

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF CITY OF SAN JOSE SETTING FORTH THE SCHEDULE OF PARKING PENALTIES AND LATE PAYMENT PENALTY FOR PARKING VIOLATIONS AND REPEALING RESOLUTION NO. 77830, EFFECTIVE MARCH 15, 2018

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. SCHEDULE OF PARKING PENALTIES

The following parking penalties are hereby established for violations of San José Municipal Code (SJMC) and California Vehicle Code (CVC) regulations:

SJMC Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
6.46.030	Mobilehome or trailer parking	252.50	12.50	265.00
11.16.120	Obedience to parking space Markings	27.50	12.50	40.00
11.32.010	Unattended motor vehicle-keys in ignition	32.50	12.50	45.00
11.36.050	Parking not to obstruct traffic	47.50	12.50	60.00
11.36.060	Parked in parkways prohibited	37.50	12.50	50.00
11.36.080	Prohibited to stop, stand or park vehicles where "No Parking"	47.50	12.50	60.00
11.36.100	Parked for certain purposes prohibited	62.50	12.50	75.00
11.36.110	Parking on hills, curbing wheels	32.50	12.50	45.00
11.36.130	No parking on narrow streets	32.50	12.50	45.00

*California Government Code Sections 70302, 76000, 76100, 76101

SJMC Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
11.36.140	Parked in alleys	32.50	12.50	45.00
11.36.150	Park on left-hand side of one-way street restricted	37.50	12.50	50.00
11.36.170	Parking at an angle	37.50	12.50	50.00
11.36.190	Parking prohibited where use of street necessary for cleaning, repair or construction of street or installation of underground facility	47.50	12.50	60.00
11.36.200	Parking prohibited where use of street authorized for other than normal flow of traffic	42.50	12.50	55.00
11.36.210	Violation of terms of permit for loading or unloading	32.50	12.50	45.00
11.36.220	Use of streets for storage of vehicles prohibited	72.50	12.50	85.00
11.36.232	Parking for disabled persons	397.50	12.50	410.00
11.36.235	Reserved for disabled persons	397.50	12.50	410.00
11.36.250	Parked in excess of posted time limit; Sunday & legal holidays excepted	27.50	12.50	40.00
11.36.260	Stopping, standing or parking vehicles on certain streets, or portions thereof, during all or certain hours	32.50	12.50	45.00
11.36.280	Parking in reserved areas	42.50	12.50	55.00

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SJMC Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
11.36.290	Commercial vehicle parked on residential street	72.50	12.50	85.00
11.36.300	Parking restrictions commercial vehicle	77.50	12.50	90.00
11.36.320	Parking Circle-Drive	27.50	12.50	40.00
11.36.330	City Hall frontage parking restriction	27.50	12.50	40.00
11.36.340	City employee parking lots-permits-use	32.50	12.50	45.00
11.36.430	City Hall alley-parking restrictions	27.50	12.50	40.00
11.36.470	Minnesota Avenue- off-street lot parking	17.50	12.50	30.00
11.40.350	Parked Out of Space – Metered	27.50	12.50	40.00
11.40.380	Expired/Unpaid Meter	27.50	12.50	40.00
11.40.390	Failure to operate meter, meter not fully activated	17.50	12.50	30.00
11.44.010	Failure to Pay at Lot	22.50	12.50	35.00
11.44.040	Storage lien off-street parking	22.50	12.50	35.00
11.44.045	Off-Street Parking Restrictions	27.50	12.50	40.00
11.44.100	Parking in marked spaces	17.50	12.50	30.00
11.44.120	Deposit of money in meter	22.50	12.50	35.00
11.44.130	Unlawful to park after time expired	22.50	12.50	35.00

*California Government Code Sections 70302, 76000, 76100, 76101

SJMC Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
11.44.140	Unlawful to extend time beyond limit	17.50	12.50	30.00
11.44.180	Leaving vehicle after receipt of meter violation	17.50	12.50	30.00
11.44.290	Deposit of money in meter-airport parking	22.50	12.50	35.00
11.44.300	Unlawful to park after time expired airport	22.50	12.50	35.00
11.48.300	Residential parking permit required	57.50	12.50	70.00
11.49.300	SJSU student parking area restrictions	27.50	12.50	40.00
11.52.320	Freight loading zone, use restriction	37.50	12.50	50.00
11.52.330	Freight loading zone, time restriction	37.50	12.50	50.00
11.52.570A	Special Freight Loading Zone permit required	37.50	12.50	50.00
11.52.570B	Violation of Special Freight Loading Zone permit – usage	37.50	12.50	50.00
11.54.030	Passenger loading zone, use restriction	32.50	12.50	45.00
11.54.040	Passenger loading zone, time restriction	32.50	12.50	45.00
11.98.060	Large Vehicle Parking	32.50	12.50	45.00
13.44.100	City Parks Regulations	77.50	12.50	90.00
25.06.350	Airport Parking Regulations	32.50	12.50	45.00

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CVC Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
21211(b)	Parked in a bike path/lane	52.50	12.50	65.00
21113(a)	Parked in violation of Administrative Rules	27.50	12.50	40.00
22500(a)	Parked in an intersection	47.50	12.50	60.00
22500(b)	Parked blocking a crosswalk	52.50	12.50	65.00
22500(c)	Parked in a safety zone	52.50	12.50	65.00
22500(d)	Parked w/in 15' of a fire station driveway	47.50	12.50	60.00
22500(e)	Parked blocking a driveway	47.50	12.50	60.00
22500(f)	Parked on/blocking sidewalk	47.50	12.50	60.00
22500(g)	Parked obstructing traffic – beside excavation	47.50	12.50	60.00
22500(h)	Double parked	47.50	12.50	60.00
22500(i)	Parked in a bus zone	272.50	12.50	285.00
22500(j)	Parked in a tunnel	42.50	12.50	55.00
22500(k)	Parked on a bridge	42.50	12.50	55.00
22500(l)	Parked blocking a disabled sidewalk access	307.50	12.50	320.00
22500.1	Parked in a fire lane	57.50	12.50	70.00
22502	Parked the wrong way/over 18" from the curb	37.50	12.50	50.00

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CVC Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
22507.8	Parked in space reserved for disabled	397.50	12.50	410.00
22514	Parked w/in 15' of a fire hydrant	57.50	12.50	70.00
22515	Unattended unset parking brake	32.50	12.50	45.00
22521	Parked w/in 7' of a railroad track	32.50	12.50	45.00
22522	Parked blocking a disabled sidewalk access	307.50	12.50	320.00
22526	Entering an occupied intersection	102.50	12.50	115.00

SECTION 2. LATE PAYMENT PENALTIES

Late payment penalties shall be added to the Total Penalties as follows:

A one-time late payment penalty of thirty-five dollars (\$35.00) shall be added if the Total Penalty has not been paid within ten (10) days of the mailing of the notice of delinquency.

SECTION 3. DEPARTMENT OF MOTOR VEHICLES SERVICE FEE

A service fee for unpaid parking penalties shall be added to the Total Penalties as follows:

A one-time service fee of four dollars (\$4.00) shall be added if the Total Penalty has not been paid within forty (40) days of the notice of parking violation and a hold has been placed on the vehicle registration through the Department of Motor Vehicles. The Director of the Department of Transportation shall have the authority to make further adjustments to this service fee, between the range of one dollar (\$1.00) and ten dollars

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(\$10.00), corresponding with any future service fee adjustments implemented by the Department of Motor Vehicles.

SECTION 4. CREDIT CARD SERVICE FEE

A one-time service fee of three dollars (\$3.00) for parking penalties paid by credit card shall be added to the Total Penalties, which shall be collected by the City or by the City's Parking Citation Processing and Collection contractor, to defer the cost of processing and collecting credit card payments.

SECTION 5. FRANCHISE TAX BOARD COLLECTION FEE

A collection fee for unpaid parking penalties and associated late payment penalties shall be added to the Total Penalties as follows:

A one-time service fee of thirty-five percent (35%) of the Total Penalties owed shall be added if the Total Penalties have not been paid prior to the mailing of the Franchise Tax Board Pre-Intercept Notice.

SECTION 6. SPECIAL COLLECTION FEE

A collection fee for unpaid parking penalties and associated late payment penalties shall be added to the Total Penalties as follows:

A one-time service fee of twenty-four percent (24%) of the Total Penalties owed shall be added if the Total Penalties have not been paid prior to the mailing of the Special Collection Notice.

SECTION 7. Resolution No. 77830, setting forth the Schedule of Parking Penalties, effective July 1, 2016, is hereby repealed.

SECTION 8. The provisions of this Resolution shall be operative commencing on March 15, 2018.

*California Government Code Sections 70302, 76000, 76100, 76101

ADOPTED this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

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