

South Portland City Council
Position Paper of the City Manager

Subject:

ORDINANCE #14-12/13 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding penalties and special procedures for parking tickets. Passed first reading on 4/17/13. ROLL CALL VOTE. Passage requires majority vote.

Position:

The City Council requested staff to review the penalties for violation relating to truck parking following its passage of no truck parking on Pleasant Avenue at the March 4, 2013 meeting.

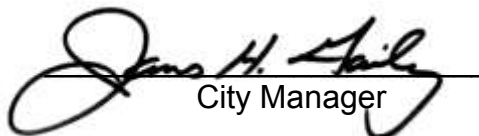
Currently, if a person is adjudicated in court to be in violation, the fine is not more than \$300 and not less than \$50. The violator may elect to waive his/her right to a court appearance by paying a parking ticket waiver fee. This would currently fall under the “Other” category and would be \$15.00.

In order to prevent the waiver fee from being less than the minimum fine, Chief Googins is recommending a No Truck Parking category be added with a waiver fee of \$50.

This ordinance amendment passed first reading on April 17, 2013 and is in order for second reading and action.

Requested Action:

Council passage of ORDINANCE #14-12/13.


City Manager



CITY OF SOUTH PORTLAND

THOMAS E. BLAKE
Mayor

JAMES H. GAILEY
City Manager

SUSAN M. MOONEY
City Clerk

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

IN CITY COUNCIL

ORDINANCE #14-12/13

THE COUNCIL of the City of South Portland hereby ordains that Chapter 15, "Motor Vehicles and Traffic," of the "Code of Ordinances of the City of South Portland, Maine" be and hereby is amended as follows:

CHAPTER 15
MOTOR VEHICLES AND TRAFFIC
• • •
ARTICLE II. ADMINISTRATION AND ENFORCEMENT
DIVISION 1. GENERALLY

Sec. 15-25. Penalty; special procedures for parking tickets.

(a) Penalties generally. Unless another penalty is expressly provided by state law, every person adjudicated in a court of law to be in violation of any provision of this chapter shall be punished by a fine of not more than three hundred dollars (\$300.00) and not less than one hundred dollars (\$100.00).

(b) Waiver fee for parking tickets. Notwithstanding Sec. 15-25(a) above, for parking violations, a person may elect, in lieu of such penalty, to waive his right to a court appearance by paying the applicable parking ticket waiver fee listed below:

- (1) No parking \$20.00
- (2) One-hour parking 20.00
- (3) Night parking 20.00
- (4) Double parking 20.00
- (5) Fire hydrants 50.00
- (6) Bus stop 15.00
- (7) Fire lanes 50.00
- (8) Handicapped space. . . 100.00
- (9) No truck parking 50.00

District One
MICHAEL R. POCK

District Two
PATRICIA A. SMITH

District Three
MELISSA E. LINSKOTT

District Four
LINDA C. COHEN

District Five
GERARD A. JALBERT

At Large
ALAN R. LIVINGSTON

At Large
THOMAS E. BLAKE

(10) Other15.00

Payment of this waiver fee must be received within 15 calendar days of the date of the violation. If the waiver fee is not received within 15 calendar days of the violation and the registered owner of a motor vehicle that has been issued a Notice of Illegal Parking has not filed an appeal pursuant to Sec. 15-25(c) below within 15 calendar days, the stated waiver fee shall be doubled.

Fiscal Note: Less than \$1,000

Dated: April 17, 2013