

RESOLUTION NO. 74789

**A RESOLUTION OF THE COUNCIL OF CITY OF SAN JOSE
SETTING FORTH THE SCHEDULE OF PARKING PENALTIES
AND LATE PAYMENT PENALTIES FOR PARKING VIOLATIONS
AND REPEALING RESOLUTION NO. 73338, EFFECTIVE
MARCH 1, 2009**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. SCHEDULE OF PARKING PENALTIES

The following parking penalties are hereby established for violations of San José Municipal Code and California Vehicle Code regulations:

San Jose Municipal Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
6.46.030	Mobilehome or trailer parking	251.00	8.00	259.00
11.16.120	Obedience to Parking space Markings	23.00	8.00	31.00
11.32.010	Unattended motor Vehicle-keys in Ignition	28.00	8.00	36.00
11.36.050	Parking not to Obstruct traffic	23.00	8.00	31.00
11.36.060	Parked in parkways prohibited	32.00	8.00	40.00
11.36.080	Prohibited to stop, stand or park vehicles where "No Parking"	31.00	8.00	39.00
11.36.100	Parked for certain purposes prohibited	51.00	8.00	59.00

* California Government Code Sections 70372, 76000, 76100, 76101

San Jose Municipal Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
11.36.110	Parking on hills, Curbing wheels	28.00	8.00	36.00
11.36.130	No parking on narrow streets	23.00	8.00	31.00
11.36.140	Parked in alleys	23.00	8.00	31.00
11.36.150	Park on left-hand side of one-way street restricted	23.00	8.00	31.00
11.36.170	Parking at an angle	23.00	8.00	31.00
11.36.190	Parking prohibited where use of street necessary for cleaning, repair or construction of street or installation of underground facility	31.00	8.00	39.00
11.36.200	Parking prohibited where use of street authorized for other than normal flow of traffic	23.00	8.00	31.00
11.36.210	Violation of terms of permit for loading or unloading	29.00	8.00	37.00
11.36.220	Use of streets for storage of vehicles prohibited	70.00	8.00	78.00
11.36.232	Parked for Disabled Persons	295.00	8.00	303.00
11.36.235	Handicapped parking	295.00	8.00	303.00

* California Government Code Sections 70372, 76000, 76100, 76101

San Jose Municipal Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
11.36.250	Parked in excess of posted time limit; Sunday & Legal Holidays excepted	28.00	8.00	36.00
11.36.260	Stopping, standing or parking vehicles on certain streets, or portions thereof, during all or certain hours	26.00	8.00	34.00
11.36.280	Parking in reserved areas	30.00	8.00	38.00
11.36.290	Commercial vehicle parked on residential street	70.00	8.00	78.00
11.36.300	Parking restrictions commercial vehicle	70.00	8.00	78.00
11.36.320	Parking Circle-Drive	23.00	8.00	31.00
11.36.330	City Hall frontage parking restriction	23.00	8.00	31.00
11.36.340	City employee parking lots-Permits-Use	23.00	8.00	31.00
11.36.430	City Hall alley-parking restrictions	23.00	8.00	31.00
11.36.470	Minnesota Avenue- off-street lot parking	18.00	8.00	26.00
11.40.100	Failure to operate meter	13.00	8.00	21.00
11.40.230	Violation of special parking permit	18.00	8.00	26.00

* California Government Code Sections 70372, 76000, 76100, 76101

San Jose Municipal Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
11.40.300	Unlawful to park after time expired airport	18.00	8.00	26.00
11.40.350(b)	Parked Out of Space – Metered	23.00	8.00	31.00
11.40.380	Expired/Unpaid Meter	23.00	8.00	31.00
11.44.040	Storage lien off-street parking	18.00	8.00	26.00
11.44.100	Parking in marked spaces	18.00	8.00	26.00
11.44.120	Deposit of money in meter	18.00	8.00	26.00
11.44.130	Unlawful to park after time expired	18.00	8.00	26.00
11.44.140	Unlawful to extend time beyond limit	13.00	8.00	21.00
11.44.180	Leaving vehicle after receipt of meter violation	18.00	8.00	26.00
11.44.290	Deposit of money in meter-airport parking	18.00	8.00	26.00
11.40.300	Unlawful to park after time expired airport	18.00	8.00	26.00
11.48.300	Residential parking permit required	46.00	8.00	54.00
11.49.300A	SJSU student parking permit required	26.00	8.00	34.00

* California Government Code Sections 70372, 76000, 76100, 76101

San Jose Municipal Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
11.49.300C	Overtime parking in SJSU student permit zone	26.00	8.00	34.00
11.52.070	Loading/unloading zone, use and time limit restriction	29.00	8.00	37.00
11.52.100	Passenger loading zone, use and time limit restriction	29.00	8.00	37.00
11.52.110	Permission to load and unload personal baggage-five minute limit	29.00	8.00	37.00
11.52.140	Loading zone only central traffic district 11:00 am to 6:00 pm exception	29.00	8.00	37.00
11.52.570A	Special Freight Loading Zone permit required	29.00	8.00	37.00
11.52.570B	Violation of Special Freight Loading Zone permit – usage	29.00	8.00	37.00
13.44.100	City Parks Regulations	76.00	8.00	84.00
25.06.350	Airport Parking Regulations	20.00	8.00	28.00

* California Government Code Sections 70372, 76000, 76100, 76101

California Vehicle Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
21211(b)	Parked in a Bike Path/Lane	28.00	8.00	36.00
21113(a)	Parked in violation of Administrative Rules	20.00	8.00	28.00
22500.1	Parked in a Fire Lane	45.00	8.00	53.00
22500(a)	Parked in an Intersection	32.00	8.00	40.00
22500(b)	Parked Blocking a Crosswalk	20.00	8.00	28.00
22500(c)	Parked in a safety Zone	20.00	8.00	28.00
22500(d)	Parked w/in 15' of a Fire Station Driveway	20.00	8.00	28.00
22500(e)	Parked blocking a Driveway	36.00	8.00	44.00

California Vehicle Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
22500(f)	Parked on/blocking Sidewalk	30.00	8.00	38.00
22500(g)	Parked Obstructing Traffic – Beside Excavation	20.00	8.00	28.00
22500(h)	Double Parked	31.00	8.00	39.00
22500(i)	Parked in a Bus Zone	270.00	8.00	278.00

* California Government Code Sections 70372, 76000, 76100, 76101

22500(j)	Parked in a Tunnel	20.00	8.00	28.00
22500(k)	Parked on a Bridge	20.00	8.00	28.00
22500(l)	Parked Blocking a Disabled Sidewalk Access	295.00	8.00	303.00
22502(a)	Parked the Wrong Way/Over 18" from the Curb	22.00	8.00	30.00
22507.8	Parked in Space Reserved for Disabled	295.00	8.00	303.00
22507.8(c)(2)	Parked in Disabled Access Cross-hatch	295.00	8.00	303.00
22514	Parked w/in 15' of a Fire Hydrant	45.00	8.00	53.00
22521	Parked w/in 7' of a Railroad Track	20.00	8.00	28.00

California Vehicle Code Section	Offense	Base Penalty	State Law Surcharges*	Total Penalty
22522	Parked Blocking a Disabled Sidewalk Access	295.00	8.00	303.00
22526(a)	Entering an Occupied Intersection	100.00	8.00	108.00

* California Government Code Sections 70372, 76000, 76100, 76101

Section 2. LATE PAYMENT PENALTIES

1. Late payment penalties shall be added to the Total Penalties as follows:
A one-time late payment penalty of thirty dollars (\$30.00) shall be added if the Total Penalty has not been paid within ten (10) days of the mailing of the notice of delinquency.

Section 3. DEPARTMENT OF MOTOR VEHICLES SERVICE FEE

2. A service fee for unpaid parking penalties shall be added to the Total Penalties as follows:
A one-time service fee of three dollars (\$3.00) shall be added if the Total Penalty has not been paid within forty (40) days of the notice of parking violation and a hold has been placed on the vehicle registration through the Department of Motor Vehicles.

Section 4. CREDIT CARD SERVICE FEE

1. A one-time service fee of three dollars (\$3.00) for parking penalties paid by credit card shall be added to the Total Penalties, which shall be collected by the City or by the City's Parking Citation Processing and Collection contractor, to defer the cost of processing and collecting credit card payments.

Section 5. Resolution No. 73338, setting forth the Schedule of Parking Penalties, effective August 6, 2006, is hereby repealed.

Section 6. The provisions of this resolution shall be operative commencing March 1, 2009.

* California Government Code Sections 70372, 76000, 76100, 76101

ADOPTED this 10th day of February, 2009, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,
LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CHIRCO.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk