Checklist for the following pages:

Attached is the paperwork for unauthorized parking, traffic control and trespassing on privately owned property and parking lots.

Page 1 will have information about restricted parking, Salinas City Code 20-06.33. Please complete Page 8 if you want this section enforced.

Page 7 has a sample of the No Trespass enforcement, Salinas City Code 21-35. Please complete Page 9 if you want this section enforced.

We do not provide signs. We give you the guidelines and inspect your signs once they are up. Please make sure that the sign has the code you are trying to enforce. Once the paperwork is complete, you can mail it to 312 E. Alisal St, Salinas, CA 93906 or bring it to the Police Department for review.

There are a few places in town that make signs. You can look online for names of businesses.

Please contact the **Special Operations unit at 831-758-7271,** if you have any further questions.

Salinas Police Department
Memorandum

To: Owners/Operators of Privately Owned Properties and Off-Street Parking Facilities

From: City Engineers and the Salinas Police Department's Special Operations Unit

Subject: **Unauthorized Parking, Traffic Control and Trespassing on Privately Owned Property and Parking Lots**

Control of vehicles on privately owned parking lots is the responsibility of the owner/operator as specified in the California Vehicle Code. The Salinas Police Department is authorized by certain sections of the State Vehicle Code and the City Code to assist lot operators in such control under the conditions described herein.

The procedure to PROHIBIT UNAUTHORIZED PARKING or to RESTRICT PARKING to tenants, clients, customers, etc. is explained in Section 1 of this letter. This is the type of control most commonly used in the average off-street parking lot provided by individual businesses, apartment complexes, etc.

The procedure to obtain enforcement of the Basic Speed Law, Reckless Driving, Speed Contests and Blue Handicapped Parking Spaces is explained in Section 2 of this letter. These controls, in addition to those explained in Section 1, are commonly used in large off-street parking areas such as those provided by shopping centers.

1. **TO OBTAIN ENFORCEMENT OF PROHIBITED OR RESTRICTED PARKING:**

   City Code Section 20-06.33 authorizes a lot operator to prohibit or restrict parking by installing signs in accordance with the following:

   A. **LOCATION:** Sign(s) must be posted in a conspicuous place at each entrance to the off-street parking facility.

   B. **SIZE:** Sign(s) must be not less than 17 inches by 22 inches in size.

   C. **LETTERING:** Letters must be not less than one inch in height.

   D. **COLOR:** Black letters on white background.

   E. **MATERIALS:** Preferably metal and permanently affixed 8 feet above ground level.

   F. **MESSAGE:** NO PARKING WITHOUT PERMISSION (*Variable*)
   UNAUTHORIZED VEHICLES WILL BE TOWED AWAY AT OWNER'S EXPENSE. PARKING FOR CUSTOMERS (CLIENTS, TENANTS, ETC.) ONLY.

   SCC §20-06.33 Salinas Police Department, 831-758-7090

Important: Following installation of signs, the Police Department Special Operations Unit must be notified by calling 831-758-7271. An Officer will inspect the signs for conformance with the above subsequent enforcement.

2. **TO OBTAIN ENFORCEMENT OF HANDICAPPED SPACES, BASIC SPEED LAW, RECKLESS DRIVING OR SPEED CONTESTS:**

The lot owner/operator must submit a written request to the Salinas Community Services Unit asking that the City Council authorize such enforcement following the installation of appropriate signs by the operator. Authorization by the City Council Resolution makes possible the enforcement of Handicapped Parking spaces, the Basic Speed Law, Reckless Driving and Speed Contests, as prescribed by the State Motor Vehicle Sections 21107.8, 22350, 22507.8 23103 and 23109.

The lot operator in accordance with the following must install signs:

A. **LOCATION:** Sign(s) must be posted in a conspicuous place at each entrance to the off-street parking facility.

B. **SIZE:** Sign(s) must be not less than 17 inches by 22 inches in size.

C. **LETTERING:** Letters must be not less than one inch in height.

D. **COLOR:** Black letters on white background.

E. **MATERIALS:** Preferably metal.

F. **MESSAGE:** THIS PARKING LOT IS SUBJECT TO PUBLIC TRAFFIC REGULATIONS AND CONTROL.

Important: Following installation of signs, the Police Department Special Operations Unit must be notified by calling 831-758-7271. An Officer will inspect the signs for conformance with the above subsequent enforcement.

3. **ISSUANCE OF CITATIONS:**

A. DAY TIME ENFORCEMENT (during normal business hours):

The lot operator should call the Salinas Police Department, (dispatch non-emergency number) 831-758-7321, and request issuance of a citation. The lot operator must co-sign the citation for enforcement on residential property. No co-sign is required for enforcement on off-street parking facilities (ex. shopping centers).

B. NIGHT TIME ENFORCEMENT (after business hours):

The lot owner/operator must authorize the Police Department to act as his agent for the purpose of enforcement during the hours his business is closed. A standard form is providing this authorization to the Police Department is attached hereto. Additional copies are available from the Police Department.

Note: The lot owner/operator must ensure that persons such as employees who may leave a vehicle on the lot overnight are advised that they will be cited unless there is a half sheet (5"x 8") "PERMIT" on the front dash on the driver's side stating in letters as large as possible:

"PARKING PERMIT"
DATE
LOCATION
BY WHOM AUTHORIZED
WHAT BUSINESS

4. **ISSUANCE OF CITATIONS FOR PARKING IN HANDICAPPED SPACES:**

Handicapped parking spaces will be patrolled and citations issued as time permits.

5. **TO TOW AWAY UNAUTHORIZED VEHICLES:**

This is completely the responsibility of the owner/operator of the lot and does not involve Police personnel. Appropriate signing is described in Section 1.F "SIGN MESSAGE". State Vehicle Code Section 22658 specifies this procedure for removal and subsequent notifications that the lot operator must accomplish as follows:

"CVC" 22658 (Removal from Private Property) – (a) The owner or person in lawful possession of any private property may, subsequent to giving notice to the City Police or County Sheriff, whichever is appropriate, cause the removal of a vehicle parked on such property to the nearest garage if there is displayed in plain view on the property a sign prohibiting public parking and containing the telephone number of the local traffic law enforcement agency. The person causing removal of such vehicle shall, if the person knows or is able to ascertain from the registration records of the Department of Motor Vehicles the name and address of the registered and legal owner thereof, immediately give or cause to be given notice in writing to such registered and legal owner of the fact of such removal, and indicate the place to which such vehicle has been removed.

In the event the vehicle is stored in a public garage a copy of the notice shall be given to the proprietor of the garage. The notice provided for in this section shall include the amount of mileage on the vehicle at the time of removal.

If the person does not and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner as provided in this section, such person causing removal of such vehicle shall comply with the requirement of Section 22853 relating to notice in the same manner as applicable to an Officer removing a vehicle from private property. The provisions of this section shall not limit or affect any right or remedy which the owner of person in lawful possession of private property may have by virtue of other provisions of law authorizing the removal of a vehicle parked upon such property.

Note: In addition to the preceding notices, the lot operator must notify the Salinas Police Department, 831-758-7090, of the tow away. This will prevent any subsequent confusion caused by an erroneous reporting of a stolen car.

6. **ABANDONED VEHICLES:**

The lot operator may have the vehicle towed away under the procedure described in Section 5 of this letter to remove abandoned vehicles from private property.

7. **TRESPASSING ON PRIVATE PROPERTY:**

Sec. 21-35 Salinas City Code: Trespass- Prohibited on posted land. *

It shall be unlawful for any person to enter or go upon or pass over or remain upon any land of another where the owner of such property, or the person entitled to the possession thereof for the time being, or the authorized agent of either, has posted or caused to be posted upon the land printed notices that the land is private property and warning all persons from trespassing thereon. (Ord. No. 890 (NCS), § 1.)

* For state law as to trespassing or loitering near posted industrial property, see Penal Code, § 552 et seq.

Refer to page 7 for "No Trespassing" sign requirements.

8. **NO SOLICITING:**

As to posting your property for **"NO SOLICITING".** There are several issues that arise when dealing with Panhandling or Soliciting. There are certain Constitutional guarantees and rights that ALL individuals enjoy in our Nation. So this issue on private property must be adhered to in a **forthright and consistent fashion on or at each property**. There are a couple of sections of the City of Salinas Municipal Code that are pertinent. **Pay attention to the very last section here.**

1. SCC Section 24-3. Solicitation to unwilling recipients prohibited

(a) No person shall solicit at any residence or at any business to which is affixed a sign indicating "No Solicitors", "No Peddlers," or any similar indication that solicitation is not desired by the owner or occupant, unless, however, expressly permitted by the owner, lessee, agent or occupant of the premises.

(b) No person shall continue to solicit from another after the desire not to make a contribution has been expressed. No person shall solicit where the owner or occupant of the property has notified the solicitor that he or she is not allowed on the property.

There are several other subsections here that limit other activities such as a refusal to leave the property, distributing or passing out literature etc.

1. SCC Section 24A-4. Place of solicitation.

(a) At any bus stop;

(b) In any public transportation vehicle or facility;

(c) In any vehicle on the street or while such vehicle is located in any public place;

(d) On private property, unless the solicitor has permission from the owner, tenant, lessee or agent of the property;

(e) Within twenty-five of any bank, savings and loan, or other financial institution buildings, including their outdoor automatic teller machines;

(f) In the parking lot of any bank, savings and loan, or other financial institution;

(g) Within ten feet of any entrance way or exit from any building open to the public other than those referenced in subsection (e);

(h) In any outdoor dining area when patrons are seated at tables or on chairs owned and serviced by an eating establishment;

(i) At any business to which is affixed a sign indicating *"No Soliciting, Begging or Panhandling pursuant to SCC 24A".* Such sign shall be conspicuously posted at the entrances and exits of the business and be no less than eight inches by eleven inches in size with black lettering on a white background. (Ord. No. 2324 (NCS, § 2.)

9. **MISCELLANEOUS OFFENSES FOR POSTING ON PRIVATE PROPERTY:**

There are other miscellaneous offenses for posting of private property, which include the restriction of roller blades, roller-skating, skateboarding on public sidewalks, or a sidewalk in shopping centers. We must remember that sidewalks are generally a public access area unless they are on private shopping center property.

1. SCC Section 21-55. Roller blades, roller-skating, skateboarding on public sidewalks, or a sidewalk in shopping centers—when prohibited.

(a) No person riding upon roller blades or roller skates or riding in or by means of any coaster, skateboard, toy vehicle or similar device shall ride upon any public sidewalk adjoining a street listed in subsection (b) or upon any sidewalk in any shopping center when **appropriate signs giving notice of the prohibition have been painted on or posted along those sidewalks.**

(b) The prohibition contained in subsection (a) shall apply to public sidewalks adjoining the following streets:

In Old town Salinas, Monterey, Main, and Salinas streets from Market Street to the north to Winham/Clay Streets on the south, Monterey Street to the east and Salinas Street to the west.

(c) For the purposes of this section, the words shopping center" shall mean a group of two or more commercial establishments, the perimeter of which is clearly definable, developed on a continuous area of land, planned and developed as a single unit and providing shared on-site parking, landscaping and signage. (Ord. No. 1663 (NCS), § 1; Ord. No. 2303 (NCS), § 1.)

Notice there is no specific wording about the posting of the property. Some business owners paint the No skateboarding, Roller blade, No Bicycling universal signs with the red circle and slash though it and then also post this same type of sign on boards at the entrances to the shopping center with the No Trespassing information.

Remember whatever you do with posting the properties you MUST BE CONSISTENT and enforce the rules CONSISTENTLY.

10. **QUESTIONS CONCERNING THE INFORMATION HEREIN:**

Contact the Salinas Police Department's Special Operations Unit, 831-758-7271. You can also access the City of Salinas web page to research additional information on the many city ordinances and requirements for individuals and businesses at www.salinas.gov

No Trespassing signs must comply with the following guidelines:

WHITE BACKGROUND WITH BLACK LETTERS

NO	NOT LESS THAN FOUR (4) INCHES IN HEIGHT
TRESPASSING	NOT LESS THAN FOUR (4) INCHES IN HEIGHT
SALINAS P.D.	NOT LESS THAN ONE (1) INCHES IN HEIGHT
SCC 21-35	NOT LESS THAN ONE (1) INCHES IN HEIGHT

IMPORTANT: Signs **MUST BE** posted in conspicuous locations at each of the entrances to your property, making it obvious to anyone entering your property from any direction, that "No Trespassing" is allowed.

Night Time Parking Enforcement On Private Property

I authorize the Salinas Police Department to act as my agent for the purpose of enforcing Salinas City Code section 20-06.33.

Appropriate signs have been posted in conspicuous locations at each of the entrances to my property. Additionally, I have instructed my employees to have a **"Parking Permit"** on their vehicle dashboard if they must leave their vehicle on the property overnight.

Authorized by:

(Type or Print First & Last Name)	*(Title)*
(Your Business Address)	*(Your Business Phone Number)*
(Your Business Name)	*(Your Affiliation to the Posted Property) {I.e.: Property Owner or Property Manager}*
(Address of Posted Property)	*(Emergency Phone Number)*
(Signature)	*(Date)*

Mail this form to: **Salinas Police Department**
Attn: Special Operations Unit
312 East Alisal Street.
Salinas, Ca. 93901

The signs have been inspected and they meet all of the guidelines for enforcement.

(Signature of Inspecting Officer)	*(Date)*

Original: Watch Commander Binder

No Trespassing Enforcement On Private Property

I authorize the Salinas Police Department to act as my agent for the purpose of enforcing Salinas City Code section 21-35, Posted No Trespassing on Private Property. Only authorized persons and their guest(s) are allowed on the property.

Appropriate signs have been posted in conspicuous locations at each of the entrances to my property.

Authorized by:

(Type or Print First & Last Name)	*(Title)*
(Your Business Address)	*(Your Business Phone Number)*
(Your Business Name)	*(Your Affiliation to the Posted Property) {I.e.: Property Owner or Property Manager}*
(Address of Posted Property)	*(Emergency Phone Number)*
(Signature)	*(Date)*

Mail this form to: **Salinas Police Department**
Attn: Special Operations Unit
312 East Alisal Street
Salinas, Ca. 93901

The signs have been inspected and they meet all of the guidelines for enforcement.

(Signature of Inspecting Officer)	*(Date)*

Original: Watch Commander Binder