Council Agenda #4D
Meeting of December 14, 2010

Staff Report

RESOLUTION AUTHORIZING THE BELMONT POLICE DEPARTMENT TO INCREASE PARKING VIOLATION FINES TO REFLECT INCREASE IN STATE FEES

Honorable Mayor and Council Members:

Summary

Staff proposes an adjustment in parking fines to offset charges incurred through State mandated assessments and to bring fines in line with other agencies in San Mateo County.

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 March of 2009. As a part of the State of California's Budget Act of 2010, Government code section 76000.3 mandates an additional $3.00 surcharge per citation as of December 2010. This is in addition to the $9.50 in fees to the State and County that already exist. The Government Code places the burden of collecting these increased fees on each individual city. Section 40203.5 of the California Vehicle Code also authorizes the City Council to adjust penalties in order to stay in line with other municipalities in the area. The section dictates that, "To the extent possible, issuing agencies within the same county shall standardize parking penalties." An additional increase of $2.00 per citation is necessary to meet this objective, as several San Mateo County agencies have raised their parking fines in the past two years. This would bring the standard fine to $40.00 per violation which is well within the standard range.

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 the law, which in-turn adversely affects our community as a whole.

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 City of Belmont will suffer approximately $9,000 in lost revenue annually.

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, March 24, 2009.
C. Belmont Police Department Parking Bail Schedule, December 14, 2010.

Respectfully submitted,

Donald J. Mattei	Greg Scoles
Chief of Police	City Manager

Staff Contact:
Dan DeSmidt, Captain
(650) 595-7412
dand@belmont.gov

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT AUTHORIZING THE BELMONT POLICE DEPARTMENT TO INCREASE PARKING VIOLATION FINES TO REFLECT INCREASE IN STATE FEES

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 2009: and

WHEREAS, State law mandates additional assessments for every parking citation per Government Code section 76000.3;

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 December 14, 2010. 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 December 14, 2010 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
March 24, 2009

VIOLATION		BAIL
C.O. 14-6	OLD COUNTY RD PARKED ON RIGHT OF WAY DOING WORK	$35.00
C.O. 14-7a	OLD COUNTY RD PARKED ON RIGHT OF WAY (2000-0600 HRS)	$35.00
C.O. 14-7b	OLD COUNTY RD PARKED 3' EASEMENT (0600-2000 HRS)	$35.00
C.O. 14-10	PARKED IN EXCESS OF 72 HRS	$35.00
C.O. 101-1	NO PARKING ANYTIME	$35.00
C.O. 101-1	PARKING IN VIOLATION OF REGULATORY SIGN	$35.00
C.O. 101-1	TIMED ZONE PARKING	$35.00
C.O. 377	WHEELS NOT CURBED	$35.00
CVC 4000a	EXPIRED REGISTRATION	$50.00
CVC 4462b	FALSE DISPLAY OF REGISTRATION (TAB)	$50.00
CVC 5200	FRONT AND/OR REAR PLATE MISSING	$35.00
CVC 5201	IMPROPER POSITION OF PLATES	$35.00
CVC 5202	PERIOD OF DISPLAY/LICENSE PLATE	$35.00
CVC 5204	YEAR AND/OR MONTH TAB MISSING	$35.00
CVC 21113a	PARKED/DRIVE ON PUBLIC GROUND WITHOUT A PERMIT	$35.00
CVC 21211b	PARKED BLOCKING A BICYCLE LANE	$35.00
CVC 22500a	PARKED IN INTERSECTION	$35.00
CVC 22500b	PARKED IN CROSSWALK	$35.00
CVC 22500d	PARKED WITHIN 15' OF FIRE STATION DRIVEWAY	$35.00
CVC 22500e	PARKED BLOCKING DRIVEWAY	$35.00
CVC 22500f	PARKED ON SIDEWALK	$35.00
CVC 22500h	DOUBLE PARKED	$35.00
CVC 22500i	PARKED IN BUS ZONE	$250.00
CVC 22500l	PARKED IN FRONT OF LOWERED CURB-HANDICAP ACCESS	$350.00
CVC 22500.1	PARKED IN POSTED FIRE LANE	$35.00
CVC 22502a	PARKED ON WRONG SIDE OF ROADWAY/18" FROM CURB	$35.00
CVC 22507.8a	PARKED IN DISABLED PERSON MARKING	$350.00
CVC 22514	PARKED WITHIN 15' OF FIRE HYDRANT	$35.00
CVC 22521	PARKED WITHIN 7 ½' OF RAILROAD TRACKS	$35.00
CVC 22522	PARKED WITHIN 3' OF SIDEWALK ACCESS RAMP	$350.00
CVC 22523a	ABANDONED VEHICLE	$250.00
CVC 22523b	ABANDONED VEHICLE	$250.00
FIRE CODE		
F.C. 13.111.3	PARKED IN FIRE LANE	$35.00

Attachment C

BELMONT POLICE DEPARTMENT
PARKING BAIL SCHEDULE
December 14, 2010

VIOLATION		BAIL
C.O. 14-6	OLD COUNTY RD PARKED ON RIGHT OF WAY DOING WORK	$40.00
C.O. 14-7a	OLD COUNTY RD PARKED ON RIGHT OF WAY (2000-0600 HRS)	$40.00
C.O. 14-7b	OLD COUNTY RD PARKED 3' EASEMENT (0600-2000 HRS)	$40.00
C.O. 14-10	PARKED IN EXCESS OF 72 HRS	$40.00
C.O. 101-1	NO PARKING ANYTIME	$40.00
C.O. 101-1	PARKING IN VIOLATION OF REGULATORY SIGN	$40.00
C.O. 101-1	TIMED ZONE PARKING	$40.00
C.O. 377	WHEELS NOT CURBED	$40.00
CVC 4000a	EXPIRED REGISTRATION	$50.00
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CVC 5201	IMPROPER POSITION OF PLATES	$40.00
CVC 5202	PERIOD OF DISPLAY/LICENSE PLATE	$40.00
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CVC 21211b	PARKED BLOCKING A BICYCLE LANE	$40.00
CVC 22500a	PARKED IN INTERSECTION	$40.00
CVC 22500b	PARKED IN CROSSWALK	$40.00
CVC 22500d	PARKED WITHIN 15' OF FIRE STATION DRIVEWAY	$40.00
CVC 22500e	PARKED BLOCKING DRIVEWAY	$40.00
CVC 22500f	PARKED ON SIDEWALK	$40.00
CVC 22500h	DOUBLE PARKED	$40.00
CVC 22500i	PARKED IN BUS ZONE	$255.00
CVC 22500l	PARKED IN FRONT OF LOWERED CURB-HANDICAP ACCESS	$355.00
CVC 22500.1	PARKED IN POSTED FIRE LANE	$40.00
CVC 22502a	PARKED ON WRONG SIDE OF ROADWAY/18" FROM CURB	$40.00
CVC 22507.8a	PARKED IN DISABLED PERSON MARKING	$355.00
CVC 22514	PARKED WITHIN 15' OF FIRE HYDRANT	$40.00
CVC 22521	PARKED WITHIN 7 ½' OF RAILROAD TRACKS	$40.00
CVC 22522	PARKED WITHIN 3' OF SIDEWALK ACCESS RAMP	$355.00
CVC 22523a	ABANDONED VEHICLE	$255.00
CVC 22523b	ABANDONED VEHICLE	$255.00
FIRE CODE		
F.C. 13.111.3	PARKED IN FIRE LANE	$40.00