

OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY

Margaret Taylor
City Attorney

INTRODUCED BY COUNCIL MEMBER _____
2006 SEP 21

ORDINANCE No. 12773 C.M.S.

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE CHAPTER 10.48 "PARKING FINES" TO ADD SECTION 10.48.030 AUTHORIZING A FEE FOR THE COLLECTION OF DELINQUENT PENALTY PAYMENTS AND AMENDING ORDINANCE NO. 12676 C.M.S., THE MASTER FEE SCHEDULE, TO ADD SPECIAL COSTS OF COLLECTING PARKING VIOLATION PENALTY FEES

WHEREAS, the City frequently utilizes the services of private collection agencies to collect delinquent parking penalties; and

WHEREAS, these private agencies charge the City for the cost of their services; and

WHEREAS, the City wishes to recoup the costs of collection from the persons who are delinquent; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1:

Section 10.48.030 of the Oakland Municipal Code is hereby added to read as follows:

10.48.030. Fee for collection of delinquent penalty payments.

If the City incurs collection costs in conjunction with the assignment of a parking citation for collection, that cost shall be added to the penalty, and the violator shall be liable to the City for both the civil penalties and the collection costs.

Section 2: Master Fee Schedule. The Master Fee Schedule, Ordinance No. 12676 C.M.S. is amended to add these collection costs as follows:

	FEE	UNIT
<u>Special Costs of Collecting Parking Violation Penalties</u>	<u>30%</u>	<u>Ticket Value</u>

Section 3: Severability. If any article, section, subsection sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of remaining portions which shall remain in full force and effect.

Section 4: Effective Date: This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 31 2006, 20

PASSED BY THE FOLLOWING VOTE:

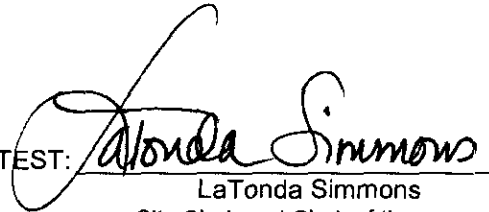
AYES - ~~Brooks~~, BRUNNER, ~~Chang~~, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 6

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks, Chang - 2

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California

Introduction Date: OCT 17 2006



NOTICE AND DIGEST

**Ordinance Amending Oakland Municipal Code Chapter 10.48
“Parking Fines” to Add Section 10.40.030 Authorizing a Fee for the
Collection of Delinquent Penalty Payments and Amending Ordinance
No. 12676 C.M.S., the Master Fee Schedule, to Add Special Costs of
Collecting Parking Violation Penalty Fees**

This Ordinance will amend Oakland Municipal Code Chapter 10.48 “Parking Fines” to add Section 10.48.030 “Fee for collection of delinquent penalty payments”, of the Oakland Municipal Code to read as follows: “If the City incurs collection costs in conjunction with the assignment of a parking citation for collection, that cost shall be added to the penalty and the violator shall be liable to the City for both the civil penalties and the collection costs.” In addition, the Master Fee Schedule, Ordinance No. 12676 C.M.S. will be amended to add the 30% special cost of collecting parking violation penalties fee.