



City of Arts & Innovation

Transportation Committee

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TO: TRANSPORTATION COMMITTEE MEMBERS DATE: OCTOBER 8, 2015

FROM: COUNCILMEMBER SOUBIROUS WARDS: ALL

SUBJECT: PROPOSED AMENDMENT TO THE BAIL AMOUNT FOR VIOLATION OF 22500(I) CVC AS STATED IN R-22463 AND CLARIFICATION OF SAID VIOLATION - DIRECT SUBMITTAL

ISSUE:

The issue for City Council consideration is approval of an amendment to the City's current bail amount (fine) for violation of 22500(I) CVC, described as "parked - blocking curb cut access" (sidewalk wheelchair access) from the current fine of \$341.00 to \$41.00, and to clarify what constitutes a violation of 22500(I) CVC.

RECOMMENDATIONS:

That the City Council:

1. Direct City Attorney to prepare a resolution amending Resolution No. 22463 to provide:
 - a. Amendment to reduce the fine for violation of 22500(I) CVC from \$341.00 to \$41.00;
 - b. Clarify what constitutes a violation of 22500(I) CVC;
 - c. Authorize the City Manager, or his designee, to execute the necessary documents or training.

BACKGROUND:

On September 25, 2012, the City Council approved Resolution No. 22375, which was later amended by Resolution No. 22463 on October 16, 2012. Exhibit "A" of Resolution No. 22463 shows the bail amount (fine) for a violation of 22500(I) CVC, described as "parked - blocking curb cut access" set at \$341.00. A review of this bail amount being excessive is requested. This type of violation is for blocking an unpainted and otherwise completely unmarked (no signage) wheelchair ramp that exists along a sidewalk, similar to those installed at street corners. Recently, the City began installing wheelchair access ramps along sidewalks at "T" shaped intersections. The City has received complaints that a driver, when pulling up to a curb, especially at night, does not easily see these ramps. Currently, the fine amount for blocking these sidewalk wheelchair ramps is the same as parking in a clearly marked and delineated (signs and blue painted lines) handicapped parking stall. Parking in one of these stalls when not authorized is usually by choice and is therefore more of an intent type (crime) versus unknowingly parking in front of one of these

sidewalk ramps. As such, the fine should be reduced to a lesser amount, as it is a completely different parking violation. Public Works has opined that placing warning signs and painting curbs adjacent to these ramps would incur a significant cost to the City, and would require additional maintenance (repair/replacement of signs and repainting of curbs). If Council elects to keep the bail amount the same, then Public Works should be directed to install signs and paint curbs at these handicapped access cut-outs.

Additionally, there are no specific guidelines regarding the enforcement parameters associated with these mid-block ramps. There is no definitive location along the curb line that would trigger a citation being issued. Obviously, blocking the "bottom" portion of the ramp where the ramp meets the pavement would be a clear violation, but what if parked along the portion where the curb line tapers downward toward the roadway surface? What portion of the curb line associated with the ramp is prohibited? Without clear direction, enforcement officers are left on their own to determine what constitutes a violation of this section. It is suggested Parking Enforcement Services develop a specific guideline as to what exactly constitutes a violation of this section.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by:



Councilmember Mike Soubirous, Ward 3

Attachments: Photos of subject curbs