



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 28, 2017

TO: Mayor and Councilmembers

FROM: Investigative/Internal Operations, Police Department

SUBJECT: Proposed Changes To Parking Violation Penalties And Related Fees

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 16-044 Establishing Certain City Fees, Adjusting Parking Violation Penalties and Related Fees.

DISCUSSION:

The Police Department is requesting to add a total of seven violations (and their accompanying penalties) and to remove one violation from the City's Parking Violation and Related Fees Schedule.

Two of the added violations are from the Municipal Code, which are Section 10.44.152(h) for leaving a vehicle in excess of a period of seventy-two (72) consecutive hours in a municipally-owned parking lot, and Section 10.44.220 for no oversized vehicle parking on a street. The penalties for both of these violations are forty eight dollars (\$48).

The other five proposed violations that would be added to the Fee Schedule are for violations of the California Vehicle Code ("CVC"). This request is being made in response to Parking Enforcement seeing an increase in the abuse of disable parking placards and plates as well as a rise in tinted window violations. The current Fee Schedule does not include these CVC violations, therefore, the expectation is that the penalties will serve as a deterrent for future violations being committed.

The five CVC sections being requested to be included in the fee schedule are: CVC Section 26708.5(a) for tinted windows with a penalty of forty eight dollars (\$48); CVC Section 4461(c) for misuse of a disabled placard with a penalty of three hundred and fifty three dollars (\$353); CVC Section 4461(d) for misuse of a disabled license plate with a penalty of three hundred and fifty three dollars (\$353); CVC section 4463(c) for a forged, counterfeit of false disabled placard with a penalty of three hundred and fifty

three dollars (\$353); and CVC Section 4464 for altered license plate with a penalty of forty eight dollars (\$48).

In addition, added to the Fee schedule will be the administrative dismissal fees for correctable violations. This occurs in instances when the vehicle owner provides evidence that the violation was corrected. The administrative dismissal fees of ten dollars (\$10) are for violations of CVC Sections 4464 and 26708.5(a).

The violation that is being removed from the Fee schedule is Municipal Code section 10.44.205.

The Department doesn't anticipate significant revenue from the addition of these violations to the Fee Schedule but instead the focus is on the ability to enforce.

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SUBMITTED BY: Lori Luhnnow, Chief of Police

APPROVED BY: City Administrator's Office

PARKING VIOLATION PENALTIES AND RELATED FEES

Assembly Bill 408, effective July 1, 1993, amended the California Vehicle Code (Vehicle Code) to decriminalize parking tickets and to eliminate criminal court procedures for the enforcement of such violations, such that the issuance, collection and enforcement of parking or standing vehicle violations became a civil matter under the California Vehicle Code.

Section 40203.5 (a) of the Vehicle Code requires the City Council to establish a schedule of parking penalties for parking violations, late payment penalties, administrative fees, and other related charges for parking violations. It is the intent of the City of Santa Barbara that the penalties established herein shall reflect a reasonable and good faith effort to establish appropriate penalties.

<u>Municipal Code</u>	<u>Description</u>	<u>Penalty</u>
10.12.150(a)	Miscellaneous traffic control device	\$ 53
10.12.150(b)	Failure to obey posted sign	48
10.36.020	Vehicle parked advertising	48
10.40.090	No vehicle/motorcycle on beach	48
10.44.020	Prohibited parking	53
10.44.030	Emergency no parking	48
10.44.032	Temp no parking street work	48
10.44.034	Temp no parking sewer work	48
10.44.040	Displaying vehicle for sale	48
10.44.050	Broken down/wrecked vehicle	48
10.44.055	Operate vehicle on private prop	48
10.44.060	Street storage of vehicle	78
10.44.070	Park near Police/Fire station	48
10.44.080	Standing in parkways	48
10.44.090	Prohibited private property	48
10.44.100	Trains not to block street	48
10.44.110	Angle parking only	48
10.22.120	Parking parallel with curb	48
10.44.130	Parking on hills	48
10.44.140	Parking in intersection	48
10.44.150	Parking space markings	48
10.44.151	Municipal lot, traffic regulations	48
10.44.152	Municipal lot, parking regulations	48
10.44.152(h)	Municipal lot, Storage of Vehicle	78
10.44.160	Preferential parking	48
10.44.200	Unlawful parking on trailers	48
10.44.205	Parking restrictions for recreational vehicles	48
10.44.210	Used for transporting property	48
10.44.220	Vendor unlawful parking	48
10.44.220	No Oversized Vehicle Parking	48
10.44.230	Parking permit required	48

<u>Municipal Code</u>	<u>Description</u>	<u>Penalty</u>
10.44.240	No sales from vehicle	\$ 48
10.44.250	Bus parking only	48
10.44.260	Curb markings	48
10.44.270	No bus parking	48
10.46.125	Parking permit required	48
10.46.062	Permit required	48
10.46.020	Over parking time limit	48
10.48.021	Chalk removal/move in block	53
10.48.040(b)	Red zone no stopping, parking	58
10.48.040(b)	Yellow zone commercial vehicle	53
10.48.040(b)	White zone passenger loading	48
10.48.040(b)	Green zone 15 minute limit	48
10.48.050	Permission to load	48
10.48.060	Loading/unloading only	48
10.48.070	Standing in passenger loading	48
10.48.080	Standing in alley	48
10.48.085	Repair vehicle in street	48
10.48.090	Bus zones	48
10.48.095	Bus idling over 3 minutes	48
10.48.100	Taxi zone	48
10.48.120	Taxi stands	48
10.48.130	Taxicab parking	48
10.48.140	Special event parking	48
10.73.040	Carshare Permit Required	48
15.16.080	Recreational Vehicles-Unlawful Areas to Use	48
17.36.020	Parking for Certain Uses Prohibited	48
17.36.040(A)	72-Hour Vehicle Parking Limit Waterfront Lots	48
17.36.040(B)	72-Hour Vehicle Parking Limit Harbor Lots	48
17.36.060	Oversized Vehicles In Harbor Parking Lots	48
17.36.080(A)	Parking in Designated Stalls Only	48
17.36.080(B)	Parking in Marked Stalls Only	48
17.36.080(C)	No Parking In Oversized Stalls	48
17.36.080(D)	No Parking Oversized Vehicles in Waterfront	
	Passenger Vehicle Stalls	48
17.36.090	Personal Property in Parking Stalls	48
18.28.030(A)	Payment parking	48
18.28.030(B)	Abandoned vehicle	123
18.28.030(C)	No parking sign/curb	48
18.28.030(D)	Within 15' of fire hydrant	58
18.28.030(E)	No parking tie down area	48
18.28.030(F)	Designated parking	48

<u>Vehicle Code</u>	<u>Description</u>	<u>Penalty</u>
21113(a)	No permit displayed	\$ 48
21113(c)	Not in marked stall	48
21458(a)	No parking red zone	58
21458(b)	Loading zone	53
21461	Disobey sign or signal	48
22500	Prohibited parking, stopping	48
22500.1	Parking in fire lane	58
22500(a)	Parking within intersection	48
22500(b)	Parking in crosswalk	48
22500(c)	Safety zone	48
22500(d)	Fire Station driveway	58
22500(e)	Park in public/private drive	48
22500(f)	Parking on sidewalk	48
22500(g)	Parking obstructing traffic	48
22500(h)	Double parking	48
22500(i)	Bus zone	48
22500(j)	Parking in tunnel	48
22500(k)	Parking on bridge	48
22500(L)	Wheelchair access ramp	353
22502	Tire not 18 inches from curb	48
225035	No motorcycle/moped parking	48
22504(a)	Parking unincorporated roadway	48
22505(b)	Posted no parking State Hwy	48
22507.8	Spaces for the Disabled	353
22514	Within 15 feet of fire hydrant	58
22515	Stop/motor/set brake	48
22516	Person locked in vehicle	58
22517	Open door into traffic	63
22520	Freeway, non-emergency stop	48
22521	Park on/near railroad tracks	63
22522	Parking near sidewalk Hdcp ramp	353
22523	Abandoned vehicle	123
22526	Intersection gridlock	68
22651	Obstructing traffic	48
26708.5(a)	Tinted Windows	48
27155	No fuel cap	48
4000.4(a)	Calif. Registration required	168
4000(a)	Unregistered vehicle	168
4461(c)	Misuse of DP Placard	353
4461(d)	Misuse of DP License Plate	353
4463(c)	Forged, Counterfeit or False DP Placard	353
4464	Altered License Plate	48
5200	Display license plates	48
5201	Position of plates	48
5201(f)	License plate cover	48
5204(a)	Display license tabs	78

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Fees

Late fee (payment received after due date)	Double basic penalty (as listed above)
Administrative Fee for collection of Parking Fees	\$20
Administrative dismissal fees	
5200 and 5204 (a) violation correction	\$10
4000 (a) violation correction	25
<u>4464 Altered License Plate violation correction</u>	<u>10</u>
<u>26708.5(a) violation correction</u>	<u>10</u>
40226 Administrative Fee proof of disabled placard	25
Citation copy fee	\$1.00
On-line Credit Card Processing Fee	\$2.50