



JEFF NEVES

SHERIFF - CORONER - PUBLIC ADMINISTRATOR  
COUNTY OF EL DORADO  
STATE OF CALIFORNIA

REPLY TO:

HEADQUARTERS  
300 FAIR LANE  
PLACERVILLE  
CA 95667  
530 621-5655  
FAX 626-8163

JAIL DIVISION  
300 FORNI ROAD  
PLACERVILLE  
CA 95667  
530 621-6000  
FAX 626-9472

TAHOE DIVISION  
1960 JOHNSON BLVD., SUITE 100  
SOUTH LAKE TAHOE  
CA 96150  
530 573-3000  
FAX 544-6809

To: Norma Santiago, District V Supervisor

From: Lt. Les Lovell, El Dorado County Sheriff's Office

Re: Disabled Parking Fine Schedule

Date: May 2, 2007

**Synopsis:**

Support for a resolution from the Board of Supervisors to amend the current penalty for violations of Vehicle Code section 22507.8(a) and section 22507.8(b) from the current \$275 penalty to an increase to \$450 (total penalty). The proposed increase would be consistent with the City of South Lake Tahoe's fine structure and ensure an effective enforcement tool for sheriff's deputies and California Highway Patrol officers patrolling the unincorporated areas of El Dorado County.

**Details:**

Based on information brought forth to the Board of Supervisors by the *Tahoe Area Coordinating Council for the Disabled*, a review of the structuring of parking fines and penalties for violations of California Vehicle Code sections 22507.8(a) and 22507.8(b) was examined. These sections are commonly known as unauthorized parking in designated disabled person parking spaces and obstructing, blocking or barring access to those parking spaces.

As can be expected, one of the goals of law enforcement is to obtain voluntary public compliance to government regulations. Voluntary compliance best addresses the needs of the social contract and promotes harmony in the community. Of specific concern to the group was the perception that persons with legally recognized disabilities, and who have obtained permitted disabled placards for parking in designated areas, were experiencing challenges to their lawful opportunity for preferred parking. In attempting to remedy the situation an analysis of scope of authority and historical enforcement of current application was addressed.

The California Vehicle code grants authority for cities and counties to adopt an ordinance or resolution to establish civil penalties for violations of parking statutes. This authority

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can be found in the language of code section 40203.5(a) & (b). These sections state the following:

*(a) "The schedule of parking penalties for parking violations and late payment penalties shall be established by the governing body of the jurisdiction where the notice of violation is issued. To the extent possible, issuing agencies within the same county shall standardize parking penalties".*

*(b) "Parking penalties under this article shall be collected as civil penalties".*

While the County of El Dorado has no obligation to increase the penalty for violations of the disabled parking laws, some consideration should be addressed to the concerns of the affected community members and visitors. Additionally, since the City of South Lake Tahoe has already increased their parking penalty for violating Vehicle Code section 22507.8, some measure of consistency within the county is the "spirit of the law" as stated in section 40203.5(a).

In reviewing recent El Dorado County Sheriff's Office statistics:

29 citations were issued for violation of Vehicle Code section 22507.8 in calendar year 2006 and,  
9 citations have been issued between January and April 2007.

While issuing of parking citation may not be a high priority in the average deputy sheriff's workday, the number of citations issued over the past 16 months indicates some validation to the concerns of the disabled.

**Recommendation:**

Support an amendment to the current parking fee structure allowing for an increase in penalty for violations of California Vehicle Code sections 22507.8(a) and 22507.8(b). A structured increase in the penalty can be expected to have a significant effect as a deterrent to the average driver. The current penalty is set at \$275. An increase to \$450 would place El Dorado County in a comparable position with the City of South Lake Tahoe and could be appropriate to the level that near future re-visiting of this issue will not be necessary. A fee structure increase coupled with a pro-active response from the Sheriff's Office should be sufficient to address the needs of the disabled and promote voluntary compliance by the non-disabled driver.

While there will be some initial fiscal impact to the County in educating the public of the change in penalty, no one should reasonably expect that all violators will cease their unlawful behavior. Some necessary spending of revenue will need to occur in signage changes for public parking areas. A suggestion may be worth considering regarding taking a portion of the increased penalty and utilizing it specifically for those fiscal needs. The Auditor's Office may have a format in place for such a process.

**Attachments:**

1. Copy of City of South Lake Tahoe Resolution #2006-74.
2. Copy of City of South Lake Tahoe Police Department Staff Report by Sergeant Brian Williams.
3. Copies of El Dorado County Sheriff's Parking Citation Reports for calendar years 2006 and 2007.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "L Lovell L84", written over a horizontal line.

Lt. Les Lovell, L84



RESOLUTION NO \_\_\_\_\_  
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION OF THE EL DORADO COUNTY BOARD OF SUPERVISORS ESTABLISHING A  
REVISED PENALTY SCHEDULE FOR VIOLATIONS OF VEHICLE CODE SECTION 22507.8  
(PARKING IN SPACES DESIGNATED FOR DISABLED PERSONS)

**WHEREAS**, Section 22507.8 of the Vehicle Code generally prohibits any person from parking any vehicle in a stall or space designated for disabled persons and disabled veterans unless the vehicle displays either a special identification license plate or a distinguishing placard; and

**WHEREAS**, Section 42001.13 of the Vehicle Code requires that a person convicted of violating Section 22507.8 be punished by a fine of not less than two hundred fifty dollars (\$250.00); and

**WHEREAS**, Section 40203.5 of the Vehicle Code requires that the schedule for parking penalties be established by the governing body of the jurisdiction and that such penalties shall, to the extent possible, be standardized throughout the county; and

**WHEREAS**, the County's current penalty for violations of Section 22507.8 of the Vehicle Code is \$275.00, as established by El Dorado County Resolution No. 331-93, and the City of South Lake Tahoe's current penalty for violations of Section 22507.8 of the Vehicle Code is \$450.00, as established by City of South Lake Tahoe Resolution No. 2006-74; and

**WHEREAS**, the County desires to align the penalty for violations of Section 22507.8 of the Vehicle Code with that imposed by the City of South Lake Tahoe and also desires to increase the deterrent effect of the penalty.

**NOW, THEREFORE**, it is hereby **RESOLVED** as follows: Pursuant to Sections 42001.13 and 40203.5 of the Vehicle Code, the fine imposed for violations of Section 22507.8 of the Vehicle Code (parking in spaces designated for disabled persons) is hereby increased to \$450.00 per violation.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 23rd day of October, 2007, by the following vote of said Board:

**Attest:**  
Cindy Keck  
Clerk of the Board of Supervisors

**Ayes:**  
**Noes:**  
**Absent:**

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman, Board of Supervisors

**I CERTIFY THAT:**  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

**DATE:** \_\_\_\_\_ **ATTEST:** CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California

By \_\_\_\_\_  
Deputy Clerk



## RESOLUTION NO. 331-93

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**WHEREAS** Government Code Section 54985 authorizes the El Dorado County Board of Supervisors to adopt new fees, fee levels, and charges.

**THEREFORE BE IT RESOLVED** that the following fees, fee levels and charges be adopted by El Dorado County become effective on January 1, 1994.

#### PARKING PENALTY SCHEDULE

<u>VC</u>	<u>DESCRIPTION</u>	<u>CURRENT</u>	<u>PROPOSED</u>
22500.1	No Parking in Fire Access	\$ 23.00	\$ 32.00
22502 (a)	Curb parking	23.00	32.00
22502 (e)	Curb Parking	23.00	32.00
21458 (a)	Parked in Yellow Loading Zone or red curb	28.00	32.00
22500	No Standing, stopping or Parking of vehicle	23.00	32.00
22500 (a)	No Standing, Stopping or Parking in Intersection	23.00	32.00
22500 (b)	No Standing, Stopping or Parking on Crosswalk	23.00	32.00
22500 (c)	No Standing, Stopping or Parking -Safety Zone	23.00	32.00
22500 (d)	No Standing, Stopping or Parking 15 Ft. of Drive Way	23.00	32.00
22500 (e)	No Standing, Stopping or Parking Public/Private	23.00	32.00
22500 (f)	No Standing, Stopping or Parking on Sidewalk	23.00	32.00
22500 (g)	No Standing, Stopping or Parking or Obstructing Traffic	23.00	32.00
22500 (h)	No Standing, Stopping or Parking on Edge of Highway	23.00	32.00
22500 (i)	No Standing, Stopping or Parking in Bus Zone	23.00	32.00
22500 (j)	No Standing, Stopping or Parking Tube or Tunnel	23.00	32.00
22500 (k)	No Standing, Stopping or Parking on Bridge	23.00	32.00
22504 (a)	Unincorporated Area Parking	23.00	32.00
22505 (a)	State Highway Parking	23.00	32.00
22505 (b)	Parking on Highway	23.00	32.00
22507.8 (a)	Parking in Space for Disabled	250.00	275.00
22507.8 (b)	Obstruct Block Bar Access to Disabled Parking	250.00	275.00

R 331-93

22509	Parking Wheels to Curb	23.00	32.00
22510	Parking in Snow Areas	33.00	32.00
22511.7	Parking in Disabled Persons & Veterans Parking Zone	103.00	275.00
22522	Parking in Access Ramp	33.00	32.00
22521	Illegal To Park on Railroad Tracks	10.00	32.00
22651 (b)	Vehicle Parked in Position/Obstructs	33.00	32.00
22651 (n)	Parked Beyond Time Limit In Tow Away Zone	33.00	32.00
23333	Stopping and Parking	20.00	32.00

<u>PRC</u>	<u>DESCRIPTION</u>	<u>CURRENT</u>	<u>PROPOSED</u>
5091.15	Snow Park Permit	\$ 75.00	\$ 75.00

<u>CO ORD</u>	<u>DESCRIPTION</u>	<u>CURRENT</u>	<u>PROPOSED</u>
10.12.01A	No Parking When Posted Latrobe	43.00	35.00
10.12.150	Illegally Parked Latrobe Bridge Area	43.00	35.00
7640.2	Parking Latrobe	43.00	35.00
10.12.080	No Parking in a Posted Tow Away Zone	18.00	35.00
10.12.160	No Parking in a Tow Away Zone	18.00	35.00
7641.2	Parking in a Tow Away Zone	23.00	35.00
7631	Parking	13.00	35.00
7653	Parking	53.00	35.00
10.12.010	No Parking When Posted	18.00	35.00
10.12.050	Parked in Loading Zone	20.00	35.00
10.12.100	Posted Court House Parking	18.00	35.00
10.12.140	Parking-Restricted Parking	18.00	35.00
10.12.180	Park During Snow Removal Conditions	50.00	35.00
10.12.190	Parked Vehicle for Sale	20.00	35.00
10.12.020	Parking-Use of Street	33.00	35.00
1672	Parking At Airport	12.00	35.00
18.28.0430	Parking in Aircraft Lane	33.00	35.00
7639.3	Illegal parking	28.00	35.00
7639B	Official Cars Only	10.00	35.00

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 16th day of November, 1923, by the following vote of said Board:

Ayes: *Supervisors William S. Bradley, Raymond J. Nutting, J. Mark Nielsen, William N. Center, John E. Upton*

ATTEST

DIXIE L. FOOTE  
Clerk of the Board of Supervisors

By *Margaret E. Moody*  
Deputy Clerk

Noes: *None*  
Absent: *None*

*William N. Center*  
Chairman, Board of Supervisors

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_

ATTEST: DIXIE L. FOOTE, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By \_\_\_\_\_

# Parking Citation Report

Grouped and Sorted By Violation, Street and Date (Brief Report)

Violation	Location	Area	Date	Citation	Officer		
<b>22507.8(A)</b>	<b>27 96%</b>						
22507.8(A VC	2640	CAMBRIDGE	RD	212	11/05/06	EPC014035	GILLESPIE S
22507.8(A VC	3100	CIMMARRON	RD	212	03/27/06	EPC015176	CARTER D
22507.8(A VC	3301	CIMMARRON	RD	212	03/30/06	EPC013907	HOUSE S
22507.8(A VC	3301	CIMMARRON	RD	212	03/30/06	EPC013908	HOUSE S
22507.8(A VC	3301	CIMMARRON	RD	210	04/09/06	EPC013909	HOUSE S
22507.8(A VC	3301	CIMMARRON	RD	210	09/20/06	EPC016576	CARAWAY C
22507.8(A VC	3301	CIMMARRON	RD	212	10/14/06	EPC013911	HOUSE S
22507.8(A VC	3361	COACH	LN		12/06/06	EPC014592	STPIERRE R
22507.8(A VC		ECHO LAKE SNOW PK			02/19/06	EPC014069	THOMAS R
22507.8(A VC		GILLETT	DR	1H1	05/13/06	EPC013297	FULTON S
22507.8(A VC	1060	JOHNSON	BL	610	03/15/06	EPC015572	HARWOOD M
22507.8(A VC	2640	LA CRESCENTA	DR	210	11/10/06	EPC015784	GROEN J
22507.8(A VC	3840	MARKET	CT	203	11/05/06	EPC014034	GILLESPIE S
22507.8(A VC	2968	MISSOURI FLAT	RD		01/05/06	EPC013976	FORD M
22507.8(A VC	3975	MISSOURI FLAT	RD	110	06/02/06	EPC013232	YAWS J
22507.8(A VC	4220	MOTHER LODE	DR		12/23/06	EPC013576	TIBBS B
22507.8(A VC	3907	PARK	DR		08/03/06	EPC009824	BELL T
22507.8(A VC	3967	PARK	DR	201	11/05/06	EPC013912	HOUSE S
22507.8(A VC	3661	PONDEROSA	RD		10/20/06	EPC014257	ROBERTS M
22507.8(A VC	3661	PONDEROSA	RD		10/20/06	EPC014258	ROBERTS M
22507.8(A VC	3661	PONDEROSA	RD		10/20/06	EPC014259	ROBERTS M
22507.8(A VC	3661	PONDEROSA	RD		10/20/06	EPC014260	ROBERTS M
22507.8(A VC	4620	POST	ST	201	11/05/06	EPC013913	HOUSE S
22507.8(A VC		SIERRA AT TAHOE	RD	502	02/26/06	EPC014057	THOMAS R
22507.8(A VC		SIERRA AT TAHOE	RD	617	03/20/06	EPC015960	THOMAS R
22507.8(A VC		SIERRA AT TAHOE	RD	617	04/02/06	EPC015843	THOMAS R
22507.8(A VC	965	WILSON	BL		03/07/06	EPC013210	MURPHY G
	<b>28 100%</b>						

## Parking Citation Report

Grouped and Sorted By Violation, Street and Date (Brief Report)

Violation	Location	Area	Date	Citation	Officer
<b>22507.8(A)</b>	<b>9 10%</b>				
22507.8(A VC	3301 Cimmarron	RD	212 01/04/07	EPC015735	FULTON S
22507.8(A VC	1120 Harvard	WY	201 04/08/07	EPC016800	HUBERT J
22507.8(A VC	HEAVENLY PARKING		610 02/24/07	EPC015422	ALMOS G
22507.8(A VC	3170 Highway 50	HY	614 02/15/07	EPC015786	GROEN J
22507.8(A VC	3661 Ponderosa	RD	2H2 04/11/07	EPC016737	BRADSHAW L
22507.8(A VC	3661 Ponderosa	RD	2H2 04/11/07	EPC016738	BRADSHAW L
22507.8(A VC	3661 Ponderosa	RD	2H2 04/19/07	EPC016739	BRADSHAW L
22507.8(A VC	3860 Saddle	RD	610 01/06/07	EPC016629	DUCKHAM J
22507.8(A VC	965 Wilson	BL	610 01/16/07	EPC015164	BELL T
	<b>89 100%</b>				



04/30/07

# Parking Citation Report

Grouped and Sorted By Violation, Street and Date (Brief Report)

Violation	Location	Area	Date	Citation	Officer	
22507.6A 22507.6A VC	1 100% 1111	SIERRA AT TAHOE RD	610	01/03/06	EPC011544	YARBROUGH M
	1 100%					

# Parking Citation Report

Grouped and Sorted By Violation, Street and Date (Brief Report)

Violation	Location	Area	Date	Citation	Officer		
22507.8(C) 22507.8(C VC	1 4%						
	2	EMERALD BAY	RD	609	08/04/06	EPC015077	HARWOOD M
	28 100%						

DP

RESOLUTION NO. 2006-74

**RESOLUTION ESTABLISHING A REVISED BAIL, FINE AND PENALTY SCHEDULE FOR ONE VEHICLE CODE AND ONE CITY CODE VIOLATION FOR CITATIONS ISSUED WITHIN THE CITY OF SOUTH LAKE TAHOE**

RESOLVED, by the City Council of the City of South Lake Tahoe, that:

WHEREAS, the City of South Lake Tahoe has authority, pursuant to provisions contained in the California Vehicle Code, to establish bail amounts for parking violations issued within the City Limits; and

WHEREAS, the City has adopted an administrative hearing process, which meets the requirements of California Government Code section 53069.4, to provide an effective enforcement system for violations of the City Code not customarily enforced by sworn law enforcement personnel; and

WHEREAS, pursuant to California state law and City ordinances, bail, fine and penalty amounts must be established by a duly adopted resolution of the South Lake Tahoe City Council;

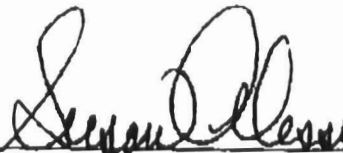
NOW THEREFORE, the City Council of the City of South Lake Tahoe does hereby establish the following bail, fine and penalty schedule to be utilized in the issuance of these specific parking violations within the City Limits of the City of South Lake Tahoe.

<u>Violation</u>	<u>Bail</u>
City Ordinance 26-40	\$200.00
Ca. Vehicle Code 22507.8	\$450.00

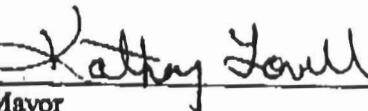
PASSED AND ADOPTED by the City Council of the City of South Lake Tahoe at a meeting on December 12<sup>th</sup>, 2006, by the following vote:

AYES: LOVELL, WEBER, LONG, CRAWFORD & BIRDWELL  
 NOES: \_\_\_\_\_  
 ABSENT: \_\_\_\_\_  
 ABSTAIN: \_\_\_\_\_

ATTEST:

  
 Susan Alessi, City Clerk



  
 Mayor

**STAFF REPORT**  
**CITY COUNCIL MEETING OF TUESDAY, DECEMBER 12<sup>th</sup>, 2006**

**TO:** David Jenkins, City Manager  
**FROM:** Sergeant Brian Williams, South Lake Tahoe Police Department  
**RE:** City Parking Violation Fine Schedule  
**DATE:** Monday, November 06, 2006

**RECOMMENDATION:**

Resolution to amend the current parking violation fine schedule for the City of South Lake Tahoe to ensure a fair and effective tool of enforcement. Specifically, to increase the fine for unlawful handicapped parking to \$450.00 and for unlawful parking during snow removal conditions to \$200.00. All other violation fines would remain the same.

**ISSUE AND DISCUSSION:**

- Examination of illegal handicapped parking and snow parking fines.
- Our current parking violation fine schedule, and when it was established.
- An informal analysis of the fines of like jurisdictions.
- Number of citations issued, and revenue generated to the City from these citations.
- Our current strategy to reduce handicapped parking violations.

**Purpose:**

In terms of enforcing safe and legal parking practices within the city, the goal of the South Lake Tahoe Police Department is to generate the public's voluntary compliance to laws and local ordinances. Where violations exist, employees of the police department, or those of private agencies on contract, may issue parking citations. The purpose behind such sanctions is to ensure, by way of leveling a fair but effective fine, our parking problems do not linger unabated and that safe, fair and optimal parking is offered in consideration of all affected community stakeholders.

**Background:**

The City of South Lake Tahoe has held the lawful authority to issue parking tickets since its incorporation. The police department and privately contracted security firms have accomplished this task over the years. The City of South Lake Tahoe has historically contracted to an independent corporation for processing parking tickets generated by the city. This entity is responsible for collection of fines and distribution of these fines back to the city. The city contracted to the current administrative company "Judicial Data Systems Corporation" (JDS) in 1988. The fine schedule for parking violations was recommended at that time by JDS, and based upon what other jurisdictions were then using. The fine schedule was last revised in 2003.

**Project Work Scope & Workload Impacts:**

An appeal process is available for contested parking citations. Contested citations are returned to the police department by JDS to be reviewed by a designated officer. If a defendant loses a first hearing, another is offered by an official of higher rank in the police department. This may be either in person or by written declaration. The determination of the second review would be final. A conservative estimate of the number of contested parking citations currently reviewed by the police department is approximately two hundred per month. A great majority of these are generated in the Heavenly Village shopping complex and redeveloped area of the City. Increasing the fines of our current schedule may impact the number of contested citations reviewed by the police department. This is the only predictable impact to scope and load of duties performed by the city should our fine schedule be increased.

**Evaluation:**

Our current parking fine schedule provides for a \$50.00 penalty for most general violations. For this report we are particularly interested in the fines associated with illegal handicapped parking and unlawful parking during snow conditions. This report compares our own fine schedule to similar parking violation fines of 9 other queried jurisdictions. Most jurisdictions contacted advised their fine structures had not been altered in several years; even decades. Most other jurisdictions felt it was time to readdress their own fine structures to reflect a more effective schedule.

<u>Agency</u>	<u>Violation</u>	<u>Fine</u>
1. South Lake Tahoe PD	General No Parking	\$ 50.00
	Snow Removal Conditions	\$102.00
	Handicapped	\$275.00
2. El Dorado County SO	General Posted No Parking	\$ 35.00
	Snow Removal Conditions	\$208.00
	Handicapped	\$275.00
3. Placer County SO	General Posted No Parking	\$ 25.00
	Snow Removal Conditions	\$110.00
	Handicapped	\$280.00
4. Douglas County SO	General Posted No Parking	\$ 91.00
	Snow Removal Conditions	\$ 91.00
	Handicapped	\$347.00
5. Washoe County SO	General Posted No Parking	\$ 85.00
	Snow Removal Conditions	\$ 85.00
	Handicapped	\$125.00
6. Mammoth Lakes PD	General Posted No Parking	\$ 37.00
	Snow Removal Conditions	\$ 110.00
	Handicapped	\$ 285.00
7. Sacramento PD	General Posted No Parking	\$ 35.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$445.00
<u>Agency</u>	<u>Violation</u>	<u>Fine</u>

8. Folsom PD	General Posted No Parking	\$ 25.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$250.00
9. Roseville PD	General Posted No Parking	\$ 50.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$380.00
10. Jackson PD	General Posted No Parking	\$ 30.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$250.00

#### Alternatives:

There exists no requirement to increase our current fine schedule for parking violations. Our current parking fine schedule is equal to, or higher than, most other jurisdictions in or near our geographic area. Our City appears to have a moderate fine for handicapped parking violations as compared to these other jurisdictions. Nevertheless it seems reasonable that this matter should be given consideration, given that the current schedule has not been changed for past 20 years.

The strategy to reduce handicapped parking violations in the City falls to the police department. This is handled primarily through our Community Service Officers. CSO's enforce the majority of handicapped and snow condition parking laws in our city. The CSO unit participates in an annual public information campaign to educate locals and visitors about snow condition parking issues. They also work with our business community to help maintain the proper markings, postings and enforcement of handicapped parking places.

#### Conclusion

A fine schedule for parking violations should be fair and effective, while reflecting our community values attached to specific parking concerns. It seems that a \$50.00 fine for most general parking violations is reasonable. However, an increase in the fine for violations of handicapped and snow removal condition parking could be both fair and effective.

Because of the resort status of our city, parking is most often a premium commodity. Our severe winter weather increases the parking and walking hazards to handicapped individuals above that of many other jurisdictions. It is often more difficult for our disabled locals and visitors to safely park and conduct their affairs. We have a specific duty to safeguard their ability to do so.

The need to keep vehicles off the street during snow removal conditions is also a highly valued objective for our city. Unlawfully parked vehicles which hinder the sufficient plowing of our streets represent a real danger. Residents may not be able to drive to their necessary destinations. Emergency service responses to the community may be delayed or even prevented.

We believe a \$450.00 fine for handicapped parking violations is appropriate for our city. We also believe a \$200.00 fine for unlawful parking during snow removal conditions is also appropriate.

#### FINANCIAL AND/OR POLICY IMPLICATIONS:

An analysis of snow parking and handicapped parking citations issued in the City of South Lake Tahoe from September of 2005 through August 2006 revealed:

**Handicapped Parking Violations:**

- 46 citations were issued
- 9 fines were paid
- \$2,475.00 in fines paid

**Snow Conditions Parking Violations:**

- 255 citations were issued
- 91 fines were paid
- \$9,282.00 in fines paid.

Various signs within the City would need to be changed to reflect updated fines. Signs would be produced by City staff. Cost would be under \$2,000.00 which is off set by the increased penalties. No change in enforcement would occur until signs have been changed to reflect the new fine.

Prior to implication Public Works and the Police Department will collaborate to educate the public on parking issues. Regarding "Snow Parking", during the first two storms of the season, only warnings will be issued to illegally parked vehicles.

By:

Concurrence:

\_\_\_\_\_

\_\_\_\_\_

Department Head

Reviewed and Approved by:

\_\_\_\_\_

David Jinkens, City Manager

04/30/07

### Parking Citation Report

Grouped and Sorted By Violation, Street and Date (Brief Report)

Violation	Location	Area	Date	Citation	Officer
22507.6A	1 100%				
22507.6A VC	1111	SIERRA AT TAHOE RD	01/03/06	EPC011544	YARBROUGH M
	1 100%				



04/30/07

### Parking Citation Report

Grouped and Sorted By Violation, Street and Date (Brief Report)

Violation	Location	Area	Date	Citation	Officer
22507.8(C	1				
22507.8(C VC	2	EMERALD BAY	RD   609   08/04/06	EPC015077	HARWOOD M
	<b>28 100%</b>				

DP

RESOLUTION NO. 2006-74

**RESOLUTION ESTABLISHING A REVISED BAIL, FINE AND PENALTY SCHEDULE FOR ONE VEHICLE CODE AND ONE CITY CODE VIOLATION FOR CITATIONS ISSUED WITHIN THE CITY OF SOUTH LAKE TAHOE**

RESOLVED, by the City Council of the City of South Lake Tahoe, that:

WHEREAS, the City of South Lake Tahoe has authority, pursuant to provisions contained in the California Vehicle Code, to establish bail amounts for parking violations issued within the City Limits; and

WHEREAS, the City has adopted an administrative hearing process, which meets the requirements of California Government Code section 53069.4, to provide an effective enforcement system for violations of the City Code not customarily enforced by sworn law enforcement personnel; and

WHEREAS, pursuant to California state law and City ordinances, bail, fine and penalty amounts must be established by a duly adopted resolution of the South Lake Tahoe City Council;

NOW THEREFORE, the City Council of the City of South Lake Tahoe does hereby establish the following bail, fine and penalty schedule to be utilized in the issuance of these specific parking violations within the City Limits of the City of South Lake Tahoe.

<u>Violation</u>	<u>Bail</u>
City Ordinance 26-40	\$200.00
Ca. Vehicle Code 22507.8	\$450.00

PASSED AND ADOPTED by the City Council of the City of South Lake Tahoe at a meeting on December 12<sup>th</sup>, 2006, by the following vote:


AYES: LOVELL, WEBER, LONG, CRAWFORD & BIRDWELL

NOES: \_\_\_\_\_

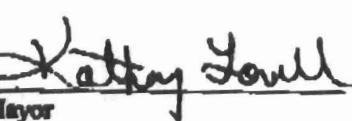
ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ATTEST:

  
 Susan Alessi, City Clerk



  
 Kathy Lovell, Mayor

**STAFF REPORT  
CITY COUNCIL MEETING OF TUESDAY, DECEMBER 12<sup>th</sup>, 2006**

**TO:** David Jenkins, City Manager  
**FROM:** Sergeant Brian Williams, South Lake Tahoe Police Department  
**RE:** City Parking Violation Fine Schedule  
**DATE:** Monday, November 06, 2006

**RECOMMENDATION:**

Resolution to amend the current parking violation fine schedule for the City of South Lake Tahoe to ensure a fair and effective tool of enforcement. Specifically, to increase the fine for unlawful handicapped parking to \$450.00 and for unlawful parking during snow removal conditions to \$200.00. All other violation fines would remain the same.

**ISSUE AND DISCUSSION:**

- Examination of illegal handicapped parking and snow parking fines.
- Our current parking violation fine schedule, and when it was established.
- An informal analysis of the fines of like jurisdictions.
- Number of citations issued, and revenue generated to the City from these citations.
- Our current strategy to reduce handicapped parking violations.

**Purpose:**

In terms of enforcing safe and legal parking practices within the city, the goal of the South Lake Tahoe Police Department is to generate the public's voluntary compliance to laws and local ordinances. Where violations exist, employees of the police department, or those of private agencies on contract, may issue parking citations. The purpose behind such sanctions is to ensure, by way of leveling a fair but effective fine, our parking problems do not linger unabated and that safe, fair and optimal parking is offered in consideration of all affected community stakeholders.

**Background:**

The City of South Lake Tahoe has held the lawful authority to issue parking tickets since its incorporation. The police department and privately contracted security firms have accomplished this task over the years. The City of South Lake Tahoe has historically contracted to an independent corporation for processing parking tickets generated by the city. This entity is responsible for collection of fines and distribution of these fines back to the city. The city contracted to the current administrative company "Judicial Data Systems Corporation" (JDS) in 1988. The fine schedule for parking violations was recommended at that time by JDS, and based upon what other jurisdictions were then using. The fine schedule was last revised in 2003.

**Project Work Scope & Workload Impacts:**

An appeal process is available for contested parking citations. Contested citations are returned to the police department by JDS to be reviewed by a designated officer. If a defendant loses a first hearing, another is offered by an official of higher rank in the police department. This may be either in person or by written declaration. The determination of the second review would be final. A conservative estimate of the number of contested parking citations currently reviewed by the police department is approximately two hundred per month. A great majority of these are generated in the Heavenly Village shopping complex and redeveloped area of the City. Increasing the fines of our current schedule may impact the number of contested citations reviewed by the police department. This is the only predictable impact to scope and load of duties performed by the city should our fine schedule be increased.

**Evaluation:**

Our current parking fine schedule provides for a \$50.00 penalty for most general violations. For this report we are particularly interested in the fines associated with illegal handicapped parking and unlawful parking during snow conditions. This report compares our own fine schedule to similar parking violation fines of 9 other queried jurisdictions. Most jurisdictions contacted advised their fine structures had not been altered in several years; even decades. Most other jurisdictions felt it was time to readdress their own fine structures to reflect a more effective schedule.

<u>Agency</u>	<u>Violation</u>	<u>Fine</u>
1. South Lake Tahoe PD	General No Parking	\$ 50.00
	Snow Removal Conditions	\$102.00
	Handicapped	\$275.00
2. El Dorado County SO	General Posted No Parking	\$ 35.00
	Snow Removal Conditions	\$208.00
	Handicapped	\$275.00
3. Placer County SO	General Posted No Parking	\$ 25.00
	Snow Removal Conditions	\$110.00
	Handicapped	\$280.00
4. Douglas County SO	General Posted No Parking	\$ 91.00
	Snow Removal Conditions	\$ 91.00
	Handicapped	\$347.00
5. Washoe County SO	General Posted No Parking	\$ 85.00
	Snow Removal Conditions	\$ 85.00
	Handicapped	\$125.00
6. Mammoth Lakes PD	General Posted No Parking	\$ 37.00
	Snow Removal Conditions	\$ 110.00
	Handicapped	\$ 285.00
7. Sacramento PD	General Posted No Parking	\$ 35.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$445.00
<u>AGENCY</u>	<u>Violation</u>	<u>Fine</u>

8. Folsom PD	General Posted No Parking	\$ 25.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$250.00
9. Roseville PD	General Posted No Parking	\$ 50.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$380.00
10. Jackson PD	General Posted No Parking	\$ 30.00
	Snow Removal Conditions	\$ N/A
	Handicapped	\$250.00

**Alternatives:**

There exists no requirement to increase our current fine schedule for parking violations. Our current parking fine schedule is equal to, or higher than, most other jurisdictions in or near our geographic area. Our City appears to have a moderate fine for handicapped parking violations as compared to these other jurisdictions. Nevertheless it seems reasonable that this matter should be given consideration, given that the current schedule has not been changed for past 20 years.

The strategy to reduce handicapped parking violations in the City falls to the police department. This is handled primarily through our Community Service Officers. CSO's enforce the majority of handicapped and snow condition parking laws in our city. The CSO unit participates in an annual public information campaign to educate locals and visitors about snow condition parking issues. They also work with our business community to help maintain the proper markings, postings and enforcement of handicapped parking places.

**Conclusion**

A fine schedule for parking violations should be fair and effective, while reflecting our community values attached to specific parking concerns. It seems that a \$50.00 fine for most general parking violations is reasonable. However, an increase in the fine for violations of handicapped and snow removal condition parking could be both fair and effective.

Because of the resort status of our city, parking is most often a premium commodity. Our severe winter weather increases the parking and walking hazards to handicapped individuals above that of many other jurisdictions. It is often more difficult for our disabled locals and visitors to safely park and conduct their affairs. We have a specific duty to safeguard their ability to do so.

The need to keep vehicles off the street during snow removal conditions is also a highly valued objective for our city. Unlawfully parked vehicles which hinder the sufficient plowing of our streets represent a real danger. Residents may not be able to drive to their necessary destinations. Emergency service responses to the community may be delayed or even prevented.

We believe a \$450.00 fine for handicapped parking violations is appropriate for our city. We also believe a \$200.00 fine for unlawful parking during snow removal conditions is also appropriate.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

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**An analysis of snow parking and handicapped parking citations issued in the City of South Lake Tahoe from September of 2005 through August 2006 revealed:**

**Handicapped Parking Violations:**

46 citations were issued  
9 fines were paid  
\$2,475.00 in fines paid

**Snow Conditions Parking Violations:**

255 citations were issued  
91 fines were paid  
\$9,282.00 in fines paid.

Various signs within the City would need to be changed to reflect updated fines. Signs would be produced by City staff. Cost would be under \$2,000.00 which is off set by the increased penalties. No change in enforcement would occur until signs have been changed to reflect the new fine.

Prior to implication Public Works and the Police Department will collaborate to educate the public on parking issues. Regarding "Snow Parking", during the first two storms of the season, only warnings will be issued to illegally parked vehicles.

By:

Concurrence:

\_\_\_\_\_

\_\_\_\_\_  
Department Head

Reviewed and Approved by:

\_\_\_\_\_  
David Jinkens, City Manager