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ORDINANCE _____

1
2 AN ORDINANCE relating to the monetary penalty for parking infractions; amending Section 11.31.121
3 of the Seattle Municipal Code.

4 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

5 Section 1. Section 11.31.121 of the Seattle Municipal Code is amended as follows:

6 **11.31.121 Monetary penalties – Parking infractions.**

7 The base monetary penalty for violation of each of the numbered provisions of the Seattle Municipal
8 Code listed in the following table shall be as shown, unless and until the penalty shown below for a
9 particular parking infraction is modified by Local Rule of the Seattle Municipal Court adopted pursuant
10 to the Infraction Rules for Courts of Limited Jurisdiction (“IRLJ”) or successor rules to the IRLJ:
11

12 Municipal Code Reference	Parking Infraction Short Description	Base Penalty Amount
13 11.23.400	UNAUTHORIZED USE – DISABLED	\$250
14 11.23.410	CARPOOL, FREE & PREFERENTIAL	\$47 ((\$42))
15 11.23.415	CARPOOL PERMIT	\$47 ((\$42))
16 11.26.060	SERVICE CONTROLLED PARKING AREA	\$47 ((\$42))
17 11.26.080	HOOD, CONTROLLED PARKING AREA	\$47 ((\$42))
18 11.26.100	HOOD, FREE PARKING AREA	\$47 ((\$42))
19 11.26.120	HOOD ON OCCUPIED METER	\$47 ((\$42))
20 11.26.160	HOODED METER, UNOCCUPIED	\$47 ((\$42))
21 11.26.180	HOOD ON METER OVER 2 DAYS	\$47 ((\$42))
22 11.26.200	HOOD, PROH. HOURS	\$47 ((\$42))
23 11.26.220	HOOD, PASSENGER VEH	\$47 ((\$42))
24 11.26.240	HOOD, REVOKED	\$47 ((\$42))
11.26.280	HOOD, VIOLATION	\$47 ((\$42))
11.70.020	ANGLE, GEN.	\$47 ((\$42))
11.70.040	PARALLEL R. SIDE	\$47 ((\$42))
11.70.060	PARALLEL 1 WAY ST.	\$47 ((\$42))
11.70.080	SHOULDER	\$47 ((\$42))
11.70.100	STALLS/SPACES	\$47 ((\$42))
11.70.120	PARK, R/W	\$47 ((\$42))
11.70.140	SECURE VEH.	\$44 ((\$39))
11.70.160	KEYS IGNITION	\$47 ((\$42))
11.70.180	REMOVE KEY, LOCK DOOR	\$47 ((\$42))



	11.70.200	ILLEGAL ON STREET/ALLEY	\$47 ((\$42))
	11.72.010	ADVERTISING	\$47 ((\$42))
1	11.72.020	ALLEY	\$47 ((\$42))
	11.72.025	ALLEY/DRIVEWAY	\$47 ((\$42))
2	11.72.030	ANGLE/ARTERIAL OR BUS ROUTE	\$47 ((\$42))
	11.72.035	BLOCK TRAF OR WALK UNOCCUPIED	\$47 ((\$42))
3	11.72.045	BUS SHELTER	\$47 ((\$42))
	11.72.050	BUS ZONE	\$47 ((\$42))
4	11.72.05	CURB BULBS	\$47 ((\$42))
	11.72.053	UNAUTHOR. VEH/CARPOOL	\$47 ((\$42))
5	11.72.054	CAR SHARING VEH ZONE	\$47 ((\$42))
	11.72.055	CLASS OF VEH.	\$47 ((\$42))
6	11.72.060	CLEAR ROADWAY	\$47 ((\$42))
7	11.72.065	IN MARKED DISABLED, INVALID PLACARD	\$250
	11.72.070	COMMERCIAL VEH.	\$47 ((\$42))
8	11.72.075	RESTRICTIONS - COMM LOAD ZONE	\$53 ((\$48))
	11.72.080	CROSSWALK	\$47 ((\$42))
9	11.72.090	XWALK APPROACH	\$47 ((\$42))
	11.72.100	DOUBLE PARKED	\$47 ((\$42))
10	11.72.110	DRIVEWAY OR ALLEY ENTRANCE	\$47 ((\$42))
	11.72.130	ELEVATED STRUCTURE	\$47 ((\$42))
11	11.72.140	EXCAVATION OR OBSTRUCTION	\$47 ((\$42))
	11.72.145	EXPIRED/IMPROPER PLATES	\$47 ((\$42))
12	11.72.150	FIRE APPARATUS	\$47 ((\$42))
	11.72.155	FIRE EXIT DOOR	\$47 ((\$42))
13	11.72.160	FIRE HYDRANT	\$47 ((\$42))
	11.72.170	FIRE STATION DRIVEWAY	\$47 ((\$42))
14	11.72.180	FIRE AREA	\$47 ((\$42))
	11.72.185	FIRE LANE	\$47 ((\$42))
15	11.72.190	FLASHING SIGNAL	\$47 ((\$42))
	11.72.200	FUEL LOSS	\$47 ((\$42))
16	11.72.205	DROPPING OIL OR GREASE	\$47 ((\$42))
	11.72.210	INTERSECTION	\$47 ((\$42))
17	11.72.215	LOAD/UNLOAD ZONE	\$47 ((\$42))
	11.72.220	HOODED METERS, SIGNS	\$47 ((\$42))
18	11.72.230	MOVING VEHICLE OF ANOTHER	\$47 ((\$42))
	11.72.240	MOVE VEH. AVOID TIME LIMIT	\$47 ((\$42))
19	11.72.250	PARK, MUNICIPAL PROPERTY	\$44 ((\$39))
	11.72.260	OVERTIME	\$44 ((\$39))
20	11.72.270	REPEATED OVERTIME	\$47 ((\$42))
	11.72.280	IN PARK	\$47 ((\$42))
21	11.72.285	PASS. LOAD ZONE	\$47 ((\$42))
	11.72.290	PAVEMENT MARKINGS	\$47 ((\$42))
22	11.72.300	PEAK HOUR	\$47 ((\$42))
	11.72.310	PLANTED AREA	\$44 ((\$39))
23	11.72.320	PLANTING STRIP	\$44 ((\$39))
24			



	11.72.330	SIGN POSTED LOCATIONS	\$47 ((\$42))
	11.72.350	TOO CLOSE TO R.R.	\$47 ((\$42))
1	11.72.351A	RESTRICTED PARKING ZONE	\$53 ((\$48))
2	11.72.351B	RPZ PERMIT ON DISPLAY IN IMPROPER LOCATION ON VEHICLE	\$29 ((\$24))
3	11.72.351C	ILLEGAL SALE, PURCHASE OR POSSESSION OF RPZ PERMIT	\$250
4	11.72.352	HUSKY STADIUM EVENT RESTRICTED PARKING	\$53 ((\$48))
5	11.72.353	SCHOOL LOAD ZONE	\$47 ((\$42))
	11.72.355	SERVICE VEH. IN ST.	\$47 ((\$42))
6	11.72.357	SHUTTLE BUS LOAD ZONE	\$47 ((\$42))
	11.72.360	SIDEWALK	\$47 ((\$42))
7	11.72.370	STOP SIGN APPROACH (30')	\$47 ((\$42))
	11.72.390	LIMITED ACCESS, STREET	\$47 ((\$42))
8	11.72.400	TAXI CAB ZONE	\$47 ((\$42))
	11.72.410	TOW AWAY ZONE	\$47 ((\$42))
9	11.72.415	TRAIL OR PATH (VEH/BIKE)	\$47 ((\$42))
	11.72.420	TRF. CONTROL SIGNAL APPROACH	\$47 ((\$42))
10	11.72.430	TRL./CAMPER DETACHED	\$47 ((\$42))
	11.72.435	PASS. VEH. IN TRUCK ZONE	\$47 ((\$42))
11	11.72.440	OVER 72 HOURS	\$44 ((\$39))
	11.72.450	TYPE OF VEH.	\$47 ((\$42))
12	11.72.460	WALL OR FENCE	\$47 ((\$42))
	11.72.465	CURB RAMP	\$47 ((\$42))
13	11.72.470	WRONG SIDE	\$47 ((\$42))
	11.72.480	W/IN 30 FT. OF YIELD SIGN	\$47 ((\$42))
14	11.72.500	PARKING JUNK VEHICLE ON STREET (IMPOUND)	\$250
15	11.74.010	STAND/ALLEY/COMM. VEH.	\$47 ((\$42))
16	11.74.020	TRUCK LOAD ZONE - CMCRL VEH.	\$47 ((\$42))
	11.74.030	LOAD ZONE - TIME RESTRICTIONS	\$53 ((\$48))
17	11.74.060	LOAD/UNLOAD PROH.	\$47 ((\$42))
	11.74.120	RESTRICTED AREA	\$47 ((\$42))
18	11.76.005	IMPROPER PARKING RECEIPT DISPLAY	\$29 ((\$24))
	11.76.010	METER/COINS	\$44 ((\$39))
19	11.76.015	PARKING PAYMENT DEVICE VIOLATIONS	\$44 ((\$39))
	11.76.020	PARKING TIME LIMIT	\$47 ((\$42))
20	11.76.030	METER RESTRICTION	\$44 ((\$39))
	11.76.040	ILLEGAL USE, PARKING PAYMENT, TAMPERING	\$47 ((\$42))
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22	11.82.300	LIGHTS, PARKED VEHICLE	\$47 ((\$42))
	11.82.320	LIGHTS, PARKED, HIGHBEAM	\$47 ((\$42))
23	11.84.345	FALSE ALARM - PARKED AUTO	\$47 ((\$42))
24	18.12.235	RESTRICTIONS IN CERTAIN PARKS (REQ)	\$47 ((\$42))



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Section 2. This ordinance shall take effect and be in force 30 days 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 ____ day of _____, 2011, and signed by me in open session in authentication of its passage this ____ day of _____, 2011.

President _____ of the City Council

Approved by me this ____ day of _____, 2011.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2011.

Monica Martinez Simmons, City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Law – Criminal Division Seattle Municipal Court	Richard Greene Kwan Wong	

Legislation Title:

AN ORDINANCE relating to the monetary penalty for parking infractions; amending Section 11.31.121 of the Seattle Municipal Code.

- **Summary of the Legislation:** This legislation amends the City’s parking infractions to conform with changes in the corresponding parking infractions as modified by Local Rule of the Seattle Municipal Court (SMCLR) adopted pursuant to the Infraction Rules for Courts of Limited Jurisdiction (IRLJ).
- **Background:** On July 1, 2011, the Court submitted Local Court Rule SMCLR 10.5(b) to the State’s Administrative Office of the Courts pursuant to the IRLJ 6.2(c) and raised the penalties for parking infractions by \$5 (12%) to take effect on September 1, 2011. This change addresses the interests expressed by the Mayor and City Council to maintain an efficient parking enforcement strategy to discourage illegal parking in Seattle’s neighborhoods and business districts and to encourage higher turnover of available parking spaces. Despite this increase, the cost of Seattle’s parking infraction fines remains lower than those found in other comparably-sized cities. RCW 46.63 limits parking infraction fines to \$250.
- *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.)*

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



Summary of Changes to Revenue Generated Specifically From This Legislation: For budget legislation that changes revenue (e.g., fees, taxes, etc.), please provide detail on each revenue-producing item that is being changed, when it was last changed, and how the item's new overall cost compares with similar costs charged elsewhere in the region.

	Revenue Source	Sept 1, 2011 to December 2012 Estimate
Total Fees and Charges Resulting From the \$5 penalty increase (see note)	General Subfund (00100) Parking Infraction Fines	\$2,600,000 to \$3,000,000

Note: Assuming a range of 80% to 90% fine payment rate, the additional revenue from parking fines is estimated between \$531,808 - \$598,285 in 2011 (Oct. to Dec.) and \$2,127,236 to \$2,393,141 in 2012 for a total of \$2.6 million and \$3 million combined.

Increase Parking Infractions by \$5 and implement Sept. 2011

Sept 1, 2011 to Dec 31, 2012		Assumed Various Payment Rates		
Year	# of citations	80%	90%	100%
2010 level	552,549	\$2,946,191	\$3,314,465	\$3,682,739
2011 level (projected)	511,068	\$2,725,015	\$3,065,641	\$3,406,268
2012 level (average)	531,809	\$2,127,236	\$2,393,140	\$2,659,045
Oct. – Dec. 2011		\$531,808	\$598,285	\$664,761

- **What is the financial cost of not implementing the legislation?** The financial cost of not implementing this legislation to conform with SMCLR 10.5 (b) may equate to \$2.6 million to \$3 million in unrealized revenue in 2011 and 2012. The last major change to parking penalties took effect January, 2010 when Ordinance 123161 increased most penalties by \$4 from \$35/\$38 to \$39/\$42, which was estimated to bring in \$1.84 million in revenue.
- **Does this legislation affect any departments besides the originating department?** This legislation impacts the Seattle Municipal Court and Seattle Police Department.
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** There are no alternatives to this legislation that achieve the same result.
- **Is the legislation subject to public hearing requirements:** (If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.) No.



- ***Other Issues*** (including long-term implications of the legislation):

The parking violation penalties would only impact violators who park illegally (e.g. commercial yellow lines, fire lanes, cross works) or fail to pay parking meters.

Drivers who park legally will not be affected. Violators can request a mitigation hearing to explain their situation or a contested hearing if they don't believe that they committed the illegal parking. Violators who are indigent can request community service equal to the amount of their penalty.

It is important to note that increasing parking violation penalties does not have the same perceived negative impact on citizen's behavior or on local businesses as does increasing parking meter rates. Most penalties are assessed on parking violators committing overtime or meter violations and preventing "turnover" by occupying spaces that others motorist would have been able to park in. This would also help to deter illegal parking impacting businesses, schools, and neighborhoods. The \$5 fine increase to parking penalties in Seattle would place us higher than in other

Washington cities but roughly in the middle when compared to other major US cities as shown in the following table:

2011 Parking Violation Penalty Amounts by Jurisdiction

City	Range of most tickets	Overtime Parking
<i>In Washington State:</i>		
Auburn	\$30 - \$40	\$30
Bellevue	\$20 - \$35	\$20
Olympia	\$15 - \$30	\$15
Spokane	\$15 - \$30	\$15
Tacoma	\$25 - \$35	\$25
<i>Outside Washington State:</i>		
Baltimore	\$32 - \$52	\$32
Boston	\$25-\$100	\$25
Chicago	\$50 - \$70	\$50
Los Angeles	\$55 - \$80	\$55
NYC (Manhattan)	\$65 - \$115	\$65
Miami	\$18 - \$33	\$18
New Orleans	\$20 - \$75	\$20
Portland	\$34 - \$70	\$34
Sacramento	\$35 - \$50	\$35
San Diego	\$38-\$63	\$43
San Francisco	\$50 - \$70	\$65 / \$55
San Jose	\$40 - \$55	\$40
<i>Seattle</i>	<i>\$35 - \$48</i>	<i>\$39</i>



- **List attachments to the fiscal note below:** *(Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att A) N/A*



THE MUNICIPAL COURT OF SEATTLE



July 15, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, Second Floor

Dear Council President Conlin,

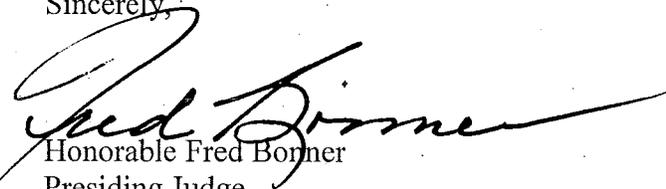
On July 1, 2011, the Seattle Municipal Court submitted Local Court Rule SMCLR 10.5(b) to the State's Administrative Office of the Courts pursuant to the Infraction Rules for Courts of Limited Jurisdiction IRLJ 6.2(c) and raised the penalties for parking infractions by \$5 (12%) to take effect on September 1, 2011. When local court amends the parking infraction amounts, the local city's code likewise must be amended to ensure uniformity. We are transmitting legislation for City Council's consideration to amend the Seattle Municipal Code Section 11.31.121 to conform to changes in the corresponding parking infractions in SMCLR 10.5(b). We will implement the new parking penalties when the ordinance takes effect.

Parking violation penalties will only impact violators who park illegally (e.g., commercial yellow lines, fire lanes, cross walks) or fail to pay parking meters. Drivers who park legally will not be affected. Despite this increase, the cost of Seattle's parking infraction fines remains lower than those found in other comparably-sized cities.

This change addresses the interests expressed by the Mayor and City Council to maintain an efficient parking enforcement strategy to discourage illegal parking in Seattle's neighborhoods and business districts and to encourage higher turnover of available parking spaces.

Should you have questions, please contact Yolande Williams, Court Administrator at 684-5614.

Sincerely,


Honorable Fred Borner
Presiding Judge

cc: Honorable Mayor Mike McGinn
Honorable Members of the Seattle City Council
Honorable Judges of the Seattle Municipal Court
Beth Goldberg, City Budget Office

Seattle Justice Center, 600 5th Avenue, P.O. Box 34987, Seattle, WA 98124-4987
TTY (Hearing & Speech Impaired) 684-5210

