

**DRAFT**

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 11.36.220 OF CHAPTER 11.36 OF TITLE 11 OF THE SAN JOSE MUNICIPAL CODE REQUIRING VEHICLES LEFT STANDING FOR SEVENTY-TWO (72) CONSECUTIVE HOURS TO BE MOVED AT LEAST ONE THOUSAND (1,000) FEET (APPROXIMATELY TWO-TENTHS (2/10) OF A MILE) FROM ITS CURRENT LOCATION**

**WHEREAS**, Subsection (k) of Section 22651 of Article 1 of Chapter 10 of Division 11 of the California Vehicle Code authorizes the removal of vehicles parked or left standing upon a highway for seventy-two (72) or more consecutive hours in violation of a local ordinance authorizing removal; and

**WHEREAS**, on March 14, 2006, the City Council adopted Ordinance No. 27676, codified as Section 11.36.220 of Chapter 11.36 of Title 11 of the San Jose Municipal Code, which prohibits the parking of vehicles upon any street or alley and failing to move the vehicle more than one-tenth (1/10) of a mile from the original parking space for more than a consecutive period of seventy-two (72) hours; and

**WHEREAS**, the City Council desires to amend Section 11.36.220 of Chapter 11.36 of Title 11 of the San Jose Municipal Code to prohibit the parking of vehicles upon any street or alley and failing to move the vehicle more than two-tenths (2/10) of a mile from the original parking space for more than a consecutive period of seventy-two (72) hours; and

**WHEREAS**, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the provisions of this Ordinance do not constitute a project, under File No. PP17-008; and

**WHEREAS**, the City Council is the decision-making body for this proposed Ordinance;  
and

**WHEREAS**, the City Council has reviewed and considered the “not a project”  
determination under CEQA prior to taking any approval actions on this proposed  
Ordinance;

**NOW, THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN  
JOSE:

Section 11.36.220 of Chapter 11.36 of Title 11 of the San José Municipal Code is  
amended to read as follows:

**11.36.220 Storing vehicles on streets – Time limit and movement.**

~~No person who owns or has possession, custody or control of any vehicle shall park  
such vehicle upon any street or alley and fail to move the vehicle more than one-tenth  
(1/10) of a mile from the original parking space for more than a consecutive period of  
seventy-two (72) hours. For the purpose of this section, attempting to eradicate or hide  
the tire markings placed by an authorized city employee may result in the issuance of a  
citation and removal of the vehicle without further warning pursuant to the requirements  
of California Vehicle Code Section 22669.~~

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

B. Any vehicle that has been parked or left standing in the same location or parking  
spot for seventy-two (72) consecutive hours must be moved at least two-tenths

(2/10) of a mile (approximately 1000 feet) from its current location and may not return to the same location or parking spot for at least twenty-four (24) hours after its departure.

C. Any vehicle that has been parked or left standing in violation of this seventy-two (72) hour parking limit may be removed from the street in accordance with Cal. Veh. Code § 22651, as may be amended or renumbered from time to time.

PASSED FOR PUBLICATION of title this \_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

\_\_\_\_\_  
MATT MAHAN  
Mayor

ATTEST:

\_\_\_\_\_  
TONI J. TABER, MMC  
City Clerk