

Ordinance No. 121065

Council Bill No. 114399

AN ORDINANCE relating to penalties for parking infractions; establishing the base monetary penalties for violation of various provisions of the Seattle Municipal Code effective January 1, 2003, requesting actions by the Seattle Municipal Court and the Director of Seattle Transportation, and amending Chapter 11.31 of the Seattle Municipal Code in connection therewith.

The City of Seattle
Council Bill/Ordinance

11-18-02 Budget

11-18-02 Pass

CF No. _____

Date Introduced:	NOV 17 2002	
Date 1st Referred:	To: (committee)	BUDGET
	NOV 17 2002	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>11-18-02</u>	<u>90</u>	
Date Presented to Mayor:	Date Approved:	
<u>11-19-02</u>	NOV 26 2002	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/>
NOV 26 2002	<u>5 PP</u>	F.T. <input checked="" type="checkbox"/>
Date Voted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for review

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____ DRAGO
Councilmember

Committee Action:

(Signature)

11-18-02 Budget Committee: Pass As Amended 9-0

11-18-02 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____
(initials)

Department

(Signature)
Submitted
Full Text Loaded

Law Dept. Review OMP Review City Clerk Review Electronic Copy Loaded Indexed

ORDINANCE 121005

AN ORDINANCE related to penalties for parking infractions; establishing the base monetary penalties for violation of various provisions of the Seattle Municipal Code effective January 1, 2003, requesting actions by the Seattle Municipal Court and the Director of Seattle Transportation, and amending Chapter 11.31 of the Seattle Municipal Code in connection therewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 2003, a new section is added to Chapter 11.31 of the Seattle Municipal Code as follows:

11.31.121 Monetary penalties – Parking Infractions

The base monetary penalty for violation of each of the numbered provisions of the Seattle Municipal Code listed in the following table shall be as shown, unless and until the penalty shown below for a particular parking infraction is modified by Local Rule of the Seattle Municipal Court adopted pursuant to the Infraction Rules for Courts of Limited Jurisdiction (“IRLJ”) or successor rules to the IRLJ:

Municipal Code Reference	Parking Infraction Short Description	Base Penalty Amount
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11.72.440	OVER 72 HOURS	\$35.00
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11.72.310	PLANTED AREA	\$35.00
11.70.140	SECURE VEH.	\$35.00
11.76.030	METER RESTRICTION	\$35.00
11.72.370	STOP SIGN APPROACH (30')	\$38.00
11.72.465	CURB RAMP	\$38.00
11.72.160	FIRE HYDRANT	\$38.00
11.72.080	CROSSWALK	\$38.00
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11.72.300	PEAK HOUR	\$38.00
11.72.330	SIGN POSTED LOCATIONS	\$38.00



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11.72.055	CLASS OF VEH.	\$38.00
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11.72.045	BUS SHELTER	\$38.00
11.72.053	UNAUTHOR. VEH/CARPPOOL	\$38.00
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11.72.352	HUSKY STADIUM EVENT RESTRICTED PARKING	\$44.00
11.72.065	IN MARKED DISABLED	\$250.00
11.72.500	PARKING JUNK VEHICLE ON STREET (IMPOUND)	\$250.00

Section 2. The base penalty amounts established in Section 1 of this ordinance supercede, as of January 1, 2003, any inconsistent amounts provided for elsewhere. The Seattle Municipal Court is requested to adjust the Court's "bail table" consistent with Section 1 of this ordinance, effective January 1, 2003.

Section 3. The Director of Seattle Transportation is requested to work with staff from other relevant departments to review the penalty levels for parking infractions every three (3) years and recommend to the Mayor, the City Council and the Seattle Municipal Court any adjustments deemed advisable. The analysis underlying any specific recommendations should include a consideration of how inflation and income



1 growth may have diminished the effective magnitude of the fines, a review of fine levels in other
2 comparable municipalities, a brief assessment of the City's parking management strategy and policies, and
3 any other pertinent information.

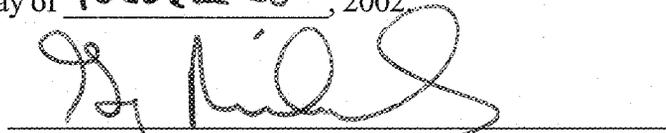
4 Section 4. The several provisions of this ordinance are declared to be separate and severable and
5 the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the
6 invalidity of the application thereof to any person or circumstance, shall not affect the validity of the
7 remainder of this ordinance of the validity of its application to other persons or circumstances.

8 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its
9 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
10 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

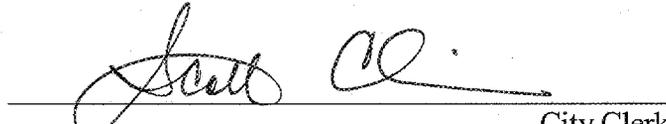
11 Passed by the City Council the 18th day of November, 2002, and signed by me in open
12 session in authentication of its passage this 18th day of November, 2002.

13 
14 President _____ of the City Council

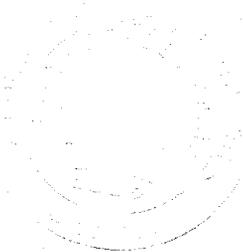
15 Approved by me this 25 day of November, 2002.

16 
17 _____
18 Mayor

19 Filed by me this 27th day of November, 2002.

20 
21 _____
22 City Clerk

23 (Seal)



Fiscal Note

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Finance	Ben Noble, 684-8160	David Hennes, 684-0537

Legislation Title:

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Summary of the Legislation:

This Ordinance establishes a schedule of maximum fines for parking infractions in the City of Seattle. The effect will be raise basic fines from the current \$25.00 - \$28.00 to \$35.00 - \$38.00. Final implementation of the fines still resides with the Municipal Court, through their adoption of the 'bail table'.

Appropriations (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Appropriation	2004 Appropriation
TOTAL			0	0

** This is line of business for operating budgets, and program or project for capital improvements*

Notes: No additional appropriations are assumed to implement this legislation.

Expenditures (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Expenditures	2004 Expenditures
TOTAL			0	0

** This is line of business for operating budgets, and program or project for capital improvements*

Notes: No non-routine, additional expenditures are required to implement this legislation.



Anticipated Revenue/Reimbursement (in \$1,000's):

Fund Name and Number	Department	Revenue Source	2003 Revenue	2004 Revenue
General Subfund 00100	Municipal Court	Parking Fines	\$1,429,650	\$1,429,650
Parks and Recreation Fund 10200	Parks	Parking Fines	\$158,850	\$158,850
TOTAL			\$1,588,500	\$1,588,500

Note: These estimates assume that the Municipal Court will adopt a 'bail table' consistent with the new maximum fines.

Total Permanent Positions Created Or Abrogated Through Legislation, Including FTE Impact; Estimated FTE Impact for Temporary Positions:

Fund Name and Number	Department	Position Title*	2003 FTE	2004 FTE
TOTAL			0	0

* List each position separately

Do positions sunset in the future? (If yes, identify sunset date):

Not applicable

Background

State statute (R.C.W. 46.63.110) and subsequent Supreme Court Rule (IRLJ 6.2) prescribe that penalties for certain traffic infractions, including parking, be established by statute or local court rule. The fines for on-street parking infractions are set by Municipal Court rule and were last changed in 1998, when they were increased by \$5.00.

The purpose of this legislation is to establish a relevant fine that assists the City in managing use of its parking resources in support of the greater public benefit and provides revenues to support parking enforcement and Court administrative and other services related to the resolution of alleged violations.

The financial cost of not implementing the legislation

Approximately \$1.59 million in revenues.

Possible alternatives to the legislation which could achieve the same or similar objectives

None



Noble
November 6, 2002
Parking Fines Ordinance
Version #1

Is the legislation subject to public hearing requirements

No

Other Issues



ORDINANCE _____

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Section 2. The base penalty amounts established in Section 1 of this ordinance supercede, as of January 1, 2003, any inconsistent amounts provided for elsewhere. The Seattle Municipal Court is requested to adjust the Court's "bail table" consistent with Section 1 of this ordinance, effective January 1, 2003.

Section 3. The Director of Seattle Transportation is requested to work with staff from other relevant departments to review the penalty levels for parking infractions every three (3) years and recommend to the Mayor, the City Council and the Seattle Municipal Court any adjustments deemed advisable. The analysis underlying any specific recommendations should include a consideration of how inflation and income growth may have diminished the effective magnitude of the fines, a review of fine levels in other comparable municipalities, a brief assessment of the City's parking management strategy and policies, and any other pertinent information.

Section 4. The several provisions of this ordinance are declared to be separate and severable and the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

1 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the _____ day of _____, 2002, and signed by me in open
5 session in authentication of its passage this _____ day of _____, 2002.

6
7 _____
8 President _____ of the City Council

9 Approved by me this _____ day of _____, 2002.

10 _____
11 Mayor

12 Filed by me this _____ day of _____, 2002.

13 _____
14 City Clerk

15 (Seal)

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Fiscal Note

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Finance	Ben Noble, 684-8160	David Hennes, 684-0537

Legislation Title:

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Summary of the Legislation:

This Ordinance establishes a schedule of maximum fines for parking infractions in the City of Seattle. The effect will be raise basic fines from there current \$25.00 to \$28.00 to \$XX.00 and \$YY.00.

However, final implementation of the fines still resides with the Municipal Court, through their adoption of the 'bail table'. The Council and Mayor determine the maximum fines, but the Judges have the discretion to set the standard 'level of punishment' that that will imposed by the Court for the specific infraction. It is these standardized fines that appear on the parking ticket.

Appropriations (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2002 Appropriation	2003 Anticipated Appropriation
TOTAL			0	0

** This is line of business for operating budgets, and program or project for capital improvements*

Notes: No additional appropriations are assumed to implement this legislation.

Expenditures (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2002 Expenditures	2003 Anticipated Expenditures
TOTAL			0	0

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Notes: No non-routine, additional expenditures are required to implement this legislation.

Anticipated Revenue/Reimbursement (in \$1,000's):

Fund Name and Number	Department	Revenue Source	2003 Revenue	2004 Revenue
General Subfund 00100	Municipal Court	Parking Fines	\$	\$
Parks and Recreation Fund 10200	Parks	Parking Fines	\$	\$
TOTAL			\$	\$

Notes: 2003 Revenue indicates the additional revenue estimated to result from implementation of this legislation. 2002 revenue represents the amount forecasted from this revenue stream for 2002 and does not show the impact of the increase in the fine. These estimates assume that the Municipal Court will adopt a 'bail table' consistent with the new maximum fines.

Total Permanent Positions Created Or Abrogated Through Legislation, Including FTE Impact; Estimated FTE Impact for Temporary Positions:

Fund Name and Number	Department	Position Title*	2003 FTE	2004 FTE
TOTAL			0	0

* List each position separately

Do positions sunset in the future? (If yes, identify sunset date):

Not applicable

Background

State statute (R.C.W. 46.63.110) and subsequent Supreme Court Rule (IRLJ 6.2) prescribe that penalties for certain traffic infractions, including parking, be established by statute or local court rule. The fines for on-street parking infractions are set by Municipal Court rule and were last changed in 1998, when they were increased by \$5.00.

The purpose of this legislation is to establish a relevant fine that assists the City in managing use of its parking resources in support of the greater public benefit and provides revenues to support parking enforcement and Court administrative and other services related to the resolution of alleged violations.

The financial cost of not implementing the legislation

Approximately \$Z.ZZ million in revenues.

Possible alternatives to the legislation which could achieve the same or similar objectives

None

Is the legislation subject to public hearing requirements

No

Other Issues

STATE OF WASHINGTON – KING COUNTY

--SS.

152251
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

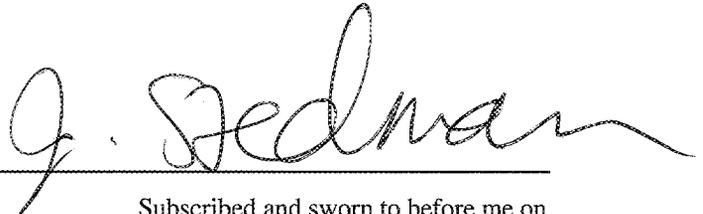
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 121005

was published on

12/3/2002



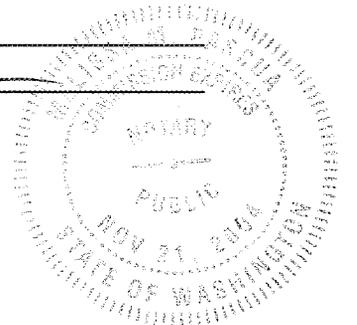
Subscribed and sworn to before me on

12/3/2002



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 121005

AN ORDINANCE related to penalties for parking infractions; establishing the base monetary penalties for violation of various provisions of the Seattle Municipal Code effective January 1, 2003, requesting actions by the Seattle Municipal Court and the Director of Seattle Transportation, and amending Chapter 11.31 of the Seattle Municipal Code in connection therewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 2003, a new section is added to Chapter 11.31 of the Seattle Municipal Code as follows:

11.31.121 Monetary penalties - Parking Infractions

The base monetary penalty for violation of each of the numbered provisions of the Seattle Municipal Code listed in the following table shall be as shown, unless and until the penalty shown below for a particular parking infraction is modified by Local Rule of the Seattle Municipal Court adopted pursuant to the Infraction Rules for Courts of Limited Jurisdiction ("IRLJ") or successor rules to the IRLJ:

Municipal Code Reference	Parking Infraction Short Description	Base Penalty Amount
11.76.010	METER COINS	\$35.00
11.72.260	OVERTIME	\$35.00
11.72.250	PARK. MUNICIPAL PROPERTY	\$35.00
11.72.440	OVER 72 HOURS	\$35.00
11.76.015	PROHIB. METER INDICATES VIOL.	\$35.00
11.72.320	PLANTING STRIP	\$35.00
11.72.310	PLANTED AREA	\$35.00
11.70.140	SECURE VEH.	\$35.00
11.76.030	METER RESTRICTION	\$35.00
11.72.370	STOP SIGN APPROACH (30')	\$38.00
11.72.463	CURB RAMP	\$38.00
11.72.160	FIRE HYDRANT	\$38.00
11.72.080	CROSSWALK	\$38.00
11.72.360	SIDEWALK	\$38.00
11.72.300	PEAK HOUR	\$38.00
11.72.330	SIGN POSTED LOCATIONS	\$38.00
11.72.055	CLASS OF VEH.	\$38.00
11.72.435	PASS. VEH. IN TRUCK ZONE	\$38.00
11.72.285	PASS. LOAD ZONE	\$38.00
11.72.215	LOAD/UNLOAD ZONE	\$38.00
11.72.090	XWALK APPROACH	\$38.00
11.74.020	TRUCK LOAD ZONE - CMCR L VEH.	\$38.00
11.72.030	BUS ZONE	\$38.00
11.72.020	ALLEY	\$38.00
11.72.100	DOUBLE PARKED	\$38.00
11.74.010	STAND/ALLEY/COMMERCIAL VEH.	\$38.00
11.23.400	UNAUTHORIZED USE - DISABLED	\$38.00
11.23.410	CARPPOOL, FREE & PREFERENTIAL	\$38.00
11.23.415	CARPPOOL PERMIT	\$38.00
11.26.060	SERVICE PARKING METERED AREA	\$38.00
11.26.080	HOOD ON METER	\$38.00
11.26.100	HOOD, NON-METERED AREA	\$38.00
11.26.120	HOOD, WORK LOCATION	\$38.00
11.26.140	HOOD ON OCCUPIED METER	\$38.00
11.26.160	HOODED METER, UNOCCUPIED	\$38.00
11.26.180	HOOD ON METER OVER 2 DAYS	\$38.00
11.26.200	HOOD, PROH. HOURS	\$38.00
11.26.220	HOOD, PASSENGER VEH.	\$38.00
11.26.240	HOOD, REVOKED	\$38.00
11.26.280	HOOD, VIOLATION	\$38.00
11.70.020	ANGLE, GEN.	\$38.00
11.70.040	PARALLEL, R. SIDE	\$38.00
11.70.060	PARALLEL, L. WAY ST.	\$38.00
11.70.080	SHOULDER	\$38.00
11.70.100	STALLS / SPACES	\$38.00
11.70.120	PARK, R/W	\$38.00
11.70.140	KEYS IGNITION	\$38.00
11.70.180	REMOVE KEY, LOCK DOOR	\$38.00
11.70.200	ILLEGAL ON STREET/ALLEY	\$38.00
11.72.010	ADVERTISING	\$38.00

Section 2. The base penalty amounts established in Section 1 of this ordinance supercede, as of January 1, 2003, any inconsistent amounts provided for elsewhere. The Seattle Municipal Court is requested to adjust the Court's "bail table" consistent with Section 1 of this ordinance, effective January 1, 2003.

Section 3. The Director of Seattle Transportation is requested to work with staff from other relevant departments to review the penalty levels for parking infractions every three (3) years and recommend to the Mayor, the City Council and the Seattle Municipal Court any adjustments deemed advisable. The analysis underlying any specific recommendations should include a consideration of how inflation and income growth may have diminished the effective magnitude of the fines, a review of fine levels in other comparable municipalities, a brief assessment of the City's parking management strategy and policies, and any other pertinent information.

Section 4. The several provisions of this ordinance are declared to be separate and severable and the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 18th day of November, 2002, and signed by me in open session in authentication of its passage this 18th day of November, 2002.

PETER STEINBRUECK,
President of the City Council.
Approved by me this 25th day of November, 2002.
GREGORY J. NICKELS,
Mayor.

Filed by me this 27th day of November, 2002.
(Seal) SCOTT CLINE,
Acting City Clerk.
Publication ordered by JUDITH E. PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, December 3, 2002.

12/3(162251)

fidavit