Ordinance No. 123445

Council Bill No. 117021

AN ORDINANCE related to traffic infraction penalties; amending Seattle Municipal Code Section 11.31.020 to set the penalty for failure to respond to a notice of the traffic infraction of overtime parking at twenty-five dollars.

CF No.

Date Introduced: Oct. 25, 2010	
Date 1st Referred: Oct. 25, 2010	To: (committee) Budget
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 11.22.10	Full Council Vote: 9-0
Date Presented to Mayor: 11.23.10	Date Approved: Dec. 2, 2010
Date Returned to City Clerk: Dec. 2, 2010	Date Published: T.O. ___ F.T. ✓
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Godden
Councilmember

Committee Action:

11.12.10 Pass 9-0

11.22.10 Passed 9.0

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

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

ORDINANCE 123445

AN ORDINANCE related to traffic infraction penalties; amending Seattle Municipal Code Section 11.31.020 to set the penalty for failure to respond to a notice of the traffic infraction of overtime parking at twenty-five dollars.

WHEREAS, the penalty for failing to respond to a notice of a traffic infraction, to appear at a requested hearing or to pay a monetary penalty imposed pursuant to chapter 11.31 Disposition of Traffic Offenses is $25); and

WHEREAS, the penalty for failing to respond to a notice of a traffic infraction for overtime parking, is $20; and

WHEREAS, the penalty for failure to respond to a notice of a traffic infraction should be the same regardless of whether the infraction was for overtime parking or whether it was for a different type of traffic infraction; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 11.31.120, last amended by Ordinance 123170, is amended as follows:

11.31.120 Monetary Penalties.

A. A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed ((~~Two Hundred Fifty Dollars (~~))$250.00((~~)~~)) for each offense unless a higher penalty is specifically provided for in this title or by statute,

B. There shall be a penalty of ((~~Twenty-five Dollars (~~))$25.00((~~)~~)) for failure to respond to a notice of traffic infraction, to appear at a requested hearing or to pay a monetary penalty imposed pursuant to this chapter((~~; provided, the penalty for failure to respond to a notice of the traffic infraction of overtime parking shall be Twenty Dollars ($20.00)~~)).

* * *

BAS CITY CLERK

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

Passed by the City Council the 22 day of November, 2010, and signed by me in open session in authentication of its passage this 22 day of November, 2010.

President _____ of the City Council

Approved by me this 2ND day of December, 2010.

Michael McGinn, Mayor

Filed by me this 2nd day of December, 2010.

City Clerk

(Seal)

SMS CITY CLERK

Form revised April 10, 2010

2011-2012 BUDGET LEGISLATION FISCAL NOTE

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Municipal Court (SMC)	Catherine Cornwall/684-8725	Catherine Cornwall/684-8725

Legislation Title: AN ORDINANCE related to traffic infraction penalties; amending Seattle Municipal Code Section 11.31.020 to set the penalty for failure to respond to a notice of the traffic infraction of overtime parking at twenty-five dollars.

Summary of the Legislation: This ordinance will increase the penalty for failing to respond to a notice of an infraction for overtime parking from $20 to $25.

Background: Under Seattle Municipal Code, the penalty for failing to respond to a notice of a traffic infraction is $25 – with the exception of overtime parking. The penalty for failing to respond to an infraction for overtime parking is $20. The proposed legislation would make the penalty for failing to respond to an infraction for overtime parking consistent with the penalty for failing to respond to other types of traffic infractions. The penalty for failing to respond to an overtime parking infraction was last changed in 1991 when it was increased from $16 to $20.

Please check one of the following:

____ This legislation does not have any financial implications. (*Stop here and delete the remainder of this document prior to saving and printing.)*

__X_ This legislation has financial implications. *Please complete all relevant sections that follow.*

Summary of Changes to Revenue Generated Specifically From This Legislation:

	Revenue Source	2011 Proposed	2012 Proposed
Total Fees and Charges Resulting From Passage of This Ordinance	General Fund	$27,630	$27,630

Notes: None.

CITY CLERK

Anticipated Total Revenue from Entire Program, Including Changes Resulting From This Legislation:

Fund Name and Number	Revenue Source	Total 2011 Revenue	Total 2011 and 2012 Anticipated Revenue from Entire Program
General Fund (0010)	Infraction Penalties for Overtime Parking	$140,150	$280,300
TOTAL		**$140,150**	**$280,300**

What is the financial cost of not implementing this legislation? The City General Fund would not realize the proposed revenue increase.

Does this legislation affect any departments besides the originating department? No.

What are the possible alternatives to the legislation that could achieve the same or similar objectives? None.

Is the legislation subject to public hearing requirements? No.

Other Issues: Not Applicable.

Please list attachments to the fiscal note below: None.

CITY CLERK

City of Seattle
Office of the Mayor

September 27, 2010

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am transmitting the attached proposed Council Bill for consideration with the 2011 Proposed Budget. This legislation increases the penalty for failing to respond to a notice of a traffic infraction of overtime parking from $20 to $25. If this increase to the penalty is approved, it will increase revenues by approximately $28,000 annually.

Under Seattle Municipal Code, the penalty for failing to respond to a notice of a traffic infraction is $25 – with the exception of overtime parking. The penalty for failing to respond to an infraction for overtime parking is $20. The proposed legislation would make the penalty for failing to respond to an infraction for overtime parking consistent with the penalty for failing to respond to other types of traffic infractions. The penalty for failing to respond to an overtime parking infraction was last changed in 1991 when it was increased from $16 to $20.

Thank you for your consideration of this legislation. Should you have questions, please contact Catherine Cornwall at 684-8725.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov

BNS CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

264511 No.
CITY OF SEATTLE,CLERKS OFFICE

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:123445 ORDINANCE

was published on

12/16/10

The amount of the fee charged for the foregoing publication is the sum of $ 95.55, which amount has been paid in full.

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT. 24, 2011
STATE OF WASHINGTON

Subscribed and sworn to before me on

12/16/10

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

ORDINANCE 123445

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Richard Conlin

President of the City Council

Approved by me this 2nd day of December, 2010.

Michael McGinn, Mayor

Filed by me this 2nd day of December, 2010.

(Seal) Monica Martinez-Simmons

City Clerk

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, December 16, 2010.

12/16(264511)