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CB 117123

Mary Catherine Snyder
SDOT Scofflaw Revision ORD
February 23, 2011
Version #1a

ORDINANCE

AN ORDINANCE relating to enforcement and timely payment of parking infractions; amending Sections 11.35.010 and 11.35.020 to clarify the amounts required to be paid to release vehicles with four or more outstanding parking infractions from immobilization or impoundment and to make technical corrections.

WHEREAS, Ordinance 123447 authorizes the City to place vehicles that have four or more outstanding parking infractions on a list of scofflaws and to immobilize them using a "boot," commencing on July 1, 2011; and

WHEREAS, Ordinance 123447 provides that a vehicle may be removed from the scofflaw list or released from immobilization upon full payment (or entry into a payment plan) of all "penalties, fines, or fees owed relating to all parking citations, plus all immobilization, towing, and storage charges and administrative fees"; and

WHEREAS, it is necessary to more specifically identify the items that may be collected in order to more fully inform the public of those items and to promote fairness;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.35.010 of the Seattle Municipal Code, as established by Ordinance 123447, is amended as follows:

11.35.010 Scofflaw list

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C. A vehicle shall remain on the scofflaw list until all ~~((penalties, fines, or fees owed relating to all parking citations, plus all immobilization, towing, and storage charges and administrative fees))~~ outstanding parking infraction penalties, court costs (including but not limited to collection agency remuneration authorized under RCW 3.02.045), default penalties on



1 parking traffic infractions imposed under Section 11.31.120, immobilization release fees
2 imposed under subsection 11.35.020.H, costs of impoundment (including removal, towing and
3 storage fees) imposed under Section 11.30.120, towing administrative fees imposed under
4 Section 11.30.290 and immobilization administrative fees under subsection 11.35.020.H, and
5 interest, have been paid, or a time payment plan has been arranged with the Seattle Municipal
6 Court or their authorized agent.

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11 **Section 2.** Section 11.35.020 of the Seattle Municipal Code, as established by Ordinance
12 123447, is amended as follows:

13 **11.35.020 Immobilization**

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16 D. The vehicle may be released from immobilization when the vehicle owner or an agent
17 of the owner pays all outstanding (~~((penalties, fines, or fees owed for all parking citations, plus all~~
18 ~~immobilization, towing, and storage charges and administrative fees,))~~ parking infraction
19 penalties, court costs (including but not limited to collection agency remuneration authorized
20 under RCW 3.02.045), default penalties on parking traffic infractions imposed under Section
21 11.31.120, immobilization release fees imposed under subsection 11.35.020.H, costs of
22 impoundment (including removal, towing and storage fees) imposed under Section 11.30.120,
23 towing administrative fees imposed under Section 11.30.290 and immobilization administrative
24 fees under subsection 11.35.020.H, and interest, or enters into a time payment agreement for the
25 payment thereof. Upon full payment or upon entry into a time payment agreement, the Seattle
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1 Police Department or other authorized agent of the City shall promptly remove or enable the
2 removal of the boot from the vehicle. If payment is made in full, the vehicle shall be removed
3 from the scofflaw list and shall not be subject to immobilization or impoundment for the paid
4 citations. Upon entry into a time payment agreement, the vehicle shall be temporarily removed
5 from the scofflaw list and shall not be subject to immobilization, provided, however, that the
6 vehicle shall be returned to the scofflaw list and be subject to immobilization if the owner
7 defaults on the time payment agreement. A registered owner who defaults on a time payment
8 agreement shall not be given another opportunity to make a time payment arrangement and
9 therefore, payment for all ~~((penalties, fines, or fees owed for all parking citations, plus all
10 immobilization, towing, and storage charges and administrative fees))~~ outstanding amounts
11 above shall be made in full before the vehicle may be removed from the scofflaw list or released
12 from immobilization or impound.

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15 H. The Director of Finance and Administrative Services shall determine and set an
16 immobilization fee and an administrative fee in amounts such that the sum of such fees do not
17 exceed the sum of the lowest impound fee, minimum storage fee, and administrative fee for
18 vehicle impoundment under Section 11.30.120. An administrative fee, if any, shall be levied
19 when the boot is removed. The administrative fee shall be collected by the contractor releasing
20 the vehicle from immobilization, shall be remitted to the Department of Finance and
21 Administrative Services, and shall be deposited in an appropriate account.

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2011-2012 BUDGET LEGISLATION FISCAL NOTE

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Transportation (SDOT)	Mary Catherine Snyder / 684-8110	Mike Katz / 684-5211

Legislation Title: AN ORDINANCE relating to enforcement and timely payment of parking infractions; amending Sections 11.35.010 and 11.35.020 to clarify the amounts required to be paid to release vehicles with four or more outstanding parking infractions from immobilization or impoundment.

Summary of the Legislation: This legislation amends Ordinance 123447 by clarifying the amounts payable to release a vehicle that has been immobilized for nonpayment of four or more outstanding parking infractions, or to release a vehicle from the list of scofflaws. These amounts include outstanding parking infraction penalties, court costs, collection agency fees, four imposed default penalties, immobilization release fees, costs of impoundment (including removal, towing and storage fees), administrative fees, and interest.

Background: Ordinance 123447, adopted as part of the 2011 Adopted Budget authorized the City to immobilize vehicles with four or more unpaid parking tickets. Part of that ordinance identifies amounts payable before a vehicle can be removed from scofflaw status.

- *Please check one of the following:*

This legislation does not have any financial implications.





City of Seattle
Office of the Mayor

February 25, 2011.

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

Dear Council President Conlin:

I am transmitting the attached proposed Council Bill that clarifies the amounts payable to release a vehicle that has been immobilized for nonpayment of four or more outstanding parking infractions, or to release a vehicle from the list of scofflaws. These amounts include outstanding parking infraction penalties, court costs, collection agency fees, court imposed default penalties, immobilization release fees, costs of impoundment (including removal, towing and storage fees), administrative fees, and interest.

Ordinance 123447 authorizes the City to place vehicles that have four or more outstanding parking infractions on a list of scofflaws and to immobilize them using a "boot," commencing on July 1, 2011. That ordinance provides that a vehicle may be removed from the scofflaw list or released from immobilization upon full payment (or entry into a payment plan) of all "penalties, fines, or fees owed relating to all parking citations, plus all immobilization, towing, and storage charges and administrative fees." This bill more specifically identifies the items to be collected in order to more fully inform the public of those items and to promote fairness.

Thank you for your consideration of this legislation. Should you have questions, please contact Mary Catherine Snyder with the Seattle Department of Transportation at 684-8110.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

