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# CITY OF POMONA COUNCIL REPORT

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August 5, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Michael Olivieri, Chief of Police

Subject: **ADOPTION OF A RESOLUTION AMENDING THE BAIL (FINE)  
SCHEDULE FOR PARKING AND NON-MOVING VEHICLE  
VIOLATION CITATIONS ISSUED IN THE CITY OF POMONA**

## **RECOMMENDATION:**

It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2019-117: A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE BAIL  
(FINE) SCHEDULE FOR PARKING AND NON-MOVING VEHICLE  
VIOLATIONS OCCURRING IN THE CITY OF POMONA**

## **EXECUTIVE SUMMARY:**

The proposed amendments to the City's Bail (Fine) Schedule include adding several California Vehicle Code violations pertaining to misuse of handicap placards and unauthorized handicap parking and establishing fine amounts for these violations. There are also fine increases recommended for certain other violations, for which Pomona's fines are substantially lower than other cities.

## **FISCAL IMPACT:**

General Fund revenues could potential increase by approximately \$130,000 annually by amending the Bail (Fine) Schedule. The most significant violations being added are for various handicap parking violations, misuse of handicap placards and unauthorized handicap parking, which carry heavier penalties, of which the State receives twenty percent (20%). For other violations, each paid parking citation requires a payment of \$12.50 in surcharges to the State for special court funds. The State receives fifty percent (50%) on fix-it tickets.

**PUBLIC NOTICE REQUIREMENTS:** None required.

**PREVIOUS COUNCIL ACTION:**

Fines for parking and non-moving vehicle violations were amended in 2011, 2009, 2005, 2000 and 1993.

## DISCUSSION:

California Vehicle Code (CVC) section 40200 provides the authority for local agencies to collect parking fines for citations issued by that agency. Section 40203.5(a) authorizes the City to establish the fine and late penalty amounts and provides “to the extent possible” for standardized parking penalties by issuing agencies within the same county. All cities in Los Angeles County are required to pay the following surcharges on each paid citation:

Description	Amount	Code Section
County – Courthouse Construction Fund / Criminal Justice Facilities Fund	\$5.00	GC 76100(b), 76101 & 76219
State – Court Facilities Construction Fund	4.50	GC 70372(b)
State Trial Court Trust Fund	3.00	GC 70372(b)
<b>Total Court Funds Paid Per Citation</b>	<b>\$12.50</b>	
<b>Other Court Fees</b>		
County/State – Handicap State Linkage Fee	\$2 per \$10	PC 1465.5
State’s share on registration & equipment violations	50%	VC 40225(d)

A survey of nine other cities in Los Angeles County was conducted to determine appropriate fines for the violations being added to Pomona’s Bail (Fine) Schedule. For the handicap related-violations being added, most of the cities surveyed have not yet adopted fines. CVC 40203.5 provides that civil penalties for violations of CVC 22507.8 (unlawful parking in a handicap space) shall be no less than \$250 and not more than \$1,000. The penalty proposed for handicap parking violations being added is \$416, which is consistent with Pomona’s previously adopted handicap parking penalties. The penalty may be suspended if there was a failure to display a placard. A penalty imposed pursuant to CVC 40203.5(c)(1) may also be made in installment payments.

Most fines of the cities surveyed, including Pomona’s, are within a few dollars of each other. However, there are some violations for which the fine amounts are consistently set higher than Pomona. In those instances, such as red curb and time limit parking violations, a fine increase is being recommended. The City survey chart reflects the “median” and “average fine amounts of the cities surveyed (Attachment No. 2). Proposed increases considered a blend of the median and average fines.

The violations being added to the Bail (Fine) Schedule are shown in red, bold and underlined in the survey chart and Exhibit A to the resolution. The fine amounts being recommended for an increase are also shown in red, bold and underlined.

It is recommended that the City Council adopt the attached resolution approving the amended Bail (Fine) Schedule for Parking and Non-Moving Vehicle Violations.

Prepared By: Michael Ellis, Police Captain

## Attachments:

Attachment No. 1 –Resolution- Bail (Fine) Schedule, Bail (Fine) Schedule as Exhibit A  
Attachment No. 2- Survey Chart