



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 15, 2015
FROM: PUBLIC WORKS DEPARTMENT WARDS: ALL
SUBJECT: PROPOSED AMENDMENT TO THE BAIL SCHEDULE FOR PARKING VIOLATIONS – RESOLUTION

ISSUES:

The issues for City Council consideration are to adopt a Resolution to amend the Bail Schedule for parking violations to reduce the fine amount from \$341 to \$41 for the violation of California Vehicle Code (CVC) 22500(l) regulating parking in front of the cut down curb ramps designed for wheelchair access and to receive a report on enforcement and maintenance of the curb ramps.

RECOMMENDATIONS:

That the City Council:

1. Adopt the attached resolution to amend the Bail Schedule for parking violations reducing the violation of CVC 22500(l) from \$341 to \$41; and
2. Receive and file the information regarding costs to maintain curb ramps should they be painted red and what constitutes a violation of CVC 22500(l).

COMMITTEE RECOMMENDATIONS:

On October 8, 2015, the Transportation Committee (Chair Davis, Vice-Chair Mac Arthur and Soubrious present) unanimously recommended that the City Attorney provide an amendment to reduce the fine for violation of CVC 22500(l) from \$341 to \$41; clarify what constitutes a violation of CVC 22500(l); authorize the City Manager, or his designee, to execute the necessary documents or training; and provide information on the cost associated with possibly painting the locations red.

BACKGROUND:

On September 25, 2012, the City Council approved Resolution No. 22463 to amend the Bail Schedule to add CVC violations which included CVC 22500(l) described as Parked Blocking Sidewalk Wheelchair Access in the amount of \$341.

This violation fine was added into the Bail Schedule to allow for enforcement of vehicles blocking any curb access ramps. Recently, additional curb ramps have been installed at T-intersections to comply with Title II of the Americans with Disabilities Act (ADA). These additional T-intersections as well as corner ramps are all fined at the current bail amount of \$341. The cut

down curb ramps offer a safe and convenient method of travel allowing people with mobility impairments to gain access to the sidewalks. Curb ramps are to remain clear of obstructions and should not be blocked in any manner by vehicles. Per CVC 22500(l), a vehicle may not be stopped, parked or left standing at a cut down curb ramp constructed to provide wheelchair accessibility to the sidewalk.

Two types of sidewalk curb ramps are being installed, one is a curb ramp that has flared sides and the other has vertical edges called returned curbs. Since 2012, Public Works has installed 196 sidewalk wheelchair accessible ramps at T-intersections and it is estimated that an additional 1,426 ramps will be installed throughout the city over time. There currently is no inventory of wheelchair accessible ramps at T-intersections constructed prior to 2012.

Maintenance:

The Transportation Committee requested that the Public Works Department research the possibility of painting the T-intersection curb ramps to increase their visibility. Although, there is no guidance from the California Vehicle Code or traffic manuals that encourage the marking of these sidewalk wheelchair accessible curb ramps. The curb cut, in and of itself is an indication that parking is not allowed.

However, if the City were to consider painting the curb ramps, the initial work of painting five feet of red curb on both sides of the identified 196 T-intersection ramps would require a two-man crew up to two weeks to complete at a cost of \$12,000 to \$15,000. This does not include the curb ramps that haven't been inventoried, which would require staff to conduct a citywide search and record each location for installation of the red curb.

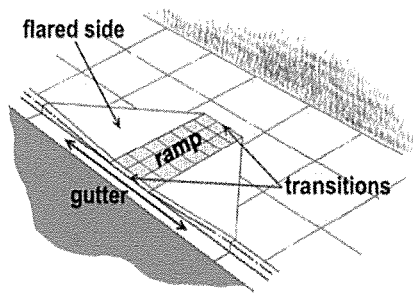
The annual maintenance for the currently documented 196 T-intersection curb ramps would also require a two-man crew and a vehicle approximately two weeks a year to complete. Once all 1,622 curb ramps are installed, the continuing annual maintenance cost would be approximately \$64,000 and take up to 16 weeks for a two-man crew, which is 1/3 of their time.

Without increasing staff size, this additional workload would impact other annual maintenance work such as refreshing crosswalks, legends, striping, and curb painting. To inventory all City streets for curb ramps at T-intersections constructed prior to 2012 would take several months.

Additionally, from a consistency standpoint, it is recommended the T-intersection curb ramps not be painted because the City does not paint any other ADA ramps within the right of way at corners. A lack of consistency may cause confusion and subject the City to unintended liability claims.

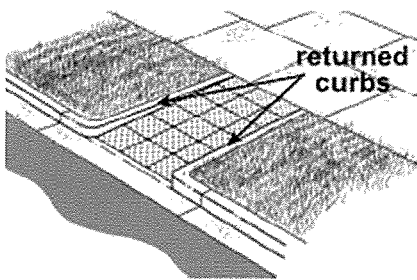
Enforcement:

Violations for CVC 22500(l) described on the Bail Schedule as Parked Blocking Sidewalk Wheelchair Access are enforced by observation. When a vehicle is impeding access to a sidewalk wheelchair curb ramp whether at a corner with a visible crosswalk or a T-intersection with an unmarked crosswalk, a parking violation is issued to the vehicle.



The area cut down for the curb ramp begins at the portion of the curb where the slope of the flared sides descends towards the middle of the ramp where it meets the gutter. A vehicle parked blocking any portion of this area is in violation of CVC 22500(l) as it reads: *In front of or upon that portion of a curb that has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk.* Vehicles parked in this area may be cited.

Parking Control Representatives enforcing many other parking violations are to use discretion when issuing parking citations for this violation. A warning may be issued to a vehicle that is protruding into the portion of the flared sides so long as there is open access for a disabled person to travel on the actual curb ramp.



Curb ramps with returned curbs do not have flared sides and a parking citation is only issued when the actual ramp is blocked. Vehicles may park on the street up to the portion of the curb where the vertical curb begins.

Within the last year, the parking citations issued for CVC 22500(l) include violations at all types of curb ramps including T-intersections and corner ramps. Often, there are violations at locations with a marked crosswalk and the ramp run is marked

with detectable warnings, dome-shaped bumps covering the entire width and depth of the ramp run.

When officers observe a violation at a recently installed curb ramp, it is viewed as an opportunity to educate a member of the public; therefore, a warning is often issued to the vehicle instead of a parking fine.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by: Kris Martinez, Public Works Director
Certified as to
availability of funds: Brent A. Mason, Finance Director/Treasurer
Approved by: Al Zelinka, FAICP, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Concurs with:

A handwritten signature in black ink, appearing to read 'Paul Davis', written over a horizontal line.

PAUL DAVIS, Chair
Transportation Committee

Attachments:

1. Resolution
2. Exhibit A – City of Riverside Bail Schedule