

ORDINANCE NO. 2519

ORDINANCE OF THE CITY OF SANTA ROSA ADDING CHAPTER 11-18 TO THE SANTA ROSA CITY CODE TO PROHIBIT CRUISING

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

1. Section 1. Chapter 11-18 is added to the Santa Rosa City Code to read as follows:

CHAPTER 11-18

CRUISING PROHIBITED WITHIN THE CORE AREA OF THE CITY

Section 11-18.010. Definitions.

The following definitions should apply in this chapter:

- (a) Core Area. Core area is defined as that area of the City of Santa Rosa bounded by Interstate Highway 101 on the west, Franklin Avenue/North Street/Montgomery Drive/Brookwood Avenue on the east, Steele Lane/Lewis Road on the north and Sonoma Avenue on the south.
- (b) Cruise or Cruising. Cruise and cruising are defined on the repetitive driving of a motor vehicle past a traffic control point in traffic which is congested at or near the traffic control point, as determined by the ranking peace officer on duty within the affected area, within a two-hour period, and after the vehicle operator has been given adequate written notice that further repetitive driving will be a violation of this chapter.
- (c) Highway and Motor Vehicle. Highway and vehicle are defined by sections 360 and 415 of the California Vehicle Code, respectively.

Section 11-18.020. Cruising Prohibited.

- (a) Cruising is prohibited in the core area.
- (b) No person shall be guilty of cruising unless:
 - (1) That person has driving a motor vehicle past the same traffic control point two or more times within a two-hour period and has, upon driving past the traffic control the first time, been given written notice that further driving past the traffic control point shall be a violation of the Santa Rosa City Code.
 - (2) Signs have been posted on the streets subject to cruising controls as set forth in section 18-18.030.

Section 11-18.030. Signs.

Signs shall be erected at the beginning and end of that portion of any street subject to cruising controls. The signs shall state briefly and clearly that cruising is prohibited by section 11-18.020 of the Santa Rosa City Code.

Section 11-18.040. Exclusions.

This article shall not apply to emergency vehicles in service, taxicabs for hire and buses operated by a government agency and traveling along a fixed route.

Section 11-18.050. Diverting Traffic.

If little or no traffic is moving in the affected area and vehicles do not move when an opportunity arises to do so, a police officer may divert vehicles, except public safety or emergency vehicles, from that congested street or highway, until reasonably flowing traffic is restored.

Section 11-18.060. Penalty.

A violation of the provisions of this chapter shall be an infraction punished as follows:

- (1) By a fine not exceeding one hundred dollars.
- (2) For a second violation occurring within one year of a prior violation that resulted in conviction a fine not exceeding two hundred dollars.
- (3) For a third or any subsequent violation occurring within one year of two or more prior violations resulting in convictions, a fine not exceeding two hundred fifty dollars.

Section 2. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 3. This ordinance shall take effect on the 31st day following its adoption.

IN COUNCIL DULY PASSED this 28th day of January, 1986.

AYES: (4) Mayor Burkart, Councilmen Burton, Healy and Jeffries
 NOES: (1) Councilman Berto
 ABSENT: (0)
 ABSTAIN: (0)

APPROVED: *Rife Burkart*
 Mayor

ATTEST: *Kathleen Albright*
 Assistant City Clerk

APPROVED AS TO FORM
 City Attorney