

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO,
CALIFORNIA, ADDING SECTION 14-813 OF THE FRESNO
MUNICIPAL CODE, RELATING TO THE SAFE TRANSFER
OF OBJECTS TO PEDESTRIANS

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 14-813 is added to the Fresno Municipal Code to read:

SECTION 14-813. UNLAWFUL TRANSFER ON VEHICULAR PORTION
OF THE RIGHT-OF-WAY.

(a) A person commits the offense of unlawful transfer on
vehicular right-of-way if the person:

(1) While a driver or passenger in a vehicle, gives or
relinquishes possession or control of, or allows another person in
the vehicle to give or relinquish possession or control of any item of
property to a pedestrian; or

(2) While a pedestrian, accepts, receives or retains
possession or control of any item of property from a driver or
passenger in a vehicle, or loiters within 200 yards of a signalized
intersection for the purpose of violating this section.

(b) This subsection applies to transfer from vehicles:

(1) Queued at a signalized intersection;

(2) Within 200 yards of a signalized intersection; or

(3) Stopped anywhere that would be a violation of Chapter 14, Article 10 of this code.

(d) This subsection does not apply if the vehicle is legally parked. This subsection also does not apply to transfer to persons participating in an activity permitted under Chapter 14, Article 25 of this Code, so long as all terms of the permit are being met.

(e) The City Attorney may charge any violation of this section as an infraction, punishable upon conviction by a fine not to exceed seventy-five dollars (\$75) for the first offense, one hundred fifty dollars (\$150) for a second offense within six months, and three hundred dollars (\$300) for each subsequent offense within six months.

(f) The city shall utilize the city's portion of any fine collected under this article for traffic safety improvements.

(g) This ordinance shall sunset and be of no effect one year following its effective date, unless action is taken by the Council to extend it.

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2019.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2019
Mayor Approval/No Return: _____, 2019
Mayor Veto: _____, 2019
Council Override Vote: _____, 2019

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: _____
Katie Doerr, Chief Assistant Date

KBD:ns [76368ns/kbd]