

MEMORANDUM OF LAW

DATE: November 14, 1995

TO: Robert Osby, Fire Chief

FROM: City Attorney

SUBJECT: Fire Lane Markings: Posting Signs and Painting

On October 12, 1995, you asked whether the City has the authority to require property owners to post signs and paint curbs in designated fire lanes when the California Vehicle Code requires that fire lanes be marked either by posted signs or painted curbs. The City does not have the authority to require property owners to post signs and paint curbs in designated fire lanes.

Attached is a memorandum written by Senior Legal Intern Joan Dawson with detailed analysis regarding the City's legal authority in determining how fire lanes may be designated which our office adopts as its response.

Please call if you have any questions regarding the legal conclusion rendered in response to the question asked.

JOHN W. WITT, City Attorney

By

Elmer L. Heap, Jr.

Deputy City Attorney

ELH:smf:518x(x043.2)

Attachment

cc Gerald A. Cannon, Deputy Fire Chief

Samuel L. Oates, Assistant Fire Marshal

ML-95-79