sufficient for the proper protection of the public interest in the highways including any trees thereon, the Commissioner may require either an additional deposit, or an increase in the amount of the bond in such amount as he determines will be sufficient to protect such public interest.

(i) INSUFFICIENT DEPOSITS. Where any deposit is determined to be insufficient to pay all fees and costs provided for in this division, the permittee shall, upon demand, pay to the Commissioner an amount equal to the deficiency.

Where the permittee fails or refuses to pay the deficiency upon demand, the Commissioner may recover said deficiency by appropriate action in any court of competent jurisdiction. Until such deficiency is paid in full, no permit shall be issued to such permittee.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0112 Permits.

(a) ISSUANCE OF PERMIT PUBLIC RECORD. If the applicant for a permit complies with every provision of this division and with all applicable provisions of all other ordinances and statutes, the Commissioner shall issue to the applicant a written permit to perform the work set forth in the application. Upon the issuance of such permit the application shall become a public record.

(b) MONTHLY BILLING FOR PERMITS ISSUED. Where the Commissioner grants the waiver provided in Section 51.0119, subsection (d) of this chapter, he shall bill the permittee at the end of each month for all permits issued during that month, and the permittee shall pay said bill not later than the last day of the following month. The Commissioner may in his discretion accept a personal check in payment of such bill, provided the check is received by the Commissioner not later than the fifteenth (15th) day of the month following the month covered by the billing. The acceptance of the check constitutes a payment of such bill when, but not before, the check is duly paid. All such checks shall be deposited daily by the Commissioner with the County Treasurer.

(c) IMPOSITION OF CONDITIONS OR CHANGES BY COMMISSIONER. Any permit authorized under any of the provisions of this division may be issued subject to such conditions, changes and limitations as are, in the discretion of the Commissioner, necessary for the protection of the highways, or to prevent undue interference with traffic, or to protect both persons and property within, upon or adjacent to said highways from damage or danger.

The Commissioner may issue a single permit for any number of excavations which are part of a single project and may also issue a single annual permit for service connections. Either permit may be exercised by giving not less than forty-eight (48) hours notice of the Commissioner on a form to be prescribed by the Commissioner before work is commenced.

(d) RESERVATION OF THE POWER TO CHANGE THE CONDITIONS AFTER PERMIT ISSUED. Any permit issued by the Commissioner under any of the provisions of this division, or the conditions to which it has been made subject, may be amended or changed if the Commissioner deems such amendment or change to be necessary for the protection of the highways, or to prevent undue interference with traffic, or to protect both persons and property within, upon or adjacent to said highways from damage or danger. Notification of the amendment or change shall be made by the Commissioner either by mailing written notice to the permittee at the address indicated on his application for the permit, or by making personal service of said written notice upon the permittee. The amendment or change shall be effective either twenty-four (24) hours after said written notice is deposited in the United States mail, or immediately upon completion of personal service.

(e) COMMENCEMENT AND COMPLETION OF WORK. Every permittee shall complete the work within the time required by the permit. Permits issued hereunder shall be valid only for the period of time specified in the permits, unless the County Highway Engineer grants a time extension.

(f) REFUSAL TO ISSUE PERMIT. The Commissioner may refuse to issue permits or may revoke any outstanding permits heretofore or hereafter issued, or any portion thereof, where the work has not been started, when the work authorized by the permits, or such portions thereof is included in the proposed work to be done, by any existing assessment district, or by any proposed assessment district for which formation proceedings have been instituted by the Board of Supervisors.

(g) NON-TRANSFERABILITY OF PERMITS. Permits issued pursuant to this division are non-transferable.

(h) PERMITS SUBJECT TO THE USE OF THE HIGHWAY BY OTHERS. Every permit granted pursuant to the provisions of this division, shall be granted subject to the right of the County or of any other person entitled thereto, to use that part of such highway for any purpose for which such highway may lawfully be used.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960); Amended Ordinance #1937 (1974);

51.0113 Holding County Harmless.

On each application the applicant shall sign a statement that he agrees to preserve and save harmless the County and each officer and employee thereof, from any liability or responsibility for any accident, loss or damage to persons or property happening or occurring as a proximate result of his negligence or the negligence of his agents, servants, employees or contractors in the design or performance of any work undertaken under any permit granted pursuant to the application.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0114 Notice of Completion of Work.

Upon completion of any work or act for which a permit has been granted, the permittee shall notify the Commissioner in writing on a form prescribed by the Commissioner.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0115 Relocation of Structures - Removal of Encroachment.

The Commissioner may require any person who, pursuant to a duly issued permit under this division, has performed construction work or placed and maintained any encroachment, to move the same at his own cost and expense to such different location as is specified in a written demand of the Commissioner, whenever such move is necessary to insure the safety of the traveling public or to permit the improvement of the highway and may require the application to contain a signed statement by the applicant to this effect; provided, however, that the foregoing requirement shall not apply to any right which has been continuously exercised since a time prior to the date when such portion of the highway became part of a public highway, or which right exists by virtue of a document recorded prior to such date in the office of the County Recorder of San Bernardino County, California, provided that such right has not (in either case) been subordinated by a document recorded in such office to the right of the public to maintain such portion of the highway. The Commissioner shall not require the applicant to move or change the location of construction work or encroachments for a temporary purpose. The Commissioner shall specify in the demand a reasonable time within which the work of relocation must be commenced, and the permittee must commence such location within the time specified in said demand and thereafter diligently prosecute the same to completion.

In the event the permittee fails to comply with any such demand, the construction work or encroachment specified in the demand may be removed by the Commissioner, and the cost thereof may be recovered from the permittee.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0116 Placement of Material or Obstruction on Highway.

No person shall place or pile any material in or upon any highway or leave any obstruction or impediment to travel in or upon any highway without a permit to do so.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0117 Interference with Commissioner.

A person shall not prevent or obstruct the Commissioner, or his duly authorized representative, in making any inspection authorized by this division or in taking any sample or in making any test.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960); Amended Ordinance #2377 (1979);

51.0118 Invalid Provisions.

If any provision of this division, or the application thereof to any person or

circumstance is held invalid, the remainder of this division, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0119 Highway Permit Code.

This division shall be known as and may be cited as the "Highway Permit Code."

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0120 Compliance with Housemoving Rules and Regulations.

The permittee shall comply with the Housemoving Rules and Regulations, County of San Bernardino, as amended, except to the extent that such rules and regulations are expressly modified or deleted in the permit.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

Chapter 2

EXCAVATION PERMITS

Sections:

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51.024 Special Deposit for Surface Repairs.
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51.0211 Necessity as Permissive Delay in Obtaining Permit.
51.0212 Certificate of Acceptance.
51.0213 Removal of Material and Debris.

51.021 Purpose of Chapter.

The provisions of this chapter apply to the making of applications for and the granting and control of permits for the making of excavations, openings, fills or obstructions in any highway.

Adopted Ordinance #815 (1957);

51.022 Application.

An applicant for an excavation permit shall complete and file with the Commissioner an application in duplicate conforming with the provisions of Section 51.018 of this division which shall contain, in addition thereto, the following:

(a) The location, dimensions, purpose, extent and nature of the work to be performed:

(b) The proposed date and time of day when said work will be commenced.

(c) The proposed date and time of day when said work will be completed.

(d) Such other information as the Commissioner may require; and shall file with the application a plat in quadruplicate clearly showing the highways affected and the exact locations and dimensions of the proposed excavations, as well as any other details that the Commissioner prescribes. Provided, however, that when excavations are made for service connections or for the location of trouble in conduits or pipes, or for making repairs thereto, the Commissioner may waive the filing of a plat.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.023 Proof of Right to Use Highway.

Each applicant for a permit shall file with the Commissioner, if required by the Commissioner, proof of the applicant's right to use the highways for the purposes set forth in the application.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.024 Special Deposit for Surface Repairs.

Each applicant for a permit, in addition to the payment of the issuance fee, shall deposit with the Commissioner a sum of money in no event less than ten dollars ($10), which is twice the estimated cost to the nearest five dollars ($5) for repairing the surface of the highway which may be damaged or destroyed by the proposed excavation or obstruction. Provided, however, that where a faithful performance bond is posted which guarantees to the County the repair of the highway, including construction financed in whole or in part by special assessments, no deposits for repairs shall be required of applicant.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.025 Specification in Permit for Warning Signs.

In any permit issued by him, the Commissioner may specify what lights, barriers, barricades, warning signs or other measures designed to protect the traveling public must be erected by the permittee, which measures shall be in accordance with State Highway Regulations.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.026 Precautionary Warning Measures.

If the permit does not specify the precautionary measures to be taken by the permittee, such as the erection of barriers, barricades or warning signs, the permittee shall place and maintain warning lights at each end of such excavation or obstruction and at distances of not more than fifty (50) feet along such excavation or obstruction from sunset of each day to sunrise of the next day, until such excavation is entirely refilled and resurfaced or such obstruction is removed and every said person shall place and maintain barriers, or barricades, at each end of any said excavation or obstruction at all times until such excavation is entirely refilled or such obstruction is removed.

Barriers, barricades and warning devices shall conform to the same configuration and standards provided for in the current Department of Public Works publication entitled Manual of Warning Signs, Lights, and Devices for Use its Performance of Work *Upon* Highways, as compiled in accordance with Section 465.7 of the Vehicle Code of the State of California.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.027 Refilling Excavation or Removal of Obstruction.

Immediately upon completion of the work necessitating the excavation or obstruction permitted by any permit issued pursuant to this chapter, the permittee shall promptly and in a workmanlike manner refill the excavation or remove time obstruction in a manner which the Commissioner determines is most effective to accomplish thorough consolidation and enable the highway to be restored to a condition equivalent to that in which it was prior to the excavation or obstruction.

After refilling has been completed, the top surface of excavations made in improved streets shall be covered with not less than one (1) inch nor more that two (2) inches of pre-mixed bituminous material satisfactory to the Commissioner and shall conform closely enough to the level of the adjoining surface and shall be compacted so that it is hard enough and smooth enough to be safe for pedestrian travel over it as well as for vehicular traffic to pass safely over it at a legal rate of speed. The permittee shall maintain the surface of the refill safe for pedestrian and vehicular traffic until the excavation has been resurfaced in accordance with Section 51.028.

(a) FAILURE TO REFILL EXCAVATION. If any permittee fails or refuses to refill any excavation which he has made, or remove any obstruction which he has placed in any highway, the Commissioner may so do and charge the cost thereof to the permittee.

(b) NOTICE OF REFILLING EXCAVATION. Upon completion of the refilling of the excavation for which a permit has been issued, the permittee shall notify the Commissioner in writing on a form prescribed by the Commissioner.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.028 Resurfacing of Highway.

Upon completion of the refilling of the excavation, the Commissioner, at his option, may require the permittee to resurface that portion of the highway surface damaged by the permittee's excavation or obstruction, or the Commissioner may elect to do such resurfacing himself. Where the pavement or surface has been removed, the permittee shall replace it to a thickness of one (1) inch greater than that of the surrounding pavement or surface, and, in no event, to a thickness less than two (2) inches.

Where a treated or modified subgrade or surface has been removed or destroyed, the permittee shall replace it to a thickness of not less than that of the surrounding or adjacent subgrade or surface, unless the Road Commissioner orders that the repair of such treated or modified subgrade or surface shall be made by an oil and rock mixture, in which case the thickness shall not be less than one-half (1/2) the thickness of the treated or modified surface or subgrade.

(a) FAILURE TO RESURFACE HIGHWAY. If, after the refilling of an excavation the permittee fails or refuses to resurface that portion of the surface of the highway damaged by him, or if the Commissioner elects to do such resurfacing, the Commissioner may do such resurfacing. The cost of such resurfacing shall be charged against the permittee except in those instances where the permittee's excavation is within an area of pavement to be immediately reconstructed by the County, and the resurfacing of the excavation is an integral part of the general County improvement. The cost shall be computed as provided in Section 51.024.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.029 Deductions From Deposits and Refund of Excess Deposit.

The Commissioner shall deduct from any deposit made or maintained by the permittee:

(a) The permit issuance fee if that has not otherwise been paid;

(b) The cost to the County for refilling any excavation or removing any obstruction;

(c) The cost to the County for resurfacing the highway;

(d) The cost of any inspection by the Commissioner.

After making the proper deductions, the Commissioner shall refund any remaining amount to the applicant in the same manner as provided by law for the repayment of trust moneys. Provided, however, that if a person makes and maintains with the Commissioner either a general deposit or an undertaking as provided by this division, the deductions provided for herein need not be made. In lieu of such deductions, the Commissioner may bill such persons for the amount owed by him to the County, under the provisions of this division. If such amount is not paid within fifteen (15) days of the transmission of such bill, the Commissioner may deduct such amount from the general deposit, and the provisions of Section 51.0111, subsection (i) shall apply, or may recover upon such undertaking.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0210 Additional Highway Repairs and Placing of a Bond for that Purpose.

The highway surface excavated or damaged shall be replaced by the permittee to as good or better condition as the same was in before such work was begun and shall be maintained for the life of the utility encroaching in the public road after the completion of the work performed under the permit, during which life time period the permittee shall repair and make good any injury or damage to any portion of the highway which occurs as a result of work done under the permit, including any and all injury and damage to the highway which would not have occurred had such work under said permit not been done.

The permittee shall maintain a bond with the Commissioner in an amount prescribed by the Commissioner sufficient to comply with the repairs required in this section, which shall be forfeited and the proceeds used by the Commissioner to perform the necessary repair work prescribed by this section in the event the permittee fails to make said repairs.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960); Amended Ordinance #2377 (1979);

51.0211 Necessity as Permissive Delay in Obtaining Permit.

Nothing in this chapter prohibits any person from maintaining by virtue of any law, ordinance, or permit, any pipe or conduit in any highway, or from making such excavation as may be necessary for the preservation of life or property, if the person making such excavation obtains a permit therefor within one (1) day after the offices of the Commissioner are first opened subsequent to the making of such excavation.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0212 Certificate of Acceptance.

If the Commissioner, by survey or by inspection or by both, ascertains that the work contemplated by this chapter has been completed according to the requirements of the permit issued therefor, and of all of the provisions of this division, he shall issue, if requested so to do by the permittee, a certificate of acceptance which shall contain a statement of the location, nature, and extent of the work performed under the permit.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

51.0213 Removal of Material and Debris.

A permittee, upon completion of any work for which a permit under this chapter has been issued, shall remove all material and debris:

(a) Where new work is covered with earth, in accordance with the terms of the specifications attached to the permit;

(b) In all other cases within three (3) days.

Adopted Ordinance #815 (1957); Amended Ordinance #922 (1960);

Chapter 3

CONSTRUCTION PERMITS

Sections:

51.031 Scope of Chapter.
51.032 Application.
51.033 Permit Deposits and Refunds.
51.034 Waiver of Inspection Fees.
51.035 Deleted by Ordinance 1327.
51.036 Request and Waiver of Inspection.
51.037 Warning Signs and Precautionary Measures.
51.038 Certification of Acceptance.
51.039 Removal of Material and Debris.
51.0310 Failure of Permittee to Protect the Road or the Traveling Public or Complete the Work.

51.031 Scope of Chapter.

The provisions of this chapter apply to applications for the granting and control of permits for the laying, constructing, reconstructing, or repaving of curbs, sidewalks, gutters, driveways, highway surfaces, retaining walls, storm drains, culverts, or other appurtenant highway structures in any highway, except that permits for residential driveways may be obtained from either the Road Department or the Building and Safety Department.

Adopted Ordinance #815 (1957); Amended Ordinance #1937 (1974);

51.032 Application.

An applicant for a construction permit shall complete and file with the Commissioner an application in duplicate, conforming with the provisions of Section 51.018 of this division which shall contain, in addition thereto, the following:

(a) The location, nature, and extent of the work to be performed.
(b) The materials to be used.
(c) The proposed date and time of day when said work will be commenced.
(d) The proposed date and time of day when said work will be completed.
(e) Such other information as the Commissioner may require.

Adopted Ordinance #815 (1957);

51.033 Permit Deposits and Refunds.

An applicant for a permit to construct any work, except curbs, walks, gutters or highway surfaces, shall, in addition to the issuance fee, pay or make a deposit in an amount estimated by the Commissioner to be equal to twice the actual cost of all necessary engineering and inspection costs.

An applicant for a permit to construct a driveway with surfacing other than dirt, gravel or decomposed rock, shall, in addition to the issuance fee, pay an engineering and/or

inspection fee as follows:

(a) For each residential driveway, one dollar and fifty cents ($1.50). (b) For each commercial drive, ten dollars ($10).

The engineering and inspection costs herein provided for in Subsection (a) and (b) of Section 51.033 shall be presumed to be the actual cost. A refund shall not be made to any applicant unless the inspection and/or engineering fee was erroneously collected, in which case the entire amount may be returned, or if the driveway or driveways were not constructed by the permittee, the applicant may apply for a refund of the unused fees less a charge of one dollar and fifty cents ($1.50) on the permit for site inspection costs. Where the deposit has been made for other than driveway construction work, the Commissioner shall, for refund purposes, deduct from the deposit in the same manner as provided by law for the repayment of trust, the required engineering and inspection. If such cost and fee is less than the deposit, the difference shall be refunded to the person making the deposit in the same manner as provided by law for the repayment of trust moneys.

If the cost, plus the issuance fee, exceeds the amount of the deposit, the permittee shall pay the deficiency to the Commissioner. If the applicant fails to pay said deficiency within fifteen (15) days, the Commissioner may recover such sum in any court of competent jurisdiction. Until such amount is paid, further permits shall not be issued.

Adopted Ordinance #815 (1957);

51.034 Waiver of Inspection Fees.

The Commissioner shall issue without any inspection fee or deposit therefor, a permit to construct a residential driveway if the applicant for such permit pays the issuance fee and submits satisfactory evidence to the Commissioner that:

(a) The distance from the curb line to the property line does not exceed ten (10) feet, and

(b) There is no space between the sidewalk and the curb, and

(c) The edge of the sidewalk closest to any private property line is not farther than five (5) feet from said private property line.

(d) The driveway will be competently inspected by a governmental agency other than an agency of the County, and such governmental agency will furnish a certificate to the effect that that portion of the driveway installed in the public right-of-way was inspected and complies with minimum standards required by the County.

Provided, however, that if an applicant receives a permit pursuant to subsection (d) of this section and the governmental agency referred to therein fails to make the inspection or fails to file the certificate there provided for within four (4) months of the issuance of the permit, the Commissioner himself may inspect the driveway in which case the applicant shall pay to the Commissioner the actual cost of such inspection.

Adopted Ordinance #815 (1957);

51.035 Deleted by Ordinance 1327 (1966).

51.036 Request and Waiver of Inspection.

Not less than eighteen (18) hours before the commencement of any work covered

by this chapter, the permittee shall apply in writing to the Commissioner for an inspection therefor. In such application he shall specify the day and hour when, and the location at which, the work will be commenced. The Commissioner may waive any inspection if he believes such inspection is not necessary for the best interests of the County.

Adopted Ordinance #815 (1957);

51.037 Warning Signs and Precautionary Measures.

If the permit does not specify the precautionary measures to be taken by the permittee, such as the erection of barriers, barricades or warning signs, the permittee shall place and maintain warning lights at each end of such excavation or obstruction and at distances of not more than fifty (50) feet along such excavation or obstruction from sunset of each day to sunrise of the next day, until such excavation is entirely refilled and resurfaced or such obstruction is removed and every said person shall place and maintain barriers, or barricades, at each end of any said excavation or obstruction at all times until such excavation is entirely refilled or such obstruction is removed.

Barriers, barricades and warning devices shall conform to the same configuration and standards provided for in the current Department of Public Works publication entitled Manual of Warning Signs, Lights, and Devices for Use in Performance of Work Upon Highways, as compiled in accordance with Section 465.7 of the Vehicle Code of the State of California.

Adopted Ordinance #815 (1957);

51.038 Certification Acceptance.

If the Commissioner, by survey or by inspection or by both, ascertains that the work contemplated by this chapter has been completed according to the requirements of the permit issued therefor, and of all of the provisions of this division, he shall issue, if requested so to do by the permittee, a certificate of acceptance which shall contain a statement of the location, nature, and extent of the work performed under the permit.

Adopted Ordinance #815 (1957);

51.039 Removal of Material and Debris.

A permittee, upon completion of any work for which a permit under this chapter has been issued, shall remove all material and debris:

(a) Where new work is covered with earth, in accordance with the terms of the specifications attached to the permit.

(b) In all other cases within three (3) days.

51.0310 Failure of Permittee to Protect the Road or the Traveling Public or Complete the Work.

If a permittee unnecessarily damages the road, creates a hazard or otherwise endangers the traveling public, or the road, or fails to complete the work within the

prescribed time, or authorized extension thereof, the County Highway Engineer may take corrective action. The cost of such correction work shall be charged against the permittee.

Adopted Ordinance #815 (1957); Amended Ordinance #1937 (1974);

Chapter 4

MOVING PERMITS

Sections:

51.041 Scope of Chapter.
51.042 Application.
51.043 Approval by Building and Safety Department.
51.044 Time Limit for Commissioner to Act on Permit Application.
51.045 Trees.
(a) Commissioner's Authority.
(b) Supervision of Cutting Trees.
51.046 Classification of Building and Structures.
51.047 Moving Permit Fees.
(a) Trimming Deposits.
51.048 Compliance of Permit With the State Weight Limits.
51.049 Amount of Deposit.
51.0410 Display of Permit.
51.0411 Appointment of a Supervising Moving Inspector.
51.0412 Construction of Runways.
51.0413 Restoration of Highway.
51.0414 Warning Lights for Moving of Buildings or Structures.
51.0415 Deductions From Deposits and Refund of Deposits.
51.0416 Maintenance of General Deposit or Undertaking in Lieu of Deductions.
51.0417 Issuance of Moving Permit - Specific Types of Equipment.
51.0418 Rules and Regulations.

51.041 Scope of Chapter.

The provisions of this chapter apply to the making of applications for and granting and control of permits for the moving of buildings and structures.

Amended Ordinance #1287 (1966)

51.042 Application.

An applicant for a moving permit shall complete and file with the Commissioner an application in duplicate conforming with the provisions of Section 51.018 of this division, which shall contain, in addition thereto, the following:

(a) The kind of building or structure to be moved;

(b) The approximate weight thereof, as nearly as may be ascertained;

(c) The present location of the building or structure;

(d) The location to which said building or structure is to be moved;

(e) The proposed route over or along which such building or structure is to be moved;

(f) The number of sections in which the building or structure will be moved;

(g) The type and number of conveyances upon which the building or structure is to be moved;

(h) The proposed date and time of day when the removal of said building, structure,

or portion thereof, is to be commenced;

(i) The proposed date and time of day when said removal will be completed.

Amended Ordinance #1287 (1966)

51.043 Approval by Building and Safety Department.

If the building or structure to be moved is subject to regulation by the San Bernardino County Building and Safety Department, the applicant shall obtain and file with his application a Building and Safety Department approval for the moving of said building or structure.

Amended Ordinance #1287 (1966)

51.044 Time Limit for Commissioner to Act on Permit Application.

Within fifteen (15) working days after receipt of the application for a moving permit, the Road Commissioner shall:

(a) Determine whether or not the moving of any building or structure as proposed in the application can be accomplished without excessive or damaging tree trimming;

(b) Alter or prescribe the route over or along which the building or structure or portion thereof is to be moved;

(c) Determine the number of sections in which such building or structure shall be moved;

(d) Elect to do or not to do any or all of the tree trimming rendered necessary by the moving of the building or structure;

(e) Determine the total estimated cost of such trimming.

Amended Ordinance #1287 (1966)

51.045 Trees.

(a) COMMISSIONER'S AUTHORITY. A permit granted under this chapter does not permit, license, or allow any person, firm or corporation whatever except the Commissioner to trim, prune, cut, or deface in any manner any tree upon any grounds or property belonging to the County or upon any road, street or highway.

(b) SUPERVISION OF CUTTING TREES. At the written request of a moving contractor holding an unrevoked permit granted pursuant to the provisions of this chapter, the Commissioner, subject to his election to so do, as provided in Section 51.044, within a reasonable time after such request, shall, where it will not harm the trees, trim such trees under his supervision, only to the extent necessary to move the building or structure to the location specified in the permit.

Amended Ordinance #1287 (1966)

51.046 Classification of Buildings and Structures.

All buildings and structures are hereby classified as follows:

(a) Class "A" is any building or structure or any portion thereof which is moved on a

motor truck or other vehicle propelled by its own power;

(b) Class "B' is any building or structure or any portion thereof, not of Class "A' which is not more than sixteen (16) feet in width;

(c) Class "C' is any building or structure or any portion thereof, not of Class *"A"* which is more than sixteen (16) feet and not more than twenty-two (22) feet in width;

(d) Class "D' is any building or structure or any portion thereof, not of Class "A" which is more than twenty-two (22) feet and not more than twenty-eight (28) feet in width;

(e) Class "E" is any building or structure or any portion thereof, not of Class "A" which is more than twenty-eight (28) feet and not more than forty (40) feet in width;

(f) Class "F" is any building or structure or any portion thereof, not of Class "A" which is more than forty (40) feet in width.

Amended Ordinance #1287 (1966)

51.047 Moving Permit Fees.

Every applicant for a moving permit from whom an issuance fee is required, who does not maintain a sufficient general deposit or undertaking with the Commissioner, shall deposit with the Commissioner:

1. Ten dollars ($10) for a Class "A" permit.
2. Twenty-five dollars ($25) for a Class "B" permit.
3. Fifty dollars ($50) for a Class "C" permit.
4. One hundred dollars ($100) for a Class "D" permit.
5. Two hundred fifty dollars ($250) for a Class "E" permit.
6. Three hundred dollars ($300) for a Class "F" permit.

(a) TRIMMING DEPOSITS. If the Commissioner elects to do any part or all of the necessary tree trimming before any permit is issued, in addition to any deposit made as required by this section, the applicant shall also deposit with the Commissioner an amount equal to that estimated by the Commissioner pursuant to Section 51.044 to cover the cost of such necessary tree trimming.

Amended Ordinance #1287 (1966)

51.048 Compliance of Permit With the State Weight Limits.

The Commissioner shall not issue a permit to move any building or structure when the weight of such building or structure, plus the weight of the vehicle or other equipment, exceeds the weight permitted by the California Vehicle Code, except that if it appears to the Commissioner that the size, shape or physical characteristics of the building or structure or portion thereof, to be moved, or of the highway over which such building or structure is to be moved, makes it impossible or impracticable to keep within such weight limits, the Commissioner may issue a permit to move a building or structure on a vehicle every wheel of which is equipped with pneumatic tires.

Amended Ordinance #1287 (1966)

51.049 Amount of Deposit.

MOVING PERMITS

Before any permittee moves any building, structure or portion thereof, of a class higher than the class for which he has made any general or special deposit, he shall increase such deposit in an amount sufficient to cover the class sought to be moved.

Amended Ordinance #1287 (1966)

51.0410 Display of Permit.

The moving contractor shall affix and maintain at all times while it is on the highway, in a conspicuous place on the building or structure to be moved, the permit for such moving.

Where a building or structure is moved in more than one section, and more than one of such sections is moved at the same time, the moving contractor shall affix and maintain at all times while they are on the highway, in conspicuous places on each section on which the original permit is not affixed, true copies of such permit. Such true copies shall be issued by the Commissioner upon payment to him by applicant of an issuance fee of twenty-five cents (25 cents) for each additional copy.

Amended Ordinance #1287 (1966)

51.0411 Appointment of a Supervising Moving Inspector.

The Commissioner may require that the moving of any building or structure be under the supervision of an inspector to be appointed by the Commissioner. The permittee shall pay to the Commissioner an amount equal to the compensation and cost of transportation of such inspector during the time he is assigned to such inspection.

Amended Ordinance #1287 (1966)

51.0412 Construction of Runways.

When so required by the Commissioner, a moving contractor shall place under each dolly or wheel used in moving the building or structure, boards or planks of adequate width and strength to carry the load without being broken, to serve as a runway for such dolly or wheel during such moving along any portion of any highway which has a surface other than natural soil. The moving contractor shall prevent such dolly or wheel from ever revolving on or resting on such surface except upon such board, plank or runway.

Amended Ordinance #1287 (1966)

51.0413 Restoration Highway.

The Commissioner may restore, or cause to be restored, every highway damaged by the moving of any building or structure thereon, to a condition equivalent to that prior to such damage, and may require the posting of a bond to secure said restoration. The moving contractor who caused such damage shall pay the cost of the repair thereof to the Commissioner.

Amended Ordinance #1287 (1966)

51.0414 Warning Lights for Moving of Buildings or Structures.

When a building or structure while being moved is located on any highway, at all times between sunset and sunrise, the moving contractor shall keep and maintain burning a red warning light not over six (6) feet above the surface of such highway at each corner of such building or structure, and unless the Road Commissioner otherwise directs, on all sides and projections thereof at intervals of not more than five (5) feet.

Amended Ordinance #1287 (1966)

51.0415 Deductions From Deposits and Refund of Deposits.

The Commissioner shall deduct from the deposit made or maintained by each permittee:

(a) The permit issuance fee if that has not otherwise been paid;

(b) The cost of the services and transportation of any inspector appointed pursuant to Section 51.0411;

(c) The cost of any repairs made necessary because of the moving of the building or structure;

(d) The total cost of all tree trimming done by said Commissioner made necessary in order to move the building or structure as specified in the permit, including all such trimming after the moving of the building or structure to correct trimming done when the structure was moved.

The remainder of any such special deposit, if there is any remainder, shall be refunded to the person, firm or corporation making such deposit, or to his or its assigns. In the event the deposit made pursuant hereto is insufficient to pay all fees and deductions provided for herein, the person, firm or corporation to whom such permit is issued, shall, upon demand pay to the Commissioner a sufficient sum to fully cover the same. Such unpaid sums may be recovered by the Commissioner in any court of competent jurisdiction, and until paid, no further permit under the provisions of this division shall be issued to such moving contractor.

Amended Ordinance #1287 (1966)

51.0416 Maintenance of General Deposit or Undertaking in Lieu of Deductions.

If a moving contractor makes and maintains either a general deposit with the Commissioner or an undertaking as provided in this division, the deductions provided for in Section 51.0415 need not be made. In lieu of such deductions, the Commissioner may bill the moving contractor for the amount due from him to the County under the provisions of this division. If, fifteen (15) days after such bill has been sent, the moving contractor does not pay the same in full, then such amount may be deducted from his general deposit and the provisions of Section 51.0415 shall apply, or the Road Commissioner shall recover upon such undertaking.

Amended Ordinance #1287 (1966)

51.0417 Issuance of Moving Permit - Specific Types of Equipment.

The Commissioner may, in his discretion, upon application in writing and if good cause appears, issue a permit authorizing the applicant to operate or move over and along highways, specific pieces of mobile mechanical equipment or specific vehicles or specific pieces of mechanical equipment on specific vehicles, or emergency public utility equipment on specific vehicles. Any such permit shall be subject to the following conditions:

(a) The permit shall be limited to specified highways or a specified area of the County and shall specifically describe the highways or the area of the County to which it is limited. This limitation shall be fixed by the Commissioner so as to afford protection to highways and the traveling public.

(b) The granting of the permit shall in no way relieve the permittee from liability for damage to the highways or to persons or property.

(c) The permit shall be issued for a specific period of time designated by the Commissioner and set forth in the permit, which period shall not exceed one (1) year.

(d) The permit may be issued subject to such other conditions as the Road Commissioner deems necessary for the protection of the highways and the traveling public.

The application for a permit pursuant to this section shall be made on a form furnished by the Commissioner and shall contain the information required by Section 710 of the California Vehicle Code and such other information as may be required by the Road Commissioner. The application shall be accompanied by payment of a fee of ten dollars ($10) which shall be in lieu of any other fee prescribed by this division. Prior to the issuance of any permit, the applicant shall file with the Road Commissioner, a surety bond satisfactory to the Commissioner, in the amount of five thousand dollars ($5,000) for the protection of highways from injury and to provide indemnity for any damage resulting from the operation or movement under the permit. The filing of such bond shall, for the purpose of this section, constitute compliance with the requirements contained in this chapter relating to the deposit of money with the Road Commissioner. A single five thousand dollar ($5,000) bond may, in the discretion of the Commissioner, be deemed sufficient security for the issuance of one (1) or more permits to the same applicant pursuant to this section.

Amended Ordinance #1287 (1966)

51.0418 Rules and Regulations.

The permittee shall comply with the Housemoving Rules and Regulations, County of San Bernardino, as amended, except to the extent that such rules and regulations are expressly modified or deleted in the permit.

Amended Ordinance #1287 (1966)

Chapter 5

BANNER PERMITS

Sections:

51.051 Scope of Chapter.
51.052 Application.
51.053 Purpose of Permit.
51.054 Duration.
51.055 Special Banner Permit.
51.056 Public Liability and Property Damage Coverage.
51.057 Installation.
51.058 Deductions and Refunds of Deposits.
51.059 Removal of Material and Debris.

51.051 Scope of Chapter.

The provisions of this chapter apply to the making of applications for and the granting and control of permits for the placing, erection, maintaining and removal of banners extending over, upon or along any highway or any portion thereof.

Adopted Ordinance #815 (1957);

51.052 Application.

An applicant for a banner permit shall complete and file with the Commissioner an application in duplicate conforming with the provisions of Section 51.018 of this division which shall contain, in addition thereto, the following:

(a) The location, dimensions, and purpose of the banner;
(b) A facsimile of the proposed banner, including any legend or written matter;
(c) The proposed date and the time of day when said banner will be installed;
(d) The proposed date and time of day when said banner will be removed;
(e) Such other information as the Commissioner may require.

Adopted Ordinance #815 (1957);

51.053 Purpose of Permit.

Permits issued under this chapter shall be granted only to civic organizations or public bodies for the purpose of bringing to the attention of the public, events which are of a general public interest. No permit shall be issued to further political, religious, or private purposes.

Adopted Ordinance #815 (1957);

51.054 Duration.

No permit shall be granted for a period of more than forty (40) days.

BANNER PERMITS

Adopted Ordinance #815 (1957);

51.055 Special Banner Permit.

Every applicant for a banner permit from whom an issuance fee is required and who does not maintain a sufficient general deposit or undertaking with the Commissioner, shall deposit with the Commissioner, ten dollars ($10) for each banner permit.

Adopted Ordinance #815 (1957);

51.056 Public Liability and Property Damage Coverage.

An applicant shall submit proof of public liability and property damage to the Commissioner in an amount of not less than one hundred thousand dollars ($100,000) for any one person killed or injured, and two hundred fifty thousand dollars ($250,000) total liability for any one accident, and an amount of not less than fifty thousand dollars ($50,000) for property damage.

Adopted Ordinance #815 (1957);

51.057 Installation.

The Commissioner may require that the installation of any banner be under the supervision of an inspector appointed by the Commissioner, for which the permittee shall pay the Commissioner an amount equal to the compensation and cost of transportation of such inspector during the time he is assigned to such inspection.

Adopted Ordinance #815 (1957);

51.058 Deductions and Refunds of Deposits.

The Commissioner shall deduct from the deposit made or maintained by the permittee the following:

(a) The permit issuance fee if that has not otherwise been paid;
(b) The cost of the service and transportation of any inspector;
(c) The cost of any repairs made necessary because of installation of the banner.

The remainder of any such special deposit, if any, shall be refunded to the permittee.

Adopted Ordinance #815 (1957);

51.059 Removal of Material and Debris.

A permittee, upon the removal of any banner for which a permit under this chapter has been issued, shall remove from the highway all material and debris resulting from the installation, maintenance or removal of any banner, within twenty-four (24) hours after the removal of a banner.

Adopted Ordinance #815 (1957);

DIVISION 2.

TRAFFIC

Chapters:

1. Vehicle Regulations
2. Boating Regulations
3. Ski Zone Regulations
4. Fishing Zone Regulations
5. Frozen Bodies of Water
6. Water Vehicle Speed and Wake Restrictions on Lake Havasu

Chapter 1

VEHICLE REGULATIONS

Sections:

52.0101 Title.
52.0102 Definitions.
52.0103 Vehicle Code Definitions.
52.0104 Required Obedience to Traffic Code.
52.0105 Scope.
52.0106 Exemption of Certain Vehicles.
52.0107 Traffic Control Devices.
52.0108 Turning Movements.
52.0109 One-way Streets.
52.0110 Closing of Streets.
52.0111 Through Highways.
52.0112 Application of Stopping, Standing and Parking Regulations.
52.0113 Standing Prohibited Between Roadways.
52.0114 Parking Parallel with Curb.
52.0115 Parking on Narrow Streets -- Prohibited.
52.0116 Parking Adjacent to Schools.
52.0117 Stopping or Standing Prohibited in Specified Places.
52.0118 Restriction or Prohibition of Parking.
52.0119 Use of Streets for Storage of Vehicles Prohibited.
52.0120 Parking for Certain Purposes Prohibited.
52.0121 Stopping for Loading or Unloading Only.
52.0122 Additional Parking Regulations.
52.0123 Speed Zones.
52.0124 Crosswalks.
52.0125 Weight Limitations.
52.0126 Weight Limits on Bridges.
52.0127 Miscellaneous Provisions.
52.0128 Restriction or Prohibition of Parking of Commercial Vehicles.
52.0129 Procedure for Establishing Terminal Routes.
52.0130 Penalty.

52.0101 Title.

This chapter shall be known as the County Traffic Code.

(a) PROVISION NOT AFFECTED BY HEADINGS. Chapter and section headings contained herein shall not be deemed to govern, limit, or modify, or in any manner affect the scope, meaning, or intent of any chapter or section hereof.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Renumbered Ordinance #2778 (1983);

52.0102 Definitions.

Whenever in this chapter the following terms are used, they shall have the meaning respectively ascribed to them in this chapter.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Renumbered Ordinance #2778 (1983);

52.0103 Vehicle Code Definitions.

Whenever any words or phrases used in this chapter are not defined herein, but are now defined in the Vehicle Code of the State of California, such definitions as now existing are incorporated herein and shall be deemed to apply to such words and phrases as used in this chapter as though set forth herein in full.

"Alley." A public thoroughfare, not exceeding twenty-five (25) feet in width for the use of pedestrians and/or vehicles, which affords only a secondary means of access to the abutting property.

"Chapter" means a chapter of this division, unless the chapter of some other division or law is indicated.

"Board" means the Board of Supervisors of the County of San Bernardino.

"Holidays." Within the meaning of this chapter, holidays are the first day of January, the 12th day of February, the 22nd day of February, the 30th day of May, the 4th day of July, the first Monday in September, the 9th day of September, the 12th day of October, the 11th day of November, the 25th day of December, Thanksgiving Day, and any day proclaimed a holiday by the President of the United States or the Governor of California.

"Loading Zone" means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

"Bus Loading Zone" means that space adjacent to a curb or edge of a roadway reserved for the exclusive use of busses during the loading or unloading of passengers.

"Passenger Loading Zone" shall mean the space adjacent to a curb or edge of a roadway reserved for the exclusive use of vehicles during the loading or unloading of passengers.

"Official Traffic Signals" shall mean any device whether manually, electrically, or mechanically operated, by which traffic is alternatively directed to stop and proceed, and which may be equipped with a flashing feature which when operated, discontinues

normal signal operation and causes the flashing of any predetermined combination of signal lights, and which is erected by authority of a public body or official having jurisdiction.

"Official Traffic Control Devices" shall mean all signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

"Park" shall mean, to leave standing any vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of passengers or materials.

"Pedestrian" shall mean any person afoot.

"Road Commissioner" shall mean the Road Commissioner of the County of San Bernardino.

"Section" shall mean a section of this chapter, unless the section of some other ordinance or law is specified.

"State Department of Transportation" shall mean the Department of Transportation of the State of California.

"Stop or Stand."

(a) The word "stop" means the complete cessation of movement.

(b) The words "stop or stand" mean any stopping or standing of a vehicle, whether occupied or not, except where necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

"Time." Whenever certain hours are named herein, they shall mean standard time or daylight- saving time as may be in current use in the unincorporated territory of the County of San Bernardino.

"Vehicle Code" shall mean the Vehicle Code of the State of California.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Amended Ordinance #1420 (1968); Renumbered Ordinance #2778 (1983);

52.0104 Required Obedience to Traffic Code.

It is a misdemeanor for any person to do any act forbidden, or fail to perform any act required by this chapter.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Renumbered Ordinance #2778 (1983);

52.0105 Scope.

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States Government, the State, or any county or city. It shall be unlawful for any said driver to violate any of the provisions of this chapter except as otherwise permitted in this chapter or by State statute.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Renumbered Ordinance #2778 (1983);

52.0106 Exemption of Certain Vehicles.

(a) The provisions of this chapter regulating the operation, parking and standing of vehicles shall not apply to any vehicle that has qualified under the Vehicle Code as an authorized emergency vehicle, when any such vehicle is operated in the manner specified in the Vehicle Code in response to an emergency call.

(b) The foregoing exemption shall not, however, protect the driver of any such vehicle from the consequences of his willful disregard of the safety of others.

(c) The provisions of this Chapter regulating parking or standing of vehicles shall not apply to any vehicle of the Transportation Department of the County of San Bernardino or of the State Department of Transportation, while necessarily in use for the construction, repair work, survey work, or traffic engineering investigations on any highway or any vehicle owned by the United States while in use for the collection, transportation or delivery of the United States mail.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Renumbered Ordinance #2778 (1983);

52.0107 Traffic Control Devices.

(a) SIGNS. The Road Commissioner shall determine and designate the size, shape and character of all official warning, regulatory, and direction signs, other than signs the size, shape and character of which have been established by the State Department of Transportation pursuant to the Vehicle Code.

(1) Violation. No provision of this chapter for which signs are required, shall be enforced against an alleged violator thereof, unless appropriate signs are in place and sufficiently legible to be seen by an ordinarily observant person, giving notice of such provision.

(b) AUTHORIZATION AND PLACING OF SIGNALS.

(1) The Board shall by resolution designate, upon the basis of a traffic engineering investigation, what intersections shall be controlled by official traffic control signals.

(2) Whenever the Board finds, upon the basis of a traffic engineering investigation, that the conditions, because of which traffic control signals have been placed at an intersection pursuant to Section 52.017(b), no longer exist, the Board shall by resolution direct that such traffic control signals be removed.

The Road Commissioner is hereby authorized to place, maintain, operate or remove, or cause to be placed, maintained, operated or removed, all official traffic control signals authorized by the Board as herein provided. Such official traffic signals shall conform to the provisions of the Vehicle Code.

(c) HOURS OF OPERATION. The Road Commissioner is hereby authorized to determine, upon the basis of a traffic engineering investigation, the hours and days during which any traffic control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this chapter or established by resolution of the Board.

(d) INSTALLATION BY ROAD COMMISSIONER.

(1) The Road Commissioner may place and maintain such traffic control devices

in addition to those authorized by other provisions of this chapter as may be necessary to regulate, guide or warn traffic, but the Road Commissioner shall make such determination upon the basis of traffic engineering principles and traffic investigations and in accordance with such standards, limitations and rules as may be established by ordinance or resolution of the Board.

(2) Whenever the Road Commissioner finds, upon the basis of a traffic engineering investigation, that the conditions, because of which such traffic control devices have been installed as provided in Section 52.017(d), no longer exist, the Road Commissioner shall remove such traffic control devices.

(e) TRAFFIC MARKINGS. The Road Commissioner is hereby authorized to place, upon the basis of a traffic engineering investigation, traffic guide lines, dividing highways into the number of traffic lanes that are proper and necessary, and may place such other pavement markings as are necessary to direct vehicular movements in accordance with requirements of this chapter and the Vehicle Code.

Whenever the Road Commissioner finds, upon the basis of a traffic engineering investigation, that the conditions, because of which traffic guide lines or other markings were placed as provided in Sections 52.011(e), no longer exist, the Road Commissioner shall remove such traffic guide lines or such markings.

(f) TEMPORARY REMOVAL. Whenever, because of the construction, alteration, repair or improvement of any highway, or because of other emergency, compliance with any prohibition of this chapter, including a prohibition pursuant to any action of the Board taken in accordance with this chapter, will create a traffic hazard and the Road Commissioner so finds, he is hereby authorized to either remove or cover up any traffic control device which informs persons of such prohibition. While such traffic control device is removed or covered, the effect of such prohibition is suspended. At the end of such emergency, unless otherwise determined by the Board, the Road Commissioner shall replace or uncover such traffic control device.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Renumbered Ordinance #2778 (1983);

52.0108 Turning Movements.

(a) RESTRICTED TURN SIGNALS.

(1) Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of a traffic engineering investigation, that the prohibition of the making or any turning movement by any vehicle at any intersection or between any designated intersections is necessary, the Board shall by resolution direct the Road Commissioner to erect any appropriate sign or signs stating the prohibition of such turning movements. The sign or signs may be supplemented by appropriate pavement markings.

(2) Whenever the Board finds, upon the basis of a traffic engineering investigation, that the conditions because of which such turning movements at such intersections or between such intersections has been prohibited as provided in Section 52.018(a)(I), no longer exist, the Board shall by resolution direct the Road Commissioner to remove such sign or signs and pavement markings.

(b) TURN MARKERS AND MULTIPLE LANES.

(1) Pursuant to the Vehicle Code, the Board hereby authorizes the Road Commissioner, upon the basis of a traffic engineering investigation, to place markers,

buttons or signs within or adjacent to intersections and thereby require and direct that a different course from that specified in the Vehicle Code be traveled by vehicles turning at an intersection or may allocate and indicate more than one lane of traffic from which drivers of vehicles may make right- or left-hand turns.

(2) Whenever the Road Commissioner finds, upon the basis of a traffic engineering investigation, that any turning movement within or adjacent to any intersection which has been required by the placing of markers, buttons or signs as provided in Section 52.018(b)(1) is no longer necessary, the Road Commissioner shall remove such markers, buttons or signs.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Renumbered Ordinance #2778 (1983);

52.0109 One-way Streets.

(a) Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of a traffic engineering investigation, that it is necessary to designate particular highways or portions thereof as one-way highways and require that all vehicles thereon move in one specified direction, the Board shall by resolution direct the Road Commissioner to erect appropriate signs indicating the direction of travel at each highway intersecting such one-way highway upon such particular highway or portion thereof.

(b) Whenever the Board finds, upon the basis of a traffic engineering investigation, that the conditions, because of which such highway or portions thereof has been designated as a one-way highway as provided in Section 52.019(a), no longer exist, the Board shall by resolution direct the Road Commissioner to remove such signs from such one-way highway.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0110 Closing of Streets.

(a) STREETS DIVIDING SCHOOL PROPERTY. Pursuant to the Vehicle Code, whenever the Board determines on the basis of a traffic engineering investigation that it is necessary to close a street that divides school grounds to vehicular traffic, the Board shall by resolution direct the Road *Commissioner* to place appropriate signs indicating such closure.

(b) HOURS, DAYS AND CONDITIONS. Whenever the Board, pursuant to Section 52.019 of this chapter, orders the closing of streets, the Road Commissioner shall, on the basis of traffic engineering investigation, determine the hours of the day, the days of the week and the conditions under which such street shall be closed.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0111 Through Highways.

(a) ESTABLISHMENT. Pursuant to the Vehicle Code, the Board may determine,

upon the basis of a traffic engineering investigation, by resolution that it is necessary, (1) to designate any highway as a through highway and to require that all vehicles stop before entering or crossing the same, (2) to designate any intersection as a stop intersection and to require all vehicles to stop at one or more entrances to such intersections, (3) to control traffic within an intersection and require it to stop, when signs are erected as provided by the Vehicle Code.

(b) RAILROAD STOP SIGNS. Pursuant to the Vehicle Code, the Board may determine, upon the basis of a traffic engineering investigation, by resolution that all vehicles shall stop before entering or crossing the tracks at any highway railroad grade crossing when signs are in place giving notice thereof, but no such ordinance shall be effective unless approved by an order of the Public Utilities Commission of the State.

(c) STOP SIGNS. When the Board has adopted resolutions pursuant to Section 52.011 l(a) and (b) of this chapter, the Road Commissioner shall erect a stop sign on each and every street intersecting such through street or portion thereof so designated and at those entrances to or locations within other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in the Vehicle Code. Such signs may be supplemented by appropriate pavement markings.

(1) Removal. Whenever the Board finds, on the basis of a traffic engineering investigation, that the conditions, because of which such highways have been designated as through highways or such intersection has been designated as a stop intersection or such location within an intersection has been designated where vehicles are required to stop, or such highway railroad grade crossing has been designated at which vehicles are required to stop before entering or crossing the tracks, as provided in Section 52.011(a) and (b) of this chapter, no longer exist, the Board shall by resolution direct the Road Commissioner to remove such signs and pavement markings from such intersections or railroad grade crossings.

(d) EMERGENCY STOP SIGNS. The Road Commissioner is hereby authorized when any emergency condition, as indicated by a traffic engineering investigation, exists at any highway intersection or intersections, to place and maintain stop signs as provided in Section 52.0111(c) for the duration of such emergency condition. Such stop signs shall be removed when such emergency condition ceases to exist unless otherwise determined by the Board.

(1) Removal. The Road Commissioner is hereby authorized, when because of temporary detours, or other emergency, it would be impractical and a hazard to require vehicles to stop at an intersection where stop signs have been erected pursuant to this chapter, to either remove such signs or so cover them that no portion of the word "stop" remains visible. At the termination of such emergency, the Road Commissioner shall restore such signs or uncover such signs unless otherwise determined by the Board.

(e) OBEDIENCE TO STOP SIGNS. Where stop signs have been erected pursuant to this chapter, any vehicle approaching such signs shall stop in accordance with the provisions of the Vehicle Code except that no stop is required where:

(1) An officer is on duty and directs traffic to proceed.

(2) A traffic signal is in operation and indicates that traffic may proceed.

(3) A stop sign has been removed or covered pursuant to Section 52.011 l(d)(1).

(f) YIELD-RIGHT-OF-WAY SIGNS.

(1) Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of a traffic engineering investigation, that it is necessary to require vehicles

entering an intersection at one or more of its approaches to slow and yield the right of way as provided in the Vehicle Code, the Board shall by resolution direct the Road Commissioner to erect and maintain "Yield - right - of - way" signs on such approaches.

(2) Whenever the Board determines, upon the basis of a traffic engineering investigation, that the conditions, because of which the "Yield -right - of- way" signs were erected as provided in Section 52.011 l(f)(1) no longer exist, the Board shall by resolution direct the Road Commissioner to remove such signs.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0112 Application of Stopping, Standing and Parking Regulations.

(a) The provisions of this chapter prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times herein specified, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

(b) The provisions of this chapter imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or an ordinance of this County prohibiting or limiting the standing or parking of vehicles in specified places or at specified times.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0113 Standing Prohibited Between Roadways.

No person shall stop, stand or park a vehicle within any median strip between roadways or within any traffic island or other area designed to separate or guide the movement of traffic.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0114 Parking Parallel With Curb.

(a) PARKING ON ONE-WAY STREET. Subject to other and more restrictive limitations, a vehicle may be stopped or parked within eighteen (18) inches of the left-hand curb facing in the direction of traffic movement upon any one-way street unless signs or curb markings as described in Section 52.0121 (f) are in place prohibiting such stopping or standing.

(b) PARKING ON HIGHWAYS COMPRISED OF TWO OR MORE SEPARATE ROADWAYS. In the event a highway includes two (2) or more separate roadways and traffic is restricted to one (1) direction upon any such roadway, no person shall stand or park a vehicle upon or adjacent to the left-hand side of such one-way roadway unless signs are in place permitting such standing or parking.

(c) PROHIBITION OF PARKING ON ONE-WAY STREET. Whenever the Board determines, upon the basis of a traffic engineering investigation, that standing or parking of vehicles shall be prohibited upon the left-hand side of any one-way street or

when standing or parking may be permitted upon or adjacent to the left-hand side of any one-way roadway of a highway having two (2) or more separate roadways, the Board shall by resolution direct the Road Commissioner to place signs, pavement markings or curb markings as described in Section 52.0121(f) on such street or highway giving notice thereof.

(1) Removal of Prohibition. Whenever the Board, upon the basis of a traffic engineering investigation, finds that the conditions because of which parking was either prohibited or permitted as provided in Section 52.0114(c), no longer exist, it shall by resolution direct the Road Commissioner to remove such signs, pavement markings and curb markings from such portion of street or highway.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0115 Parking on Narrow Streets - Prohibited.

The Road Commissioner is hereby authorized, upon the basis of a traffic engineering investigation, to place signs or curb markings as described in Section 52.0121, indicating no parking upon any highway when the width of the roadway and shoulders of such highway do not exceed twenty (20) feet or upon one side of a highway when the width of the roadway and shoulders of such highway do not exceed thirty (30) feet.

(a) REMOVAL OF SIGNS. Whenever the Road Commissioner finds that, due to widening, the conditions as set forth in Section 52.0115 no longer exist, he shall remove such signs and curb markings from such portion of such highway.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0116 Parking Adjacent to Schools.

(a) PROHIBITED. The Road Commissioner is hereby authorized, upon the basis of a traffic engineering investigation, to place signs or curb markings described in Section 52.0121 indicating no parking upon either side of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation.

(b) REMOVAL OF PROHIBITING SIGN. Whenever the Road Commissioner, upon the basis of a traffic engineering investigation, finds that the conditions because of which parking was prohibited as provided in Section 52.0116 no longer exist, he shall remove such signs and curb markings.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0117 Stopping or Standing Prohibited in Specified Places.

(a) The Road Commissioner is hereby authorized to prohibit stopping, standing or parking and to place signs or curb markings as described in Section 52.0121, at any of the following places when such prohibition as indicated by a traffic engineering investigation will alleviate dangerous hazardous traffic conditions, facilitate the full use

of the roadway, or serve the convenience of the public:

(1) At any place within on hundred (100) feet of the intersection of two (2) or more highways.

(2) At any place within twenty-five (25) feet of a railroad grade crossing.

(3) Adjacent to either side of a crosswalk or driveway entrance for a distance not to exceed twenty (20) feet from either side of such crosswalk or driveway.

(4) Adjacent to any fire hydrant when it has been determined that stopping, standing or parking of any vehicle, whether attended or unattended, would present some special hazard or would prevent ready access to the fire hydrant.

(5) At any place in connection with a street or highway vehicular parking layout or plan.

(6) On either side of a highway in those areas where any highway has been cleared of snow by snowplows, and the width of the highway is restricted by reason of snow conditions.

(b) When the Road Commissioner, upon the basis of a traffic engineering investigation, finds that the conditions because of which stopping, standing or parking was prohibited as authorized in Section 52.0117(a) no longer exist, he shall remove such signs and such curb markings from such portion of such street or highway.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0118 Restriction or Prohibition of Parking.

(a) BASIS FOR REGULATION. Whenever the Board determines, upon the basis of a traffic engineering investigation, that it is necessary to prohibit stopping, standing or parking of vehicles on certain highways or portion thereof at all or certain hours of the day in order to facilitate the movement of traffic or to eliminate hazardous conditions, the Board shall by resolution direct the Road Commissioner to place appropriate signs or curb markings as designated in Section 52.0121 on such highways or portions thereof.

(b) BASIS FOR LIFTING PARKING REGULATIONS. Whenever the Board, upon the basis of a traffic engineering investigation, finds that the conditions because of which it was necessary to prohibit the stopping, standing or parking of vehicles at all or certain hours of the day as provided in Section 52.0118(a) no longer exist, the Board shall by resolution direct the Road Commissioner to remove such signs and curb markings from such highways or portion thereof.

(c) TEMPORARY NO PARKING. Whenever the Road Commissioner determines that traffic congestion or traffic hazard of an emergency nature is likely to result from the operation, stopping, standing or parking of vehicles during the holding of public or private assemblages, gatherings, or functions, or during the construction, alteration, repair or improvement of any highway, or for any other reason, he may place or cause to be placed, temporary signs prohibiting the operation, stopping, standing or parking of vehicles during the existence of such emergency.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0119 Use of Streets for Storage of Vehicles Prohibited.

(a) No person who owns or has possession, custody or control of any vehicles shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours.

(b) In the event a vehicle is parked or left standing upon a street in excess of a consecutive period of seventy-two (72) hours, the Sheriff or any member of the Highway Patrol of the State of California may remove said vehicle from the street in the manner and subject to the requirements of the Vehicle Code.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0120 Parking for Certain Purposes Prohibited.

No person shall park a vehicle upon any highway or right-of-way for the principal purpose of:

1. Displaying such vehicle for sale.
2. Washing, greasing, repairing such vehicle except repairs necessitated by an emergency.
3. Using such vehicle to support a sign.
4. Vending, except adjacent to the premises of the purchaser when taking orders or delivering any commodity.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0121 Stopping for Loading or Unloading Only.

(a) ESTABLISHMENT OF LOADING ZONES. Whenever the Board determines, upon the basis of a traffic engineering investigation, that loading zones, passenger loading zones or bus loading zones are necessary on any highway or portion thereof, the Board shall by resolution direct the Road Commissioner to place signs or curb markings as provided in Section 52.0121(f) on such highway or portion thereof.

(1) Removal of Signs. Whenever the Board, upon the basis of a traffic engineering investigation, finds that the conditions, because of which loading zones, passenger loading zones and bus loading zones were established along such highway or portion thereof as provided in Section 52.0121(a) no longer exist, the Board shall by resolution direct the Road Commissioner to remove such signs or such curb markings designating such Zones.

(b) MARKING OF LOADING ZONES. Loading zones shall be indicated by appropriate signs indicating such zone or by a yellow line stenciled with black letters "Loading Only" upon the top or side of all curbs within such zones.

(c) MARKING OF PASSENGER LOADING ZONES. Passenger loading zones shall be indicated by appropriate signs or by a white line stenciled with black letters "Passenger Loading Only" upon the top or side of all curbs within such zones.

(d) MARKING OF BUS LOADING ZONES. Bus loading zones shall be indicated by appropriate signs or by a red line stenciled with white letters "No Standing" together with the words "Bus Zone" on the top or side of all curbs within such zones.

(e) USE OF BUS LOADING ZONE - RESTRICTED. No person shall stop, stand or park any vehicle except a bus in a bus loading zone.

(f) CURB MARKINGS TO INDICATE NO STOPPING AND PARKING REGULATIONS. The Road Commissioner is hereby authorized, subject to the provisions and limitations of this chapter, to place, and where required herein shall place the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meaning herein set forth.

(1) Red. Red shall mean no stopping, standing or parking except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.

(2) Yellow. Yellow shall mean no stopping, standing or parking for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes nor the loading or unloading of materials more than twenty (20) minutes.

(3) White. White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers which shall not exceed three (3) minutes.

(4) Green. Green shall mean no standing or parking for longer than twenty (20) minutes.

(g) MARKINGS IN LIEU OF CURB MARKINGS. When there are no curbs, the Road Commissioner shall indicate the parking or standing regulations by installing, in lieu of curb markings, appropriate signs giving notice of such regulations.

(h) EFFECT OF PERMISSION TO LOAD OR UNLOAD.

(1) Applies only to commercial vehicles and time limit. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than twenty (20) minutes.

(2) Deliveries. The loading or unloading of materials shall apply only to commercial deliveries, the delivery or pickup of express and parcel post packages and United States mail.

(3) Passenger. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage but shall not extend beyond the time necessary therefor and in no event for more than three (3) minutes.

(4) Abuse of privilege. Within the total time limits above specified, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

(i) STANDING IN ALLEYS. No person shall stop, stand or park a vehicle for any purpose other than the loading or unloading of passengers or materials in any alley.

(j) BUS LOADING ZONE ADJACENT TO SCHOOL. The Road Commissioner is hereby authorized, upon the basis of a traffic engineering investigation, to place signs or curb markings described in Section 52.0121(f) indicating bus loading zone upon either side of any street adjacent to any school property when such loading zone would facilitate the orderly movement of traffic.

(1) Removal. Whenever the Road Commissioner, upon the basis of a traffic engineering investigation, finds that the conditions because of which a bus loading zone was established as provided in Section 52.0121(j) no longer exist, he shall remove such signs and such curb markings.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0122 Additional Parking Regulations.

(a) ANGLE PARKING.

(1) Permitted. Whenever the Board determines upon the basis of a traffic engineering investigation that the width of a highway or portion thereof, and traffic conditions are such that the parking of vehicles at an angle to the curb or edge of the highway will not be unduly hazardous to the flow of traffic, and that there is need for additional parking space which angle parking will provide, the Board shall by resolution direct the Road Commissioner to, and the Road Commissioner shall indicate at what angle traffic conditions make it desirable that vehicles should be parked by placing parallel white lines upon the surface of such highway or portion thereof. On such portions of such highways a person shall not stop, stand or park any vehicle except between, at the angle indicated by, and parallel to both adjacent white lines, with the nearest front wheel not more than one (1) foot from the curb or bumper, which may be placed in lieu of curbs or the edge of the highway. The Road Commissioner may prohibit stopping, standing, or parking in connection with any angle parking layout or plan as provided in Section 52.0117(a)(5).

(2) Prohibited. Whenever the Board, upon the basis of a traffic engineering investigation, finds that the conditions, because of which angle parking has been permitted upon a highway or portion thereof as provided in Section 52.0122(a)(1) no longer exist, the Board shall by resolution direct the Road Commissioner to obliterate such angle parking lines and other markings from such highways or portions thereof. Thereafter on such portion of the highway, no person shall stop, stand or park a vehicle, other than according to the Vehicle Code or as provided in this chapter.

(b) PARALLEL PARKING LINES.

(1) Placement. Whenever parallel parking is required on any highway or portion thereof as provided in the Vehicle Code, the Board hereby authorizes the Road Commissioner to place white lines consistent with the provisions of the Vehicle Code parallel to and/or at right angles to the curb or edge of the highway when a traffic engineering investigation indicates that such white lines would facilitate the parking of vehicles or alleviate a hazardous condition. When such white lines have been placed, no person shall stop, stand or park a vehicle outside of the rectangular space indicated by such lines and the curb or the edge of the highway. The Road Commissioner may prohibit stopping, standing or parking in connection with any parallel parking plan or layout as provided in Section 52.0117(a)(5).

(2) Prohibited. Whenever the Road Commissioner, upon the basis of a traffic engineering investigation, finds that the conditions, because of which parallel white lines were placed as provided in Section 52.0122(b)(1) no longer exist, the Road Commissioner shall obliterate such white lines from such highway or portion thereof.

(c) RIGHT OF WAY WHEN PARALLEL PARKING.

(1) Definition. For the purpose of this section, a "Limited parallel parking space" shall mean an area open for lawful parking along side of, and adjacent to, a curb or edge of a highway, which area is not of sufficient length to permit two (2) or more vehicles to park therein at the same time.

(2) Right of Way to Person Backing Into Parking Space. Any person seeking to park his vehicle in a limited parallel parking space, whose vehicle arrives at said parking

space prior to any other vehicle, and who proceeds beyond said space with his entire vehicle a distance not to exceed ten (10) feet for the purpose of backing his vehicle therein, shall have the right of way over any person driving or attempting to drive any other vehicle directly into such limited parallel parking space and the driver of such other vehicle shall yield the right of way to the driver who first arrived at said limited parallel parking space.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0123 Speed Zones.

(a) AUTHORITY TO INCREASE 25-MILE LIMIT. Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of an engineering and traffic survey, that a greater speed would facilitate the orderly movement of vehicular traffic and would be safe upon any street otherwise subject to a *prima facie* limit of twenty-five (25) miles per hour under the Vehicle Code, the Board shall determine and declare a higher *prima facie* speed limit. When such determination has been made, the Board shall by resolution direct the Road Commissioner to erect and maintain signs upon such street as provided in the Vehicle Code indicating the appropriate *prima facie* speed limit. Such signs may be supplemented by appropriate pavement markings.

(1) Removal. Whenever the Board, upon the basis of a traffic engineering investigation, finds that the conditions, because of which a speed limit has been determined as provided in Section 52.0123(a) no longer exist, the Board shall by resolution direct the Road Commissioner to remove such signs and markings from such street.

(b) AUTHORITY TO DECREASE SIXTY-FIVE MILE LIMIT. Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of an engineering and traffic survey, that the limit of sixty-five (65) miles per hour is more than is reasonable or safe upon any street or highway where such limit of sixty-five (65) miles per hour is applicable under the Vehicle Code, the Board shall determine and declare a lower prima facie limit which is appropriate to facilitate the orderly movement of traffic and is reasonable and safe. When such determination has been made, the Board shall by resolution direct the Road Commissioner to erect and maintain signs upon such street or highway as provided in the Vehicle Code indicating the appropriate speed limit. Such signs may be supplemented by appropriate pavement markings.

(1) Removal. Whenever the Board, upon the basis of a traffic engineering investigation, finds that the conditions because of which a speed limit has been determined as provided in Section 52.0123(b) no longer exists, the Board shall by resolution direct the Road Commissioner to remove such signs and pavement markings from such street or highway.

(c) AUTHORITY TO LINK SPEED LIMIT DISTRICTS. Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of an engineering and traffic survey. that the limit of sixty-five (65) miles per hour is more than is reasonable or safe upon any portion of a street or highway for a distance of not exceeding two thousand (2,000) feet in length between districts either business or residence, the Board may determine and declare a reasonable and safe *prima facie* limit thereof lower than sixty-five (65) miles per hour, but not less than twenty-five (25) miles per hour. When such determination has been made, the Board shall by resolution direct the Road

Commissioner to erect and maintain signs thereon as provided in the Vehicle Code. Such signs may be supplemented by appropriate pavement markings.

(1) Removal. Whenever the Board finds, upon the basis of an engineering and traffic survey, that the conditions because of which a *prima facie* limit. lower than sixty-five (65) miles per hour has been determined as provided in Section 52.0123 (c) no longer exist, it shall by resolution direct the Road Commissioner to remove such signs and markings from such portion of street or highway.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0124 Crosswalks.

(a) ESTABLISHMENT BETWEEN INTERSECTIONS. Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of an engineering and traffic investigation, that a crosswalk between intersections would facilitate the orderly movement of pedestrian and vehicular traffic, the Board shall by resolution direct the Road Commissioner to provide and maintain painted markings or other appropriately devised symbols or warning signs at all crosswalks which have been designated as such.

(1) Removal. Whenever the Board finds, upon the basis of a traffic engineering study, that the conditions because of which a crosswalk has been provided and maintained as provided in Section 52.0124(a) no longer exist, the Board shall by resolution direct the Road Commissioner to remove such markings, symbols or signs from such crosswalk.

(b) ESTABLISHMENT AT INTERSECTIONS. The Board hereby authorizes the Road Commissioner to provide and maintain painted crosswalk markings or other appropriately devised symbols or warning signs at any intersection whenever a traffic engineering investigation indicates that such markings, symbols or signs would facilitate the orderly movement of pedestrian and vehicular traffic.

(1) Removal. Whenever the Road Commissioner, upon the basis of a traffic engineering investigation, finds that the conditions because of which painted crosswalk markings or other appropriately devised symbols or warning signs at any intersection have been provided and maintained as provided in Section 52.0124(b) no longer exist, the Road Commissioner shall remove such markings, symbols or signs at such crosswalk.

(c) PROHIBITING THE USE OF CROSSWALKS BY PEDESTRIANS. Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of a traffic engineering investigation, that prohibiting the use of any crosswalk is necessary, the Board shall by resolution direct the Road Commissioner to erect and maintain signs adjacent to such crosswalk directing that pedestrians shall not cross in the crosswalk.

(1) Removal. Whenever the Board determines, upon the basis of a traffic engineering investigation, that the conditions because of which signs were erected prohibiting the use of a crosswalk as provided in Section 52.0124(c) no longer exists, the Board shall by resolution direct the Road Commissioner to remove such signs.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0125 Weight Limitations.

(a) LIMITS ON UNIMPROVED HIGHWAYS.

(1) Whenever the Board determines, upon the basis of an engineering investigation, that a highway is unimproved as the word "unimproved" is used in the Vehicle Code, and that the nature of the pavement or surface is such that it will be damaged if vehicles of over a certain gross weight are permitted to operate thereon, the Board shall by resolution direct the Road Commissioner to erect signs specifying the maximum gross weight limits which shall be permitted to operate on such highway.

(2) The Road Commissioner shall erect and maintain signs upon all unimproved highways upon which a weight limit is imposed at the entrances thereto from all improved highways, from all highways upon which no weight limit has been imposed, and from all highways upon which a greater weight limit has been imposed.

(3) Whenever such weight limit signs have been placed as provided in this section, it shall be a misdemeanor for any person to drive or operate a vehicle upon such unimproved highway when the maximum gross weight of such vehicle, plus the weight of the load thereon, exceeds the weight limit stated by such signs except that any commercial vehicle shall not be prohibited from using any County highway by direct route to or from a State Highway for the purpose of delivering or loading for transportation, goods, wares, or merchandise as provided in the Vehicle Code.

(4) Whenever the Board finds that because of repaving or repair of an unimproved highway, that a weight limit is no longer necessary upon such highway, the Board shall by resolution direct the Road Commissioner to remove the weight limit signs from such highway or entrances thereto.

(b) TEMPORARY LIMITS ON IMPROVED HIGHWAYS.

(1) Whenever the Board, upon the basis of an engineering investigation, determines that an improved highway as defined in the Vehicle Code, will be destroyed by reason of deterioration if vehicles of over a certain gross weight are permitted to operate thereon, the Board shall by resolution direct the Road Commissioner to erect temporary signs, as provided in Section 52.0125(a)(2) for unimproved highways, specifying the maximum gross weight limits upon such highway. No such reduced weight limits shall extend for a period of more than ninety (90) days unless actual repair of such highway is begun within such time and thereafter continuously carried on to completion.

(2) Whenever such temporary weight limit signs have been placed as provided in this section, it shall be a misdemeanor for any person to drive or operate a vehicle upon such improved highway when the maximum gross weight of such vehicle, plus the weight of the load thereon, exceeds the weight limit stated by such signs, except that any commercial vehicle shall not be prohibited from using any County highway by direct route to or from a State highway for the purpose of delivering or loading for transporting goods, wares, or merchandise as provided in the Vehicle Code.

(c) CLOSING HIGHWAYS TO COMMERCIAL VEHICLES.

(1) Pursuant to the Vehicle Code, whenever the Board determines, upon the basis of a traffic engineering investigation, that it is necessary to prohibit the use of any street, road, or highway in an unincorporated residential subdivision area to commercial vehicles exceeding a gross weight of fourteen thousand (14,000) pounds, the Board shall by resolution direct the Road Commissioner to erect and maintain signs indicating such prohibition.

(2) Whenever the Board determines, upon the basis of a traffic engineering

investigation, that the conditions because of which a load limit was established as provided in Section 52.0125(c)(1) no longer exist, the Board shall by resolution direct the Road Commissioner to remove such weight restriction signs.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0126 Weight Limits on Bridges.

(a) Whenever the Board determines, upon the basis of a structural engineering investigation, that the structure of a bridge on a highway is such that it is unsafe for vehicles over a certain weight to use such bridge, the Board shall by resolution direct the Road Commissioner to place signs at both entrances to such bridge specifying the maximum gross weight limits of any vehicle or combination of vehicles which shall be permitted to cross such bridge.

(b) Whenever the Board finds, because of rebuilding, repairing, or strengthening such bridge, that such weight limits are no longer necessary, the Board shall by resolution direct the Road Commissioner to remove such weight limit signs from the entrances to such bridge.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0127 Miscellaneous Provisions.

(a) RIDING ON MOTORCYCLES AND BICYCLES. No person shall ride upon a highway on either a motorcycle or bicycle on a portion of said vehicle which is not specifically designed for the carrying of passengers, nor shall any person operating a motorcycle or bicycle upon a highway permit another to do so.

(b) CLINGING TO MOVING VEHICLES. It shall be unlawful for any person traveling upon any bicycle, motorcycle, motorscooter or any moving vehicle of any nature whatever, on any public highway, to cling to or attach himself or his vehicle to any other moving vehicle.

(c) DRIVING THROUGH FUNERAL PROCESSIONS. No driver of a vehicle shall drive between vehicles comprising a funeral procession while they are in motion and when the vehicles in such procession are conspicuously so designated. -'

(d) DRIVING ON NEW PAVEMENT - PROHIBITED. No person shall ride or drive any animal or any vehicle over or across any newly-made pavement or freshly painted marking on any street when a barrier or sign is in place warning persons not to drive over or across such pavement or marking, or sign stating that the street or any portion thereof is closed.

(e) DRIVING ON LIMITED ACCESS ROADWAY - PROHIBITED. No person shall drive a vehicle onto or from any limited access roadway except at such entrances and exits as are established by public authority.

(f) TAMPERING WITH TRAFFIC SURVEY DEVICES. It shall be unlawful for any person to move, molest, tamper with or damage any survey device used for the purpose of making traffic investigations located on any County highway.

(g) SKIING OR TOBOGGANING ON OR ACROSS ANY HIGHWAY - PROHIBITED. It is unlawful for any person to ski or toboggan on or across any County highway in such

a manner as to interfere witb the movement of vehicles thereon. A person on skis proceeding on or across a highway at a pace no greater than a walk is not within the prohibition of this section and shall be considered to be a pedestrian with all the rights and duties thereof as prescribed in the Vehicle Code.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963);

52.0128 Restriction or Prohibition of Parking of Commercial Vehicles.

(a) Whenever the Board determines that it is necessary to prohibit stopping, standing or parking of commercial vehicles having a manufacturer's gross vehicle weight rating exceeding 10,000 pounds on certain residential district streets, portions thereof, or with a limited access residential community at all or certain hours of the day, the Board shall, by resolution, direct the Road Commissioner to place appropriate signs specifying applicable prohibitions on such streets or entrances to the limited access residential communities thereof.

(b) Whenever the Board finds that conditions because of which it was necessary to prohibit stopping, standing or parking of commercial vehicles having a manufacturer's gross vehicle weight rating exceeding 10,000 pounds at all or certain hours of the day as provided in this Section no longer exist, the Board shall, by resolution, direct the Road Commissioner to remove such signs from such streets or entrances to communities thereof.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Amended Ordinance #2203 (1977); Amended Ordinance #3380 (1990);

52.0129 Procedure for Establishing Terminal Routes.

(a) The purpose of this section is to establish procedures for terminal designation and truck route designation to terminals for overwidth and overlength trucks as defined by the California Vehicle Code when operating on a federally designated highway system.

(b) An applicant is any interested person requiring terminal access from the Federal designated highway system. The applicant shall submit an Application, on a form provided by the County Transportation Department with such information as may be required.

(c) "Terminal" means any facility at which freight is consolidated to be shipped or where full load consignments may be loaded and off-loaded or at which the vehicle combinations defined in Section 35401.5 of the California Vehicle Code (CVC) are regularly maintained, stored or manufactured.

(d) County maintained roads or streets for which use is requested in the Application will be investigated for the purpose of determining if said road(s) or street(s) are adequate to handle overwidth and overlength trucks as allowed by CVC Sections 35100 and 35401.5. The investigation may include, but not be limited to, turning radii, land width and public safety.

(e) Upon receipt of an Application, the Road Commissioner shall investigate available highways to determine if a feasible route(s) appropriate for the passage of oversized trucks exists.

(f) If the Road Commissioner determines that a feasible route(s) appropriate for oversized trucks exists, then the Application shall be approved. The routes determined to be appropriate for oversized trucks will be marked with signs as established by the California Department of Transportation. Truck route signing will be posted by the County Transportation Department at decision points as determined by said Department.

(g) If all feasible routes to a requested terminal are found unsatisfactory by the investigation, the Application shall be denied. Such denial will be accompanied with an identification of deficiencies. ,

(h) If the requested approved route passes through several jurisdictions, applicant shall comply with the application process for each jurisdiction. Coordination will be the responsibility of the jurisdiction in which the terminal is located.

(i) Subsequent to the approval and granting of a route to a terminal, the Road Commissioner may find the route to be unsatisfactory and thereafter revoke the designated terminal route or, at his/her discretion, designate an alternate route.

(j) Whenever the Road Commissioner determines that the terminal route is no longer appropriate, feasible or necessary, he/she shall deem the route no longer a truck route and order such route signs removed with written notice to the applicant.

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Amended Ordinance #2203 (1977); Amended Ordinance #3395 (1990);

52.0130 Penalty.

Any person violating any of the provisions of this chapter or disobeying any signs or markings installed pursuant thereto shall be guilty of an infraction and shall be subject to penalty as provided by Chapter 2 of Division I of Title I of this Code (commencing with Section 11.021).

Adopted Ordinance #596 (1947); Amended Ordinance #598 (1947); Amended Ordinance #702 (1953); Amended Ordinance #1119 (1963); Amended Ordinance #3395 (1990);

52.0131 Prohibition of Certain Vehicles on Highways

Whenever the Board determines that it is necessary to prohibit the use of certain vehicles on particular highways within the unincorporated area of the County, the Board shall, by resolution, set forth those certain streets upon which use is restricted and the certain vehicle types that are prohibited thereon. The Board, by resolution, shall further direct the Director of Transportation to erect and maintain signs indicating such prohibition.

Adopted Ordinance #3766 (1999);

52.0132 Designated No Parking/Tow-Away Zones

a. The Director of Transportation is authorized to post signs indicating that the stopping, standing or parking of vehicles is prohibited on such highways and streets that

the Board determines, on the basis of a traffic engineering investigation, to be no stopping/no standing/no parking/tow-away zones. The signs authorized by this section shall provide for the removal of vehicles stopped, standing or parked in no stopping/no standing/no parking/tow-away zones.

b. When signs authorized by the provisions of this section are in place giving notice thereof, no persons shall stop, stand or park any vehicle contrary to the directions and provisions of such signs.

c. Any peace officer, or regular employed and salaried employee of the County who is engaged in directing traffic or enforcing County parking laws and regulations, may remove a vehicle that is stopped, standing or parked in the no stopping/no standing/no parking/tow-away zone as established by this section. Vehicles removed pursuant to this section shall be stored and/or disposed of in accordance of Article 2 of Chapter 10 of Division 11 of the California Vehicle Code.

Adopted Ordinance #3766 (1999);

Chapter 2

BOATING REGULATIONS

Sections:

52.021 Swimming and Flotation Devices.
52.022 Speed Limit.
52.023 Boat Launching Areas.
52.024 Length of Boats.
52.025 Overnight Occupancy of Boats.
52.026 Littering Prohibited.
52.027 Swimming, Scuba Diving and Skin Diving.
52.028 Boating and Swimming Hours.
52.029 Tunnels and Intake Towers.

52.021 Swimming and Flotation Devices.

(a) RESTRICTION OF SWIMMING AND FLOTATION DEVICES: In Big Bear Lake, no person shall swim except in designated swimming areas during the times set out for such areas. In Lake Arrowhead, no person shall swim or engage in the use of a paddleboard or other flotation device except within one hundred (100) feet of the shore. In Lake Silverwood, paddleboards and other flotation devices must be maintained within one hundred (100) feet of the shore, except in designated swimming areas. It shall be unlawful to swim, use a paddleboard or other similar flotation device in areas posted against such uses in any of these lakes.

(b) POSTING OF SWIMMING AREAS IN BIG BEAK LAKE: In Big Bear Lake, swimming areas shall be designated by signs in a manner and at such places as are reasonably calculated to give notice thereof.

(c) DESTRUCTION OF SIGNS: It shall be unlawful for any person to tear down, remove, mutilate, destroy or otherwise tamper with any sign erected pursuant to Section 52.021(b) of this chapter.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.022 Speed Limit.

On Big Bear Lake the speed limit between sunset and sunrise shall be ten (10) miles per hour, and shall be five (5) miles per hour at any time in any fishing zone so designated by Big Bear Municipal Water District. On Lake Arrowhead and Lake Silverwood the speed limit between sunset and seven (7:00) a.m. shall be ten (10) miles per hour. It shall be unlawful to operate a motorboat at a speed in excess of thirty-five (35) miles per hour at any time, unless authorized by the Sheriff's office or the local lake officials for special events.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.023 Boat Launching Areas.

No person shall launch any boat upon any water area or remove any boat therefrom except from or upon those areas designated as "Boat Launching Areas."

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.024 Length of Boats.

No boats or rubber rafts which are less than twelve (12) feet in length or more than twenty-six (26) feet in length shall be permitted on any lake.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981); Amended Ordinance #1427 (1968);

52.025 Overnight Occupancy of Boats.

No overnight occupancy of any boat shall be allowed.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981); Amended Ordinance #1427 (1968);

52.026 Littering Prohibited.

No person shall throw, discharge, deposit or leave or cause, suffer, or permit to be thrown, discharged, deposited or left, either from the shore or from any dock or vessel or elsewhere, any refuse matter of any description, into any lake, river, or other public water.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981); Amended Ordinance #1427 (1968);

52.027 Swimming, Scuba Diving, and Skin Diving.

Swimming shall be prohibited in Big Bear Lake. Swimming in Green Valley Lake is prohibited except in the designated swimming area. Swimming outside the designated swimming area in Green Valley Lake shall be permitted only when authorized by the Sheriff's Office or local lake authority. Scuba diving and skin diving shall be prohibited in any lake unless authorized by the Sheriff's Office or local lake authorities.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.028 Boating and Swimming Hours.

Boating and swimming shall be unlawful between the hours of one (l) hour after sunset until one (1) hour before sunrise on the lake surface of Green Valley Lake. It shall be unlawful between the hours of ten (10) p.m. and five (5) a.m. to operate any boat on the lake surface of Lake Silverwood or to keep any boat on said lake surface or

to keep any boat on the shore of said lake overnight except in an area so designated and posted for such purpose. It shall be unlawful to sleep overnight in any boat or to moor any boat overnight except at the commercial marina on Lake Silverwood.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981); Amended Ordinance #1305 (1966);

52.029 Tunnels and Intake Towers.

Because of the hazards involved, no person shall operate a boat or floating device or swim within five hundred (500) feet of the tunnel intake tower or the inlet siphon or the spillway intake on Lake Silverwood.

Adopted Ordinance #1233 (1965); Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

Chapter 3

SKI ZONE REGULATIONS

Sections:

52.031 Special-Use Areas.
52.032 Where Permitted.
52.033 Traffic Pattern.
52.034 Entering Traffic Pattern -- Restrictions.
52.035 Length of Towline.
52.036 Number of Skiers Limited.
52.037 Ski Starts -- Where Permitted.
52.038 Permitted Hours of Skiing.
52.039 Unattended Ski or Ski Equipment.

52.031 Special-Use Areas.

Lake Arrowhead, Big Bear Lake, and Lake Silverwood, and any other bodies of water being used for recreation in San Bernardino County, for the purposes of this section, are hereby designated special-use areas.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.032 Where Permitted.

It shall be unlawful to water-ski within two hundred (200) feet of a beach frequented by bathers, a swimming float, a diving platform, a lifeline, or a landing float to which boats are made fast, or other areas designated by the Sheriff's Office, Lake Arrowhead Development Company, Big Bear Municipal Water District or the U.S. Forest Service. On Lake Silverwood, Lake Arrowhead and Big Bear Lake, a boat shall not exceed five (5) miles per hour inside the five (5) mile per hour zone unless it is starting a skier from a beach, dock or water, and in that situation, the boat shall travel in the most direct route to open water, maintaining a counter-clockwise direction.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.033 Traffic Pattern.

The traffic pattern for water-skiing shall be in a counter-clockwise direction.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.034 Entering Traffic Pattern -- Restrictions.

No boat shall enter the ski pattern in a direction in conflict with the counter-clockwise ski pattern.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

SKI ZONE REGULATIONS

52.035 Length of Towline.

It shall be unlawful for any person to employ a towline less than seventy (70) feet or greater than ninety (90) feet in length.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.036 Number of Skiers Limited.

The number of skiers towed by one boat shall not be more than two (2).

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.037 Ski Starts -- Where Permitted.

Ski starts shall not be made from docks closed to such an activity.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.038 Permitted Hours of Skiing.

It shall be unlawful to engage in the sport of water-skiing between the hours of sunset and seven (7) a.m.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

52.039 Unattended Ski or Ski Equipment.

No unattended ski or piece of ski equipment shall be left in the lake.

Amended Ordinance #1724 (1972); Amended Ordinance #2572 (1981);

Chapter 4

FISHING ZONE REGULATIONS

Sections:

52.041 Fishing - Where Permitted.
52.042 Deleted by Ordinance 2572.
52.043 Cleaning of Fish.
52.044 Violations.

52.041 Fishing - Where Permitted.

No fishing shall be done from a concrete dam or from the dam at Green Valley Lake. Except as above prohibited, people may fish the entire areas of Lake Arrowhead, Big Bear Lake, Lake Silverwood, and Green Valley Lake, except where otherwise posted.

Amended Ordinance #1724 (1972);

54.042 Deleted by Ordinance 2572 (1981).

52.043 Cleaning of Fish.

No fish shall be cleaned except at fish cleaning stations, so designated by local governmental authorities.

Amended Ordinance #1724 (1972);

52.044 Violations.

Every person violating any of the provisions of this Division shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars ($500) or be imprisoned in the County Jail, not exceeding six (6) months, or by both such fine and imprisonment.

Amended Ordinance #1724 (1972);

Chapter 5

FROZEN BODIES OF WATER

Sections:

52.051 Definitions.
52.052 Presence on Frozen Body of Water Prohibited.
52.053 Exceptions.
52.054 Violation an Infraction.

52.051 Definitions.

The following words shall have the definitions set out here when used in this chapter.

(a) "Frozen body of water" shall mean the following: Cedar Lake, Grass Valley Lake, Lake Arrowhead, Baldwin Lake, Erwin Lake, Green Valley Lake, Lake Gregory, Big Bear Lake, Bluff Lake, Cedar Lake, Jenks Lake and Arrowbear Lake;

(b) "Person" shall mean an individual, partnership, firm, corporation, association or other entity, but does not include the United States, the State of California or a municipality or subdivision thereof.

Adopted Ordinance #2926 (1985); Retitled and Amended Ordinance #2982 (1985);

52.052 Presence on Frozen Body of Water Prohibited.

Except as provided in Section 52.053, when ice or snow is present on all or any part of the surface of any frozen body of water, no person shall walk, run, play, ice skate or otherwise travel upon or across the surface of such lake, nor shall any person operate a snowmobile, A.T.C., motorcycle, ice boat, automobile or any other vehicle upon said ice in any manner.

Adopted Ordinance #2926 (1985); Retitled and Amended Ordinance #2982 (1985);

52.053 Exceptions.

This chapter shall not apply (a) to any properly licensed ice skating rink in which the water is frozen to its entire depth; (b) to Olympic or other training conducted on Green Valley Lake with the prior written consent of the San Bernardino County Sheriff's Office; (c) to ice rescue training conducted by a law enforcement agency, fire protection district or other entity, or an agent or group of such entities with the prior written consent of the San Bernardino County Sheriff's Office; (d) to any person or group which has obtained the prior written consent of the San Bernardino County Sheriff's Office; (e) to any person rescuing or attempting to rescue another or enforcing the provisions of this chapter or County Ordinance, State or Federal law.

Adopted Ordinance #2926 (1985); Retitled and Amended Ordinance #2982 (1985);

52.054 Violation an Infraction; Enforcement.

Violation of any provision of this chapter shall be an infraction. This chapter shall be enforced by all peace officers legally able to do so.

Adopted Ordinance #2926 (1985); Retitled and Amended Ordinance #2982 (1985);

Chapter 6

WATER VEHICLE SPEED AND WAKE RESTRICTIONS ON LAKE HAVASU

Sections:

52.055 Definitions.
52.056 Speed and Wake Restrictions.
52.057 Areas Where Restrictions Apply.
52.058 Penalty for Violation and Enforcement.

52.055 Definitions.

(a) "BOATERS" DEFINED. "Boaters", as used in this chapter, means persons operating a boat, ship, personal water craft, or other device, craft or vehicle designed to be used in, on, and/or under water, however powered.

(b) "BOAT OR OTHER VESSEL" DEFINED. "Boat or other vessel", as used in this chapter, means a boat, ship, personal water craft, or other device, craft or vehicle designed to be used in, on, and/or under water, however powered.

(c) "NO WAKE ZONE" DEFINED. In areas designated "no wake zones", as used in this chapter, a "no wake zone" means that no wave of water generated or increased by a moving boat or other vessel which strikes the shore, a levee, anchored vessel or moored vessel which is made fast to a way or landing float, shall show a white water break.

"No wake" buoys shall be clearly marked and placed in a manner which will make one or more of them plainly visible to boaters approaching the "no wake zone" anywhere along its entire circumference.

(d) "SPEED ZONE" DEFINED. In areas where speed limits are established, as used in this chapter, a "speed zone" means that a maximum speed limit is prescribed and posted for boats and other vessels within a circumscribed space of water ringed by marked buoys.

Speed limit buoys shall be clearly marked and placed in a manner which will make one or more of them plainly visible to boaters approaching the "speed zone" anywhere along its entire circumference.

(e) "WHITE WATER BREAK" DEFINED. As used in this chapter, a "white water break" is a broken wave topped by distinctive white froth, caused by a moving boat or other vessel creating enough turbulence through propulsion that a vee-shaped pattern is formed on the surface of the water that curls until the resultant wave forms a crest and breaks.

Adopted Ordinance #2926 (1985); Renumbered and Amended Ordinance #3019 (1986); Amended Ordinance #3628;

52.056 Speed Limits on Lake Havasu.

(a) COPPER CANYON

(1) No person shall operate a boat or other vessel at greater than "no wake" speed or above five (5) miles per hour in areas designated "no wake zones" in the cove area of

the Colorado River commonly referred to as Copper Canyon, which is part of Lake Havasu and is within the area described as follows:

The northernmost edge of this cove is located at:

Latitude: North 34 degrees, 25 minutes, 40 seconds Longitude: West 114 degrees, 18 minutes, 30 seconds.

The southernmost edge of this cove is located at:

Latitude: North 34 degrees, 25 minutes, .380 seconds Longitude: West 114 degrees, 18 minutes, .230 seconds.

(2) "No wake" and "speed zone" buoys shall be clearly marked and placed in a manner which will make one or more of them plainly visible to boaters approaching Copper Canyon anywhere along the entire waterway opening leading into this cove.

(b) BLACK MEADOW LANDING MARINA

(1) No person shall operate a boat or other vessel at greater than "no wake" speed or above five (5) miles per hour in areas designated "no wake zones" in the cove area of the Colorado River commonly referred to as Black Meadow Landing Marina, which is part of Lake Havasu, and is within the area described as follows:

The northernmost edge of this cove is located at:

Longitude: North 34 degrees, 21 minutes, 27 seconds Latitude: West 114 degrees, 11 minutes, 68 seconds.

The southernmost edge of this cove is located at:

Longitude: North 34 degrees, 21 minutes, 23 seconds Latitude: West 114 degrees, 11 minutes, 54 seconds.

(2) "No wake" and "speed zone" buoys shall be clearly marked and placed in a manner which will make one or more of them plainly visible to boaters approaching Black Meadow Landing Marina anywhere along the entire waterway opening leading into this cove.

(c) HAVASU PALMS MARINA

(1) No person shall operate a boat or other vessel at greater than "no wake" speed or above five (5) miles per hour in areas designated "no wake zones" in the cove area of the Colorado River commonly referred to as Havasu Palms Marina, which is part of Lake Havasu and is within the area described as follows:

The northernmost edge of this cove is located at:

Latitude: North 34 degrees, 23 minutes, 98 seconds Longitude: West 114 degrees, 16 minutes, 86 seconds.

The southernmost edge of this cove is located at:

Latitude: North 34 degrees, 24 minutes, 05 seconds Longitude: West 114 degrees, 16 minutes, 80 seconds.

(2) "No wake" and "speed zone" buoys shall be clearly marked and placed in a manner which will make one or more of them plainly visible to boaters approaching Havasu Palms Marina anywhere along the entire waterway opening leading into this cove.

(d) UNNAMED COVE LOCATED 7/10THS OF A MILE NORTH OF HAVASU PALMS MARINA AND 3/10THS OF A MILE SOUTHWEST OF PILOT ROCK.

(1) No person shall operate a boat or other vessel at greater than "no wake" speed or above five (5) miles per hour in areas designated "no wake zones" in the unnamed cove area of the Colorado River that is located 7/10ths of a mile north of Havasu Palms and 3/10ths of a mile southwest of Pilot Rock, which is part of Lake Havasu, and is within the area described as follows:

The northernmost edge of this cove is located at:

Longitude: North 34 degrees, 24 minutes, 51 seconds
Latitude: West 114 degrees, 17 minutes, 57 seconds.

The southernmost edge of this cove is located at:

Longitude: North 34 degrees, 24 minutes, 22 seconds Latitude: West 114 degrees, 17 minutes, 37 seconds.

(2) "No wake" and "speed zone" buoys shall be clearly marked and placed in a manner which will make one or more of them plainly visible to boaters approaching the unnamed cove located 7/10ths of a mile north of Havasu Palms Marina and 3/10s of a mile southwest of Pilot Rock anywhere along the entire waterway opening leading into this cove.

(e) OTHER DESIGNATED "NO WAKE ZONES" AND "SPEED ZONES" ON LAKE HAVASU

(1) In addition to the restrictions set forth in subsections (a) through (d) above, on that portion of the Colorado River within the County's jurisdiction and commonly referred to as Lake Havasu, it shall be unlawful to operate a boat or other vessel in violation of marked "no wake zones" and "speed zones". Such zones may be designated by the Sheriff to promote public safety and to reduce the hazards presented by conflicting uses on the Colorado River by the boating public.

(2) All designated "no wake zones" and "speed zones" on Lake Havasu shall be clearly marked by buoys placed in a manner which will make one or more of them plainly visible to boaters approaching a designated "no wake zone"

Adopted Ordinance #2926 (1985); Renumbered and Amended Ordinance #3019 (1986); Amended Ordinance #3628;

52.057 Penalty.

A violation of this chapter shall be an infraction, punishable as provided by the State of California Uniform Bail and Penalty Schedules for boating offenses, pursuant to Rule 850 of the California Rules of Court.

Adopted Ordinance #2926 (1985); Renumbered and Amended Ordinance #3019 (1986); Amended Ordinance #3628;

Chapter 7

Regulation of Access by time of Day and Emergency Rules and Regulations on the Colorado River

Sections:

52.0701 Purpose.
52.0702 Areas on the Colorado River with Access by Time of Day Regulations
52.0703 Exceptions to Access by Time of Day Regulations
52.0704 Emergency Rules and Regulations
52.0705 Notice.
52.0706 Penalty

52.0701 Purpose

The purpose of this Chapter is to provide the Sheriff with authority for regulating access by time of day and for establishing emergency rules and regulations for all geographical areas on the waterways of the Colorado River that are within the jurisdiction of the County of San Bernardino as may be necessary to promote public safety; to preserve life; to protect property; to reduce the hazards created by conflicting uses; and to coordinate the County's law enforcement activities with other interested state and federal agencies, agencies from contiguous counties, and tribal governments of affected Indian tribes. This Chapter is necessary because of the heavy congestion of vessels on the Colorado River within the County's jurisdiction. These circumstances have resulted in unsafe conditions, and an inability of Sheriff's Department personnel to maintain public safety and reach injured persons to render medical aid. Access regulations by time of day are necessary to maintain open waterways, to enable the Sheriff to timely and adequately provide for the public safety and to rapidly and adequately respond to medical emergencies on the Colorado River.

Adopted Ordinance #3686 (1997);

52.0702 Areas on the Colorado River with Access by Time of Day Regulations.

(a) ESTABLISHING ACCESS BY TIME OF DAY REGULATIONS. Whenever the Sheriff determines that it is necessary to regulate access to any area or areas on the Colorado River under the County's jurisdiction in order to promote public safety, to preserve life, or to protect property, he or she shall regulate access by time of day on such area or areas for the public and shall erect and prominently post notice of the regulations on specially marked signs and/or buoys to provide adequate notice to the public of the access by time of day regulations and the geographical boundaries of the regulated areas. No person shall enter or remain within the areas of the Colorado River that are posted as areas regulated to deny access pursuant to access by time of day regulations, during the regulated time period specified in the posted notice. Access by time of day regulations shall be established as the Sheriff determines in the exercise of his or her reasonable discretion are necessary under the circumstances relating to the affected area.

(b) APPLICATION OF ACCESS BY TIME OF DAY REGULATIONS. Access

by time of day regulations during the applicable periods and in the regulated posted areas shall deny access to boaters, swimmers, water-skiers, and operators of personal water craft; prohibit use by the public of power vessels, vessels without power, floating devices, and all other devices, crafts or vehicles, designed to be used in, on, and/or under water, however powered; and prohibit all other water-oriented activity subject to local control.

Adopted Ordinance #3686 (1997);

52.0703 Exceptions to Access by Time of Day Regulations.

Whenever access by time of day regulations are implemented under this chapter, temporary access shall be permitted into and out of posted areas to persons experiencing emergencies, and to owners, residents, and Indian tribal members of lands and Indian country as defined by federal law and border the Colorado River, and the spouses and children of owners, residents, and Indian tribal members of lands and Indian country as defined by federal law that border the Colorado River, for the limited purpose of affording such persons access to and from lands which they or their family member owns or on which they or their family member resides or over which their tribe or their family member's tribe has jurisdiction, upon a showing of proof of ownership, residency or tribal status, or applicable family affiliation.

Adopted Ordinance #3686 (1997);

52.0704 Emergency Rules and Regulations.

(a) PURPOSE. The purpose of this section is to address temporary emergency circumstances or conditions arising on the waterways of the Colorado River that are within the jurisdiction of the County which are required to insure the safety of persons and property because of disaster or other calamity.

(b) AUTHORITY. The authority to implement emergency rules and regulations on the waterways of the Colorado River that are within the jurisdiction of the county during an emergency shall be vested with the Sheriff, after the Sheriff has consulted with tribal governments of affected Indian tribes, and has consulted with and obtained the approval of the California Department of Boating and Waterways prior to the adoption of any emergency rules or regulations.

(c) DURATION. Implementation of emergency rules and regulations on the waterways of the Colorado River during an emergency shall remain in effect no longer than sixty (60) days, unless extended beyond sixty (60) days by the Sheriff with approval of the California Department of Boating and Waterways.

(d) DECLARATION OF IMPLEMENTATION OF EMERGENCY RULES OR REGULATIONS. A declaration of implementation of emergency rules or regulations shall be made by the Sheriff prior to implementation of emergency rules or regulations, which shall include an identifying description of the affected area, a brief statement of the circumstances or conditions constituting the emergency, and the type or types of emergency rules or regulations to be imposed on the area.

Adopted Ordinance #3686 (1997);

52.0705 Notice.

(a) PLACEMENT OF REGULATORY WATERWAY MARKERS

(1) AREAS SUBJECT TO ACCESS BY TIME OF DAY REGULATIONS. When an area is designated as being subject to access by time of day regulations, the Sheriff shall erect and post specially marked signs and/or buoys giving notice of the access by time of day regulations and the notice of the access by time of day regulations and the geographical boundaries of the regulated area, prominently displayed on the waterway immediately outside the area subject to access by time of day regulations in places where boaters and swimmers will have sufficient notice in order to permit them to comply with the access regulations.

(2) AREAS SUBJECT TO EMERGENCY RULES OR REGULATIONS. When emergency rules or regulations are to be imposed on an area, the Sheriff shall erect and post specially marked signs and/or buoys giving notice of the emergency rules or regulations and the geographical boundaries of the regulated area, prominently displayon on the waterway immediately outside the affected area in places where boaters and swimmers will have sufficient notice of the emergency rules or regulations in order to permit them to comply with the emergency rules or regulations.

(b) WORDING AND SIZE OF REGULATORY SIGNS. The wording and size of waterway signs and buoys shall be approved by the Sheriff's Department and appropriate state and federal agencies after the Sheriff's Department has consulted with tribal governments of affected Indian tribes.

(c) MAINTENANCE OF REGULATORY SIGNS. All waterway signs and buoys shall be maintained by the Sheriff's Department in proper condition or be replaced or removed, within the discretion of the Sheriff.

Adopted Ordinance #3686 (1997);

52.0706 Penalty.

A violation of this Chapter or any access by time of day regulations or any emergency rules and regulations implemented pursuant to this Chapter shall be a misdemeanor.

Adopted Ordinance #3686 (1997);

DIVISION 3.

MISCELLANEOUS REGULATIONS

Chapters:

1. Injury to Roads
2. Signs and Billboards
3. Parking Regulations in Mountain Areas
4. Blinker Lights upon and Adjacent to Public Highway
5. Littering of Highways
6. County Parking Lots
7. Sale of Motor Vehicle Fuels

Chapter 1

INJURY TO ROADS

Sections:

53.011 Prohibition.

53.011 Prohibition.

Every person who cuts, digs up, breaks or otherwise injures, damages or destroys with a plow, cultivator or any other implement or means, the surface of any of the roadways of said County over which said Board of Supervisors has jurisdiction without the written consent of said Board or some member thereof, or who deposits garbage, tin cans, tree or vine cutting, rock, bottles, broken glass, nails or any refuse of any kind or nature upon, or who removes dirt from any such roadway, is guilty of a misdemeanor and upon conviction thereof is punishable by a fine of not more than one hundred dollars ($100). A judgment that the defendant pay a fine for violation of this section may also direct that he be imprisoned until the fine be satisfied, specifying the extent of the imprisonment which must not exceed one (1) day for every two dollars ($2.00)of the fine.

Adopted Ordinance #120 (1907);

Chapter 2

SIGNS AND BILLBOARDS

Sections:

53.021 Prohibition of Signs and Billboards on Highway Right-of-way.

53.021 Prohibition of Signs and Billboards on Highway Right-of-way.

That no person, firm or corporation shall post any bill or advertising matter or place any sign or billboard upon the right-of-way of any public highway of the County of San Bernardino without first having secured the permission of the Board of Supervisors so to do, and all persons desiring to place any sign, billboard or advertising matter upon such highway, shall before so doing, make application to the Board of Supervisors of the County of San Bernardino so to do, with full particulars as to such signs and billboards or advertising matter, and the Board of Supervisors shall thereupon, if satisfied that such sign, billboard or advertising matter shall be placed on said right-of-way, give a written permit to place the same in accordance with the terms of the said application.

Any person, firm or corporation violating any of the provisions of this section, shall be fined in any sum not to exceed three hundred dollars ($300) and upon failure to pay such fine may be imprisoned in the County Jail one (1) day for each five dollars ($5) of said fine.

Adopted Ordinance #262 (1925);

Chapter 3

PARKING REGULATIONS IN MOUNTAIN AREAS

Sections:

53.031 Purpose.
53.032 Definitions.
53.033 Parking in Snow Area.
53.034 Posting of Snow Area.
53.035 Destruction of Signs.
53.036 Removal of Vehicles.
53.037 Emergency Vehicles.
53.038 Penalty.

53.031 Purpose.

The purpose of this chapter is to safeguard the public health, safety and general welfare by prohibiting parking vehicles on State and County roadways in certain unincorporated areas of San Bernardino County to promote effective and speedy removal of snow by the San Bernardino County Transportation Department and the California State Department of Transportation or other persons engaged, hired, contracted, or otherwise authorized to remove snow from said roadways and to prevent hazardous traffic conditions on said roadways.

Amended Ordinance #2024 (1975);

53.032 Definitions.

When used in this chapter, the words and phrases contained in this section shall, for the purposes of this chapter, have the following meanings:

(a) "Emergency Vehicles" means all vehicles defined in Sections 165 and 165.5 of the State of California Vehicle Code (1973).

(b) "Person" includes a natural person, firm, copartnership, association, or corporation.

(c) "Roadway" is that portion of highway improved, designed, or ordinarily used for vehicular travel including improved shoulders.

(d) "Snow Area" means all unincorporated areas of San Bernardino County encompassed by the U. S. National Forest boundary.

(e) "Snow Removal Equipment" means rotary plows, graders and loaders with V-plot, angle-plow and/or wing plow attachments and such other machinery or equipment as may be engaged in snow removal and all supporting vehicles of the San Bernardino County Transportation Department and California State Department of Transportation or other persons engaged, hired, contracted or otherwise authorized to remove snow from State or County highways or roads.

(f) "Unattended Vehicle" means a vehicle where the licensed driver responsible for the vehicle is not within an audible distance and immediately available for moving said vehicle.

(g) A “Vehicle" is a device by which any person or property may be propelled,

moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

Amended Ordinance #2024 (1975);

53.033 Parking in Snow Area.

It shall be unlawful for any person operating or in charge of a vehicle to park within snow area or leave unattended, such vehicle upon any State or County roadway, so as to interfere with snow removal operations, except when necessary to comply with the directions of peace officers.

Amended Ordinance #2024 (1975);

53.034 Posting of Snow Area.

Snow area shall be posted by signs in a manner and at such places as are reasonably calculated to give notice of the snow area parking restrictions contained in this chapter.

Amended Ordinance #2024 (1975);

53.035 Destruction of Signs.

It shall be unlawful for any person to tear down, remove, mutilate, destroy or otherwise tamper with any sign erected pursuant to Section 53.034 of this chapter.

Amended Ordinance #2024 (1975);

53.036 Removal of Vehicles.

(a) Any vehicle which is in violation of this chapter may be moved or caused to be moved by those regularly employed and salaried County or State highway employees designated by the Board of Supervisors, or the California Highway Patrol.

(b) Charges for vehicle removal, tow away, and storage, shall be assessed against the vehicle in accordance with the California Highway Patrol Tow Service Agreement for San Bernardino, Arrowhead, Pomona and Banning Areas.

Amended Ordinance #2024 (1975);

53.037 Emergency Vehicles.

This chapter shall not apply to emergency vehicles.

Amended Ordinance #2024 (1975);

53.038 Penalty.

Any person violating any of the provisions of this chapter shall be guilty of an infraction and shall be punished by a fine or fines established by Vehicle Code Section 42001.

Adopted Ordinance #2325 (1979);

Chapter 4

BLINKER LIGHTS UPON AND ADJACENT TO PUBLIC HIGHWAY

Sections:

53.041 Definitions.
53.042 Permit for the Use of Blinker Lights.
53.043 Application for Permit.

53.041 Definitions.

The following words and phrases used in this chapter shall have the meanings herein ascribed to them:

(a) "Person." Every natural person, firm, copartnership, association or corporation.

(b) "Street." Every public street, alley, lane, court, place, drive, bridge, viaduct, or trestle intended for use or used by the general public.

(c) "Blinker Light." A light whether colored or uncolored which emits an intermittent light.

Adopted Ordinance #225 (1924);

53.042 Permit for the Use of Blinker Lights.

No person shall erect or maintain or cause or permit to be erected or maintained, any blinker light upon or adjacent to any street within the County of San Bernardino whether on public or private property, which emits a light the same as or similar to highway warning, danger or signal lights, and which blinker light is so located as to be visible from any public street unless under and in accordance with the terms of a permit in writing first obtained from the Board of Supervisors of the County of San Bernardino.

The provisions of this chapter shall not be deemed to apply to advertising signs upon private property consisting of continuous or intermittent lights in the form of illuminated words, letters or figures or portraying any advertising scene, figure or emblem and so constructed, arranged and located as to be clearly distinguishable from a highway warning, danger, or signal light.

Nor shall this chapter be deemed to apply to any government lighthouse nor to any warning, danger or signal light heretofore or hereafter erected or maintained as required by law or under orders of any board or commission of the State of California.

Adopted Ordinance #225 (1924);

53.043 Application for Permit.

Any person desiring to erect or maintain any blinker light or lights upon or adjacent to any street so located as to be visible from any street shall first make application in writing so to do to the Board of Supervisors, which application shall state the proposed location of such light or lights, and a brief description of the proposed light or lights. The Board of Supervisors shall consider every such application, and if it finds that the blinker light or lights proposed to be erected will serve as a warning to persons using the street

and will tend to increase the safety of the traveling public, shall issue a permit in writing authorizing the erection and maintenance of such blinker lights. Such permit shall be valid until revoked and no charge shall be made for any such permit.

Any person violating any of the provisions of this chapter shall he guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one hundred dollars ($I00) or by imprisonment in the city jail or County Jail not exceeding thirty (30) days or by both such fine and imprisonment.

Adopted Ordinance #225 (1924);

Chapter 5

LITTERING HIGHWAYS

Sections:

53.051 Reward for Reporting Violators.

53.051 Reward for Reporting Violators.

The County will pay a reward of one hundred dollars ($100) to any person who gives information which leads to the arrest and conviction of any person for a violation of Section 374b of the penal code.

Adopted Ordinance #1084 (1963);

Chapter 6

COUNTY PARKING LOTS

Sections:

53.061 Scope of Chapter.
53.062 Administration.
53.063 Control Devices and Equipment, and Marking of Stalls.
53.064 Parking Regulations.
53.065 Speed Limit.
53.066 Classification of Offenses and Penalties.

53.061 Scope of Chapter.

The provisions of this chapter shall apply to all parking lots owned or operated by the County of San Bernardino and shall apply to all vehicles public and private.

Adopted Ordinance #939 (1960); Amended Ordinance #1027 (1962); Amended Ordinance #1600 (1970); Amended Ordinance #2226 (1978);

53.062 Administration.

(a) POLICY. Parking lots owned or operated by the County of San Bernardino will be governed by this chapter and Board Policy as set forth in the County Policy Manual.

(b) ENFORCEMENT. The General Services Agency Administrator shall be the responsible authority for the administration of County parking lots and the enforcement of the provisions of this chapter.

(c) Ad Hoc PARKING COMMITTEE. The Administrator, or his designee, may refer questions concerning County parking lot rules and regulations to ad hoc Parking Committees for consideration.

Adopted Ordinance #939 (1960); Amended Ordinance #1027 (1962); Amended Ordinance #1600 (1970); Amended Ordinance #2226 (1978); Amended Ordinance #2847 (1984);

53.063 Control Devices and Equipment, and Marking of Stalls.

The General Services Agency shall erect signs, devices and other apparatus and provide marked spaces or stalls for the control of traffic and the parking of motor vehicles, including designated parking spaces for disabled persons and veterans pursuant to Vehicle Code Sections 22511.8.

Adopted Ordinance #939 (1960); Amended Ordinance #1027 (1962); Amended Ordinance #1600 (1970); Amended Ordinance #2226 (1978); Amended Ordinance #2847 (1984); Amended Ordinance #3010 (1986);

53.064 Parking Regulations.

The following regulations shall govern parking in County parking lots:

(a) Motor vehicles shall be parked only in marked stalls or designated spaces.

(b) Vehicle operators must observe and comply with all traffic and parking control signs, devices, and directions.

(c) A person assigned a particular parking lot or space shall park his vehicle only in such lot or space.

(d) There shall be no parking in spaces or stalls in such manner as to obstruct the use of a parking lot or any other space by another person or to constitute a hazard to safety of person or property.

(e) Only motor vehicles which display a distinguishing license plate or placard issued pursuant to Vehicle Code Sections 22511.5 or 22511.9 may park in parking spaces designated for disabled persons and veterans pursuant to Vehicle Code Sections 22511.8.

Adopted Ordinance #939 (1960); Amended Ordinance #1027 (1962); Amended Ordinance #1600 (1970); Amended Ordinance #2226 (1978); Amended Ordinance #3010 (1986);

53.065 Speed Limit.

The maximum speed limit of all County parking lots or County-owned property shall be fifteen (15) miles per hour; however. lower speed limits may be posted by the General Services Agency and enforced accordingly.

Adopted Ordinance #939 (1960); Amended Ordinance #1027 (1962); Amended Ordinance #1600 (1970); Amended Ordinance #2226 (1978); Amended Ordinance #2847 (1984);

53.066 Classification of Offenses and Penalties.

Violation of any provisions of Section 53.064 is an infraction, with violations of subsections (a), (b), (c), and (d) punishable by a fine not to exceed twenty-five dollars ($25), and with violation of subsection (e) punishable by a fine not less than fifty dollars ($50). Violation of Section 53.065 is a misdemeanor, punishable by a fine not to exceed five hundred dollars ($500), or by imprisonment in the County Jail for a period not to exceed six (6) months or both.

Adopted Ordinance #939 (1960); Amended Ordinance #1027 (1962); Amended Ordinance #1600 (1970); Amended Ordinance #2226 (1978); Amended Ordinance #3010 (1986);

Chapter 7

SALE OF MOTOR VEHICLE FUELS

Sections:

53.071 Sign Required.
53.072 Availability of Fuel.
53.073 Compliance with Business and Professions Code.
53.074 Optional Posting of Prices.

53.071 Sign Required.

Every person, firm, copartnership, association, or corporation offering for sale or selling any gasoline or other motor vehicle fuel to the public from any place of business in the unincorporated area of the County of San Bernardino, shall post or display a sign which is clearly visible from any street or highway, except from freeways, adjacent to such place of business, and which indicates the actual price per gallon, including all taxes, at which all grades of gasoline or diesel fuel are currently being offered for sale or sold.

Repealed Ordinance #1772 (1972); Adopted Ordinance #1894 (1974); Amended Ordinance #1911 (1974);

53.072 Availability of Fuel.

Where any of the grades of motor fuel, whose prices have been posted pursuant to Section 53.071 are not immediately available for sale, there shall also be posted on each motor fuel pump, which is without fuel, a sign of at least one and one-half (1/2) inches high with letters in contrasting color, stating: "OUT OF GAS," or "NO FUEL AVAILABLE," or words of similar meaning.

Repealed Ordinance #1772 (1972); Adopted Ordinance #1894 (1974); Amended Ordinance #1911 (1974);

53.073 Compliance with Business and Professions Code.

Any sign posted or displayed pursuant to Section 53.071 of this chapter shall not be inconsistent with the provisions of Article 8 of Chapter 7 of Division 8 (Sections 20880, et seq.) of the California Business and Professions Code, and shall be in compliance with the provisions of this County Code regulating size and construction of signs.

Repealed Ordinance #1772 (1972); Adopted Ordinance #1894 (1974);

53.074 Optional Posting of Prices.

Any other sign used for the posting of prices for grades of motor fuel other than the posting of prices required by Section 53.071, shall be optional, but any such sign shall be in compliance with Article 8 of Chapter 7 of Division 8 (Sections 20880, et seq.) of the California Business and Professions Code.

Repealed Ordinance #1772 (1972); Amended Ordinance #1911 (1974);

Chapter 8

POWERS OF COUNTY ROAD COMMISSIONER TO CLOSE OR RESTRICT USE OF COUNTY HIGHWAYS

Section:

53.081 Powers of the County Road Commissioner to Close or Restrict Use of County Highways.

53.081 Powers of the County Road Commissioner to Close or Restrict Use of County Highways.

Pursuant to the authority of Section 942.6 of the Streets and Highways Code of the State of California, the Board of Supervisors of the County of San Bernardino hereby delegates to the County Road Commissioner the powers to restrict the use of, or close, any County highway whenever the Commissioner considers such closure or restriction of use necessary:

(a) For the protection of the public.
(b) For the protection of such County highway from damage during storms.
(c) During construction, improvement or maintenance operations thereon.

Adopted Ordinance #2623 (1982);

Chapter 9

TRUCK ROUTES AND PARKING REGULATIONS IN THE CHINO HILLS COMMUNITY

Sections:

53.091 Chino Hills Defined.
53.092 Truck Route Designation Plan; Parking Regulations.
53.093 Penalty.

53.091 Chino Hills Defined.

The Chino Hills is that County unincorporated territory bounded on the south by the Riverside and Orange County lines, on the west by the Los Angeles County line, on the north by the Los Angeles County line and on the east by State Highway 71, from the Los Angeles County line southerly to Chino Hills Parkway, then east on Chino Hills Parkway to Chino Creek, southerly on Chino Creek to Pine Avenue, westerly on Pine Avenue to State Highway 71, and south on State Highway 71 to the Riverside County line.

Adopted Ordinance #3361 (1989);

53.092 Truck Route Designation Plan; Parking Regulations.

(a) Whenever the Board, by resolution, designates and describes any street or portion thereof as a street the use of which is permitted by any vehicle exceeding a gross vehicle weight limit of 7,000 pounds lying within the Chino Hills, the Director of Transportation is authorized and directed to designate such street or streets by appropriate signs as truck routes for the movement of vehicles exceeding a gross vehicle weight of 7,000 pounds.

(b) When such truck routes are established and designated by appropriate signs, the operator of any vehicle exceeding a gross vehicle weight of 7,000 pounds shall drive on such routes and none other, provided, however, the provisions of this section shall not prohibit the operator of any vehicle exceeding a gross vehicle weight of 7,000 pounds coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained.

(c) Parking of commercial vehicles on restricted streets, when necessary for the purpose of making pick-ups or deliveries, shall be restricted to thirty (30) minutes for any vehicle exceeding a gross vehicle weight of 7,000 pounds.

(d) It shall be unlawful for the owner or driver of any commercial vehicle to allow the trailer or semi-trailer, disconnected from the truck tractor, to remain standing upon any highway, street or alley in the Chino Hills.

(e) The provisions of this article shall not apply to:

(1) Passenger buses under the jurisdiction of the Public Utilities Commission or

any public agency.

(2) Any vehicle owned by a public utility or a licensed contractor while being used in the construction, installation or repair of any facility.

(3) Any vehicle defined in the Vehicle Code of the State of California as a house car (motor home) or vehicles used for recreation only.

(f) The streets and parts of streets established by resolution of the Board of Supervisors are hereby declared to be truck routes for the movement of vehicles exceeding a gross vehicle weight of 7,000 pounds.

Adopted Ordinance #3361 (1989);

53.093 Penalty.

Any person violating any of the provisions of this chapter shall be guilty of an infraction and shall be punished by a fine or fines established by Vehicle Code Section 42001.

Adopted Ordinance #3361 (1989);

Chapter 10

AIR QUALITY IMPROVEMENT TRUST FUND

Sections:

53.101 Purpose.
53.102 Definitions.
53.103 Receipt of Fees; Establishment of Trust Fund.
53.104 Use of Air Quality Improvement Trust Fund.
53.105 Audits.

53.101 Purpose.

This Chapter is intended to support the South Coast Air Quality Management District's (SCAQMD) imposition of the vehicle registration fee and to bring the County into compliance with the requirements set forth in Section 44243 of California Health and Safety Code in order to receive fee revenues for the purpose of implementing programs to reduce air pollution from motor vehicles.

Adopted Ordinance #3431 (1991);

53.102 Definitions.

As applied in this ordinance, the following words and terms shall be defined as follows:

(a) "Mobile source air pollution reduction programs" shall mean any program or project implemented by the County to reduce air pollution from motor vehicles pursuant to the California Clean Air Act of 1988 or the plan proposed pursuant to Article 5 (commencing with Section 40460) of Chapter 5.5 of Part 3 of the California -Health and Safety Code.

(b) "Fee Administrator" shall mean the County Auditor/Controller.

Adopted Ordinance #3431 (1991);

53.103 Receipt of Fees; Establishment of Trust Fund.

(a) Vehicle registration fees due pursuant to this ordinance disbursed by the SCAQMD and remitted to the County shall be accepted by the Fee Administrator.

(b) Upon receipt of vehicle registration fees, the Fee Administrator shall be responsible for placement of such funds into a separate account as hereinafter specified.

(c) The County will establish a separate interest-bearing Air Quality Improvement Trust Fund where the Fee Administrator will place the funds. Interest earned by the Trust Fund shall be credited to that fund and shall be used to finance mobile source air pollution reduction programs.

Adopted Ordinance #3431 (1991);

AIR QUALITY IMPROVEMENT TRUST FUND

53.104 Use of Air Quality Improvement Trust Fund.

All funds disbursed by SCAQMD and deposited in the Air Quality Improvement Trust Fund shall be used exclusively for mobile source air pollution reduction programs.

Adopted Ordinance #3431 (1991);

53.105 Audits.

The County consents to audits of all programs and projects funded by the Air Quality Improvement Trust Fund, at least once every two years.

Adopted Ordinance #3431 (1991);

CHAPTER 11

CITATION OF VEHICLES PARKED WITHOUT PERMISSION OF OWNER OF PRIVATE REAL PROPERTY FOR PURPOSES OF SALE OF VEHICLE

Sections:

53.1101 Prohibition Against Parking Vehicles for Sale on Private Real Property without Permission of Owner of the Private Real Property.
53.1102 Administration.
53.1103 Penalties.

53.1101 Prohibition Against Parking Vehicles for Sale on Private Real Property without Permission of Owner of the Private Real Property.

(a) Except as provided for in subsections (b) or (c) of this section, no person shall park, stop, place or leave standing any vehicle or cause any vehicle to be parked or placed upon any portion of any parcel of private real property which is adjacent to any public street or highway located within the unincorporated area of the County for the purpose of selling, displaying for sale or offering for sale any such vehicle. The terms “private real property” as used in this Chapter shall include any real property interest owned by a private person, including private streets, private roadways, a private easement on publicly owned real property, or a private title to real property encumbered by a publicly owned easement.

(b) Subject to the limitations of subsection (d), subsection (a) shall not prohibit any person from selling, displaying for sale or offering for sale three (3) or fewer vehicles at the same time on any single parcel of private real property, provided the person owns or legally occupies the property or has written permission of the property owner, authorized agent of the property owner or the person in lawful possession of such private real property. Such written permission shall be displayed in or on the vehicle(s) in such a manner as to be clearly visible, and upon request by a peace officer or code enforcement officer employed by the Department of Land Use Services, such written permission shall be made available for further inspection.

(c) Subsection (a) shall not prohibit a person from parking a vehicle upon a public street or highway in a legal parking space for the time period allowed by other laws or ordinances.

(d) Neither subsection (b) nor (c) shall exempt a person from compliance with laws relating to public nuisance, County of San Bernardino Development Code [Title 8], other ordinances regarding land use districts, the sale of vehicles on private real property, or hawking.

(e) The parking or placing of any vehicle on private real property with a sign or other advertising device thereon or proximate thereto, indicating such vehicle is for sale shall constitute prima facie evidence that such vehicle was parked or placed for the purpose of selling, displaying, or offering the vehicle for sale.

CITATION OF VEHICLES PARKED WITHOUT PERMISSION OF OWNER OF PRIVATE REAL PROPERTY FOR PURPOSES OF SALE OF VEHICLE

53.1102 Administration.

The provisions of this Chapter may be administered and enforced by the Director of the Land Use Services Department and his or her employees or designees. In order to implement the program as set forth in this Chapter, the Director of the Land Use Services Department shall prepare procedures consistent with California Vehicle Code section 40215 for issuance of citations, review of citations, administrative appeals and for reporting to the appropriate state agencies in order to enforce the citations consistent with State law for approval of the County Administrative Officer.

53.1103 Penalties.

Violation of any provisions of Section 53.1101 is an infraction, with violations of subsection (a) thereof punishable by a penalty in the following amounts: a penalty of one hundred dollars ($100) for a first violation; a penalty not exceeding two hundred dollars ($200) for a second violation of the same ordinance within one year; a penalty not exceeding five hundred dollars ($500) for each additional violation of the same ordinance within one year. Each calendar day that a vehicle is parked upon such property shall be considered a violation, and the parking of a vehicle shall be considered a separate violation even if multiple vehicles owned by the same person are parked on the same parcel on the same day.

Adopted Ordinance #3858 (2002);

DIVISION 4. VALIDITY OF TITLE 5

DIVISION 4. VALIDITY OF TITLE 5.

This Title and the various parts, divisions, chapters, sections, and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, the remainder of this shall not be affected thereby. The County Board of Supervisors hereby declares that it would have passed this and each part thereof, regardless of the fact that one or more parts thereof be declared unconstitutional or invalid.