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Ticket Gets His Dander Up -He Takes On City Hall



CROSSWALK—Legality of this fancy pedestrian crosswalk on Santa Cruz' shoppers mall will be questioned in Santa Cruz Municipal Court today. W. C. Oliver of Felton contends law requires that crosswalks be clearly marked with white lines.

Santa Cruz Street Marks, Meters Hit

By BOB LIGON
Mercury Staff Writer

SANTA CRUZ — W. C. Oliver of Felton has his day in court today climaxing a battle to "cap" all parking meters in the city of Santa Cruz, because he claims they are illegal. Another point, says Oliver, is that the curbs on both sides of the walkways are painted white. "If it's painted white, you can park there," says Oliver. "That's state law."

Jets Drown

MONTEREY — About 30 persons attempted to protest noise of a jet aircraft at Monterey Peninsula Airport District board meeting but frequently had their remarks drowned out by the roar of jet aircraft taking off and landing. The protesters oppose plans for airport facility lengthening the existing runway by a foot. Mrs. Timothy S. Third St., said she took the takeoff zone. "I feel like I live in a jet zone, but instead of being afraid of bombs, I'm afraid of jets," Board chairman Alton Walker promised between jet operations that, "We'll try to do what we can."

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Bandits Ge In Whirlw

WATSONVILLE — Two masked gunmen stormed the Little Rail Bar on Freedom Boulevard near here early Thursday morning in a whirlwind robbery netting them about \$1,000. A man carrying a pistol rushed to the front door, leaped the bar bartender John 57, while the other through the back a short-barreled s. Patrons were on the floor as they took wallets, watches and purses from them.



raise in his 2 p.m. Municipal Court trial. He contends:

- That automobiles can legally park inside downtown pedestrian walkways because of their markings.

- That it is almost impossible for pedestrians to cross Pacific avenue along the mall without jaywalking.

- That traffic and parking signs are confusing, illegal, and in some cases "hidden" in planters along the mall.

- That city officials' refusal to conform local regulations with that of the state subjects them to prosecution.

- That white and yellow curb markings along the mall are illegal.

He's already got the city on the latter point.

Municipal Court Judge Donald May has advised the city "I agree with him (Oliver) . . . May I suggest that either the curb markings be changed or citations be discontinued."

The judge dismissed a citation given Oliver on Nov. 20, 1970, for overtime parking in a white curb zone. Basis of the dismissal was that now white markings were on the pavement to indicate where the white zone began or ended.

Upon winning this point, Oliver says he then purposefully got himself cited for overtime meter parking on the mall. He said that individual parking spots on the mall are not marked.

Santa Cruz City Atty. Rodney Atchison Thursday said, "He's got us there — but in everything else we are in complete conformity with the law."

All metered parking spots off the mall are clearly marked with painted white lines.

However, Oliver said these parking spots, too, are illegal under a "technicality in the law."

The California Vehicle Code gives cities the power to designate parking spots, but says this must be done by an ordinance that makes direct reference to white painted markings. Oliver contends the Santa Cruz ordinance doesn't do this.

Oliver says that the state law requires pedestrian walkways to be clearly marked on both sides with white stripes.

Most crosswalks along the mall have no white lines. The walkway is indicated by fancy red tile.

curb white presumably to make it stand out to pedestrians.

Oliver said many signs along the mall are too small, confusing, and illegal because they don't conform with state code requirements.

Oliver, who owns the famed Toll House landmark on Highway 9 south of Felton, has acted as his own attorney in court proceedings so far. He researched the law on the matter and filed several bulky briefs with the judge.



PARKING—Parking spots along Santa Cruz' mall are separated by decorative red tile

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squares rather than ordinary painted white lines. A Felton man questions the legality of this, saying state law

requires that parking spots be clearly delineated by white markings on the pavement

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IN SAN JUAN PLAZA AREA

Trial Parking Ban Approved

SAN JUAN BAUTISTA—Although he thinks the experiment will be a failure, Mayor Leonard Caetano this week cast the tie-breaking vote to allow the State Historical Park Commission a 90-day trial at banning parking in the area surrounding the old mission plaza.

If the arrangement is not satisfactory, it was stipulated, parking will be resumed at the end of the period.

If failure should become evident at the end of just 45 days, the parking ban would be lifted, promised State Historical Parks Area Director Clyde Ray, who has his headquarters in Monterey.

Caetano made it clear that he was casting the vote to approve the temporary parking largely out of respect for Ray personally and because he thought Ray should be given a chance with the experiment.

It carried by a 3-2 margin. Councilmen Louis Pirtano and Allan Cullumber dissented.

A majority of the audience was also against the experiment.

As Police Chief Frank Lucchelli commented, "The

parking plan would have been defeated if a show of hands of the audience had been the deciding factor."

Parking in the area of the old mission and other historic buildings which surround a large grass square has kept this mission city in a turmoil for months.

At one point state park officials said they would like to see a nearby area known as the Indian Village blacktopped for parking. But there was such a protest that it wasn't even mentioned at this week's council meeting.

Many citizens said they view the surrender of automobile parking around the Plaza Square, and particularly at the mission, as an abdication of another personal right to the state.

Ray said that his department would not attempt to block parking, particularly in the area of the old mission, during regular or special church services such as weddings, masses and funerals, or on fiesta, rodeo, flea market or special event days.

He said that an attempt would be made to designate an area near the mission where automobiles and buses could discharge sightseers and then go on to more permanent parking nearby.

Ray repeatedly said that automobiles and buses simply destroy the historical perspective of the mission, stable, Plaza Hotel and other historic buildings.

He said that it made it practically impossible for visitors to take a picture of historical buildings without an automobile appearing in it.

He later remarked that he was sorry about comments concerning picture taking, after several persons in the audience said they wouldn't mind a picture of the old buildings with a car in it, and said his true reason for wanting to ban parking was aesthetics.

"I'm talking about the historical feel of those old buildings," he said. "It can't possibly be there with a school bus or 1971 model car parked out front."

"Without these modern vehicles I can visualize the Spanish soldier coming here with the padres and the building of the mission with the Indians."

"We must try and capture the feeling of the old times, the great times, the wild times at the Plaza Hotel where there was card-playing, fights and drunks."

"Somehow you can't get the feel peering over the top of a car."

San Juan citizens never have argued that there was not parking elsewhere in the community if it should be taken away from the Plaza Square area which can accommodate only 36 automobiles.

It was pointed out that there are many empty lots about the city which are

overgrown with weeds and could be converted for parking purposes.

City Atty. Chester Ross who lives in Hollister, remarked, "I'll probably get tarred, feathered and run out of town, but I'd like to see the green Plaza Square area blacktopped and parking put in there." He got no comment on this.

Several citizens objected to any kind of closing, saying that they had doubts if the area would ever be reopened once it was shut.

Others said that if picture taking and painting by sidewalk artists was the problem, there was plenty of time during the week when the area was cleared of internal combustion machines.

Difficulties were cited in putting "no parking" signs or barricades up and down to meet the occasion.

Especially vehement in his opposition to the no-parking plan was Jack Cousins, city administrator who said he was speaking as a private citizen.

"We want the town alive and full of people doing their thing," Ray insisted. "Given a chance, I think we can turn this town on."

The problem finally evolved on whether Ray's word was good that the park commission would reopen parking if the experiment was a failure in the eyes of the City Council.

Caetano said he believed that if Ray made a commitment he would honor it.

**Today's SS/4
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