



RESOLUTION No. 11-520

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING RESOLUTION 95-96 PERTAINING TO PARKING AND PARKING-RELATED EQUIPMENT AND REGISTRATION VIOLATION PENALTIES AND ADMINISTRATIVE FEES

WHEREAS, the Nevada County Board of Supervisors did adopt Resolution 95-96 on March 21, 1995 which amended Resolution 94-53 adopted on February 15, 1994, whereby a Schedule of Penalties for parking and parking-related equipment and registration violations was adopted as Exhibit "A" and administrative charges were established, and

WHEREAS, certain changes to the existing Exhibit "A" Schedule of Penalties and specified administrative fees are required to meet the requirements of applicable statutes, policies of the California Judicial Council, to provide consistency between penalties and to update the administrative fees to reflect current costs, and

WHEREAS, administrative charges need to be increased to meet current costs as reflected in the 2011 Cost Study, attached as Exhibit "B", and

WHEREAS, the administrative fee amounts have been rounded to meet the requirements for inclusion into the California Department of Motor Vehicles database that penalties and fees be specified in whole dollar amounts, and

WHEREAS, the mandated Base Penalty Amount may be changed by the State of California as the pertinent laws change, and

WHEREAS, the Nevada County Collections Division has conducted a cost study to determine the actual administrative costs for processing parking and parking-related equipment and registration violations and for enforcing and processing late payments associated with those citations, a copy of which is attached to this Resolution as Exhibit B; and,

WHEREAS, a duly noticed public hearing concerning the proposed fee increases was held on November 8, 2011, at which time verbal and written evidence regarding the proposed fee increase was received and considered; and,

WHEREAS, copies of the data and cost study on which the proposed fee increases are based were made available for public review at least 14 days before said public hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors, of the County of Nevada, State of California, that

1. The administrative fee to be collected for the processing of all parking and parking-related equipment and registration citations be increased from \$7 per citation to \$12 per citation based on the actual costs of processing each citation.
2. On all parking and parking-related equipment and registration violation penalties not paid in full within ten (10) days after mailing of the notice of delinquent violation, the additional administrative fee of \$6 per citation shall be increased to \$35.00 per citation based on the actual costs of enforcing and processing late payments. Said additional administrative fee shall be added to the Base Penalty Amounts established by the State of California for all parking and parking-related equipment and registration citations.
3. Exhibit "A", Schedule of Penalties is hereby replaced by Exhibit "A" Schedule of Penalties effective December 1, 2011. Exhibit "A" may be updated by the Director of Collections as necessary to reflect the State's adjustments to the State-mandated amounts over and above the base penalties established in Resolution 94-53.

BE IT FURTHER RESOLVED that any provisions of Resolution 95-96 inconsistent herewith are amended and superseded by this Resolution as of December 1, 2011.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 8th day of November, 2011, by the following vote of said Board:

Ayes: Supervisors Nathan Beason, Edward Scofield, Terry Lamphier, Hank Weston, and Ted S. Owens.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

By: Donna Landi
Donna Landi, Acting Clerk of the Board

Edward C. Scofield
Edward C. Scofield, Chair

Amended Schedule "A"
Nevada County
Parking , Equipment, Registration Violation
Penalty Schedule
Effective November 1, 2012

| Code Section | Description of Citation | Amount Due including Admin Fee | Base Penalty Amount | Notes (See next page) |
|--------------------------------------|---|--------------------------------|---------------------|-----------------------|
| 731 S&H | Vending on State Property | \$ 38.00 | \$ 26.00 | (1, 2) |
| 4000(a) - 4454 CVC | Registration on parked vehicle | \$ 62.00 | \$ 50.00 | (3) |
| | with proof of correction | \$ 22.00 | \$ 10.00 | (3) |
| 5200/5201 CVC | License plates missing or improperly placed | \$ 37.00 | \$ 25.00 | (3) |
| | with proof of correction | \$ 22.00 | \$ 10.00 | (3) |
| 5204 CVC | Display of registration tabs | \$ 37.00 | \$ 25.00 | (3) |
| | with proof of correction | \$ 22.00 | \$ 10.00 | (3) |
| 21113 (a) CVC | Public Grounds parking violation | \$ 38.00 | \$ 26.00 | (1) |
| 21458 (a-d) CVC | Violation of painted curb zone | \$ 38.00 | \$ 26.00 | (1, 2,) |
| 21461 CVC | Traffic sign or signal posted NO PARKING | \$ 53.00 | \$ 41.00 | (1) |
| 22500(a-h, j, k) CVC | Improper parking prohibited | \$ 38.00 | \$ 26.00 | (1) |
| 22500 (i) CVC | Improper parking in Bus Zone | \$ 268.00 | \$ 256.00 | (1) |
| 22500 (l) CVC | Improper parking in Wheelchair Access | \$ 268.00 | \$ 256.00 | (1) |
| 22500.1 CVC | Improper parking in a Fire Lane | \$ 38.00 | \$ 26.00 | (1) |
| 22502 (a-e) CVC | Restricted Parallel Parking/One-way Parking | \$ 38.00 | \$ 26.00 | (1) |
| 22504 (a) CVC | Unincorporated area parking | \$ 38.00 | \$ 26.00 | (1) |
| 22505 (b) CVC | State Highway Parking | \$ 38.00 | \$ 26.00 | (1) |
| 22507.8 (a, b) CVC | Straddling Parking Lines/Handicapped Space | \$ 293.00 | \$ 281.00 | (1, 4) |
| 22507.8 (c) (1-2) CVC | Parking in space for handicapped | \$ 293.00 | \$ 281.00 | (1, 4) |
| 22509 CVC | Wheel Cramp | \$ 38.00 | \$ 26.00 | (1, 2) |
| 22510 CVC | Parking in snow areas | \$ 38.00 | \$ 26.00 | (1) |
| 22513 CVC | Tow cars - parking on freeway | \$ 38.00 | \$ 26.00 | (1) |
| 22514 CVC | Fire hydrants | \$ 38.00 | \$ 26.00 | (1) |
| 22515 (a, b) CVC | Unattended vehicle | \$ 38.00 | \$ 26.00 | (1) |
| 22516 CVC | Parked vehicle locked with occupant | \$ 53.00 | \$ 41.00 | (1) |
| 22517 CVC | Open driver door unsafely | \$ 53.00 | \$ 41.00 | (1) |
| 22518 CVC | Park and ride lot restrictions | \$ 38.00 | \$ 26.00 | (1) |
| 22519 CVC | Permit, overtime, out of space parking | \$ 38.00 | \$ 26.00 | (1, 2) |
| 22520 CVC | Stopping on freeway | \$ 38.00 | \$ 26.00 | (1) |
| 22521 CVC | Illegal to park on railroad tracks | \$ 38.00 | \$ 26.00 | (1) |
| 22522 CVC | Parking near sidewalk access ramp | \$ 293.00 | \$ 281.00 | (1) |
| 22523 (a, b) CVC | Abandonment prohibited | \$ 118.00 | \$ 106.00 | (1) |
| 22526 (a, b) CVC | Blocking intersection | \$ 68.00 | \$ 56.00 | (1) |
| 22651 (k) CVC | Use of street for storage | \$ 38.00 | \$ 26.00 | (1, 2) |
| 22951 CVC | Street and alley parking | \$ 38.00 | \$ 26.00 | (1) |
| 23333 CVC | Parking on a bridge | \$ 38.00 | \$ 26.00 | (1) |
| Title 14 CCR 4358 | Parking during prohibited or restricted hours | \$ 38.00 | \$ 26.00 | (1, 2) |
| Title 14 CCR 4355 | Parked out of designated areas | \$ 38.00 | \$ 26.00 | (1, 2) |
| 1182 NCO | No Parking at anytime | \$ 38.00 | \$ 26.00 | (1) |
| 5091.15 PRC | Non-Permitted Sno-park parking | \$ 94.50 | \$ 82.50 | (1, 5) |
| All other parking violations | | \$ 38.00 | \$ 26.00 | (1) |
| 40225 CVC | Equipment violations | \$ 37.00 | \$ 25.00 | (3) |
| | with proof of correction | \$ 22.00 | \$ 10.00 | (3) |
| CVC = California Vehicle Code | | S&H = Street and Highway Code | | |
| CCR = California Code of Regulations | | NCO = Nevada County Ordinance | | |
| PRC = Public Resources Code | | PC = Penal Code | | |

| Exhibit "A" continued | | | |
|--|--|--|--|
| Nevada County | | | |
| Parking , Equipment, Registration Violation | | | |
| Penalty Schedule | | | |
| Effective December 1, 2011 | | | |
| Notes: | | | |
| 1. Parking violation base fines include surcharges pursuant to Government Codes 76000, 76000.3)(a), 70372(b) | | | |
| 2. Penalty not established in the Judicial Council Uniform Penalty Schedule | | | |
| 3. Eligible for correction | | | |
| A. The civil penalty for each CVC 5204 (registration) or CVC 5200 (license plate) or CVC 4000 (tabs) violation shall be the bail and penalty schedule as adopted by the Judicial Council, except that upon proof of correction to the processing agency the penalty shall be reduced to \$10.00 [CVC 40225(c)] | | | |
| B. The civil penalty for each equipment infraction is the amount established for the violation in the uniform bail and penalty schedule as adopted by the Judicial Council, except that upon proof of correction to the processing agency, the penalty shall be reduced to \$10.00 [CVC 40225(c)] | | | |
| 4. Per PC 1465.6, an additional assessment of 10% of fine is levied on violations of VC 22507.8 and VC 22522. The base penalty for both violations is \$250.00 | | | |
| 5. State Parks increased the total due on Sno-Park Citations to \$94.50 as of September 2011 due to the changes in Government Code 76000. Sno-Park signage has been changed to reflect the increase. | | | |
| | | | |
| | | | |
| On all parking violation penalties not paid in full within ten (10) days after mailing of the notice of delinquent parking violation, a late payment charge shall be imposed in the amount of one hundred percent (100%) of the penalty prescribed in Exhibit "A" per Resolution No. 94-53, plus an additional administrative fee in the amount of \$35.00 will be added as per Resolution 11-520. | | | |
| | | | |
| Per Resolution 11-520 passed and adopted by the Nevada County Board of Supervisors on November 8, 2011, Exhibit A may be updated by the Director of Collections as necessary to reflect the State's adjustments to the State-mandated amounts over and above the base penalties established in Resolution 94-53. | | | |
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Amended Schedule "A"
Nevada County
Parking , Equipment, Registration Violation
Penalty Schedule
Effective December 1, 2011

| Code Section | Description of Citation | Amount Due including Admin Fee | Base Penalty Amount | Notes (See next page) |
|------------------------------|---|--------------------------------|---------------------|-----------------------|
| 731 S&H | Vending on State Property | \$ 38.00 | \$ 26.00 | (2, 6,) |
| 4000(a) - 4454 CVC | Registration on parked vehicle | \$ 62.00 | \$ 50.00 | |
| 5200/5201 CVC | License plates missing or improperly placed | \$ 37.00 | \$ 25.00 | |
| 5204 CVC | Display of registration tabs | \$ 37.00 | \$ 25.00 | (3) |
| | with proof of correction | \$ 22.00 | \$ 10.00 | (3) |
| 21113 (a) CVC | Public Grounds parking violation | \$ 38.00 | \$ 26.00 | (6) |
| 21458 (a-d) CVC | Violation of painted curb zone | \$ 38.00 | \$ 26.00 | (2, 6) |
| 21461 CVC | Traffic sign or signal posted NO PARKING | \$ 53.00 | \$ 41.00 | (6) |
| 22500(a-h, j, k) CVC | Improper parking prohibited | \$ 38.00 | \$ 26.00 | (6) |
| 22500 (i) CVC | Improper parking in Bus Zone | \$ 268.00 | \$ 256.00 | (6) |
| 22500 (l) CVC | Improper parking in Wheelchair Access | \$ 268.00 | \$ 256.00 | (6) |
| 22500.1 CVC | Improper parking in a Fire Lane | \$ 38.00 | \$ 26.00 | (6) |
| 22502 (a-e) CVC | Restricted Parallel Parking/One-way Parking | \$ 38.00 | \$ 26.00 | (6) |
| 22504 (a) CVC | Unincorporated area parking | \$ 38.00 | \$ 26.00 | (6) |
| 22505 (b) CVC | State Highway Parking | \$ 38.00 | \$ 26.00 | (6) |
| 22507.8 (a, b) CVC | Straddling Parking Lines/Handicapped Space | \$ 293.00 | \$ 281.00 | (4, 6) |
| 22507.8 (c) (1-2) CVC | Parking in space for handicapped | \$ 293.00 | \$ 281.00 | (4, 6) |
| 22509 CVC | Wheel Cramp | \$ 38.00 | \$ 26.00 | (2, 6) |
| 22510 CVC | Parking in snow areas | \$ 38.00 | \$ 26.00 | (6) |
| 22513 CVC | Tow cars - parking on freeway | \$ 38.00 | \$ 26.00 | (6) |
| 22514 CVC | Fire hydrants | \$ 38.00 | \$ 26.00 | (6) |
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| 22517 CVC | Open driver door unsafely | \$ 53.00 | \$ 41.00 | (6) |
| 22518 CVC | Park and ride lot restrictions | \$ 38.00 | \$ 26.00 | (6) |
| 22519 CVC | Permit, overtime, out of space parking | \$ 38.00 | \$ 26.00 | (2, 6) |
| 22520 CVC | Stopping on freeway | \$ 38.00 | \$ 26.00 | (6) |
| 22521 CVC | Illegal to park on railroad tracks | \$ 38.00 | \$ 26.00 | (6) |
| 22522 CVC | Parking near sidewalk access ramp | \$ 293.00 | \$ 281.00 | (6) |
| 22523 (a, b) CVC | Abandonment prohibited | \$ 118.00 | \$ 106.00 | (6) |
| 22526 (a, b) CVC | Blocking intersection | \$ 68.00 | \$ 56.00 | (6) |
| 22651 (k) CVC | Use of street for storage | \$ 38.00 | \$ 26.00 | (2, 6) |
| 22951 CVC | Street and alley parking | \$ 38.00 | \$ 26.00 | (6) |
| 23333 CVC | Parking on a bridge | \$ 38.00 | \$ 26.00 | (6) |
| Title 14 CCR 4358 | Parking during prohibited or restricted hours | \$ 38.00 | \$ 26.00 | (2, 6) |
| Title 14 CCR 4355 | Parked out of designated areas | \$ 38.00 | \$ 26.00 | (2, 6) |
| 1182 NCO | No Parking at anytime | \$ 38.00 | \$ 26.00 | (6) |
| 5091.15 PRC | Non-Permitted Sno-park parking | \$ 87.00 | \$ 75.00 | |
| All other parking violations | | \$ 38.00 | \$ 26.00 | (6) |
| Equipment violations | | \$ 37.00 | \$ 25.00 | (3) |
| | with proof of correction | \$ 22.00 | \$ 10.00 | (3) |

CVC = California Vehicle Code
CCR = California Code of Regulations
PRC = Public Resources Code

S&H = Street and Highway Code
NCO = Nevada County Ordinance
PC = Penal Code

Exhibit "A" continued
Nevada County
Parking , Equipment, Registration Violation
Penalty Schedule
Effective December 1, 2011

Notes:

1. Parking violation base fines include the \$5.00 surcharge pursuant to Government Code 76000
2. Penalty not established in the Judicial Council Uniform Penalty Schedule
3. Eligible for correction
 - A. The civil penalty for each CVC 5204 registration violation shall be the amount established in the uniform bail and penalty schedule as adopted by the Judicial Council, except that upon proof of correction to the processing agency, the penalty shall be reduced to \$10.00 [CVC 40225(c)]
 - B. The civil penalty for each equipment infraction is the amount established for the violation in the uniform bail and penalty schedule as adopted by the Judicial Council, except that upon proof of correction to the processing agency, the penalty shall be reduced to \$10.00 [CVC 40225(c)]
4. Per PC 1465.6, an additional assessment of 10% of fine is levied on violations of VC 22507.8 and VC 22522.
The base penalty for both violations is \$250.00
5. Per Senate Bill 1407/Government Code Section 70372(b), the additional \$3.00 charge has been added to these parking violations, effective 1/1/09. The additional charge is to be distributed to the State Court Facilities Construction Fund - Immediate and Critical Needs Account.
6. New \$3.00 surcharge added to parking fines effective 12/7/10 as per Government Code 76000.3(a)
7. On all parking violation penalties not paid in full within ten (10) days after mailing of the notice of delinquent parking violation, a late payment charge shall be imposed in the amount of one hundred percent (100%) of the penalty prescribed in Exhibit "A" per Resolution No. 94-53, plus an additional administrative fee in the amount of \$35.00 will be added.

Cost Analysis to Increase Parking Citation Admin fee & late fee

9/1/2011

Pursuant to Vehicle Code 40203.5, the Collections Officer may collect administrative fees in addition to the established penalty set forth in order to recover the cost of processing parking citations and parking violation penalties.

Resolution 94-53 dated 2/15/1994 established an administrative fee of \$6.70 for the processing of parking citations with an additional \$6.50 administrative fee if the parking violation and administrative fee are not paid within 10 days of mailing of the notice of delinquent parking violation.

Resolution 95-96 dated 3/21/95 increased the administrative fee to \$7.00 and added an additional \$6.00 fee for parking violations not paid in full within 10 days of mailing of the notice of delinquent parking violation.

Additional penalty increases have been adopted as mandated by law.

PROPOSAL - INCREASE ADMIN FEE Increase processing fee from \$7 to \$12

Accounting Technician: Direct cost 2010-2011 budget (will increase annually by bargaining unit COLA)

| | | | | |
|---------------------|--|--|---------------|--|
| Salary | 49,049 | | | |
| Retirement benefits | 17,032 | | | |
| Retiree Health | 3,090 | | | |
| Group Insurance | 7,552 | | 76,723 | |
| Workers Comp | | | <u>567</u> | |
| | | | <u>77,290</u> | |
| | Total annual cost | | | |
| | Divided by productive work hours/yr | | 1,822 | |
| | Cost per hour based on productive hours | | \$ 42.42 | |
| | Based on total hours/yr @ 2080 | | \$ 37.16 | |

HOURS OTHER COST TOTAL
0.13

Opening Accounts

- 1 Read citation to verify what is to be paid.
- 2 Create Payor # (enter person info)
- 3 Create Account

4 Calculate total costs with and without late charges, add to system

Correspondence approx 4 minutes 0.07

- 1 Run daily batch to create initial letter for new accounts.
- 2 Complete fillable Affidavit of non-liability form to include with letter.
- 3 Fold, insert, mail
- 4 Postage for initial letter 0.44

File paperwork by Citation number (< 2 minutes) 0.05

Process payments approx 4-5 minutes 0.08

- Take payment at window or through mail, post to acct, deposit to Treasurer (.08 or longer if customer has questions)

Deposit part of large process, no charge per account

| | | |
|-----------------------------|----------|---------------|
| Hours per case | 0.33 | |
| Times Cost @ productive hrs | \$ 42.42 | |
| Cost @ productive hr | \$ 14.00 | 0.44 \$ 14.44 |
| Cost @ total hrs | \$ 12.26 | 0.44 \$ 12.70 |

Other costs not broken out per citation

- Paper & envelopes for mailing
- General overhead - printer, phones, space cost, DMV lines, etc
- Contested citations - reviews and hearings

PROPOSAL: ADDITIONAL FEE FOR LATE PAYMENT -based on late accounts being actively worked 1 year

Increase late fee from \$6 to \$35

| | Avg Labor (hrs) | Other Cost | Other \$ | Total |
|--|--|-----------------------------------|-------------|----------------|
| Adjust account - add delinquency fees | 0.034 | | | |
| Locate/ssn/phone # searches - labor cost and Accurint/DMV search | 0.17 | Accurint fee | 0.50 | |
| Run DMV, place hold on registrations | 0.085 | | | |
| Collection calls to delinquent payor, return calls re: contesting ticket, Admin hearings, payment questions, wrong phone etc | 0.25 | | | |
| Autodialer calls, 24 over 12 mo | Setup | \$.05 per min | 1.20 | |
| Late payment letters - series of 3 | Run batches | Postage .44 per letter | 1.32 | |
| Monthly invoices - 12 mo | Run batches to send to mailing service | .34 per invoice (mailing service) | 4.08 | |
| Miscellaneous - process return mail, process write off of unpaid accounts, etc. | 0.17 | | | |
| Overhead & operating costs: | | | <u>4.15</u> | |
| | Total hrs | | | |
| | 0.709 | | | |
| | | Productive hr cost \$42.42 | 11.25 | \$41.33 |
| | | Total hrs Cost \$37.16 | 11.25 | \$37.60 |

Annual budgeted cost for:

| | |
|------------------------|----------|
| DMV lines | 120.00 |
| Audit costs | 314.00 |
| Phone line connections | 775.00 |
| Phone service | 190.00 |
| Network Connections | 4,608.00 |
| Auto Dialer | 1,200.00 |
| Mail Courier | 1,935.00 |

| | |
|--|-----------------|
| Mail Distribution | 493.00 |
| Office Supplies | 500.00 |
| Copier | 1,200.00 |
| Liability Insurance | 573.00 |
| Memberships, training | 3,965.00 |
| Administrative Hearings | 400.00 |
| Maintenance | 100.00 |
| County Cost Allocation (space, etc) | <u>4,367.00</u> |
| | 20,740.00 |

Total

5,000.00 Total accounts worked per year

4.15 Cost per account = total cost per year /total avg active accounts

Late charge -study of other areas

| | |
|-------------|--|
| Santa Clara | \$45 |
| Del Norte | \$25 |
| Plumas | \$50 |
| State Parks | Citation triples (\$50 citation becomes \$150) |