

ORDINANCE NO. 3094

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHAPTERS 10.56 AND 10.62 OF THE CHULA VISTA
MUNICIPAL CODE, RELATED TO PARKING METER RATES
AND OVERTIME PARKING FINES, RESPECTIVELY

WHEREAS, the Downtown Parking District was established in 1963 pursuant to the Parking District Law of 1951; and

WHEREAS, the Downtown Parking District provides more than 1700 public parking spaces through metered and free parking; and

WHEREAS, Rich and Associates was engaged by the Redevelopment Agency to conduct a Parking Management Study and began the study process in December 2006; and

WHEREAS, the parking study culminated in a Final Report, which made certain findings, including that the revenue is insufficient to keep up with necessary maintenance and repairs; and

WHEREAS, a Downtown Parking Interim Action Plan has been presented outlining 13 recommendations to address areas of management and operations of the District, including increasing parking meter rates and the overtime parking fine to generate additional revenue and to promote economic self-sufficiency within the Downtown District; and

WHEREAS, the additional revenue generated from the increase of parking meter fees and the overtime parking fine will be utilized for parking-related expenditures within the Parking District to make the necessary improvements outlined within the Final Report.

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby ordain:

SECTION I. Chapter 10.62, Section 10.62.010 Parking violations is amended as follows:

10.62.010 Parking violations.

A. Enforcement. Every police officer and every city employee, and every volunteer (designated by the chief of police) charged with enforcement of the provisions of Chapters 10.52, 10.56 and 10.60 CVMC relating to illegal parking and time limitations in parking meter zones, the provisions of the California Vehicle Code, and the other laws of the state applicable to parking violations within the city, shall have the duty, when any vehicle is illegally parked, to issue written notice of violation thereof stating the state vehicle license number, make of such vehicle, the time and date of such illegal parking, meter number, street location, and a reference to the appropriate section of the code and the amount of the penalty for the violation. Such notice shall be attached to said vehicle in a conspicuous place upon the vehicle so as to be easily observed by the person in charge of such vehicle upon his return thereto.

B. Civil and Late Payment Penalties and Fees.

For the purpose of regulating the use of streets:

1. Base penalty amounts for the following Chula Vista Municipal Code violations shall be \$12.00 if paid within 30 days of the notice of violation: CVMC 10.56.100; 10.56.110; 10.56.120; 10.56.140.

2. Base penalty amounts for the following Chula Vista Municipal Code violations shall be \$50.00 if paid within 30 days of the notice of violation: CVMC 10.52.485.

3. Base penalty amounts for the following Chula Vista Municipal Code violations and California Vehicle Code violations shall be \$25.00 if paid within 30 days of the notice of violation: CVMC 10.52.100; 10.52.110; 10.52.120; 10.52.130; 10.52.200; 10.52.210; 10.52.240; 10.52.330; 10.52.390; 10.52.420; 10.52.430; 10.52.480; 10.56.130; 10.56.310. California Vehicle Code Sections 2113(a); 22515; 22520.

4. Base penalty amounts for the following Chula Vista Municipal Code violations and California Vehicle Code violations shall be \$35.00 if paid within 30 days of the notice of violation: CVMC 10.52.040; 10.52.060; 10.52.070 (1) – (14); 10.52.090; 10.52.150; 10.52.160; 10.52.180; 10.52.190; 10.52.230; 10.52.270; 10.52.290; 10.52.310; 10.52.360; 10.52.450; 10.60.030; 10.60.050; 10.60.060; 10.60.080; 10.60.090; 10.60.100. California Vehicle Code Sections 21211; 22500(a) – (h); 22500(j), (k); 22500.1; 22514; 22516; 22517.

5. Base penalty amounts for the following California Vehicle Code violations shall be \$25.00. The base penalty will be reduced to \$10.00 upon submission of proof of correction within the time frames specified in the Vehicle Code of the state of California: California Vehicle Code Sections 5200; 5201; 5204(a).

6. The base penalties for the following California Vehicle Code violations shall be as set forth below:

California Vehicle Code Sections 4462(b) – \$100.00; 22500(i) – \$250.00; 22500(l) – \$275.00; 22507.8 – \$330.00; 22522 – \$275.00; 22523 – \$100.00; 22526 – \$50.00.

7. The base penalties for Chula Vista Municipal Code and California Vehicle Code violations not listed above shall be \$35.00 if paid within 30 days of the notice of violation, unless the penalty amount is set by the Vehicle Code of the state of California.

8. The owner or operator may mail such payments to the city's director of finance within the time established herein, but shall be responsible for delivery thereof to the office of the director of finance.

9. Late Payment Penalties. All base penalties under \$250.00 listed in subsections (B)(2) through (6) of this section shall double if not paid within 30 days of the notice of violation, unless specifically restricted by the Vehicle Code of the state of California. The penalty for violations listed in subsection (B)(1) of this section shall be \$35.00 if the penalty is not paid within 30 days if the notice of violation.

C. Failure to Pay. Failure to pay the appropriate penalty as provided herein or failure to contest the violation pursuant to Sections 40200.7 and 40215

SECTION II. Amend Chapter 10.56, Section 10.56.020 Meters – Installation and maintenance – Rates for Use. Tokens permitted when. as follows:

Section 10.56.020 Meters – Installation and maintenance – Rates for use.

The city council shall provide for the installation of parking meters including curb or street marking lines, regulation and operation thereof, and shall cause said meters to be maintained in good workable condition. Meters shall be placed upon the curb next to individual parking places and meters shall be so constructed as to display a signal showing legal parking upon deposit therein of the proper coin or coins of the United States, as indicated by instructions on said meter, and for a period of time conforming to the parking limits of the city, said signal to remain in evidence until expiration of the parking period so designated, at which time a dropping of signal or some other mechanical operation shall indicate expiration of the parking period. When any vehicle shall be parked next to a parking meter, the owner or operator of the vehicle shall park within the area designated by the curb or street marking lines as indicated for parallel or diagonal parking and, upon entering the parking space, shall immediately deposit coinage in the meter, and said parking space may be then used by such vehicle during the legal parking limit provided by the ordinances and resolutions of the city, as follows:

A. Thirty minute meters - A twenty-five cent deposit for each 30 minute interval up to the maximum time limit established for the zone in which the meter is located; or

B. Two, three, and four hour meters - A twenty-five cent deposit for each thirty minute interval or a fifty cent deposit for each one hour interval up to the maximum legal time limit established for the zone in which the meter is located; or

C. Ten hour meters - A twenty-five cent deposit for each one-hour period up to the maximum legal time limit established for the zone in which the meter is located.

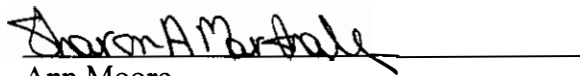
(Ord. 2670, 1996; Ord. 2436 § 2, 1991; Ord. 2367 § 1, 1990; Ord. 2143 § 1, 1986; Ord. 955 § 3, 1965).

Presented by



Eric Crockett
Redevelopment Manager

Approved as to form by



Ann Moore
General Counsel


PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 11th day of December 2007, by the following vote:

AYES: Councilmembers: Ramirez, Rindone, and Cox

NAYS: Councilmembers: McCann

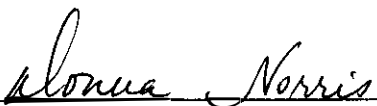
ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: Castaneda



Cheryl Cox, Mayor

ATTEST:

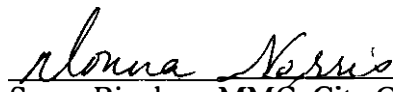


for Susan Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3094 had its first reading at a regular meeting held on the 13th day of November; 2007 and its second reading and adoption at a regular meeting of said City Council held on the 11th day of December 2007; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

Executed this 11th day of December 2007.



for Susan Bigelow, MMC, City Clerk