



**CITY OF URBANA, ILLINOIS
FINANCE DEPARTMENT**

MEMORANDUM

TO: Mayor Marlin and City Council Members

FROM: Elizabeth Beaty, Administrative Services Manager
Elizabeth Hannan, Finance Director

DATE: May 9, 2019

SUBJECT: Proposed Parking Fine Late Fine Increases

Introduction: Staff is asking City Council to approve changes to Chapter 23 of the Urbana Local Traffic Code, as outlined in **Exhibit A** of the attached Ordinance. The proposed changes include an increase to the initial late fine added after 7 days, as well as adding an additional late fine to parking violations not paid after 30 days. No increase in the original fine amount is proposed. The proposed changes will take effect July 1, 2019.

Discussion: Chapter 23 regulates parking restrictions and outlines procedures and penalties for violating provisions of the Urbana Local Traffic Code. A schedule of fines for specified offenses is maintained by the office of the City Clerk and is in effect until amended. The City manages and regulates the parking system in order to ensure adequate parking is available for employees, students, residents, customers and visitors. The Finance Department oversees the issuance and collection activities of parking violation fines. The last time City Council approved major changes to Chapter 23, Section 1-10 (j) was November 2, 2009. Changes approved included the following:

- Extended the length of time a parking violator has to pay a fine at the original fine amount from 72 hours to 7 days.
- Added graduated fine schedules for meter, lot and street overtime parking violations with an annual reset.
- Added a zero dollar courtesy ticket for first offenses for meter and lot/street overtime violations in the downtown.
- Increased the original and late fine amounts for meter and lot/street overtime violations and restricted and prohibited violations in the campus, hospital and downtown districts.

Reviewing parking fines allows the City to set fines at an appropriate amount that will encourage compliance. Parking fines help to discourage illegal parking behaviors, as well as urge parkers to pursue other options, such as purchasing a permit, parking at longer-term meters or parking in the parking deck. It is also important to look at what other parking entities in our community charge for similar violations. Both

the University of Illinois and the City of Champaign issue parking violations similar to Urbana's, as shown in **Attachment A**.

For example, campus and hospital meter violations have a graduated fine schedule. The initial fine amount for a first offense violation is \$10. Currently, if the violation remains outstanding for longer than 7 days, the late fine added brings the total cost of the violation to \$15. The proposed changes would increase the total cost to \$20 after 7 days, instead of \$15. This is a \$5 or 33.33% increase. After 30 days, the proposed changes in late fines would increase the total fine amount due to \$30.

Prohibited parking is another example. The initial fine amount for a prohibited parking violation is \$30. Currently, the violation increases to a total cost of \$35 when the violation remains outstanding for longer than 7 days. The proposed changes would increase the total cost of the violation to \$40 after 7 days, instead of \$35. This is a \$5 or 14.29% increase. After 30 days, the proposed changes in late fines would increase to the total fine amount due to \$50.

The parking violation fine comparison table shows the proposed late fine increases are consistent with what the other two parking entities are charging and by increasing late fines, the weight of the collection costs borne by the City will fall on the customer who receives the violation. Collection costs for outstanding parking fines continue to increase the longer the fine remains unpaid. Collection activities for unpaid violations consist of the following:

1. First notice - mailed 10 days after issuance.
2. Second notice - mailed 30 days after first notice.
3. Warning letter - mailed if an account has 4 or more unpaid violations.
4. Local Debt Recovery Program (LDRP) - account is forwarded for collections through the State of Illinois LDRP after the second notice has been sent and remains unpaid after 10 days.

Prior to collections, a customer has 7 days to pay a parking violation at the original fine amount. Acceptable payment methods include cash, check and credit cards. Customers can pay in person, over the phone, by mail or online. This information is located on the back of each violation. Additionally, a violation has a QR code printed on the front that when used, opens the parking payment webpage allowing customers a quick and easy alternative to paying a violation.

For a single unpaid parking violation, the collection process could last up to 4 months. On average, 53.5% of all parking violations are paid prior to the fine amount increasing. The remaining 46.5% of violations are paid after the first notice is mailed and 7.5% of those violations are paid after the second notice is mailed. Staff involved in the collection process consists of one part-time temporary employee, two full-time employees and a supervisor. Staff processes around 10,400 notices each year. Staff spends an average of 1,716 hours each year on parking fine collection activities. This amounts to just over \$74,000 in annual costs. A certain percentage of the violations issued each year remain outstanding, so the City never recoups the costs involved in the collection process. Staff estimates around 13% of all collectable violations issued are never paid.

It is important to point out that even though the City issues an average of 20,000 parking violations each year, around 1,300 of those are zero fine courtesy violations and another 1,700 are warning violations. Therefore, 15% of the violations issued are at a zero fine amount and require no collection activity. The percentages for other types of violations that make-up the remaining 85% of violations issued annually are listed in the table on the next page.

Violation	% Issued
Downtown Meter & Street/Lot Overtime	6.1%
Campus/Hospital Meter & Street/Lot Overtime	49.2%
Unapproved Surface Parking	< 1%
Restricted Parking	7.8%
Prohibited Parking	12.7%
Unauthorized Parking, Permit Only Lot	< 1%
Expired/No Registration Plates	8.6%

Summary of the proposed parking late fine changes to Chapter 23 include the following:

- Meter Overtime (Sections 23-237 through 23-240)
- Street/Lot Overtime (Section 23-193)
- Parking on Unapproved Surfaces (Section 23-160)
- Restricted Parking (Section 23-177 and Section 23-184)
- Restricted Parking Special Parking Zones - 3:00 AM to 3:00 PM (Section 23-192)
- Prohibited Parking (Sections 23-151 through 23-158, Sections 23-172 through 23-176, Section 23-183, Sections 23-185 and 23-186, Section 23-187, Sections 23-188 and 23-189, Section 23-190, Sections 23-191 and 23-194, Section 23-202 (b) and (d) and Sections 23-234 through 23-236)
- Disabled Parking (Section 23-159)
- Unauthorized Use of Rental Spaces (Section 23-248)
- Unauthorized Parking, Permit Only Lot (Section 23-249)
- Expired/No Registration Plates (Section 23-265)
- Abandoned and Inoperable Vehicle on Highways or Other Municipal Property (Sections 23-261 through 23-262)
- Updating the period to contest the violation from 72 hours to 7 days (Section 23-211)

All changes except for the last bullet are shown in **Exhibit A** attached to the Ordinance with an underline for new additions and a strikethrough for deletions. The last proposed change updates parking violation procedures. This section of the code was overlooked when the timeframe changed back in 2009, which allowed an individual 7 days to contest a violation, instead of 72 hours.

Fiscal impact: Parking fine revenue is budgeted at \$330,000 in the General Operating Fund for FY2020. If approved, the proposed changes will generate approximately \$72,000 in additional revenue for this coming year. By supporting the proposed late fine increases, the City will be able to recoup a portion of the costs related to late fine collections. The proposed late fine amounts could also encourage customers to pay parking fines before the fine amount increases, which in turn would create greater compliance with payment requirements.

Alternatives:

1. Send both Ordinances to the City Council meeting on May 20, 2019 for action then; or
2. Revise one or more items in the attached Ordinances and forward the amended Ordinances to the City Council meeting on May 20, 2019 for action then. If revenues are not increased, additional budget reductions or alternate revenue increases will be required.

Recommendation: Staff recommends approval of the proposed changes to parking violation late fines, which would be effective July 1, 2019.

PARKING VIOLATION FINE COMPARISON

ATTACHMENT A

Violation		Urbana (1)	Urbana Proposed	Champaign (2)	University of Illinois (3)
1	Downtown Expired Meter & Street/Lot Overtime	\$0, \$10, \$15	\$0, \$10, \$15	\$0, \$15, \$25, \$25, \$35	
	a) <i>Late Fine (fine with late fine added)</i>	\$0, \$15, \$20	\$0, \$20, \$25	\$0, \$20, \$30, \$30, \$40	
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$0, \$30, \$35	\$0, \$30, \$40, \$40, \$50	
2	Campus/Hospital Expired Meter& Street/Lot Overtime	\$10, \$15, \$20	\$10, \$15, \$20	\$0, \$15, \$25, \$25, \$35	\$0, \$25, \$40
	a) <i>Late Fine (fine with late fine added)</i>	\$15, \$20, \$25	\$20, \$25, \$30	\$0, \$20, \$30, \$30, \$40	\$0, \$35, \$50
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$30, \$35, \$40	\$0, \$30, \$40, \$40, \$50	None
3	Unapproved Surface Parking	\$25, \$50, \$100	\$25, \$50, \$100	\$25, \$100, \$200, \$400	
	a) <i>Late Fine (fine with late fine added)</i>	None	\$50, \$75, \$125	\$50, \$150, \$250, \$450	
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$75, \$100, \$150	None	
4	Restricted Parking	\$20	\$20	\$30	\$20
	a) <i>Late Fine (fine with late fine added)</i>	\$25	\$30	\$35	\$30
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$40	\$45	None
5	Prohibited Parking	\$30	\$30	\$30	\$20 or \$50
	a) <i>Late Fine (fine with late fine added)</i>	\$35	\$40	\$35	\$30 or \$60
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$50	\$45	None
6	Unauthorized Parking, Permit Only Lot	\$50	\$50	\$30	\$50
	a) <i>Late Fine (fine with late fine added)</i>	\$60	\$75	\$35	\$60
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$100	\$45	None
7	Expired/No Registration Plates	\$25	\$25	\$25	
	a) <i>Late Fine (fine with late fine added)</i>	\$50	\$50	\$50	
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$100	\$100 after 14 days	
8	Abandoned & Inoperable Vehicle - Public	\$30	\$30	\$25	
	a) <i>Late Fine (fine with late fine added)</i>	\$35	\$40	\$50	
	b) <i>Late Fine After 30 Days (fine with both late fines added)</i>	None	\$50	\$100 after 14 days	

1. Graduated fine structure 1st, 2nd and 3 or more offenses. Urbana late fine currently added after 7 days and additional late fine proposed after 30 days.
2. Graduated fine structure 1st, 2nd, 3rd, 4th and 5 or more offenses. Champaign late fine added after 7 days and additional late fine after 14 or 30 days.
3. Graduated fine structure 1st, 2nd and 3 or more offenses. University of Illinois late fine added after 10 days.

URBANA LOCAL TRAFFIC CODE SCHEDULE OF FINES

Section 1-10 (j). The fines and ranges of fines for the Urbana Local Traffic Code violations shall be as follows:

GRADUATED FINES

	—Fine Amount		
	If Paid Within 7 Days	If Paid After 7 Days	<u>If Paid After 30 Days</u>
Meter Overtime			
Article XVII, Sections 23-237 through 23-240			
• Downtown			
○ First offense		Courtesy - no fine	
○ Second offense	\$10.00	\$15 20.00	<u>\$30.00</u>
○ Third and subsequent offenses	\$15.00	\$20 25.00	<u>\$35.00</u>
• Downtown – PayStation Lot (Champaign County Courthouse)			
○ First offense	\$ 5.00	\$40 15.00	<u>\$25.00</u>
○ Second offense	\$10.00	\$45 20.00	<u>\$30.00</u>
○ Third and subsequent offenses	\$15.00	\$20 25.00	<u>\$35.00</u>
• Campus & Hospital Districts			
○ First offense	\$10.00	\$45 20.00	<u>\$30.00</u>
○ Second offense	\$15.00	\$20 25.00	<u>\$35.00</u>
○ Third and subsequent offenses	\$20.00	\$25 30.00	<u>\$40.00</u>
Street/Lot Overtime			
Article XIV, Section 23-193 and Schedule N			
• Downtown			
○ First offense		Courtesy - no fine	
○ Second offense	\$10.00	\$15 20.00	<u>\$30.00</u>
○ Third and subsequent offenses	\$15.00	\$20 25.00	<u>\$35.00</u>
• All other areas of the city			
○ First offense	\$10.00	\$45 20.00	<u>\$30.00</u>
○ Second offense	\$15.00	\$20 25.00	<u>\$35.00</u>
○ Third and subsequent offenses	\$20.00	\$25 30.00	<u>\$40.00</u>
Parking on Unapproved Surfaces			
Article XII, Section 23-160 <u>(initial warning notification – no fine)</u>			
• First offense	\$25.00	<u>\$50.00</u>	<u>\$75.00</u>
• Second offense	\$50.00	<u>\$75.00</u>	<u>\$100.00</u>
• Third and subsequent offenses	\$100.00	<u>\$125.00</u>	<u>\$150.00</u>

RESTRICTED, PROHIBITED & OTHER PARKING FINES

— Fine Amount

If Paid Within 7 Days If Paid After 7 Days If Paid After 30 Days

Restricted Parking	\$20.00	\$ 25 30.00	<u>\$40.00</u>
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Article XIII, Section 23-177
Article XIV, Section 23-184 and Schedule K

Restricted Parking Special Parking Zones 3:00 AM to 3:00 PM	\$20.00	\$ 25 30.00	<u>\$40.00</u>
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Article XIV, Section 23-192
Article XIV, Section 23-192, (f)
Any person found guilty of violating subsection (f) shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00).

Prohibited Parking	\$30.00	\$ 35 40.00	<u>\$50.00</u>
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Article XII, Sections 23-151 through 23-158
Article XIII, Sections 23-172 through 23-176
Article XIV, Section 23-183 and Schedule J
Sections 23-185 and 23-186
Section 23-187 and Schedule L
Sections 23-188 and 23-189
Section 23-190 and Schedule M
Sections 23-191 and 23-194
Article XV, Section 23-202 (b) and (d)
Article XVII, Sections 23-234 through 23-236

Disabled Parking <u>(fine is regulated by State of Illinois)</u>	\$250.00	\$300.00	
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Article XII, Section 23-159

Unauthorized Use of Rental Spaces	\$50.00	\$ 60 75.00	<u>\$100.00</u>
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Article XVII, Section 23-248

Unauthorized Parking, Permit Only Lot	\$20.00	\$ 25 30.00	<u>\$40.00</u>
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Article XVII, Section 23-249

Expired/No Registration Plates	\$25.00	\$50.00	<u>\$100.00</u>
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Article XVIII, Section 23-~~266~~-265

Abandoned and Inoperable Vehicle on Highways or Other Municipal Property	\$30.00	\$3540.00	<u>\$50.00</u>
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Article XVIII, Sections 23-261 and 23-262

Abandoned and Inoperable Vehicle on Private Property

Article XVIII, Sections 23-263 and 23-264

Fine not to exceed two hundred and fifty dollars (\$250.00) per day.

Abandoned and Inoperable Vehicle on Highways and Other Municipal Property

Article XIX, Section 23-271 (d)

Fine not to exceed two hundred and fifty dollars (\$250.00) per day.

Requirements for Commercial Relocators

Article XXI, All Sections

Fine not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) per day or per removal, whichever is greater.

Parking Violation Procedures and Penalties

Article XVI, Section 23-211 (2) (d)

Article XVI, Section 23-214 (b)

Violation of any provision of the Urbana Local Traffic Code will subject the parking violator to a maximum fine of two hundred fifty dollars (\$250.00) per violation, which may be imposed if the City of Urbana elects to initiate collection proceedings through the judicial process.

Stopping, Standing or Parking Restricted or Prohibited On Certain Streets

Article XIV, Section 23-192 (f) (2)

The display of a fraudulent parking permit shall carry a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) per day.

ORDINANCE NO. 2019-05-030

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 1, SECTION 1-10(J),
REGARDING THE SCHEDULE OF FINES FOR CERTAIN LOCAL TRAFFIC CODE
VIOLATIONS**

(2019)

WHEREAS, the City Council heretofore has enacted Urbana City Code Section 1-10(j)(1) to authorize fines for certain violations of the Local Traffic Code (Urbana City Code Chapter 23); and

WHEREAS, pursuant to Section 1-10(j)(1), such fines shall be as established and amended from time to time by ordinance in a separate schedule of fines; and

WHEREAS, Urbana City Code Section 23-25 incorporates the separate schedule of fines, as amended, into the Local Traffic Code by reference; and

WHEREAS, the City Council, after due consideration, finds that amending the schedule of fines as herein provided, pursuant to Section 1-10(j)(1), is in the best interests of the residents of the City and is desirable for the welfare of the City's government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

Urbana City Code Chapter 1, "General Provisions," Section 1-10, "General penalty; continuing violations," subsection j, "Urbana Local Traffic Code fines," paragraph 1, "Schedule of fines for certain specified offenses," is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference:

Section 2.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code or on July 1, 2019, whichever occurs later.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this date day of Month, Year.

Diane Wolfe Marlin, Mayor

ORDINANCE NO. 2019-05-031

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 23, SECTION 23-211
(Parking Violation Procedures)**

WHEREAS, Sections 11-80-2 and 11-80-20 of the Illinois Municipal Code (65 ILCS 5/11-80-2 and 65 ILCS 5/11-80-20) authorize the corporate authorities of each municipality to regulate the use of the streets and traffic upon the streets; and

WHEREAS, Section 11-208(a) of the Illinois Vehicle Code (625 ILCS 5/11-208(a)) empowers local authorities to regulate the standing or parking of vehicles on streets under their jurisdiction; and

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council heretofore has enacted Urbana City Code Section 23-211 to establish parking violation procedures in the City; and

WHEREAS, the City Council, after due consideration, finds that amending said section as herein provided is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

Urbana City Code Chapter 23, “Local Traffic Code,” Article XVI, “Parking Violation Procedures and Penalties,” Section 23-211, “Parking violation procedures,” subsection (1), paragraph g, is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as follows:

- g. The information regarding the opportunity to informally contest the violation on its merits within seven (7) days ~~seventy-two (72) hours~~ of receipt of “hang-on” notice;

Section 2.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of

this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4.

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This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this date day of Month, Year.

Diane Wolfe Marlin, Mayor