



Legislation Text

File #: 19-612, **Version:** 1

Resolution adopting a revised Fee Schedule regarding increasing the fine and penalties for double parking pursuant to Vehicle Code Section 42001

WHEREAS, pursuant to Section 22500(h) of the California Vehicle Code, it is unlawful for a person to stop, park, or leave standing any vehicle, whether attended or unattended, on the roadway side of a vehicle stopped, parked, or standing at the curb or edge of a highway; and

WHEREAS, State law further authorizes local authorities to adopt traffic rules and regulations by ordinance or resolution, unless the Vehicle Code already establishes a violation or fine, penalty, assessment, or fee for violation of the same or similar conduct (Veh. Code § 21100(o)(1)); and

WHEREAS, an infraction for a violation of the Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code is punished by a maximum fine of \$100 for a first infraction, \$200 for a second infraction, and \$250 for a third or subsequent infraction (Veh. Code § 42001(a)); and

WHEREAS, the City of South San Francisco ("City") currently assesses a fine of \$43.00 for double parking violations which are treated as an infraction; and

WHEREAS, the South San Francisco Police Department's parking enforcement officers have observed repeated double parking violations, and the current penalty amounts have proven ineffective to deter the unlawful conduct; and

WHEREAS, pursuant to California Vehicle Code § 42001(a) and propose to set the penalty for violation of double parking at the maximum amount permitted by state law, which is \$100 for the first violation, \$200 for the second violation, and \$250 for the third or subsequent violation, in order to discourage drivers from double parking their vehicles to minimize the danger to other drivers and pedestrians; and

WHEREAS, the proposed penalty is consistent with the penalty amounts authorized under state law.; and

WHEREAS, double parking violations in the City endanger the safety, health, and welfare of residents and pedestrians; and

WHEREAS, the City Council has determined that it is necessary to revise the Fee Schedule for double parking violations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of South San Francisco does hereby approve a revision to the Fee Schedule to establish that a person convicted of an infraction for a violation of Section 22500(h) of the California Vehicle Code shall be punished as follows:

- (1) By a fine not exceeding one hundred dollars (\$100);
- (2) For a second infraction occurring within one year of a prior infraction that resulted in a conviction, a fine not exceeding two hundred dollars (\$200); and
- (3) For a third or subsequent infraction occurring within one year of two or more prior infractions that resulted in convictions, a fine not exceeding two hundred fifty dollars (\$250).

BE IT FURTHER RESOLVED that the City Council of the City of South San Francisco does hereby authorize the City Manager or his designee to take any actions consistent with the intent of this resolution.

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