

Chapter 12.05 OBSTRUCTIONS, LOITERING AND MISCELLANY

Sections:

12.05.010 Obstructing vehicles or pedestrians prohibited generally.

12.05.020 Loitering, standing or obstructing entrance of church, hall, theater, etc., prohibited.

12.05.030 Prohibition of unauthorized presence in posted parking lots of a closed commercial business.

12.05.040 Obstructing the public right-of-way prohibited.

12.05.050 Steam, interurban or electrically driven railway trains, etc.

12.05.060 Hours of operation of public parks.

12.05.070 Bicycles or motorcycles, etc. – Prohibited on sidewalks or in public parks.

12.05.010 Obstructing vehicles or pedestrians prohibited generally.

It shall be unlawful for any person to loiter, stand or sit in or upon any public highway, street, alley, sidewalk or crosswalk in the City so as to in any manner hinder or obstruct the free passage thereon of persons or vehicles passing along the same or so as to in any manner annoy or molest persons passing along the same. (Ord. 460 § 1. Formerly § 25-1).

12.05.020 Loitering, standing or obstructing entrance of church, hall, theater, etc., prohibited.

It shall be unlawful for any person to loiter, stand or sit in or at the entrance of any church, hall, theater or other place of public assemblage in the City so as to in any manner obstruct such entrance. (Ord. 460. Formerly § 25-2).

12.05.030 Prohibition of unauthorized presence in posted parking lots of a closed commercial business.

(a) Except as provided herein, it shall be unlawful for any person or vehicle to be present in a parking lot (or in an area of a parking lot designated as prohibited to unauthorized presence) that has been posted with a sign(s) prohibiting unauthorized presence.

(b) In situations where presence in the entire parking lot is not prohibited, as when a location has multiple businesses and some businesses may remain open, physical barricades and signs shall be placed to designate the area(s) in which there is to be no vehicle parking or human presence during the prohibited hours.

(c) The hours of prohibited presence shall be posted along with the signs prohibiting the unauthorized presence. In certain circumstances, the prohibitory text and hours of prohibition shall be painted on or affixed to the barricades designating the closed area(s).

(d) When barricades are used, the text shall be in letters no less than one inch in height. When signs are used, they shall be at least one foot by one foot and the text shall be in letters no less than one inch in height. The sign(s) and/or barricades shall read substantially in either of the following two ways:

WARNING

Unauthorized presence in
parking lot after business is closed
violates SCCC [12.05.030](#)
_____ P.M. to _____ A.M.

or,

WARNING

Unauthorized presence in
parking lot after business is
closed, or in designated areas,
violates SCCC [12.05.030](#)
_____ P.M. to _____ A.M.

(e) Violations of this section are a misdemeanor as provided in SCCC [1.05.070](#). (Ord. 1407, 9-8-80; Ord. 1469 § 2, 4-12-83; Ord. 1616 § 1, 8-7-90. Formerly § 25-2.1).

12.05.040 Obstructing the public right-of-way prohibited.

Any person who, without prior written permission from the City, shall maintain, place, cause or permit to be placed upon, in, across, under, or over the public right-of-way (as used herein "public right-of-way" shall mean the paved roadway, curb, gutter, park strip, sidewalk, and any other portion of the publicly owned real property up to the private property line) of the City any obstruction and who, after being notified by the City to remove the same, shall permit any such obstruction to remain upon, across, under or over the public right-of-way for twenty-four (24) hours after such notice, shall be deemed guilty of an infraction punishable by a fine of not more than five hundred dollars (\$500.00). (Ord. 6; Ord. 1358 § 1, 6-28-77. Formerly § 25-6).

12.05.050 Steam, interurban or electrically driven railway trains, etc.

It shall be unlawful for any person in charge of any steam, interurban or electrically driven railway train or similar vehicles on rails to operate the same in such manner as to prevent the use of any street for the purpose of travel for a period of time longer than five minutes. The provisions of this section shall not apply to the operation of "through" freight trains when continuously operated without stopping through the City and when such freight trains consist of a series of freight cars, the overall length of which trains make it impractical to prevent the blocking of a street for such period of time. The provisions of this section shall apply to all "switching" operations of trains in the City. (Ord. 680. Formerly § 25-8).

12.05.060 Hours of operation of public parks.

(a) The public parks in the City shall be open daily to the public between the hours of 6:00 A.M. to one-half hour after sunset (dusk), except:

(1) Where there is posted conspicuously a sign limiting the hours when such facility is open to the public; and

(2) Until 10:00 P.M. if and when the facility is lighted.

(b) Any such public park or portion thereof may be declared closed to the public by the Director of Parks and Recreation at any time and for any interval of time, either temporarily or at regular or stated intervals, as is deemed necessary in carrying out the duties and responsibilities of the various divisions of the Parks and Recreation Department as set forth in Chapter [2.100](#) SCCC. The Director of Parks and Recreation is hereby authorized to promulgate rules and regulations to effectuate the purposes of this section.

(c) Every person other than City personnel conducting City business therein, who occupies or is present in any public park in the City during the hours in which the park is not open to the public, shall be deemed guilty of an infraction, punishable by a fine of not more than two hundred fifty dollars (\$250.00). (Ord. 1953 § 1, 4-5-16; Ord. 1371 § 1, 1-10-78. Formerly § 25-8.1).

12.05.070 Bicycles or motorcycles, etc. – Prohibited on sidewalks or in public parks.

It shall be unlawful for any person to ride or drive any bicycle, motorcycle or other motor vehicle upon any sidewalk or in any public park in the City. (Ord. 302 § 1. Formerly § 25-9).

Cross reference – Bicycles generally, Chapter [10.35](#) SCCC.

The Santa Clara City Code is current through Ordinance 2056, and legislation passed through November 15, 2022.

Disclaimer: The City Clerk's Office has the official version of the Santa Clara City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://santaclaraca.gov/>

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