



City of Palo Alto

City Council Staff Report

(ID # 7279)

Report Type: Consent Calendar

Meeting Date: 10/4/2016

Summary Title: Administrative Penalty Schedule Update 2016

Title: Adoption of a Resolution Amending and Restating the Administrative Penalty Schedule and Civil Penalty Schedules for Certain Violations of the Palo Alto Municipal Code and the California Vehicle Code Established by Resolution Number 9554

From: City Manager

Lead Department: City Attorney

Recommendation

Based on input from City departments that exercise code enforcement responsibilities, the City Attorney's Office recommends that the Council adopt the attached resolution amending the administrative penalty schedule to update the penalty amounts for certain violations of the Palo Alto Municipal Code (Attachment A).

Background

California Government Code section 53069.4 allows cities, by ordinance, to make any violation of its ordinances subject to an administrative fine or penalty. In 1999, the City Council adopted an ordinance amending Chapters 1.12 and 1.16 of the Palo Alto Municipal Code ("PAMC") to establish administrative citations, penalties and remedies for Municipal Code violations. At the same time, the City Council enacted a resolution setting the administrative penalty schedule for those violations. Personnel in various City departments, including parking enforcement officers, park rangers, and planning code enforcement officers, use the civil penalty schedule as one tool that may be used to gain compliance with rules.

Approximately once each year the City Attorney's Office coordinates an update to the penalty schedule to reflect Council activity and recommendations from these departments based on their enforcement experience. The amendments generally fall into three categories: (1) establishing penalties for code sections that had not been included in previous penalty schedules; (2) adding penalties for new PAMC sections that were added to the Municipal Code since the penalty schedule was last revised, or deleting penalties for sections no longer in the PAMC; or (3) amending penalty amounts for violations of certain code provisions where departments feel changes would provide better support for their enforcement activities.

The proposed changes to the penalty schedule for 2016 are shown in redline/strikeout in the attached resolution.

Discussion

The recommended administrative penalty schedule remains relatively unchanged for 2016. The sole amendments are alternative penalty structures for violations of Planned Community zoning and Transportation Demand Management conditions. The City Attorney's Office has reviewed these proposed changes with the Planning Department and supports the recommendations.

Currently, violations of the Zoning Code (Title 18 of the PAMC) carry a default penalty of \$500 for the first offence, \$750 for the second offense, and \$1,000 for the third and subsequent offenses, with each day of violation eligible to be treated as a separate offense. Different penalties may apply to specific offenses within Title 18, as noted in the administrative penalty schedule. The Planning Department recommends adoption of an alternative penalty structure for violations of Planned Community zoning and Transportation Demand Management conditions. Under the proposed penalty structure, a penalty would not be applied for the first six months following the issuance of a notice of violation while the department works with the violator to achieve compliance. If the violation remains unabated after six months, however, the department could impose \$2,000 penalty for each day until the property comes into compliance. As with all administrative penalties, the City would retain discretion on whether to apply these penalties depending on the nature of the violation, the responsiveness of the party involved, and the potential for the penalties to spur compliance.

This recommendation is consistent with the Planning Department's Code Enforcement policy of encouraging voluntary compliance. The Planning Code Enforcement team is able to achieve voluntary compliance in most cases, which saves staff resources and allows the team to effectively prioritize the investigations and enforcement activities they undertake.

The six month period recommended in the proposed changes is based on the precedent established by the City Council's agreement regarding the College Terrace Center Planned Community zoning ordinance. The \$2,000 penalty would double the current penalty being assessed to the developer of the Edgewood Plaza Planned Community zoning ordinance.

Resource Impact

Any potential revenue estimate impacts from changes in these penalties, if approved by the City Council, will be evaluated as part of the development annual budgets and mid-year budget reviews.

Policy Implications

These recommendations provide the City's code enforcement officers with a tool they may use to enforce City rules when necessary to promote the safety and welfare of Palo Alto residents and visitors.

Environmental Review

Approval of penalties for violations of the PAMC is not a project subject to review under the California Environmental Quality Act.

Attachments:

- Attachment A: Resolution Updating Admin Penalty Schedule 2016 (PDF)

NOT YET APPROVED

Resolution No. _____

Resolution of the Council of the City of Palo Alto Amending and Restating the Administrative Penalty Schedule and Civil Penalty Schedules for Certain Violations of the Palo Alto Municipal Code and the California Vehicle Code Established by Resolution No. 9554

The Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. Administrative Penalties. The administrative penalty schedule for violations of the Palo Alto Municipal Code established by Resolution No. 9554 is hereby amended and restated to read as follows:

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| Standard penalty unless otherwise indicated below. | \$50 |
| Second violation within 36 month period | 150% of listed penalty (unless otherwise specified) |
| Third & subsequent violations within 36 month period. | 200% of listed penalty (unless otherwise specified) |
| Delinquency penalty. | 10% per month, simple interest, on delinquent amount |
| 4.04.020 License or permit required. | 300 |
| 4.04.100 Display of license or permit. | 300 |
| 4.10.045 License fees for pushcart vendors. | 300 |
| 4.10.050 Regulations for solicitors and peddlers. | 350 |
| 4.10.055 Identification cards for solicitors. | 250 |
| 4.10.057 Regulations for pushcart vendors. | 300 |
| 4.10.070 License required - circus etc. | 300 |
| 4.10.120 Arcade prohibited. | 250 |
| 4.10.200 Pawn brokers prohibited. | 250 |
| 4.10.230 Daily report of second hand dealers. | 250 |
| 4.10.240 Maintaining reports - second hand dealers. | 250 |
| 4.10.260 Failure to make report - second hand dealers. | 250 |
| 4.10.270 Second hand goods held for inspection. | 250 |
| 4.18.040 Unlawful dog or cat kennel. | 250 |
| 4.30.010 Soliciting without a permit. | 250 |
| 4.30.100 Conduct of solicitations. | 250 |
| 4.32.020 Soliciting without a permit. | 250 |
| 4.32.060 Investigation of records of solicitor. | 250 |
| 4.32.090 Acts required during solicitation. | 250 |
| 4.32.100 Restriction of solicitation. | 250 |
| 4.32.110 Hours of solicitation. | 250 |
| 4.34.020 Permit required - closing out sale. | 250 |
| 4.39.030 Audible alarms. | 250 |
| 4.39.040 Limitation on automatic dialing devices. | 250 |
| 4.39.060 Registration of alarm. | 250 |
| 4.39.110 Alarm violations. | 100 |
| 4.42.020 Certificate of public convenience. | 1000 |
| 4.42.085 Controlled substance and alcohol testing. | 500 |
| 4.42.090 Taxi owners permit. | 250 |

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| 4.42.100 | Taxi driver's permit expired. | 250 |
| 4.42.130(b) | Taxi driver's permit not displayed. | 250 |
| 4.42.160 | Unauthorized pickup of passengers. | 250 |
| 4.42.190 | Taximeters. | 500 |
| 4.42.200 | Taxi cab operating regulations. | 250 |
| 4.42.210(a) | Interference with inspection. | 500 |
| 4.42.210(b) | Inspection of vehicles. | 500 |
| 4.42.220 | Operating regulations. | 500 |
| 4.42.230 | Maintenance of vehicles. | 500 |
| 4.51.030 | License required - bingo. | 250 |
| 4.51.050 | Minors restricted - bingo. | 50 |
| 4.51.080 | Staffing and operations - bingo. | 250 |
| 4.51.110 | Physical presence required - bingo. | 250 |
| 4.52.020 | License required - billiards and bowling. | 1000 |
| 4.52.040 | Minors restricted - billiards and bowling. | 250 |
| 4.52.060 | Offensive conduct - billiards and bowling. | 250 |
| 4.52.070 | Interference w/emerg. Access -billiards/bowling. | 250 |
| 4.54.030(a) | Permit required - massage establishment. | 1000 |
| 4.54.060(a) | Permit required - massage tech. | 250 |
| 4.54.110 | Massage establishment facilities. | 250 |
| 4.54.130 | Business name - massage. | 250 |
| 4.55.030 | License required - adult entertainment. | 1000 |
| 4.56.030 | License required - hot tub and sauna. | 1000 |
| 4.56.060 | Employee permit required - hot tub and sauna. | 250 |
| 4.56.100 | Hot tub/sauna establishment and operations. | 250 |
| 4.56.120 | Business name - hot tub and sauna. | 250 |
| 4.56.150 | Display of permit - hot tub and sauna. | 250 |
| 4.56.200 | Employment of persons < 18 - hot tub and sauna. | 250 |
| 4.57.020 | Permit required - firearms sales. | 1000 |
| 4.57.095 | Firearms dealers – business and security. | 500 |
| 4.58.020 | Minors restricted - narcotics paraphernalia shop. | 750 |
| 4.58.030 | Regulations - narcotics paraphernalia shop. | 750 |
| 4.59.010 | Pet shop requirements. | 250 |
| 4.59.020 | Pet shop sanitation. | 250 |
| 4.59.030 | Pet shop food. | 250 |
| 4.59.040 | Pet shop notification. | 250 |
| 4.59.050 | Pet shop - sale of dangerous or wild animals. | 250 |
| 4.59.070 | Dead animals. | 250 |
| 4.59.080 | Permit required - pet shop and kennel. | 250 |
| 4.59.090 | Permit required - grooming shop. | 250 |
| 4.59.095 | Sales of kittens and puppies. | 250 |
| 4.59.100 | Sales of raccoons. | 250 |
| 4.59.105 | Sales of rabbits, chicks, ducklings. | 250 |
| 4.60.030 | Business registration required | 250 |
| 4.60.060 | Business registry application required | 250 |
| 4.60.120(a) | Business registry fee delinquency | 50% of registry fee if 1-30 days late 100% of fee or 31+ days late |
| 5.12.010 | Permit required - refreshment stand. | 250 |
| 5.20.030 | Discarding solid waste. | 100 |
| 5.20.040 | Accumulation of garbage. | 250 |
| 5.20.050 | Unauthorized bins, boxes, containers-first violation. | 500 |
| | Second and subsequent violations. | 1000 |
| 5.20.080 | Number of containers required. | 250 |
| 5.20.130 | Maintenance of bins and boxes- first violation. | 250 |

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| | Second and subsequent violations. | 500 |
| 5.20.160 | Spillage or leakage of solid waste. | 250 |
| 5.20.180 | No accumulation of solid waste. | 250 |
| 5.20.190 | No burning, burial, or dumping of solid waste. | 250 |
| 5.20.200 | Hazardous waste. | 500 |
| 5.20.220 | Scavenging prohibited. | 100 |
| 5.20.230 | No trespassing in city landfill. | 250 |
| 5.30.020 | Polystyrene & Non-Recyclable Plastic. | 500 |
| 5.35.020 | Bags at retail establishments. | 500 |
| 5.35.030 | Bags at supermarkets. | 500 |
| 6.08.020(b) | Interference with animal control officer. | 250 |
| 6.16.010 | No dog license. | 50 |
| 6.16.080 | Number of dogs allowed. | 100 |
| 6.16.100 | Leash Law. | 100 |
| 6.20.010 | Animals at large. | 100 |
| 6.20.020 | Animals on unenclosed premises. | 100 |
| 6.20.030 | Animals kept in enclosures. | 100 |
| 6.20.035 | Tying animals to bicycle racks or trees. | 100 |
| 6.20.040 | Nuisance on sidewalk. | 100 |
| 6.20.045 | Animal waste removal - first offense. | 25 |
| 6.20.045 | Animal waste removal - second offense. | 50 |
| 6.20.045 | Animal waste removal - third offense. | 125 |
| 6.20.055 | Animals in vehicles. | 250 |
| 6.20.060 | Bees close to property line. | 100 |
| 6.20.080 | Permit required - livestock. | 100 |
| 6.20.090 | Maintaining birds, goats, pigs and rabbits. | 100 |
| 6.20.110 | Number of cats kept. | 100 |
| 6.20.120 | Permit required - breeding animals. | 100 |
| 6.20.130 | Cat or dog in heat. | 100 |
| 6.20.140 | Barking dogs. | 100 |
| 6.20.150 | Vaccination required - animals. | 100 |
| 6.20.160 | Sanitary enclosures. | 100 |
| 6.20.170 | Slaughter of animals. | 500 |
| 6.24.020 | Permit required - construction of stable. | 250 |
| 6.24.050 | Maintenance of stable. | 250 |
| 6.28.040 | Possession of dangerous or wild animals. | 500 |
| 6.32.010 | Keeping diseased animals. | 500 |
| 6.32.020 | Confining animals with rabies. | 500 |
| 6.32.050 | Dead animals in public. | 500 |
| 6.36.010 | Sales of certain animals. | 250 |
| 8.04.020 | Permit required - tree work. | 500 |
| 8.04.080 | Interference with tree enforcement. | 500 |
| 8.08.010 | Weeds as public nuisance. | 250 |
| 8.10.050 | Protected trees. | 500 |
| 8.10.070 | Care of protected trees. | 500 |
| 8.10.080(b) | Development conditions. | 500 |
| 9.04.010 | Open container in business district. | 100 |
| 9.04.020 | Open container in City parking lot. | 100 |
| 9.04.030 | Open container near liquor store. | 100 |
| 9.04.040 | Social host. | 250 |
| | First violation | 250 |
| | Second violation | 500 |
| | Third & subsequent violation | 1000 |
| 9.08.010 | Discharge of firearms/fireworks. | 1000 |
| 9.09.010(a) | Urinating/defecating on street or public place. | 250 |

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| 9.09.010(b) | Igniting or maintaining outdoor fire. | 250 |
| 9.10.030 | Residential property noise limits. | 100 |
| 9.10.040 | Commercial property noise limits. | 100 |
| 9.10.050 | Public property noise limits. | 100 |
| 9.10.060(b) | Construction noise signs. | 250 |
| 9.10.060(c) | Construction noise. | 250 |
| 9.10.060(d) | Construction equipment noise. | 100 |
| 9.10.060(e) | Residential power equipment noise. | 100 |
| 9.10.060(f) | Leaf blower noise- first violation. | 100 |
| | Leaf blower noise- second violation | 150 |
| | Leaf blower noise- third and subsequent violation | 300 |
| 9.10.060(g) | Street sweeping noise. | 100 |
| 9.10.060(h) | Refuse collection noise. | 100 |
| 9.10.060(i) | Safety device noise. | 100 |
| 9.10.060(k) | Public parking lot cleaning noise. | 100 |
| 9.10.060(l) | Business district street cleaning noise. | 100 |
| 9.12.010 | Loudspeakers. | 150 |
| 9.14.020 | Smoking prohibited - enclosed places. | 250 (2nd violation in 1 year: \$300; 3rd and subsequent violations in 1 year: \$500) |
| 9.14.025 | Smoking prohibited - unenclosed areas. | 250 (2nd violation in 1 year: \$300; 3rd and subsequent violations in 1 year: \$500) |
| 9.14.030 | Smoking prohibited - city cars. | 250 (2nd violation in 1 year: \$300; 3rd and subsequent violations in 1 year: \$500) |
| 9.14.035 | Smoking prohibited – public parks and public events | 250 (2nd violation in 1 year: \$300; 3rd and subsequent violations in 1 year: \$500) |
| 9.14.040 | Smoking prohibited - child care facilities. | 250 (2nd violation in 1 year: \$300; 3rd and subsequent violations in 1 year: \$500) |
| 9.14.050 | Smoking prohibited – commercial areas and public events. | 250 (2nd violation in 1 year: \$300; 3rd and subsequent violations in 1 year: \$500) |
| 9.14.080 | Location of tobacco vending machines. | 1000 |
| 9.14.090 | Display of tobacco products. | 500 |
| 9.14.100 | Failure to post “No Smoking” signs. | 50 |
| 9.22.010 | Impersonating public officials. | 500 |
| 9.26.020 | False representation as police officer. | 250 |
| 9.28.010 | Hotel guest register required. | 250 |
| 9.28.020 | Use of false name by hotel guest. | 50 |
| 9.40.020 | Landing aircraft at other than airport. | 1000 |
| 9.44.010 | Solicitation prohibited - public parking lot. | 100 |
| 9.48.010 | Displaying goods on sidewalk. | 50 |
| 9.48.025 | Sitting or lying on University Avenue sidewalks. | 100 |
| 9.48.030 | Operation of sidewalk elevator. | 500 |
| 9.48.040 | Throwing rubbish on streets. | 250 |
| 9.48.050 | Obligation to clean sidewalk. | 200 |
| 9.50.010 | Graffiti prohibited on public property. | 500 |
| 9.56.030 | Abatement of public nuisance. | 500 unless otherwise specified |
| 9.56.030(a)(5) | Thirty-five foot site triangle. | 200 |

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| 9.56.030(a)(8) Foliage/branch obstruction. | 200 |
| 9.56.030(a)(10) Excessive planting strip vegetation height. | 150 |
| 9.60.030 Blocking entrances to City Hall. | 500 |
| 9.60.050 Placing signs or climbing on City Hall. | 500 |
| 9.60.060 Bicycles and skateboards at City Hall. | 50 |
| 9.60.070 Alcoholic beverages prohibited - City Hall. | 100 |
| 9.64.010 Overnight use of community facilities | 250 |
| 9.74.030 Discrimination in housing. | 250 |
| 9.78.020 Mosquito breeding places. | 500 |
| 9.79.100 News rack violations. | 100 |
| 12.08.010 Permit required - public right of way. | 500 |
| 12.08.100 Removal of City Engineer monuments. | 500 |
| 12.12.010 Building on public easement without permit. | 1000 |
| 12.16.030 Overhead wires in underground districts. | 500 |
| 12.16.090 Property owner responsibility. | 500 |
| 12.20.010 Utility rules and regulations | 500 unless otherwise specified |
| 12.20.010 Emergency water conservation regulations (Reso. Nos. 9509, 9460, 9449) | 100 (2nd violation in 1 year: \$250; 3rd and subsequent violations in 1 year: \$500) |
| 12.20.020 Providing false information to City Utilities. | 500 |
| 12.32.010 Water use regulation. | 100 |
| 15.04.110 Violations of Uniform Fire Code. | 500 unless otherwise specified |
| 15.04.012 Failure to abate a hazard. | 1000 |
| 16.04.010 Violations of California Building Code as amended. | 500 |
| 16.05.010 Violations of California Mechanical Code as amended | 500 |
| 16.06.010 Violations of California Residential Code as amended. | 500 |
| 16.08.010 Violations of California Plumbing Code as amended. | 500 |
| 16.09.030 Limitations on point of discharge. | 1000 |
| 16.09.035 General Discharge Prohibitions. | 1000 |
| 16.09.040 Specific Discharge Prohibition - Standards. | 1000 |
| 16.09.045 Additional Copper Limitations for Industrial Waste. | 1000 |
| 16.09.050 Grease Disposal Prohibited. | 1000 |
| 16.09.055 Prohibited Discharge of Unpolluted Water. | 1000 |
| 16.09.065 Best Management Practices (BMPs). | 1000 |
| 16.09.070 Trucker's Discharge Permit. | 1000 |
| 16.09.075 Food Service Establishment Requirements. | 1000 |
| 16.09.080 Industrial Waste Discharge Permit Required. | 1000 |
| 16.09.085 Modification, Suspension or Revocation of Industrial Wastes Discharge. | 1000 |
| 16.09.090 Requirements for Facilities Affected by National Pretreatment Standards. | 1000 |
| 16.09.105 Waste Sampling Locations. | 1000 |
| 16.09.110 Discharger Monitoring. | 1000 |
| 16.09.115 Prohibition against Dilution. | 1000 |
| 16.09.120 Discharger Self-Monitoring. | 1000 |
| 16.09.125 Maintenance and Operation of Pollution Control and Monitoring Equipment. | 1000 |
| 16.09.130 Compliance with the Pretreatment Requirements. | 1000 |
| 16.09.135 Reporting Requirements for all Permitted Dischargers. | 1000 |

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| 16.09.140 | Requirements for Reporting Noncompliance, Increased Loading, Slug Discharges, Accidental Discharges. | 1000 |
| 16.09.145 | Certification of Reports. | 1000 |
| 16.09.150 | Falsification of Information. | 1000 |
| 16.09.160 | Retention of Records. | 1000 |
| 16.09.165 | Storm Drain System - Prohibited Discharges. | 1000 |
| 16.09.170 | Requirements for Construction Operations. | 1000 |
| 16.09.175 | General Prohibitions and Practices. | 1000 |
| 16.09.180 | Requirements for Newly Constructed, Remodeled or Converted Multi-Residential, Commercial and Industrial Facilities. | 1000 |
| 16.09.185 | Personnel Orientation. | 1000 |
| 16.09.190 | Accidental Discharges Prevention. | 1000 |
| 16.09.195 | Storage of Hazardous Materials Above Sinks. | 1000 |
| 16.09.200 | Zinc Containing Floor Finishes. | 1000 |
| 16.09.205 | Requirements for Cooling Systems, Pools, Spas, Fountains, Boilers and Heat Exchangers. | 1000 |
| 16.09.210 | Root and Pest Control Chemicals. | 1000 |
| 16.09.215 | Requirements for Photographic Materials Processing. | 1000 |
| 16.09.220 | Requirements for Dental Facilities that Remove or Place Amalgam Fillings. | 1000 |
| 16.09.225 | Requirements for Vehicle Service Facilities. | 1000 |
| 16.09.230 | Requirements for Machine Shops. | 1000 |
| 16.10.020 | Construction of private sewer system. | 750 |
| 16.10.050 | Permit required - private sewage system. | 500 |
| 16.14.040 | Violations of California Green Building Standards Code as amended | 500 |
| 16.14.260 | Failure to meet diversion requirements. | \$50 per ton of waste not diverted or \$1000, whichever is greater |
| 16.14.370 | Failure to meet diversion requirements. | \$50 per ton of waste not diverted or \$1000, whichever is greater |
| 16.16.010 | Violations of California Electrical Code as amended. | 500 |
| 16.17.010 | Violation of California Energy Code as amended. | 500 |
| 16.20.020 | Design review required - signs. | 500 |
| 16.20.090 | Prohibited signs. | 250 |
| 16.20.100 | Prohibited locations - signs. | 250 |
| 16.20.110 | Fuel price signs required. | 250 |
| 16.20.210 | Non-compliance with sign ordinance. | 250 |
| 16.20.230 | Abandoned signs. | 250 |
| 16.20.250 | Parking of advertising vehicles. | 250 |
| 16.24.080 | Fence violation. | 250 |
| 16.28.060 | Permit required - excavation and grading. | 500 |
| 16.28.330 | Protection of adjacent property. | 500 |
| 16.28.340 | Deposits of earth, rock, etc. | 500 |
| 16.32.010 | Permit required - moving a building. | 250 |
| 16.36.050 | Curb painting without a permit. | 100 |
| 16.36.060 | House numbering required. | 100 |
| 16.38.020 | Certificate of occupancy – community housing. | 500 |
| 16.40.040 | Dangerous and substandard buildings. | 500 |
| 16.40.090 | Non-compliance with order of building official. | 500 |
| 16.40.180 | Interference with repair or demolition work. | 500 |
| 16.42.090 | Failure to submit seismic report. | 250 |

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| 16.45.070 | Failure to pay fee - Stanford Research Park. | 250 |
| 16.46.060 | Failure to pay fee - San Antonio - West Bayshore. | 250 |
| 16.47.050 | Failure to pay housing impact fee. | 250 |
| 16.49.080 | Maintenance of downtown historic structure. | 500 |
| 16.49.090 | Demolition of downtown historic structure. | 1000 |
| 16.52.070 | Construction - flood hazards. | 500 |
| 16.59.090 | Failure to pay fee- Citywide Transportation Impact. | 250 |
| 16.60.090 | Failure to pay fee- Charleston/Arastradero. | 250 |
| 16.62.020 | Maintenance of expired building permit | 200 for 31st through 60th day 400 for 61st through 120th day 800 for 121st day and thereafter |
| 17.04.020 | Violations of hazardous materials storage. | 500, unless otherwise specified |
| 17.04.030 | Specific obligation - hazardous materials. | 500 |
| 17.10.010 | General obligation - underground storage tanks. | 750 unless otherwise specified |
| 17.10.040 | Permit required - underground storage. | 500 |
| 17.10.140 | Financial responsibility - underground storage. | 500 |
| 17.10.150 | Monitoring underground storage tanks. | 1000 |
| 17.10.170 | Unlawful abandonment - underground storage tanks. | 1000 |
| 17.12.010 | Permit required - hazardous materials storage. | 750 |
| 17.12.020 | New hazardous materials storage facilities. | 750 |
| 17.12.060 | Hazardous materials storage facilities. | 750 |
| 17.16.010 | Hazardous materials management plan. | 250 |
| 17.20.010 | Hazardous materials inventory statement. | 250 |
| 17.24.010 | Hazardous materials discharge report. | 750 |
| 17.32.010 | Permit required - storage of hazardous materials. | 1000 |
| 18.01.080 | Violation of zoning laws. | 500 |
| 18.16.060(d) | Hotel stay in excess of 30 days. | 200 |
| 18.18.060(d) | Hotel stay in excess of 30 days. | 200 |
| <u>18.38.020</u> | <u>Planned Community zoning</u> | <u>2000 for 181th day following notice of violation and thereafter (unless otherwise specified in PC ordinance)</u> |
| 18.42.060(a) | Incompatibility of home occupations. | 200 |
| 18.42.060(b) | Employees of home occupation. | 200 |
| 18.42.060(c) | On site advertising of home occupation. | 200 |
| 18.42.060(d) | Floor area of home occupation. | 200 |
| 18.42.060(e) | Traffic related to home occupation. | 200 |
| 18.42.060(f) | Home occupation as nuisance. | 200 |
| 18.42.060(g) | Outdoor storage related to home occupation. | 200 |
| 18.42.070 | Servicing vehicles in residential zone. | 250 |
| 18.44.040 | Green building requirements. | 500 |
| <u>18.52.050</u> | <u>Transportation demand management conditions</u> | <u>2000 for 181th day following notice of violation and thereafter</u> |
| 18.84.200 | Temporary uses. | 250 |
| 22.04.030 | Compliance with park rules. | 250 |
| 22.04.040 | Failure to obtain use permit. | 300 |
| 22.04.150(a) | Resident and guests only - Foothills Park. | 50 |
| 22.04.150(b) | Entrance to park - Foothills Park. | 50 |
| 22.04.150(c) | Person in park after hours - Foothills Park. | 250 |
| 22.04.150(d) | Speed limit 20MPH - Foothills Park. | 250 |
| 22.04.150(e) | Vehicles in Foothills Park after hours. | 100 |
| 22.04.150(f) | Skateboards and motorcycles - Foothills Park. | 250 |
| 22.04.150(g) | Smoking on trails - Foothills Park. | 1000 |
| 22.04.150(h) | Fires in Foothills Park. | 1000 |
| 22.04.150(i) | Use of trails - Foothills Park. | 100 |

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| 22.04.150(l) Unleashed dog - Foothills Park. | 250 |
| 22.04.155 Restraint of dogs in City parks. | 250 |
| 22.04.160 Permit required - sales in parks. | 250 |
| 22.04.170 Violation of park use permit. | 250 |
| 22.04.180 Sound in parks. | 250 |
| 22.04.190 Unauthorized golf and other games in parks. | 250 |
| 22.04.200 Unauthorized models and kites in parks. | 100 |
| 22.04.210 Parking in parks. | 100 |
| 22.04.215 Launch and takeout from ramp or dock. | 250 |
| 22.04.220 Bicycle not permitted on trails. | 250 |
| 22.04.230 Dumping in park. | 1000 |
| 22.04.240 Interference with park use permit. | 250 |
| 22.04.250 Park regulations | 250 unless otherwise specified |
| 22.04.260 Discharge of weapons in park. | 500 |
| 22.04.270 Removal of flora or fauna. | 500 |
| 22.04.280 Removal of turf or soil. | 500 |
| 22.04.290(a) Damaging, defacing, etc., property. | 1000 |
| 22.04.290(b) Marking, writing or printing on property. | 1000 |
| 22.04.290(c) Attaching sign, etc., without permit. | 500 |
| 22.04.290(d) Entering, etc., structure after posted hours. | 250 |
| 22.04.290(e) Bringing portable tables without a permit. | 100 |
| 22.04.300 Unlawful fire in city park. | 1000 |
| 22.04.310 Enid Pearson Arastradero, Esther Park closure. | 250 |
| 22.04.315 Byxbee Park and Baylands closed. | 250 |
| 22.04.320 Parks closed. | 250 |
| 22.04.321(a) Skateboarding in park after hours. | 50 |
| 22.04.322 Trespass at Rinconada Park pool. | 50 |
| 22.04.330 Alcohol in Cogswell Park. | 250 |
| 22.04.331 Alcohol in Lytton Plaza. | 250 |
| 22.04.332 Alcohol in Johnson Park. | 250 |
| 22.04.333 Alcohol in Boulware Park. | 250 |
| 22.04.334 Alcohol in Scott St. Minipark. | 250 |
| 22.04.335 Alcohol in Greer Park. | 250 |
| 22.04.336(a) Alcohol in Rinconada Park. | 250 |
| 22.04.337 Alcohol in Mitchell Park. | 250 |
| 22.04.338 Alcohol in Robles Park. | 250 |
| 22.04.339 Alcohol in Hopkins Park. | 250 |
| 22.04.340 Vehicles in park. | 250 |
| 22.04.341 Alcohol in El Palo Alto Park. | 250 |
| 22.04.342 Alcohol in Heritage Park. | 250 |
| 22.04.343 Alcohol in Pardee Park. | 250 |
| 22.04.350 Consumption of alcoholic beverage in vehicles. | 250 |
| 22.04.360 Open container in park - alcoholic beverage. | 250 |
| 22.04.370 Reckless driving in park. | 250 |
| 22.04.380 Unlawful riding and towing in parks. | 250 |
| 22.04.390 Duck pond. | 100 |

SECTION 2. Municipal Code Civil Penalties. The civil penalty schedule for violations of the Palo Alto Municipal Code established by Resolution No. 9554 is hereby amended and restated to read as follows*:

| | |
|--|------|
| Standard penalty unless otherwise indicated below. | \$46 |
| 10.36.020 No parking in parkways. | 46 |
| 10.36.030(a) Storage on the street (72 hours). | 86 |

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| 10.36.040(a)(1)Vehicle for sale on street. | 46 |
| 10.36.040(a)(2)Repairing vehicle on street. | 46 |
| 10.36.050 Not w/in 18" of left curb--One-way street. | 46 |
| 10.36.090 Removal of chalk markings. | 111 |
| 10.40.020(a)(1)Parking violation – red curb. | 46 |
| 10.40.020(a)(4)Parking violation – green curb. | 46 |
| 10.40.020(a)(5)Parking violation – blue curb. | 308 |
| 10.40.020(b)Parking in violation of sign (except blue curb). | 46 |
| 10.40.020(b)Unlawful disabled parking - signs (blue curb). | 308 |
| 10.40.040(b)Commercial vehicle double parking. | 46 |
| 10.40.050 Unlawful parking in yellow loading zone. | 46 |
| 10.40.060 Unlawful parking in passenger loading zone. | 46 |
| 10.40.070 Unlawful alley parking. | 46 |
| 10.40.100(g)Parking in a bus zone. | 46 |
| 10.44.010(b)Overtime parking (limited time zone). | 41 |
| 10.44.010(c)Additional violation of time limited or no parking zones. | 44 |
| 10.44.020(a)Oversized vehicle parking in residential or public facilities zones 2am-6am. | 46 |
| 10.44.040(b)Not in space marking. | 46 |
| 10.44.050(b)Parking violation--temporary sign. | 46 |
| 10.44.060 Dealers--parking for sale or repair. | 46 |
| 10.44.070(b)Parking in violation of posted sign. | 46 |
| 10.44.080 Vehicle obstruction of roadway or lot. | 46 |
| 10.44.090 Unattended vehicle, engine running. | 111 |
| 10.45.110 Parking in on-street valet parking space. | 46 |
| 10.46.110 Overtime residential parking permit (CT) | 53 |
| 10.48.030 Truck route violation. | 211 |
| 10.50.100(a)Violation of posted RPP permit sign | 53 |
| 10.60.070(c)Permit not properly displayed. | 41 |
| 10.60.070(d)Overtime permit parking in City lot. | 41 |
| 10.60.070(e)Parking without permit in permit area. | 46 |
| 22.04.150(e)In Foothills Park after hours. | 111 |
| 22.04.210 Parking in parks. | 111 |
| Late payment penalty. | 35 |
| Collection cost penalty. | 35% of listed penalty |

*All penalties include state-mandated assessments pursuant to Gov't. Code 76000, S.B 1407(2008), and Government Code 76000.3 (S.B. 857, 2008) totaling \$12.50.

SECTION 3. Vehicle Code Civil Penalties. The civil penalty schedule for violations of the California Vehicle Code established by Resolution No. 9554 is hereby amended and restated to read as follows*:

| | | |
|----------|--|---------------------|
| 5200 | No front license plate. | \$78 |
| | (If corrected within 31 days) | 10 (state mandated) |
| 5204(a) | No registration tabs on license plate. | 78 |
| | (If corrected within 31 days) | 10 (state mandated) |
| 21113(a) | Parking on public grounds. | 46 |
| 22500(a) | Parking in an intersection. | 46 |
| 22500(b) | Parking in a crosswalk. | 46 |
| 22500(d) | Parking w/in 15 feet--fire station driveway. | 46 |

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| 22500(e) | Blocking driveway. | 46 |
| 22500(f) | Parking on sidewalk. | 46 |
| 22500(g) | Parking or stopping--excavation site, etc. | 46 |
| 22500(h) | Double parking on roadway. | 46 |
| 22500(i) | Parking in a bus zone. | 261 |
| 22500(l) | Parking in front of accessible curb. | 303 |
| 22500.1 | Parking in a fire lane (public or private). | 46 |
| 22502 | Right hand wheels not w/in 18" of rt. curb. | 46 |
| 22505(b) | Parking on state highway violation. | 46 |
| 22507.8(a-b) | Unlawful parking in handicapped space. | 303 |
| 22507.8(c)(1-2) | Straddling Lines/Cross hatched, disabled. | 303 |
| 22511.57(a) | Parking/standing of vehicle in disabled parking stall or space with invalid license/placard. | \$753 |
| 22511.57(b) | Unauthorized use of license/placard for vehicle parking/standing in disabled parking stall or space. | \$753 |
| 22511.57(c) | Parking/standing of vehicle in disabled parking stall or space with counterfeit, forged, altered or mutilated license/placard for disabled. | \$753 |
| 22514 | Parking within 15 feet of fire hydrant. | 46 |
| 22515 | Unattended vehicle, engine running. | 111 |
| 22516 | Person locked in vehicle. | 111 |
| 22521 | Parking within 7 1/2 feet of railroad tracks. | 46 |
| 22522 | Parking near sidewalk access ramp. | 303 |
| 22523(a) | Unlawful abandonment of vehicle on highway. | 131 |
| 22523(b) | Abandoned vehicle--public/private property. | 131 |
| 22526 | Entering/blocking intersection – anti-gridlock. | 131 |
| 22951 | No street, alley parking--patron vehicles. | 46 |

*All penalties include state-mandated assessments pursuant to Gov't. Code 76000, S.B 1407(2008), and Government Code 76000.3 (S.B. 857, 2008) totaling \$12.50.

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NOT YET APPROVED

SECTION 4. The Council finds that the adoption of this resolution does not constitute a project for purposes of the California Environmental Quality Act, and, therefore, no environmental assessment is required.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

City Manager

Senior Deputy City Attorney

Police Chief