

RESOLUTION NO. 2020-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ESTABLISHING THE SCHEDULE OF PARKING PENALTIES FOR PARKING VIOLATIONS AND LATE PAYMENT PENALTIES

WHEREAS, the California Vehicle Code and the Fullerton Municipal Code authorize the City to establish a schedule of parking penalties for parking violations and for the late payment of such penalties; and

WHEREAS, California law provides that such parking penalties are civil in nature and subject to administrative enforcement; and

WHEREAS, the amount of such parking penalties may be set by City Council resolution; and

WHEREAS, the City previously established the amount of parking penalties as part of its annual fee resolution; and

WHEREAS, the City Council desires to establish a separate fine schedule setting forth civil penalties for parking violations and late payment penalties.

NOW, THEREFORE, the City Council of the City of Fullerton resolves as follows:

1. Fine Schedule Adopted. The Schedule of Civil Penalties for Parking Violations and for Late Payments ("Fine Schedule") is hereby established as set forth in the attached Exhibit A.
2. Late Payment Penalties. A late payment penalty of fifty percent (50%) of the initial fine amount shall be applied to any payment not received within thirty (30) days of the date of the issuance of the parking citation. Late payment penalties for specific Fullerton Municipal Code and Vehicle Code violations are set forth in the Fine Schedule. If the City assigns an unpaid citation amount for special collection processing and/or assigns the unpaid amount to an outside collection agency or independent third party collector, the amount due shall be increased by the amount of the fee that is charged to the City for such assignment.
3. Subsequent Violations. At the discretion of the issuing officer, subsequent violations of the same section of the California Vehicle Code or the Fullerton Municipal Code may be subject to the following penalties:
 - a. Second violation within one (1) year of first violation – double the total penalty amount specified in Exhibit A.

- b. Third and subsequent violations within two (2) years of first violation – triple the total penalty specified in Exhibit A.
- 4. Penalty for Non-Sufficient Funds. A penalty of thirty-five dollars (\$35.00) shall be levied against any returned check, credit card, debit card, or other electronic payment for non-sufficient funds (NSF).
- 5. Conflicts. If there are any conflicts between the fines and penalties adopted in this Resolution and the fines and penalties adopted in any prior resolution or schedule, the fines and penalties adopted by this Resolution shall control.
- 6. Effective Date. This Resolution shall become effective immediately.
- 7. Certification. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED BY THE FULLERTON CITY COUNCIL ON MAY 19, 2020.

Jennifer Fitzgerald, Mayor

Lucinda Williams, City Clerk

SCHEDULE OF CIVIL PENALTIES FOR PARKING VIOLATIONS AND FOR LATE PAYMENTS

Fullerton Municipal Code Violations			
Code Section	Description	Total Penalty*	Late Penalty
8.08.090	90 Day Experiment Violation	\$54.00	\$27.00
8.30.050(A)	One-Hour Commercial	\$75.00	\$38.00
8.30.050(B)	Commercial Vehicle Parked in Residential Zone	\$75.00	\$38.00
8.30.050(C)	Trailer or Semi-Trailer Parked Unattached	\$75.00	\$38.00
8.44.020	Stopped/Parked on Parkway	\$54.00	\$27.00
8.44.030(A)	Display Vehicle for Sale	\$54.00	\$27.00
8.44.030(B)	Servicing or Non-Emergency Repairs	\$54.00	\$27.00
8.44.040(B)	Parked Out of Marked Space/Street	\$54.00	\$27.00
8.44.070	Loading/Unloading Downtown Harbor Blvd.	\$75.00	\$38.00
8.44.080	Overnight Parking (2am to 5am)	\$39.00	\$20.00
8.44.085	Over 80" Wide Overnight Parking (2am to 5am)	\$39.00	\$20.00
8.44.090	Parked on Grade +3%	\$54.00	\$27.00
8.44.120(A)	Red Curb	\$54.00	\$27.00
8.44.120(B)	Yellow Curb	\$42.00	\$21.00
8.44.120(C)	White Curb	\$42.00	\$21.00
8.44.120(D)	Green Curb	\$42.00	\$21.00
8.44.120(E)	Blue Curb	\$317.00	\$159.00
8.44.140	Parked in Posted Alley	\$54.00	\$27.00
8.44.150(E)	Stopped/Standing in Bus Zone	\$54.00	\$27.00
8.44.160(A)	Stopped or Standing when Posted	\$54.00	\$27.00
8.44.160(B)	Park or Leave Standing when Posted Loading or Unloading	\$42.00	\$21.00
8.44.160(C)	Park or Leave Standing when Posted Time Zones	\$42.00	\$21.00
8.44.180(A)	72 Hour Parking Violation	\$125.00	\$63.00
8.44.190(B)	Stop, Stand or Park on Narrow Street when Posted	\$54.00	\$27.00
8.44.200(D)	Unattended Taxi in Posted Taxi Zone or Curb	\$54.00	\$27.00
8.44.200(E)	Stop or Stand in Taxi Zone (Not a Taxi)	\$54.00	\$27.00
8.44.210(A)	3 Hour Time Limit Commercial Vehicle	\$75.00	\$38.00
8.44.220(A)	Street Sweeping w/Sign Posted	\$42.00	\$21.00
8.44.230(A)(1)	Permit Parking	\$49.00	\$25.00
8.48.030	Park out of Marked Space-Public Parking Facility	\$42.00	\$21.00
8.48.040	Park on Private Property without Owner's Consent	\$49.00	\$25.00
8.48.060	Fail to Pay Parking Facility Fee	\$54.00	\$27.00
8.70.030(C)	Vending Truck within 50' of Intersection or within 200' of Park or Playgrou	\$75.00	\$38.00
8.70.030(D)	Vending Truck Blocking Driveway or Parked Blocking Highway	\$75.00	\$38.00

California Vehicle Code Violations			
Code Section	Description	Total Penalty*	Late Penalty
4000(a)(1)	Expired Registration**	\$100.00	\$50.00
4464	Displaying License Plate Altered from Its Original Markings**	\$76.00	\$38.00
5200(a)	No Front or Rear License Plate Displayed**	\$76.00	\$38.00

Code Section	Description	Total Penalty*	Late Penalty
5201(a)	Obstructed License Plate, Not Horizontal, Not Mounted to Code**	\$76.00	\$38.00
5204(a)	Current Tabs Required**	\$76.00	\$38.00
21113(a)	Drive or Park on Public Grounds	\$42.00	\$21.00
21211(b)	Park/Stand on Bicycle Path/Trail/Bikeway	\$39.00	\$20.00
22500(a)	Parked within an Intersection	\$42.00	\$21.00
22500(b)	Parked on a Crosswalk	\$42.00	\$21.00
22500(d)	Parked within 15 Feet of Driveway Entrance to Fire Station	\$42.00	\$21.00
22500(e)(1)	Parked in Front of Public or Private Driveway	\$42.00	\$21.00
22500(f)	Parked on a Sidewalk/Portion of Vehicle Over Sidewalk	\$42.00	\$21.00
22500(g)	Parked Along or Opposite a Street Excavation	\$42.00	\$21.00
22500(h)	Parked on Side of Roadway/Curb/Edge of Highway	\$42.00	\$21.00
22500(i)	Parked at Red Curb or Curb Space for Loading/Unloading Bus	\$42.00	\$21.00
22500(k)	Parked on a Bridge	\$42.00	\$21.00
22500(l)	Parked/Blocking Wheelchair Access to Sidewalk	\$317.00	\$159.00
22500(m)	Parked on Highway Designated for Buses	\$42.00	\$21.00
22500.1	Parked in Designated Fire Lane	\$74.00	\$37.00
22502(a)	Parked Over 18" from the Curb	\$42.00	\$21.00
22507.8(a)	Parked in Disabled Parking Space (No Placard)***	\$317.00	\$159.00
22507.8(b)	Blocking Disabled Parking Space	\$317.00	\$159.00
22507.8(c)(1)	Parked on or Across Disabled Parking Blue Line	\$317.00	\$159.00
22507.8(c)(2)	Parked on Disabled Parking Crosshatch	\$317.00	\$159.00
22514	Parked within 15' of Fire Hydrant	\$54.00	\$27.00
22521	Parked within 7.5' of Railroad Track	\$75.00	\$38.00
22522	Parked within 3' of Disabled Access Ramp w/Red Curb or Posted	\$317.00	\$159.00

Penalties for Unlisted Violations		
Description	Total Penalty*	Late Penalty
Violation of Any Other Law Regulating the Parking or Standing of Vehicles for Which a Penalty Amount is Not Otherwise Listed Herein	\$54.00	\$27.00

*Amount includes \$12.50 mandatory California state fee.

**Penalty reduced to \$10.00 upon proof of correction in accordance with the California Vehicle Code.

***Citation may be cancelled with proof of valid placard and payment of \$25.00 administrative fee per California Vehicle Code § 40226.

Subsequent violations of the provisions set forth herein may be subject to the following penalties:

Second violation within one (1) year of first violation - double the Total Penalty amount.

Third and subsequent violations within two (2) years of first violation - triple the Total Penalty amount.

NSF Penalty: \$35.00