

## **ORDINANCE NO. 03-25**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE AMENDING VARIOUS SECTIONS IN TITLES 9, 10, 12 AND 13 OF THE ORANGE MUNICIPAL CODE TO DELETE OUTDATED LANGUAGE, UPDATE REFERENCES TO CONFORM WITH CURRENT LAW AND CODE PROVISIONS, AND ACHIEVE INTERNAL CONSISTENCY.**

**WHEREAS**, the Orange Municipal Code requires updates, from time to time, to reflect current administrative or operational procedures adopted by the City; and

**WHEREAS**, the changes proposed update the Code to delete outdated language, update references to conform with current law and code provisions, achieve internal consistency and otherwise capture general language clean-up.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES HEREBY ORDAIN AS FOLLOWS:**

#### **SECTION I:**

1. The subject Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines (Guidelines) Sections 15060(c)(2) and 15060(c)(3) because review and evaluation of potential impact of the Ordinance demonstrate that it will not result in a direct or reasonably foreseeable indirect physical change in the environment, and it is not a "project" as defined in Guideline 15378.

2. The subject Ordinance is exempt from CEQA per Guideline 15061(b)(3) because it can be seen with certainty, after review and evaluation of the facts regarding the Zoning Code administrative amendments, that there is substantial evidence that adoption of this Ordinance would not have a significant effect on the environment and the common sense exemption applies.

#### **SECTION II:**

Section 9.09.050 of the Orange Municipal Code, "Public Peace, Morals and Welfare – Display of Matter Harmful to Minors – Forwarding a Copy of Ordinance to Business Handling Harmful Matter" is hereby deleted in its entirety.

#### **SECTION III:**

Section 9.16.020 of the Orange Municipal Code, "Public Peace, Morals and Welfare – Prohibition of Drinking Alcoholic Beverages in Public – Drinking Alcoholic Beverages in Public," is hereby amended to read as follows:

**9.16.020 – Drinking Alcoholic Beverages in Public.**

It is unlawful for any person to have in their possession on their person, while on any city street, sidewalk, alley, roadway, parking lot, publicly maintained place or any place open to the public any bottle, can or other container or receptacle, containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, or to consume alcoholic beverages while in the above restricted areas.

**SECTION IV:**

Section 9.32.010 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Carrying Concealed Weapons –Prohibited Without Permit,” is hereby amended to read as follows:

**9.32.010 - Carrying Concealed Weapons—Prohibited Without Permit.**

No person except a Police Officer shall carry upon their person any revolver, pistol or other instrument or weapon, commonly known as a concealed weapon, without a written permit in compliance with Penal Code §261.50.

**SECTION V:**

Section 9.35.010 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Trespassing Upon Business Premises – Trespassing Upon Business Premises Prohibited,” is hereby amended to read as follows:

**9.35.010 - Trespassing upon Business Premises Prohibited.**

- A. No person, without permission, express or implied, of the owner, the owner's agent, or the person in lawful possession of business premises, shall enter upon such business premises after having been notified by the owner, the owner's agent, or the person in lawful possession thereof, to keep off or keep away therefrom, subject to the exceptions stated in this section.
- B. No person shall remain upon any business premises after being notified by the owner, the owner's agent, or the person in lawful possession thereof to remove therefrom, subject to the exceptions stated in this section. Such revocation or withdrawal of permission to enter or to remain on business premises shall be in effect for a period of 24 hours after the owner, the owner's agent, or the person in lawful possession has given notice to remove therefrom.
- C. Notice. This section shall not be operative unless the owner, the owner's agent, or the person in lawful possession of the business premises gives adequate notice to the person who is directed to leave. Such notice shall be given both verbally and in writing. The content of the notice shall be substantially as follows:

"I am the person in lawful possession (or agent thereof) of these premises. I demand that you leave these premises immediately and that you do not return for at least 24 hours. If you do not leave immediately or if you leave and return within 24 hours you

will be trespassing, which is a violation of Section 9.35.010 of the Orange Municipal Code. You will be subject to arrest and prosecution."

The written notice shall be typewritten on white paper which shall be at least 8-1/2" by 5-1/2" in size. The written notice shall be delivered to the person to whom the demand to leave is made.

- D. Exceptions. This section shall not apply when the person accused of violation of this section establishes that any of the following circumstances apply to his or her conduct:
1. Where its application results in or is coupled with an act prohibited by Civil Code Section 51, known as the Unruh Civil Rights Act, or any other provision of law relating to prohibiting discrimination against any person on account of sex, color, race, religion, creed, ancestry or national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status.
  2. Where its application results in or is coupled with an act prohibited by Section 365 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers.
  3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities.
  4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech such as, but not limited to, peaceful expressions of political or religious opinions, not involving offensive personal conduct.
  5. Where the person who is on the business premises is there under claim or color of legal right. This exception is applicable, but not limited to, the following types of situations involving disputes wherein the participants have available to them practical and effective civil remedies: disputes regarding title to or rights in real property; landlord-tenant disputes; employer-employee disputes; business-type disputes such as those between partners; debtor-creditor disputes; and instances wherein the person claims rights to be present pursuant to order, decree or process of a court.
- E. Business Premises. The term "business premises" as used in this section shall refer to those portions of private property which are open to the general public for the benefit of the commercial or professional activities conducted thereon; excluding therefrom any property the use of which is primarily for single-family or multiple-family residential purposes or apartments, hotels, motels, and similar uses.
- F. Enforcement. Enforcement of this section may be accomplished by: (1) the owner, the owner's agent, or the person in lawful possession of the business premises, under the provisions of California Penal Code Section 847 (arrest by private person); or (2) by a peace

officer at the scene in accordance with policies and procedures of the Orange Police Department or in such other manner as the Chief of Police may direct.

**SECTION VI:**

Sections 9.37.030 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Solicitation from Public and Private Property – Prohibitions” and 9.37.040 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Solicitation from Public and Private Property – Exceptions,” are hereby amended to read as follows:

**9.37.030 - Prohibitions.**

- A. No person shall solicit from any public sidewalk that is immediately adjacent to any City street or highway upon which a motorist cannot legally park.
- B. No person shall, while operating a motor vehicle on or along a City street, solicit from the motor vehicle unless the motor vehicle is legally parked.
- C. No person shall, from a location on any private property engage in solicitation absent the express written permission of the property owner.

For this subsection, to become operative the property owner shall either notify the City's Police Department in writing that solicitation is not permitted on their property and the location of such property, orally inform a police officer that such permission has not been granted and request removal of solicitors and/or post a sign at each entrance to the property not less than 18 by 24 inches in size with lettering not less than one inch in height and not to exceed six square feet which substantially provides as follows:

It is a misdemeanor to engage in the solicitation for and of employment other than to perform the employment on or for the owner or occupants of the premises.

The written no solicitation notice shall be effective until withdrawn in writing. The oral request for removal of solicitors shall be effective only for the day upon which it is given.

- D. No person shall solicit while stopped or standing in any through traffic lane, upon any street median or upon any driveway apron located within the public right-of-way.
- E. No person shall engage in day laborer solicitation on any public right-of-way that is immediately adjacent to any private property that has been issued a permit for a hiring center.
- F. No person shall solicit from any public sidewalk in a manner that impedes pedestrian access to such public sidewalk.
- G. No person shall remain on any private property for the purpose of engaging in solicitation after they have been requested to leave by the private property owner.

H. This chapter shall not be interpreted to relieve any person from obtaining a certificate of identification to engage in those solicitation activities governed by Chapter 5.66 of this code.

**9.37.040 - Exceptions.**

- A. A person may solicit from a commercial parking lot if such person has the express permission of the property owner. However, if a property owner permits five or more persons to congregate for the purpose of engaging in solicitation upon their private property, a permit issued by the City must be obtained by the property owner. A person with the property owner's express written permission to engage in off-site solicitation shall not be liable for a violation of this chapter solely on the basis that the property owner has failed to obtain a permit.
- B. This chapter shall not apply to solicitations from private property to perform services that are provided upon the property from which the solicitation occurs or to sell or purchase goods from or to the subject property owner.
- C. This chapter shall not apply to conduct which solely involves the distribution of literature or to private property which is required by law to be open to the public for communicative purposes such as plaza areas and walkways of large shopping centers where the general public is invited to congregate.

**SECTION VII:**

Sections 9.39.010 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Parties – Business Tax Receipt Required,” 9.39.020 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Parties – Noise Restrictions – Bands, Phonographs, Etc.,” and 9.39.030 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Parties – Noise Restrictions – General,” are hereby amended to read as follows:

**9.39.010 – Business Tax Receipt Required.**

It shall be unlawful for any person to conduct or allow to be conducted a party for which an admission fee of any kind is required or requested, on property owned, occupied or controlled by them, without first having obtained a business tax certificate as defined in Title 5 of this code, except however, that the provisions of this section shall not apply to the conducting of fund-raising activities the net proceeds of which are reportable as political contributions under Title 52, U.S.C., Section 30104 or Title 9, Chapter 4, Articles 1 and 2 of the California Political Reform Act, commencing at Section 84100 of the California Government Code, or by organizations which have registered with the City as a bonafide charitable, religious, or non-profit organization pursuant to Chapters 5.64 through 5.72 of this code. The distribution of flyers or other promotional materials which make reference to an admission requirement is prima facie evidence of a party for which a business tax receipt is necessary.

**9.39.020 - Noise Restrictions—Bands, Etc.**

It shall be unlawful to conduct or allow to be conducted any party which has present a band, orchestra, radio, or any other electronic sound reproduction and/or amplification device/system between the hours of 10:00 p.m. and 7:00 a.m. which produces loud and unreasonable sound in volume level, duration, and character sufficient to maliciously and willfully disturb the comfort, health, peace, safety or repose of reasonable persons of ordinary sensibilities. Continuation of an activity prohibited by this section after notification by a peace officer that the activity is disturbing the peace, shall be prima facie evidence of malicious and willful intent.

**9.39.030 - Noise Restrictions—General.**

It shall be unlawful to conduct or allow to be conducted any party where there is loud and unreasonable noise between the hours of 10:00 p.m. and 7:00 a.m., if such noise is sufficiently loud and unreasonable in volume level, duration and character to maliciously and willfully disturb the comfort, health, peace, safety or repose of reasonable persons of ordinary sensibilities. Continuation of an activity prohibited by this section after notification by a peace officer that the activity is disturbing the peace, shall be prima facie evidence of malicious and willful intent.

**SECTION VIII.**

Section 9.40.010 of the Orange Municipal Code, “Public Peace, Morals and Welfare – Unwarranted 911 Calls – Unwarranted 911 Calls--Fee,” is hereby amended to read as follows:

A fee in an amount set by City Council resolution shall be assessed for each 911 call for police services determined not to be a warranted use of the 911 emergency phone line. The person making the 911 call and the business or entity by which that person was employed at the time of the call, if the call was made to respond to the employer's place of business, shall be liable for the costs thereof. In the case of calls made for response to a residence, the person making the call and the person in whose name the telephone account is listed shall be liable for the cost. In addition in the case of calls made by a minor, the minor's parent(s) or guardian having legal custody shall be liable for each unwarranted call made by such minor after the parent(s) or guardian has received notice of any prior unwarranted call by the minor. Notice shall be deemed to have been received five days after mailing by first class mail or upon personal delivery.

Upon determination that the call was not warranted, the department shall mail the bill by first class mail to the parties liable under this section or, alternatively may cause such notice to be delivered to the residence or business address of any such person and left with any apparently responsible person.

A call shall be considered warranted if a reasonable person of the relative age and maturity of the caller would reasonably believe that an emergency situation existed which would require a rapid response by police, fire, rescue or ambulance/medical personnel.

**SECTION IX.**

Section 10.10.090 of the Orange Municipal Code, “Vehicles and Traffic – Bicycles – Fees,” is hereby amended to read as follows:

**10.10.090 - Fees.**

The fees required to be paid under the provisions of this chapter shall be set by City Council resolution. Licenses shall be renewed every three years.

**SECTION X.**

Section 10.10.215 of the Orange Municipal Code, “Vehicles and Traffic – Bicycles – Improper Parking on Bicycle Lanes,” is hereby added to read as follows:

**10.10.215 - Improper parking on bicycle lanes.**

No operator of a motor vehicle shall park on, along, over, onto or upon, an established and officially designated bicycle lane between the hours of 7:00 am to 9:00 am and 2:00 pm to 4:00 pm, except Holidays, Saturday and Sunday, as permitted by State law, where necessary to park where permitted, to enter or leave the roadway, or to prepare for a turn that is less than 200 feet from an intersection.

**SECTION XI.**

Section 10.14.050 of the Orange Municipal Code, “Vehicles and Traffic – Speed Limits – Speed Limits Established,” is hereby amended to read as follows:

**10.14.050 - Speed Limits Established.**

On the basis of engineering and traffic surveys, the City Council established the prima facie speed limits as indicated herein upon the following streets in miles per hour (mph):

<b>ALMOND AVENUE</b>	
Flower Street to Main Street	30 mph
<b>ANAHEIM WAY</b>	
The City Drive/State College Blvd – Orangewood Ave. (North City Limits)	45 mph
<b>BATAVIA STREET</b>	
La Veta Avenue to Chapman Avenue	30 mph
Chapman Avenue to A.T. & S.F. Railroad Tracks	35 mph
A.T. & S.F. Railroad Tracks to Collins Avenue	35 mph
Collins Avenue to Katella Avenue	35 mph

Katella Avenue to Taft Avenue	40 mph
Taft Avenue to Lincoln Avenue	40 mph
BOND AVENUE	
Prospect Street to Hewes Street	40 mph
Hewes Street to Rancho Santiago Boulevard	35 mph
CAMBRIDGE STREET	
South City Limits to Palmyra Avenue	35 mph
Katella Avenue to Taft Avenue	35 mph
Taft Avenue to Meats Avenue	35 mph
CANAL STREET	
Meats Avenue to Heim Avenue	30 mph
CANNON STREET	
Chapman Avenue to Creekside Avenue	35 mph
Creekside Avenue to Cliffway Drive	40 mph
Cliffway Drive to Santiago Canyon Road	40 mph
Santiago Canyon Road to Serrano Avenue	45 mph
Serrano Avenue to North City Limits	50 mph
CANYON VIEW AVENUE	
Chapman Avenue to Outrider Street	40 mph
Outrider Street to Newport Boulevard	40 mph
Newport Boulevard to White Oak Ridge Road	40 mph
White Oak Ridge Road to Jamboree Boulevard	40 mph
CHAPMAN AVENUE	
West City Limits to Lewis Street	40 mph
Lewis Street to The City Drive	35 mph
The City Drive to Eckhoff Street	40 mph
Eckhoff Street to Main Street	40 mph
Main Street to Batavia Street	40 mph
Batavia Street to Lemon Street	35 mph
Lemon Street to Center Street	25 mph
Center Street to Cambridge Street	35 mph
Cambridge Street to Tustin Street	40 mph
Tustin Street to Yorba Street	40 mph
Yorba Street to Prospect Street	40 mph
Prospect Street to Rancho Santiago Boulevard	40 mph
Rancho Santiago Boulevard to Crawford Canyon Road	45 mph



Crawford Canyon Road to Calle Grande	50 mph
Calle Grande to Newport Boulevard	50 mph
Newport Boulevard to Jamboree Road	50 mph
<b>THE CITY DRIVE</b>	
Garden Grove Boulevard to Outlet Drive	35 mph
Outlet Drive to Chapman Avenue	35 mph
Chapman Avenue to Anaheim Way	40 mph
<b>COLLINS AVENUE</b>	
Eckhoff Street to Main Street	40 mph
Main Street to Batavia Street	40 mph
Batavia Street to Glassell Street	40 mph
Glassell Street to Cambridge Street	35 mph
Cambridge Street to Tustin Street	35 mph
Tustin Street to Handy Street	35 mph
Handy Street to Wanda Road	35 mph
Wanda Road to Bond Avenue	35 mph
<b>ECKHOFF STREET</b>	
Sycamore Avenue to Oranewood Avenue	35 mph
Oranewood Avenue to Collins Avenue	40 mph
<b>ESPLANADE STREET</b>	
Fairhaven Avenue to La Veta Avenue	45 mph
La Veta Avenue to Chapman Avenue	35 mph
<b>FAIRHAVEN AVENUE</b>	
Greengrove Street to Yorba Street	40 mph
<b>FLETCHER AVENUE</b>	
Batavia Street to Glassell Street	35 mph
<b>GARDEN GROVE BOULEVARD</b>	
West City Limits to The City Drive	40 mph
The City Drive to East City Limits	40 mph
<b>GLASSELL STREET</b>	
South City Limits (22 Fwy) to La Veta Avenue	35 mph
La Veta Avenue to Almond Avenue	30 mph
Almond Avenue to Maple Avenue	25 mph
Maple Avenue to Walnut Avenue	30 mph
Walnut Avenue to Collins Avenue	35 mph
Collins Avenue to Katella Avenue	40 mph

Katella Avenue to Taft Avenue	40 mph
Taft Avenue to Meats Avenue	45 mph
Meats Avenue to Fletcher Avenue	45 mph
Fletcher Avenue to Lincoln Avenue	45 mph
Lincoln Avenue to North City Limits	45 mph
GROVE AVENUE	
Glassell Street to Batavia Street	35 mph
Batavia Street to Main Street	35 mph
HEWES STREET	
South City Limits to Marmon Avenue	35 mph
Marmon Avenue to Chapman Avenue	35 mph
Chapman Avenue to Walnut Avenue	35 mph
Walnut Avenue to Bond Avenue (County)	40 mph
Bond Avenue to Rancho Santiago Boulevard	45 mph
JAMBOREE ROAD	
South City Limits to Canyon View Avenue	55 mph
Canyon View Avenue to Chapman Avenue	55 mph
Chapman Avenue to Santiago Canyon Road	40 mph
KATELLA AVENUE	
West City Limits to Main Street	40 mph
Main Street to Batavia Street	40 mph
Batavia Street to Glassell Street	40 mph
Glassell Street to Cambridge Street	40 mph
Cambridge Street to Tustin Street	40 mph
Tustin Street to Sacramento Street	40 mph
Sacramento Street to Handy Street	40 mph
Handy Street to East City Limits	40 mph
LA VETA AVENUE	
West City Limits to Main Street	45 mph
Main Street to Batavia Street	435 mph
Batavia Street to Glassell Street	35 mph
Glassell Street to Shaffer Street	30 mph
Shaffer Street to Cambridge Street	30 mph
Tustin Street to Yorba Street	40 mph
Yorba Street to Chipwood Street	40 mph
Chipwood Street to Esplanade Street	30 mph

## LEWIS STREET

South City Limits to Metropolitan Drive	40 mph
Metropolitan Drive to Chapman Avenue	40 mph
Chapman Avenue to North City Limits	40 mph

## LINCOLN AVENUE

West City Limits to Glassell Street	45 mph
Glassell Street to Orange-Olive Road	45 mph
Orange-Olive Road to Tustin Street	45 mph

## MAIN STREET

South City Limits to Chapman Avenue	40 mph
Chapman Avenue to Walnut Avenue	35 mph
Walnut Avenue to Collins Avenue	40 mph
Collins Avenue to Katella Avenue	40 mph
Katella Avenue to Taft Avenue	40 mph

## MANCHESTER AVENUE

North City Limits to Chapman Avenue	35 mph
Chapman Avenue to The City Way	25 mph

## MEATS AVENUE

Glassell Street to Cambridge Street	40 mph
Cambridge Street to Tustin Street	40 mph
Tustin Street to Santiago Boulevard	35 mph
Featherhill Drive to North City Limits	45 mph

## METROPOLITAN DRIVE

Lewis Street to The City Drive	30 mph
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## NEWPORT BOULEVARD

South City Limits to Canyon View Avenue	45 mph
Canyon View Avenue to Chapman Avenue	40 mph
Chapman Avenue to Santiago Canyon Road	40 mph

## NOHL RANCH ROAD

Tustin Street to East City Limits	35 mph
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## ORANGEWOOD AVENUE

West City Limits to Main Street	35 mph
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## ORANGE-OLIVE ROAD

Glassell Street to Meats Avenue	45 mph
Meats Avenue to Heim Avenue	45 mph
Heim Avenue to Lincoln Avenue	45 mph

Lincoln Avenue to Santa Ana Canyon Road	45 mph
Santa Ana Canyon Road to Riverdale Avenue	45 mph
<b>PARKER STREET</b>	
Town & Country Road (South City Limits) to La Veta Avenue	40 mph
<b>PROSPECT STREET</b>	
Fairhaven Avenue to La Veta Avenue	40 mph
La Veta Avenue to Palmyra Avenue	40 mph
Palmyra Avenue to Chapman Avenue	40 mph
Chapman Avenue to Spring Street	35 mph
Spring Street to Walnut Avenue	40 mph
Walnut Avenue to Bond Avenue	40 mph
<b>RAMPART STREET</b>	
Chapman Avenue to North City Limits	35 mph
<b>RANCHO SANTIAGO BOULEVARD</b>	
Chapman Avenue to Walnut Avenue	35 mph
Walnut Avenue to Bond Avenue	35 mph
Bond Avenue to Hewes Street	35 mph
<b>RIVERDALE AVENUE</b>	
Glassell Street to Orange-Olive Road	40 mph
Orange-Olive Road to East City Limits	40 mph
<b>SANTA ANA CANYON ROAD</b>	
Orange-Olive Road to Tustin Street	35 mph
<b>SANTIAGO BOULEVARD</b>	
South City Limits to Meats Avenue	35 mph
Meats Avenue to Nohl Ranch Road	35 mph
Nohl Ranch Road to North City Limits	45 mph
<b>SANTIAGO CANYON ROAD</b>	
West City Limits to Orange Park Boulevard	50 mph
Orange Park Boulevard to Meads Avenue (County)	50 mph
Meads Avenue to Kennymead Street	50 mph
Kennymead Street to Amapola Street	50 mph
Amapola Street to Newport Boulevard	50 mph
Newport Boulevard to Jamboree Road	50 mph
Jamboree Road to East City Limits	55 mph
<b>SERRANO AVENUE</b>	
Cannon Street to Orange Park Boulevard	40 mph

Orange Park Boulevard to San Lorenzo Ct./Parkhurst Dr.	40 mph
San Lorenzo Ct./Parkhurst Dr. to Kendra Dr.	40 mph
SKYLARK PLACE	
Canyon View Avenue to Newport Boulevard	35 mph
SPRING STREET	
Prospect Street to Esplanade Street	35 mph
Esplanade Street to East City Limits	35 mph
STATE COLLEGE BOULEVARD	
Anaheim Way to North City Limits	40 mph
STRUCK AVENUE	
Katella Avenue to Batavia Street	35 mph
Batavia Street to Easterly Terminus	25 mph
TAFT AVENUE	
West City Limits to Glassell Street	45 mph
Glassell Street to Cambridge Street	45 mph
Cambridge Street to Tustin Street	40 mph
Tustin Street to Santiago Boulevard	40 mph
Sycamore Avenue to Cannon Street	35 mph
TOWN AND COUNTRY ROAD	
Main Street to Lawson Way	35 mph
Lawson Way to Parker Street	35 mph
TUSTIN STREET	
South City Limits to La Veta Avenue	40 mph
La Veta Avenue to Chapman Avenue	40 mph
Chapman Avenue to Walnut Avenue	40 mph
Walnut Avenue to Katella Avenue	40 mph
Katella Avenue to Meats Avenue	40 mph
Meats Avenue to Lincoln Avenue	40 mph
Lincoln Avenue to North City Limits	35 mph
VIA ESCOLA	
Meats Avenue to Cannon Street	40 mph
WALNUT AVENUE	
Main Street to Batavia Street	35 mph
Batavia Street to Glassell Street	35 mph
Glassell Street to Cambridge Street	35 mph
Cambridge Street to Tustin Street	35 mph

Tustin Street to Malena Street	30 mph
Prospect Street to Gravier Street	25 mph
Gravier Street to Hewes Street	35 mph
Hewes Street to Easterly Terminus	25 mph
<b>WANDA ROAD</b>	
Collins Avenue to Katella Avenue	40 mph
Katella Avenue to North City Limits (Santiago Boulevard)	35 mph
<b>WHITE OAK RIDGE ROAD</b>	
Newport Boulevard to Canyon View Avenue	35 mph
<b>YORBA STREET</b>	
Fairhaven Avenue (South City Limits) to La Veta Avenue	35 mph
La Veta Avenue to Palmyra Avenue	35 mph
Palmyra Avenue to Chapman Avenue	35 mph

## **SECTION XII.**

Section 10.26.010 of the Orange Municipal Code, “Vehicles and Traffic – Curb Markings – Designated Colors,” is hereby amended to read as follows:

### **10.26.010 - Designated Colors.**

Certain colors shall indicate parking restrictions set opposite the following established colors:

- A. Red. Red indicates no stopping, standing or parking whether the vehicle is attended or unattended, except that a bus may stop in a red zone or sign posted as a bus loading zone. The provisions of this subsection shall be effective 24 hours per day, including Sundays and holidays.
- B. Yellow. Yellow indicates stopping only for the purpose of loading or unloading passengers or materials. In any loading zone or alley, the loading or unloading of passengers shall not exceed three five minutes, and the loading or unloading of materials shall not exceed 20 twenty minutes, unless otherwise specified by motion or resolution. The parking time limit in this zone shall be enforced from 7:00 a.m. to 6:00 p.m., Sundays and holidays excepted.
- C. White. White indicates stopping only for loading or unloading of passengers or for the purpose of depositing mail in an adjacent mailbox. The parking limit in this zone shall be five minutes effective 24 hours per day, including Sundays and holidays, unless otherwise designated by resolution of the City Traffic Commission.
- D. Green. Green indicates time limit parking enforced from 7:00 a.m. to 6:00 p.m., unless otherwise designated by resolution of the City Traffic Commission.

- E. Blue. Blue indicates parking reserved for disabled persons. The provisions of this subsection shall be effective 24 hours per day, including Sundays and holidays.

### **SECTION XIII.**

Section 10.30.020 of the Orange Municipal Code, “Vehicles and Traffic – Parking Requirements – Process to Create a Permit Parking Area,” is hereby amended to read as follows:

#### **10.30.020 - Process to Create a Permit Parking Area.**

- A. In order to seek approval of a Permit Parking Area an applicant must be a property owner on an affected street, and submit a written request to the Traffic Division of the Public Works Department to create a Permit Parking Area and pay the required fee, as established by resolution of the City Council. The Traffic Division will review the request and determine if proposed permit parking district boundaries can be created and then conduct a parking occupancy study to determine parking occupancy levels. If the study shows that 75% of the available parking is being utilized during the observation times, then the City will send a petition to the property owners to determine the level of support. The deadline to return petitions shall be set by the Traffic Engineer and indicated on the petition. If the City receives petitions in favor of permit parking signed by at least three-fourths of the property owners in the proposed Permit Parking Area, the Traffic Engineer will present the request to the Traffic Commission for their consideration and further recommendation. The Traffic Commission shall consider the matter and make a recommendation to the City Council for the Permit Parking Area. The matter will be agendized for City Council consideration. If a Permit Parking Area is approved by the City Council, at its sole discretion, after signs have been posted giving notice thereof, no person shall park a motor vehicle, during all or certain portions of the day, within the boundaries of the Permit Parking Area, unless a valid parking permit is affixed to the motor vehicle in a manner that is clearly visible to law enforcement.
- B. Notwithstanding Section 10.30.020(A), within 12 months of establishing a new Permit Parking Area, property owners on an adjacent street may initiate a request for permit parking without paying an application fee. All other code procedures and requirements shall apply. The City Council may, at its sole discretion, establish areas within which individual streets may request to implement permit parking on a block-by-block basis. Requests in these areas shall be exempt from any application fees or parking occupancy requirements and the requirement to demonstrate 55% support via the petition process described in this chapter. All other code procedures and requirements shall apply. Preemptively established Permit Parking Areas shall be identified and described by City Council resolution.
- C. Dwelling units incorporated into the permit parking program prior to June 1, 2024, may be issued permits based upon the number previously allowed. Dwelling units approved for permit parking after June 1, 2024, shall be entitled to one parking permit per approved bedroom, up to a maximum of five. Approved dwellings without any bedrooms may request up to one permit.

- D. To be considered a dwelling unit eligible for permits, the dwelling unit must have been issued the proper permits by the City. A dwelling unit includes a single-family residence with an ADU and/or JADU, an apartment, a condominium, and a duplex (two dwelling units), but does not include a motel or hotel or similar use with transient occupancy. A "resident" means a homeowner, tenant, or other person who lives in the dwelling unit. Each permit shall be subject to all conditions and restrictions contained in this chapter and for the Permit Parking Area designated for which it is issued.
- E. Parking permits shall be issued in three-year cycles, as determined by the Orange Police Department. Permits issued shall be valid for the remainder of the current permitting cycle or until such time as the resident-permittee ceases to reside in the Permit Parking Area, whichever occurs first. At the discretion of the Police Chief, Chapman University students living in any Permit Parking Area may be issued one permit on an annual basis, up to four permits per dwelling unit, unless the dwelling unit has already been issued any permits under Section 10.30.020(C). The Police Chief may modify procedures related to issuance of parking permits for Chapman University students.
- F. The City Council may terminate a designated Permit Parking Area at its sole discretion or upon receipt of a petition received by the City Clerk and contains the signature and corresponding printed name and address of the property owners representing 75% of the dwelling units in the designated Permit Parking Area.

#### **SECTION XIV.**

Section 10.30.030 of the Orange Municipal Code, "Vehicles and Traffic – Parking Requirements – Clearance for Adjacent Lane," is hereby deleted in its entirety.

#### **SECTION XV.**

Section 10.30.040 of the Orange Municipal Code, "Vehicles and Traffic – Parking Requirements – Distance from Curb – Plaza Square," is hereby amended to read as follows:

##### **10.30.040 – Neighborhood Permit Parking Miscellaneous.**

- A. No person shall park a motor vehicle at any time on portions of certain designated public streets unless a valid parking permit is affixed in a manner directed by the Police Department when signs have been posted giving notice thereof. A valid parking permit shall be required to park any motor vehicle on stated portions of any public street designated by resolution of the City Council and on file with the City Clerk. A parking permit and/or visitor's permit is valid only in the neighborhood Parking Permit Area for which the permit was issued.
- B. No person shall make, duplicate, reproduce, transfer, sell or give any permit issued for the Neighborhood Parking Permit Program without authorization of the City Council. Nor shall any person distribute or circulate any duplicate, reproduction or copy of any permit issued for the Neighborhood Parking Permit Program. Any violation of this subsection shall be a misdemeanor and any misuse or abuse of the permit may result in its confiscation.



- C. The City Council may, by resolution, establish additional areas, delete or modify existing areas pertinent to the neighborhood parking permit program.
- D. The Chief of Police shall implement and administer the Neighborhood Parking Permit Program, including, but not limited to, ensuring appropriate signage and the issuance of parking permits. In addition, the Chief of Police shall report to the City Council from time to time, or when requested to do so by the Council, on the implementation of the program and recommend appropriate measures to improve the program.
- E. It shall be unlawful for any person to sell, rent or lease or cause to be sold, rented or leased, for any value or consideration any parking permit issued under the Neighborhood Permit Parking Program.
- F. It shall be unlawful for any person to buy or otherwise acquire for value or consideration or use any parking permits not lawfully issued under the Neighborhood Permit Parking Program to that person as a resident.
- G. Permits issued or procured through fraud or misrepresentation and permits issued to resident-permittees who have violated provisions of this chapter may be revoked after a hearing before the Public Works Director or their designee, with notice of the time and place of such hearing mailed to the resident-permittee at least 10 days before the hearing. If the permit is revoked, the resident-permittee shall be mailed written notice of the City's determination. Resident-permittees who have had a permit revoked shall be ineligible for another permit under the Neighborhood Permit Parking Program for two years.
- H. Restrictions in designated Permit Parking Areas shall not apply to any authorized emergency vehicles, City or government vehicles, public utility vehicles or service vehicles when used for official business or any vehicles used for the collection or delivery of United States mail or any commercial vehicle actively making pick ups or deliveries of good, wares or merchandise to or from a dwelling unit.
- I. No person shall park or allow a motor vehicle to remain standing between the hours designated by the City Council on those portions of public streets designated in subsection B of this section, unless a valid parking permit is properly displayed when signs have been posted giving notice thereof. If no specific times are specified by City Council resolution, then the permit parking restriction shall be in effect throughout the entire day. A valid parking permit shall be require to park any motor vehicle on stated portions of any public street designated in subsection B of this section.
- J. Restricted parking areas established in this section are part of the Neighborhood Permit Parking Program.
- K. The areas subject to permit parking restrictions from 10:00 p.m. to 6:00 a.m. shall be designated by resolution of the City Council and on file with the City Clerk.

**SECTION XVI.**

Section 10.30.060 of the Orange Municipal Code, “Vehicles and Traffic – Parking Requirements – Permit Parking – Portions of Certain Designated Public Streets – Neighborhood Parking Permit Program,” is hereby deleted in its entirety.

**SECTION XVII.**

Section 10.30.070 of the Orange Municipal Code, “Vehicles and Traffic – Parking Requirements – Permit Parking Between the Hours of 10:00 p.m. And 6:00 a.m.,” is hereby amended to read as follows:

**10.30.070 - Clearance for Adjacent Lane.**

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than nine feet clearance for the width of the lane immediately adjacent to the nearest curb for free movement of vehicular traffic when proper notice has been given.

**SECTION XVIII.**

Section 10.34.060 of the Orange Municipal Code, “Vehicles and Traffic – Limited Parking – Prohibited Parking – Trucks, Recreational Vehicles and Similar Vehicles,” is hereby amended to read as follows:

**10.34.060 -- Prohibited Parking—Trucks, Recreational Vehicles and Similar Vehicles.**

No person shall park and leave standing on any public street; any public or dedicated alley; any public property; or, in any residentially developed area as defined in this section, any private property; any of the following vehicles, except while mechanically disabled, or while loading or unloading merchandise, goods, or building materials; or when such vehicle is parked in connection with, and in the performance of a service to or on a property in the block in which such vehicle is parked or left standing:

- A. Any non-motorized vehicle such as a trailer, camper shell, tent trailer, etc. or any motorized recreational vehicle such as a boat, recreational off-road vehicle, etc., unless such vehicle is attached to a passenger vehicle or oversized vehicle, as defined in this section, which is otherwise parked in compliance with the Orange Municipal Code;
- B. Any bus, as defined by the California Vehicle Code;
- C. Farm machines;
- D. Special purpose machines;
- E. Any unlicensed vehicles; and

- F. Any motor truck, any truck tractor with or without attached trailer, and any trailer as defined by the California Vehicle Code, with any two of the following four features:
1. A diameter of the wheel rim of 17 inches or larger;
  2. Having more than two axles;
  3. Having more than two wheels on any one axle; or
  4. Having a storage bed or platform of greater than 16 feet in length. This feature shall be applied only in residentially developed areas as defined in this section and shall not be applied to recreational vehicles as defined in the Health and Safety Code.
- G. Oversized vehicles, which are defined as any vehicle or combination of vehicles that exceed 22 feet in length or 84 inches in width.
1. Exceptions:
    - a. A person may park an oversized vehicle in a City street for no more than two consecutive days for the purpose of loading, unloading or other related activity incidental to preparing the oversized vehicle for travel or returning from travel. This exception shall only apply if the oversized vehicle is parked immediately adjacent to the front of its registered owner's residence.
    - b. Upon first obtaining a permit from the Chief of Police or designee, oversized vehicles which are the sole means of transportation as of the effective date of the ordinance (May 12, 2004) codified in this section and the parking of such vehicle upon the registered owner's residence is not authorized under the Orange Municipal Code; provided that such vehicle can be parked immediately adjacent to the registered owner's residence and the owner of the oversized vehicle presents sufficient evidence that the oversized vehicle was the sole means of transportation as of the effective date of the ordinance codified in this section. The permit shall expire 12 months from the date of issuance and shall be renewed annually thereafter.
    - c. Upon first obtaining and in compliance with a permit from the Chief of Police or designee, a visiting non-City resident may park immediately adjacent to the residence being visited for a period not to exceed seven consecutive days provided that no more than six such permits may be issued annually for any single address and/or person.
    - d. Any permit issued under this subsection shall be prominently displayed in the front window of the vehicle to which it applies.
  2. Any person who is issued a permit under this subsection who is convicted, pleads guilty or pleads nolo contendere to a violation of this subsection, shall not apply or be issued

a permit for six months from the date of the conviction, guilty plea or plea of nolo contendere is entered with the court. In addition no person shall be issued a permit for the address to which such permit was issued.

3. Any person applying for a permit under this subsection shall pay a fee to the City to recover the estimated reasonable costs of processing the permit. Such fee shall be set by resolution of the City Council.
4. Any person who intentionally submits false information in order to obtain a permit under this subsection shall, in addition to any penalties provided under state law, be guilty of a misdemeanor.

H. In areas other than residentially developed areas, this parking prohibition does not apply when:

1. The vehicle is parked for less than 30 minutes to accommodate the seeking of directions, the opening of gates or facilities, or for refreshments; or
2. When the self-propelled vehicle is occupied by a duly licensed operator awaiting the opening of a closed facility for purposes of loading or unloading.

Any commercial vehicle parked upon any street or alley in the commercial or industrial areas for any purposes during the hours of darkness shall be required to place and maintain a minimum of three reflective triangular parked vehicle delineators evenly spaced over a distance of 100 feet behind the parked vehicle or equipment.

I. As used in this section, "residentially developed area" shall mean that portion of a highway and the property contiguous thereto, other than a business district:

1. Upon one side of which highway, within a distance of a quarter of a mile, the contiguous property is occupied by 13 or more dwelling units; or
2. Upon both sides of which highway, within a distance of a quarter of a mile, the contiguous property is occupied by 16 or more dwelling units, whether or not the dwelling units front on said highway and whether or not the dwelling units are single-family or multiple-family in character.

J. Any passenger vehicle, any vehicle described in subsection 10.34.060(A) or any oversized vehicle defined in subsection 10.34.060(G) which a person has parked for the purpose of sleeping except when necessary or prudent to prevent potential injury to persons or property or if a person has obtained a valid visitor's permit pursuant to Section 10.34.060(G)(1)(c) and is in compliance with the permit's requirements.

## **SECTION XIX.**

Section 10.38.010 of the Orange Municipal Code, "Vehicles and Traffic – Prohibited Parking – Public Off-Street Parking Lot – Prohibited Acts," is hereby amended to read as follows:

### **10.38.010 - Public Off-Street Parking Lot – Prohibited Acts**

The City Council may, from time to time, as determined by motion or resolution, establish no parking zones on various streets of the City. Notice of the passage of the motion or resolution shall be deemed effective when the sign has been posted. As determined by motion or resolution of the City Council, it shall be unlawful for any person to park, or leave standing a vehicle in the posted zone.

No person shall park or leave standing on any street designated in this section, any of the following types of vehicles, except while mechanically disabled, or while loading or unloading property, or when such vehicle is parked in connection with, and in the aid of, the performance of a service.

### **SECTION XX.**

Section 10.38.070 of the Orange Municipal Code, “Vehicles and Traffic – Prohibited Parking – Obedience to Parking Signs, or Other Markings,” is hereby added to read as follows:

### **10.38.070 - Obedience to Parking Signs, or Other Markings.**

Every operator of a motor vehicle shall comply with any parking signs, curb markings or striping, diagonal or crisscross hatch markings, or other pavement markings which has been erected, painted, posted, or placed on public property.

### **SECTION XXI.**

Section 10.38.080 of the Orange Municipal Code, “Vehicles and Traffic – Prohibited Parking – No Stopping, Standing, Parking, or Driving on Certain Areas.,” is hereby added to read as follows:

### **10.38.080 - No Stopping, Standing, or Parking on Certain Areas.**

No operator of a motor vehicle shall stop, stand, or park on a driveway apron, parkway, or pedestrian ramp.

### **SECTION XXII.**

Section 10.38.100 of the Orange Municipal Code, “Vehicles and Traffic – Prohibited Parking – Use of Streets for Storage of Vehicles - Prohibited,” is hereby added to read as follows:

### **10.38.100 - Use of Streets for Storage of Vehicles - Prohibited.**

- A. No person who deals in or whose business involves the sale, rental, leasing, repair, repossession, or transportation of new or used vehicles shall park or leave standing on any one or more streets or alleys during the conduct of such business any vehicle held for sale, trade, rental, leasing, repair, repossession, shipment, transportation, or other disposition.

- B. It shall be unlawful for any person who deals in or whose business involves the wrecking, junking, or dismantling of used vehicles to park, store, or leave standing on any public street, alley, way or place any vehicle or part or parts thereof which has been delivered to the person or which is in the person's possession or custody for wrecking, junking, or dismantling.
- C. It shall be unlawful for any person to park or leave standing on any public street, alley way or place, any vehicle pending delivery or during delivery to a person who deals in or whose business involves wrecking, junking, or dismantling of used vehicles, unless the vehicle so parked or left standing is currently licensed by the Department of Motor Vehicles, is fully operable and does not exceed 30 minutes.
- D. It shall be unlawful for any person to unload or store on any public street, alley way or place, any vehicle or part of parts thereof pending delivery or during delivery to a person who deals in or whose business involves the wrecking, junking, or dismantling of used vehicles, unless the vehicle so stored or left standing is currently licensed by the Department of Motor Vehicles, is fully operable and does not exceed 30 minutes.
- E. While in the process of enforcing this section, any Police Officer, Parking Control Officer, or Code Enforcement personnel shall have the right to demand copies of the report of vehicles in the custody of any person who deals in or whose business involves any sale, rental, leasing, repair, repossession, or transportation of new or used vehicles, or automotive repair, wrecking, junking, or dismantling of used vehicles as provided by State law.

**SECTION XXIII.**

Section 10.42.070 of the Orange Municipal Code, "Vehicles and Traffic – Off-Street Parking Lots – Reserved," is hereby amended to read as follows:

**10.42.070 - Public Off-Street Parking Lot – Improper Parking Outside Painted or Marked Parking Space.**

It shall be unlawful in any City owned or controlled park, street, or parking lot to park any motor vehicle in a landscaped area, across any painted or marked line separating parking spaces, or to park any motor vehicle in such a position that it shall not be entirely within one painted or marked parking space.

**SECTION XXIV.**

Section 10.42.100 of the Orange Municipal Code, "Vehicles and Traffic – Off-Street Parking Lots – Public Off-Street Parking Lot – Prohibited Acts," is hereby amended to read as follows:

**10.42.100 - Public Off-Street Parking Lot – Prohibited Acts**

It shall be unlawful on any public parking lot to do any of the following prohibited acts:

1. To leave any vehicle standing in a traffic aisle.
2. To park any vehicle in a limited time space for a period of time longer than that posted.
3. To park any vehicle in a space reserved for a vehicle operated by disabled person which does not display the appropriate decal, placard or other indicia issued by the California Department of Motor Vehicles or by the appropriate authority in another state.
4. To park any vehicle in a space reserved for a designated vehicle unless the vehicle parked is a designated vehicle.
5. To park any vehicle in a space reserved for a designated City official or employee unless the operator of the vehicle is the designated City official or employee. This provision shall not be enforced on any Saturday, Sunday or legal holiday observed by the City.
6. To park any vehicle in a space reserved for special permit parking which does not display the appropriate decal or other authorized indicia for such special permit parking.

#### **SECTION XXV.**

Section 10.43.010 of the Orange Municipal Code, “Vehicles and Traffic – Private Parking Vehicle Impound Fee – Private Property Vehicle Impound Fee,” is hereby amended to read as follows:

#### **10.43.010 - Private Property Vehicle Impound Fee.**

The owner, or other person responsible for, any vehicle impounded by a tow company from private property in the City of Orange under the California **Vehicle Code** shall pay in accordance with the provisions of this chapter a fee in an amount established by the City Council by resolution, for the processing and recordation of notices of the impound of such person's vehicle. Such fee shall be collected by the tow company impounding the vehicle at the time of collection of its own towing and/or impound fees and shall be paid over to the City each month within 10 days after the close of the calendar month for which payment is due. Each towing company shall provide to the City, on a monthly basis concurrently with its monthly payment, a summary report of all such impounds and fees collected in such form and/or detail as the Chief of Police may specify from time to time, and shall make available to the City upon request any and all records of the information necessary to verify such report upon the request of the City.

#### **SECTION XXVI.**

Section 10.62.020 of the Orange Municipal Code, “Vehicles and Traffic – Loading Zones – Time Limits,” is hereby amended to read as follows:

#### **10.62.020 - Time Limits.**

It is unlawful to stop a vehicle longer than is necessary for the loading or unloading of passengers or materials.

In any loading zone or alley, the loading or unloading of passengers shall not exceed five minutes, and the loading or unloading of materials shall not exceed twenty minutes, unless otherwise specified by motion or resolution.

**SECTION XXVII.**

Section 10.66.020 of the Orange Municipal Code, “Vehicles and Traffic – Truck Routes – Restricted Use of Streets by Trucks and Other Vehicles,” is hereby amended to read as follows:

**10.66.020 - Restricted Use of Streets by Trucks and Other Vehicles.**

Upon recommendation of the Traffic Commission and the City Traffic Engineer, the City Council may, by ordinance, designate, establish and maintain fixed truck routes within the City. The City Council hereby establishes the following streets as fixed truck routes to be effective when posted:

BATAVIA STREET	Chapman Avenue to Lincoln Avenue.
CHAPMAN AVENUE	West City Limits to Jamboree Road, except as otherwise limited in Section <b>10.66.030(B)</b> .
COLLINS AVENUE	Eckhoff Street to Glassell Street.
CITY DRIVE, THE	South City Limits to North City Limits.
ECKHOFF STREET	Orangewood Avenue to Collins Avenue.
GARDEN GROVE BOULEVARD	West City Limits to East City Limits.
GLASSELL STREET	Collins Avenue to North City Limits.
JAMBOREE ROAD	South City Limit to Santiago Canyon Road.
KATELLA AVENUE	West City Limits to East City Limits.
LA VETA AVENUE	Main Street to the eastbound ramp connections of the Garden Grove (S.R. 22) Freeway.
LINCOLN AVENUE	West City Limits to Santiago Boulevard.
MAIN STREET	South City Limits to Chapman Avenue.
	Collins Avenue to Taft Avenue.
MEATS AVENUE	Glassell Street to Orange-Olive Road.
ORANGE-OLIVE ROAD	Glassell Street to Lincoln Avenue.
ORANGEWOOD AVENUE	Orange Freeway (S.R. 57) to Eckhoff Street.
SANTIAGO BOULEVARD	Northbound off-ramp (Lincoln Avenue/Nohl Ranch Road exit) of the Costa Mesa (S.R. 55) Freeway to Lincoln Avenue.
SANTIAGO CANYON ROAD	West City Limits to Jamboree Road.
	Jamboree Road to northbound off-ramp of the Foothill Transportation Corridor (S.R. 241).
STATE COLLEGE BOULEVARD	Chapman Avenue to North City Limits.
TAFT AVENUE	West City Limits to Glassell Street.



TOWN & COUNTRY ROAD	Main Street to the eastbound on-ramp of the Garden Grove (S.R. 22) Freeway.
TUSTIN STREET	South City Limits to North City Limits.

**SECTION XXVIII.**

Section 10.67.030 of the Orange Municipal Code, “Vehicles and Traffic – Movement of Vehicles and Equipment – Import or Export of Earth Material,” is hereby amended to read as follows:

**10.67.030 – Import or Export of Earth Material.**

Any person, firm, association or corporation moving more than 500 cubic yards of earth material shall comply with the following requirements, per the City of Orange Grading Manual:

- A. The following requirements shall apply when more than 500 cubic yards of earth material per project is moved from or to the site of an earth grading operation in a one day period on public roadways not designated as City of Orange truck routes; or, when more than 2,500 cubic yards of earth material per project is moved from or to the site of an earth grading operation over a period of time exceeding one day on public roadways not designated as City of Orange truck routes; or, when more than 5,000 cubic yards of earth material per project is moved from or to the site of an earth grading operation on public roadways not designated as City of Orange truck routes.
  - 1. Haul routes shall be identified and approved by the City Traffic Engineer.
  - 2. Trailers carrying loads of earth material shall, in a manner adequate to prevent the earth material from blowing or bouncing out of or otherwise leaving the truck and/or trailer while traveling or standing upon any public roadway, either wet down the loads or cover the load of earth material with a tarpaulin prior to entering upon any public roadway in the City of Orange.
  - 3. A street sweeper and/or water truck may be required on the job site to mitigate effects of dirt, mud, dust and debris on the roadway.
  - 4. Days and hours of haul will be reviewed and approved by the City Traffic Engineer to mitigate area and peak hour traffic conflicts.
  - 5. Provide evidence of proper liability insurance coverage acceptable to the City Traffic Engineer naming the City of Orange as additionally insured.
  - 6. A cash deposit by certified/cashier's check only may be required to insure the streets in the haul route will be maintained in a clean and orderly condition throughout the hauling operations, and to protect against any damage to City infrastructure.

When in conformance with the provisions of this section, a hauling permit shall be issued by the Traffic Engineer.

**SECTION XXIX.**

Section 10.78 of the Orange Municipal Code, “Vehicles and Traffic – Obstruction of Railroad Crossing,” is hereby deleted in its entirety.

**SECTION XXX.**

Section 12.08.200 of the Orange Municipal Code, “Streets, Sidewalks and Public Places – Public Improvements – Objections – Hearing – Council Decision Final,” is hereby amended to read as follows:

**12.08.200 – Objections – Hearing – Council Decision Final.**

- A. Any property owner affected by proceedings taken under this chapter aggrieved by any act or determination of the Public Works Department, or of the Council in relation thereto, or who may claim that the work or improvement has not been done or made in professional manner, or having any objection to the correctness or legality of the entries in the record book by the Street Superintendent may, within 30 days of the date of the first publication of the notice provided in Section 12.08.190, make and file with the City Clerk an objection in writing, which shall briefly specify the grounds of his or her objection or protest. All such objections and protests shall be heard at the regular meeting of the Council next succeeding the expiration of the time for filing the same, or the Council may at such meeting fix a time and place therefor.
- B. Upon hearing such objection or protest, the Council may remedy or correct any error or informality in the proceedings, and revise and correct any of the acts or determinations of the Street Superintendent, relative to the work, and may confirm, amend, set aside, alter, modify or correct the charges entered in the book in such manner as it shall seem just.
- C. The decisions and determinations of the Council shall be final and conclusive upon all persons entitled to object or protest under the provisions of this section.

**SECTION XXXI.**

Section 12.18.200 of the Orange Municipal Code, “Streets, Sidewalks and Public Places – Public Improvements – Objections – Hearing – Council Decision Final,” is hereby amended to read as follows:

**12.08.200 – Objections – Hearing – Council Decision Final.**

- A. Any property owner affected by proceedings taken under this chapter aggrieved by any act or determination of the Public Works Department, or of the Council in relation thereto, or who may claim that the work or improvement has not been done or made in professional

manner, or having any objection to the correctness or legality of the entries in the record book by the Street Superintendent may, within 30 days of the date of the first publication of the notice provided in Section 12.08.190, make and file with the City Clerk an objection in writing, which shall briefly specify the grounds of his or her objection or protest. All such objections and protests shall be heard at the regular meeting of the Council next succeeding the expiration of the time for filing the same, or the Council may at such meeting fix a time and place therefor.

- B. Upon hearing such objection or protest, the Council may remedy or correct any error or informality in the proceedings, and revise and correct any of the acts or determinations of the Street Superintendent, relative to the work, and may confirm, amend, set aside, alter, modify or correct the charges entered in the book in such manner as it shall seem just.
- C. The decisions and determinations of the Council shall be final and conclusive upon all persons entitled to object or protest under the provisions of this section.

### **SECTION XXXII.**

Section 12.24.010 of the Orange Municipal Code, “Streets, Sidewalks and Public Places – Sand, Gravel and Mineral Extraction – Adoption,” is hereby amended to read as follows:

#### **12.24.010 – Adoption.**

The City Council does hereby find and determine that Division 10 of Title 7, as it may be amended, known as the Sand, Gravel and Mineral Extraction Code of the County of Orange, is an approved code for adoption by reference within the meaning of Section 50022.2 of the Government Code of the State.

### **SECTION XXXIII.**

Section 12.24.020 of the Orange Municipal Code, “Streets, Sidewalks and Public Places – Sand, Gravel and Mineral Extraction – Exceptions,” is hereby amended to read as follows:

#### **12.24.020 – Exceptions.**

The Sand Gravel and Mineral Extraction Code of the County of Orange, County Code Title 7, Division 10, as amended, is adopted and made a part of this chapter by reference as if same were set forth in full herein with the following exceptions:

- A. The scope of such code shall be the incorporated territory of the City.
- B. Reference to the "county" shall mean the City of Orange.
- C. Department is the Department of Public Works of the City.
- D. Director is the Director of the Department of Public Works of the City.

- E. All other reference within such code to county boards, commissions, departments, codes or ordinances shall mean their nearest equivalent in the City of Orange.

**SECTION XXXIV.**

Section 12.36.020 of the Orange Municipal Code, “Streets, Sidewalks and Public Places – House Moving – Preliminary Inspection and Inspection Fee,” is hereby amended to read as follows:

**12.36.020 - Preliminary Inspection and Inspection Fee.**

- A. Prior to application of any Building Permits for the purpose of relocating a building within the City, the applicant shall pay an on-site inspection fee in an amount set by City Council resolution.
- B. The foregoing fees apply to each building to be relocated. After the appropriate fee has been paid, the Building Inspector shall make an on-site inspection to determine that the building does comply with all applicable building codes or can be made to comply.

**SECTION XXXV.**

Section 12.36.040 of the Orange Municipal Code, “Streets, Sidewalks and Public Places – House Moving – Building Permit Application Fee,” is hereby amended to read as follows:

**12.36.040 – Building Permit Application Fee**

A fee shall be paid to the Community Development Department at the time of filing the application for a Building Permit. The permit will be issued based on the valuation of the structural work to be done to the building(s). The permit fee and plan check fee shall be in accordance as set forth in the fee schedule applicable to the California Building Code (see Title 15, Chapter 15.04 of the City Code).

**SECTION XXXVI:**

Section 12.48.160 of the Orange Municipal Code, “Streets, Sidewalks and Public Places – Park Ordinance – Repairs and Sales of Bicycles and Bicycle Parts” is hereby deleted in its entirety.

**SECTION XXXVII.**

Section 13.12.010 of the Orange Municipal Code, “Public Utilities – Article I Water System – Service Connections,” is hereby amended to read as follows:

**13.12.010 -- Service Connections.**

- A. The City will furnish and install a service of such size and at such location as the applicant requests, provided such requests meet with the specifications of the Public Works Department Water Division. The service will be installed from its water distribution main to

the curblineline or property line of the premises which may abut on the street, on other thoroughfares, or on the City right-of-way or easement.

- B. Regulation is required for water pressures in excess of 80 psi. For pressures between 80 and 125 psi, it will be the responsibility of the applicant to provide regulation at applicant's cost. Pressures in excess of 125 psi will be regulated to 125 psi or less by the City.

### **SECTION XXXVIII.**

Section 13.12.020 of the Orange Municipal Code, "Public Utilities – Article I Water System – Services Installed by Developer," is hereby amended to read as follows:

#### **13.12.020 – Services Installed by Developer.**

- A. Services in new developments are to be installed by the developer to City specifications under City inspection. Meters will be installed by the City.
- B. Meter installation charges for developer-installed services are payable in advance prior to final tract map approval or prior to issuance of a building permit for developments not involving a tract map, and shall be as set forth by resolution of the City Council.
- C. The materials used by the developer for all water service installations shall conform to the "Specifications for Water System Materials" and to the "Public Works Department Water Division Standard Drawings", as approved by the Water Manager.

### **SECTION XXXIX.**

Section 13.16.050 of the Orange Municipal Code, "Public Utilities – Article I Water System – Water Rates – Water for New Construction," is hereby amended to read as follows:

#### **13.16.050 – Water for New Construction.**

- A. For water for new construction, application must be made in the regular manner and a meter shall be installed by the Public Works Department Water Division, which installation shall be paid for by the applicant before any water is turned on. The charge for such water shall be paid for at the regular water rates specified in Section 13.16.040.
- B. If the developer desires to use temporary unmetered water through spacers for structural construction, he or she may apply for "unmetered water" for a three-month period on application to the Public Works Department Water Division. Billing charges for such services shall be set forth by resolution of the City Council. After the three-month period has expired and the developer has not removed his or her spacers, the City shall have the right to remove the spacers to the individual lot.
- C. A meter will be required before any landscaping is done or building is occupied.

## **SECTION XL.**

Section 13.16.060 of the Orange Municipal Code, “Public Utilities – Article I Water System – Water Rates – Use of Fire Hydrants,” is hereby amended to read as follows:

### **13.16.050 – Use of Fire Hydrants.**

- A. Persons desiring to take water for construction or other temporary purposes shall make application for a temporary fire hydrant construction meter. All such water used shall be paid for at the regular water rates specified in Section 13.16.040. The Public Works Department Water Division shall furnish the necessary metering equipment and no other equipment shall be used. A deposit, based on the size of the meter and as set forth by resolution of the City Council, will be required as a guarantee that the equipment will be returned in good condition and the water bill paid. The deposit shall be forfeited unless the City equipment is returned without damage after use and all charges have been paid within 30 days. For four-inch and six-inch meters, a non-refundable installation charge, as set forth by City Council resolution, shall also be paid. An approved backflow prevention device shall be furnished and installed at each location of a temporary water meter as determined by the Public Works Department Water Division.
- B. In addition to the charge for the water used, there shall also be an additional daily usage charge as set forth by resolution of the City Council, including first and last day used, for each day construction water equipment furnished by the City is used.
- C. In the event that no fire hydrant meters are available or in other special circumstances, a permit to use water from a hydrant without a meter will be issued. Such permit will specify the date, location, and other conditions related to such water usage. Charges for water used shall be based on estimated consumption, with a minimum charge based on a minimum consumption of 2,000 cubic feet.

## **SECTION XLI.**

Section 13.28.010 of the Orange Municipal Code, “Public Utilities – Article I Water System – Discontinuance of Service – Refusal by City to Furnish Water – Reasons,” is hereby amended to read as follows:

### **13.28.010 – Refusal by City to Furnish Water – Reasons.**

The City may refuse to furnish water and may discontinue service to any premises for any of the following reasons:

- A. Where apparatus, appliances or equipment using water is dangerous, unsafe, or not in conformity with any law or ordinance;
- B. Where the demand is greatly in excess of past average or seasonal use;

- C. Where such excessive demands by one consumer are or may be detrimental or injurious to other consumers;
- D. Where excessive demands by one consumer will result in inadequate service to others;
- E. To protect the City against fraud or abuse;
- F. Where a consumer fails to comply with any City ordinance or regulation of the Public Works Department Water Division within five days after receiving written notice thereof; and
- G. Where a consumer fails to comply and such failure to comply affects matters of health and safety, in which case the City may discontinue water service immediately.

**SECTION XLII.**

Section 13.32.020 of the Orange Municipal Code, “Public Utilities – Article I Water System – Fire Service – Application and Agreement—Payment,” is hereby amended to read as follows:

**13.32.020 – Application and Agreement – Payment.**

- A. The applicant may be required to sign a special application and agreement form, in which event the same will be furnished upon request.
- B. Fire service connections are to be installed by the applicant to City specifications under City inspection.
- C. The material used by the applicant for all fire service connection installations shall conform to the "Specifications for Water System Materials" and to the "Public Works Department Water Division Standard Drawings" as approved by the Water Manager.

**SECTION XLIII.**

Section 13.44.010 of the Orange Municipal Code, “Public Utilities – Article I Water System – Water Mains – Application—Filing,” is hereby amended to read as follows:

**13.44.010 – Application – Filing.**

It shall be the duty of every person as owner or subdivider of a single lot, subdivision or tract of land desiring water service to such lot, subdivision or tract of land, to file written application therefor with the Public Works Department Water Division.

**SECTION XLIV.**

Section 13.44.020 of the Orange Municipal Code, “Public Utilities – Article I Water System – Water Mains – Application—Filing,” is hereby amended to read as follows:

**13.44.020 – Application – Filing.**

- A. Each applicant for service to more than a single lot, such as for a subdivision, shall furnish to the Water Department copies of the map of the proposed subdivision, or other such development, as approved by the City. The Public Works Department Water Division shall design the required water system with the necessary mains, valves, fire hydrants, etc., indicating sizes and locations. Charges and estimated costs shall be based upon the water system so designed.
- B. A plan check fee which shall represent the cost to the City for the processing of development plans, including engineering, clerical and administrative personnel utilized to design the required water system and review other required plans or drawings, prepare invoices and otherwise service the development, shall be as set forth by resolution of the City Council. Said fee will be applicable to all developments and shall be invoiced with other applicable Public Works Department Water Division charges and payable prior to issuance of building permit or City Council approval of final tract map.

**SECTION XLV.**

Section 13.44.030 of the Orange Municipal Code, “Public Utilities – Article I Water System – Water Mains – Deed of Easement Required,” is hereby amended to read as follows:

**13.44.030 – Deed of Easement Required.**

- A. Whenever land is to be developed, any easements needed for water mains which may be appurtenant thereto or which may be used exclusively thereon shall be deeded to the City in consideration for the City approving any application for City water to be placed on such development. Said deed to the City shall be executed before any such application shall be approved by the City Council.
- B. The Public Works Department Water Division, in no instance, shall install or permit to be installed any mains, meters or other facilities off the City property or on property over which the City has no easement.

**SECTION XLVI.**

Section 13.44.040 of the Orange Municipal Code, “Public Utilities – Article I Water System – Water Mains – Installation of Mains,” is hereby amended to read as follows:

**13.44.040 – Installation of Mains.**

All water mains inside of a subdivision or any other similar development shall be as designed by the Public Works Department Water Division and shall be installed to City specifications, under City inspection, by the developer at his or her cost. All water main installations shall be performed by a contractor possessing a California Class A license or C-34 specialty license. The material



used by the developer for water mains shall conform to the "Specifications for Water System Materials" and to the "Public Works Department Water Division Department Standard Drawings" as approved by the Water Manager.

### **SECTION XLVII.**

Section 13.44.050 of the Orange Municipal Code, "Public Utilities – Article I Water System – Water Mains – Charge for Mains," is hereby amended to read as follows:

#### **13.44.050 – Charges for Mains.**

- A. The applicant shall pay to the Public Works Department Water Division, prior to issuance of a building permit, or prior to final map approval in the case of a tract, fees for inspection services related to the installation of water mains and appurtenances, as set forth by resolution of the City Council.
- B. In case a water main of larger diameter is required, as covered otherwise in this title, for transmission, the City shall pay for the increased cost of installation by negotiation with the developer or his or her contractor.
- C. In case a water main serving one side of a street is installed by a developer and it is evident that the same main will eventually serve the other abutting property, a proportional cost shall be negotiated.
- D. Upon the completion of the installation of any mains or appurtenances, the same shall become and remain the property of the City. Prior to final acceptance of the water mains and appurtenances by the City, the developer shall provide to the City a verified Construction Cost Statement which itemizes the developer's costs for construction of water mains and appurtenances.

### **SECTION XLVIII.**

Section 13.44.090 of the Orange Municipal Code, "Public Utilities – Article I Water System – Water Mains – Extension of Mains to Proposed Development – Refund of Charges," is hereby amended to read as follows:

#### **13.44.090 – Extension of Mains to Proposed Development – Refund of Charges.**

The City may extend existing mains to proposed developments at City expense or may enter into an agreement with the developer or developers for the extension in the same manner as if the mains were inside of a subdivision or similar development. In such case, the developer shall file a statement with the Public Works Department Water Division showing his or her costs so that, if at a later time connections are made to said mains by persons whose lands abut, then the Water Department shall collect the applicable charge and refund the developers or their heirs or assigns, the applicable charge, but not more than his or her cost; provided, however, that unless connections are made to the mains and payments therefor are made within 10 years after completion of the

mains, then the charges shall be collected, but shall not be disbursed to the persons who installed the main, and the payments shall belong to the City.

**SECTION XLIX.**

Section 13.44.100 of the Orange Municipal Code, “Public Utilities – Article I Water System – Water Mains – Installation Made by Water Department Payment of Cost,” is hereby amended to read as follows:

**13.44.100 – Installation Made by Public Works Department Water Division —Payment of Cost.**

In all cases where an installation is requested of the Public Works Department Water Division for any purpose not covered by other provisions of this title or other ordinances, and such request is granted, the cost of such installation by the Public Works Department Water Division shall be paid by the applicant.

**SECTION L.**

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

**SECTION LI:**

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Daniel R. Slater, Mayor, City of Orange

ATTEST:

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Mike Vigliotta, City Attorney, City of Orange

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE     )  
CITY OF ORANGE         )

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2025, and thereafter at the regular meeting of said City Council duly held on the \_\_\_\_ day of \_\_\_\_\_, 2025 was duly passed and adopted by the following vote, to wit:

AYES:            COUNCILMEMBERS:  
NOES:            COUNCILMEMBERS:  
ABSENT:         COUNCILMEMBERS:  
ABSTAIN:         COUNCILMEMBERS:

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange