

MEETING DATE: June 8, 2009

AGENDA ITEM: Adoption of a Resolution to Increase the Civil Penalties and Surcharges for Parking Violations under the Municipal Code and the California Vehicle Code, and Rescinding Resolution No. 2008-R076.

ATTACHMENTS

Pages

- | | | |
|----|---|-----|
| 1. | Parking citation revenue distribution chart | 1 |
| 2. | Proposed Resolution | 2-6 |

Attachment A

LOS ANGELES SUPERIOR COURT PARKING CITATION REVENUE DISTRIBUTION

On each parking citation that is paid, the Court shall receive:

Description	Amount	Code Section
County - Courthouse Construction Fund	\$2.50	GC 76100, GC 76000(b)
County - Criminal Justice Facilities Construction Fund	\$2.50	GC 76101, GC 76000(b)
State - Immediate & Critical Needs Facilities Construction Fund - Parking Penalty	\$3.00	GC 70372(b)
State Court Facilities Construction Fund-Parking Penalty	\$1.50	GC 70372(b)
Total Parking Penalty for Every Parking Offense =	\$9.50	

Other Fines/Fees/Penalties:

County/State - Handicap State Linkage Fee (\$2 per \$10 on fine/forfeiture imposed)	\$2 per \$10	PC 1465.5
State Share Parking (50% Registration and Equipment Violations)	varies	VC 40225(d)
County - Bail Increases (Sept. 16, 1988 to July 1, 1992)	varies	PC 1463.28, VC 40200.3

Attachment B

RESOLUTION NO. 2009-R____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ADOPTING A BAIL SCHEDULE FOR PARKING VIOLATIONS UNDER THE CULVER CITY MUNICIPAL CODE AND THE CALIFORNIA VEHICLE CODE AND RESCINDING RESOLUTION NO. 2008-R076.

WHEREAS, California Vehicle Code § 40203.5 (see also, *Tyler v. County of Alameda* (1995) 34 Cal.App.4th 777) authorizes a local legislative body to establish civil penalties and surcharges for parking violations within a City's jurisdiction; and

WHEREAS, subsequent to the City Council revising the City's bail schedule for parking violations in November 2008 by adopting Resolution 2008-R076, the state of California amended California Government Code §70372(b) and increased the amount of money that the City must remit to the State Treasurer for every parking penalty, fine or forfeiture imposed by the City; and

WHEREAS, the mandatory increased remittance to the State Treasurer of \$4.50 for every parking offense was unanticipated at the time the City amended its bail schedule in November 2008; and

WHEREAS, due to the California Department of Motor Vehicles policy that it cannot accept a partial dollar amount when a request is made by the City to place a vehicle registration on hold for an unpaid parking fine, the City's penalty per parking violation must be increased by \$5.00 to cover the mandatory increased remittance to the State Treasurer and to maintain revenue levels anticipated in November 2008 when the City increased its penalties for parking violations.

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES HEREBY RESOLVE as follows:

1. The Civil Penalty Bail Schedule attached hereto as Exhibit A is hereby adopted; and

1 2. Bail forfeiture is hereby established for violations of the City's
2 parking regulations set forth in Exhibit A;

3 3. The \$3.00 administrative fee charged by the Department of
4 Motor Vehicles to place a vehicle registration on hold for non-payment of a violation
5 shall be the responsibility of the violator and the violator's fine will be increased
6 accordingly.

7 4. Resolution No. 2008-R076 is hereby rescinded.

8 5. This resolution shall become effective as of the date of execution.

9
10 APPROVED and ADOPTED this _____ day of _____, 2009.
11
12

13 _____
14 ANDREW WEISSMAN, MAYOR
15 City of Culver City, California

16 ATTEST:

APPROVED AS TO FORM:

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18 _____
19 MARTIN R. COLE, City Clerk

20 _____
21 CAROL A. SCHWAB, City Attorney
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EXHIBIT "A"
TO RESOLUTION 2009-R_____

CIVIL PENALTY BAIL SCHEDULE

CCMC Section	Description	Amount
7.01.220	Removal of Marks	\$55.00
7.01.240	Yellow/green/white curb	\$45.00
7.01.240(A)	Red Curb	\$70.00
7.01.240(E)	Blue Curb [disabled persons parking]	\$340.00
7.03.025	Parking Outside of Marked Spaces	\$55.00
7.03.040	Parking Over a Specified Time	\$50.00
7.03.205	Private Property or Parkway	\$55.00
7.03.215	No Parking Anytime	\$55.00
7.03.215(E)	Street Sweeping	\$55.00
7.03.220(A)	Parking in Excess of 72 Consecutive Hours	\$70.00
7.03.225	Advertising/Washing/Repairing	\$55.00
7.03.235	Illegal City Property Parking	\$55.00
7.03.240	Alley Parking	\$60.00
7.03.245	Unpaved Surface	\$55.00
7.03.305	Permit Parking	\$55.00
7.03.420	Bus Stop or Taxi Cab Stand	\$55.00
7.03.525	Meter Violation	\$45.00
7.03.610 (A)	Parking of Large and Non-motorized Vehicles	\$55.00
7.03.610 (C)	Parking of Commercial Vehicles	\$55.00
7.03.610 (D)	Parking Within 45 Feet of Intersection	\$55.00

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1	<u>Fire Code Violations</u>		
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3	508.5.4	Obstruction or Impairment of Fire Hydrants, Standpipes, PIV, Etc.	\$115.00
4	1028.3	Obstruction of Interior Fire Exit	\$115.00
5	1028.3	Obstructing Emergency Exit, exterior	\$115.00
6	504.1	Blocking Access to Exterior Doors	\$115.00
7	503.4	Obstruction of Access Road	\$115.00
8			
9	<u>California Vehicle Code Sections</u>		
10	4000A	Invalid Registration	\$30.00
11	5200	One Plate Only	\$30.00
12	5202	No License Plates	\$30.00
13	5204	License Plate Tabs	\$30.00
14	22500(a)	Parked within Intersection	\$55.00
15	22500(b)	Parked within Crosswalk	\$55.00
16	22500(d)	Parked within 15' of Fire Station	\$55.00
17	22500(e)	In/Blocking Driveway	\$55.00
18	22500(f)	On or Across Sidewalk	\$55.00
19	22500(h)	Double Parking	\$55.00
20	22500(k)	Parking on a Bridge	\$55.00
21	22502(a)	Curb Parking/18"	\$55.00
22	22502(b)	Wrong Way Parking	\$55.00
23	22507.8	Parking in Spaces for Disabled	\$340.00
24	22514	Parked within 15' of Fire Hydrant	\$60.00
25	22515	Vehicle Running without Driver	\$55.00
26	21113(a)	Parked on Public Grounds	\$55.00
27			
28			

1 22526(a) Anti-Gridlock \$55.00

2 27155 Fuel Cap Required \$45.00

3 ***Default Penalty***

4 Any other parking violation not listed \$50.00

6 ***Delinquent Penalties***

7 If not paid within 21 days of issuance, 100% penalty shall apply. California Vehicle
8 Code § 40203.5(a) & (b).

10 ***DMV Administrative Fee***

11 A \$3.00 administrative fee charged by the California Department of Motor Vehicles to
12 place a vehicle registration on hold for non-payment of a violation will be the
responsibility of the violator and will increase the violator's fine accordingly.