



Staff Report

RESOLUTION AUTHORIZING AN ADJUSTMENT IN THE BAIL SCHEDULE FOR PARKING FINES

Honorable Mayor and Council Members:

Summary

Staff proposes an adjustment in parking fines to offset charges incurred through State mandated assessments and to adjust for several years of inflation.

Background

Section 40203.5 of the California Vehicle Code authorizes the City Council to set all penalties for parking violations within the City. The City of Belmont hasn't raised its parking fines since June of 1996. On January 1, 2009 SB1407 increased to \$6.00 the surcharge per citation for the Courthouse Construction fund (Government Code section 76100). This amount is in addition to the \$2.00 per citation assessed per Government Code section 76000, and a Criminal Justice Facilities Construction fund assessment of \$1.50 per Government Code section 76101. Because these State mandated assessments now total \$9.50 per citation, several agencies within the County of San Mateo have either raised their parking fines, or are in the process of raising their parking fines.

Discussion

The primary purpose of parking fines is to discourage illegal parking and the negative consequences associated with illegal parking. This is true for any illegal parking, but it is especially true because of the limited amount of downtown parking, as well as the limited amount of parking available in many of our residential districts. Our parking philosophy is to support our businesses by insuring parking space availability and to create a safe and orderly parking and traffic environment in our neighborhoods. This is accomplished through education, information and enforcement. When fines are set too low, they are not an effective deterrent to illegal parking behavior. The parking fines recommended in this staff report are in line with the parking fine levels in several other communities and are high enough to sufficiently serve as an effective deterrent to illegal parking.

The recommended parking fine increases will not have an adverse impact on our residents or the businesses located in Belmont, it will only affect those persons who violate our Municipal Code parking regulations, which in-turn adversely affects our community as a whole.

The proposed standard of \$35.00 per violation is in line with the other cities in the County.

Fiscal Impact

Belmont Police Officers and Community Service Officers issue approximately 150 parking citations per month. Without making the recommended adjustments in the bail schedule, the total mandated assessments of \$9.50 per citation could cost the City of Belmont over \$17,000 in lost revenue.

Public Contact

Posting of City Council agenda

Recommendation

Staff recommends that the Belmont City Council adopt the attached resolution authorizing an adjustment in the bail schedule for parking violation fines.

Alternatives

1. Take no action
2. Return to staff for further study
3. Suggest new bail amounts

Attachments

- A. Resolution
- B. Belmont Police Department Parking Bail Schedule, June 7, 1996
- C. Belmont Police Department Parking Bail Schedule, March 24, 2009

Respectfully submitted,

Kevin Daley
Patrol Lieutenant

Donald J. Mattei
Chief of Police

Jack R. Crist
City Manager

Staff Contact:

Kevin Daley, Lieutenant
(650) 595-7402
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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
AUTHORIZING THE BELMONT POLICE DEPARTMENT TO INCREASE
MUNICIPAL CODE PARKING VIOLATION FINES**

WHEREAS, California Vehicle Code Section 40203.5 authorizes the City Council to set parking penalties for parking violations; and

WHEREAS, the bail schedule for said fines has not been adjusted since 1996: and

WHEREAS, State law now mandates per Government Code sections 76000, 76100 and 76101 a total of \$9.50 in assessments for every parking citation;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont does hereby adopt the attached bail schedule for parking fines dated March 24, 2009. The schedule shall become effective upon adoption

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on March 24, 2009 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont

Attachment B

BELMONT POLICE DEPARTMENT PARKING BAIL SCHEDULE

June 7, 1996

VIOLATION

BAIL

| | | |
|---------------------------|--|----------|
| C.O. 14-6 | OLD COUNTY RD PARKED ON RIGHT OF WAY DOING WORK | \$25.00 |
| C.O. 14-7a | OLD COUNTY RD PARKED ON RIGHT OF WAY (2000-0600 HRS) | \$25.00 |
| C.O. 14-7b | OLD COUNTY RD PARKED 3' EASEMENT (0600-2000 HRS) | \$25.00 |
| C.O. 14-10 | PARKED IN EXCESS OF 72 HRS | \$30.00 |
| C.O. 101-1 | NO PARKING ANYTIME | \$25.00 |
| C.O. 101-1 | PARKING IN VIOLATION OF REGULATORY SIGN | \$25.00 |
| C.O. 101-1 | TIMED ZONE PARKING | \$25.00 |
| C.O. 377 | WHEELS NOT CURBED | \$30.00 |
| | | |
| CVC 4000a | EXPIRED REGISTRATION | \$50.00 |
| CVC 4462b | FALSE DISPLAY OF REGISTRATION (TAB) | \$25.00 |
| CVC 5200 | FRONT AND/OR REAR PLATE MISSING | \$25.00 |
| CVC 5201 | IMPROPER POSITION OF PLATES | \$25.00 |
| CVC 5202 | PERIOD OF DISPLAY/LICENSE PLATE | \$25.00 |
| CVC 5204 | YEAR AND/OR MONTH TAB MISSING | \$25.00 |
| CVC 21113a | PARKED/DRIVE ON PUBLIC GROUND WITHOUT A PERMIT | \$20.00 |
| CVC 21211b | PARKED BLOCKING A BICYCLE LANE | \$35.00 |
| CVC 22500a | PARKED IN INTERSECTION | \$20.00 |
| CVC 22500b | PARKED IN CROSSWALK | \$20.00 |
| CVC 22500d | PARKED WITHIN 15' OF FIRE STATION DRIVEWAY | \$20.00 |
| CVC 22500e | PARKED BLOCKING DRIVEWAY | \$20.00 |
| CVC 22500f | PARKED ON SIDEWALK | \$20.00 |
| CVC 22500h | DOUBLE PARKED | \$20.00 |
| CVC 22500i | PARKED IN BUS ZONE | \$250.00 |
| CVC 22500l | PARKED IN FRONT OF LOWERED CURB-HANDICAP ACCESS | \$300.00 |
| CVC 22500.1 | PARKED IN POSTED FIRE LANE | \$35.00 |
| CVC 22502a | PARKED ON WRONG SIDE OF ROADWAY/18" FROM CURB | \$20.00 |
| CVC 22507.8a | PARKED IN DISABLED PERSON MARKING | \$325.00 |
| CVC 22514 | PARKED WITHIN 15' OF FIRE HYDRANT | \$20.00 |
| CVC 22521 | PARKED WITHIN 7 ½' OF RAILROAD TRACKS | \$20.00 |
| CVC 22522 | PARKED WITHIN 3' OF SIDEWALK ACCESS RAMP | \$325.00 |
| CVC 22523a | ABANDONED VEHICLE | \$100.00 |
| CVC 22523b | ABANDONED VEHICLE | \$100.00 |
| | | |
| STREETS AND HIGHWAYS CODE | | |
| S&H 731 | VENDING FROM STATE HIGHWAY | \$25.00 |
| | | |
| FIRE CODE | | |
| F.C. 13.111.3 | PARKED IN FIRE LANE | \$30.00 |

Attachment C

BELMONT POLICE DEPARTMENT PARKING BAIL SCHEDULE March 24, 2009

| VIOLATION | | BAIL |
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