

ORDINANCE NO. 94-10

**AN ORDINANCE OF THE RIDGECREST CITY COUNCIL
AMENDING THE RIDGECREST MUNICIPAL CODE BY
ESTABLISHING CIVIL PENALTIES FOR PARKING
VIOLATIONS**

BE IT ORDAINED BY THE RIDGECREST CITY COUNCIL as follows:

Section 1. Purpose

This ordinance amends the Municipal Code by establishing civil penalties for parking violations.

Section 2. Amendment

Division 18 is hereby added to Article 1, Chapter IV (commencing with Section 4-1.1801) of the Ridgcrest Municipal Code to read as follows:

"DIVISION 18

Section 4-1.1801 Purpose and Scope

Pursuant to Vehicle Code Section 40200(a), all local or state laws shall treat parking violations as a civil violation. Under Vehicle Code Section 40215(b), the processing agency shall establish a written procedure for administrative review to be conducted where a violator has requested an appeal of the issuance of a parking violation. This division implements these provisions of the Vehicle Code.

Section 4-1.1802 Administrative Review Procedures

(a) Parking violations are deemed to be a civil violation subject to a penalty pursuant to Vehicle Code Section 40200(a). A schedule of parking violation fines shall be adopted from time-to-time by the City Council by resolution.

(b) The Police Department shall be responsible for administrative reviews with respect to parking citations. The Department, under the direction of the City Administrator, shall adopt specific administrative rules.

(c) The Administrative review shall include at least the following process:

(1) *Initial Review.* A violator shall have a right to contest a notice of parking violation or a notice of delinquent parking violation. The Department shall conduct an initial investigation to determine whether the violation occurred or that the registered owner was not responsible for the violation.

(2) *Administrative Review Process.* If the Department determines a violation occurred or the registered owner was responsible for the violation, the person cited may request administrative review.

(3) *Form of Review.* The person requesting the administrative review shall indicate whether the appeal is to be conducted by mail or personal conference.

(4) *Hearing Officer.* The City Administrator shall appoint a hearing officer with appropriate qualifications, training and objectivity to conduct an impartial Hearing.

(5) *Required Evidence.* The City shall not be required to produce any evidence other than the notice of parking violation or copy thereof together with information received from the Department of Motor Vehicles identifying the registered owner of the Vehicle."

Section 3. Other

Except as provided herein, the Ridgecrest Municipal Code is hereby reaffirmed and readopted.

APPROVED AND ADOPTED THIS 3rd day of August, 1994, by the following vote:

Ayes: Mayor Corlett, Council Members Auld, Bitney, Bryan, and Parode.

Noes: None.

Abstain: None.

Absent: None.



Kevin S. Corlett, Mayor

ATTEST:



Pamela Bartlett, City Clerk