

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.

- 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