

## Staff Report

**Parking Violations**

January 24, 2012

**Background:**

A previous staff report led the City Council to direct the Police Department to gather public input regarding a potential increase in parking fines. Fines are set by Municipal Ordinance and address two general groups of parking violations, overtime parking at meters and all other illegal parking.

**Overtime parking** occurs when the vehicle parked at a metered spot exceeds the time paid on the meter. **The fine for this violation is \$10, but if paid within seven days the fine is reduced to \$5.** This rate was last increased in 2003. This violation accounts for 24,823 of approximately 48,419 tickets written in 2011. The estimated cost of meter enforcement, converted to a per-ticket basis, is \$6.73. Added to this is \$4.39 in overhead costs associated with collecting and processing payments and all other city support functions (Legal, Human Resources, Facilities, etc) for a total cost of \$11.12 per ticket.

**Illegal parking** violations include such things as blocking sidewalks or driveways, parking without the proper permit or permission, or parking in violation of alternate side or hour of day restrictions. **The fine for this violation is \$15, but if paid within seven days and the fine is reduced to \$10.** These rates were increased from \$5 in 2003. In 2011, there were 23,596 illegal parking citations written at an estimated cost of \$6.44 per ticket plus \$4.39 in collections and overhead expenses for a total estimated expense of \$10.83.

These estimates include all costs associated with the enforcement, ticketing, and collections functions as well as any city overhead expense associated with this service. Approximately 50% of tickets are paid within seven days and 87% of all tickets are eventually paid.

**Deterrence**

One justification for levying parking fines is to deter illegal parking. While the “deterrent effect” of a given penalty varies among individuals, the willingness to risk the penalty is probably also influenced by the availability of parking options. For instance, with a ready supply of convenient parking options (metered spaces for example), most people will comply with parking regulations and park legally. Under these conditions, any parking citation is undesirable and serves as a deterrent.

As the supply of available parking decreases, however, the motorist is often willing to pay more in order to park their car. At some point, the cost of a parking ticket can become equivalent to the cost of parking. In essence, the citation can become a “convenience fee” for the privilege of parking at a desirable location. This may be most evident on football game days when there is readily available parking in university lots with rates beginning at \$20 per vehicle. Many attendees are willing to pay \$20 or more to park their vehicle on game day. Some, however, choose to avoid these costs and park on city streets. A portion of this group will accept a \$10 illegal parking citation in order to park illegally on city streets adjacent to the Stadium. It should also be noted that some illegal parking citations stem from misinterpretation of complex regulations or motorists who are simply misled by seeing someone else parked illegally.

It is likely that the current \$10 citation is a modest deterrent to most illegal parking. On football game days or during other major special events, \$10 may be an inadequate deterrent.

### **Support of Operations**

A second justification to assess fines is to cover the cost of enforcement. The overall average cost of a parking citation was \$11.02 in 2011 (\$10.83 per illegal and \$11.12 per overtime). **While there is some year-to-year fluctuation in the cost of enforcement and the number of citations, the citation cost seems to consistently exceed the current fine amount for a parking citation.**

### **Other Communities**

The following table details overtime and illegal parking fines for a selection of other Iowa communities.

<b>City</b>	<b>Overtime</b>	<b>Illegal</b>
Ames	\$5, \$10 if not paid in 7 days	\$10, \$15 if not paid in 7 days
Ankeny	\$15, \$20 if not paid in 30 days	\$15, \$20 if not paid in 30 days
Cedar Falls	\$10, \$15 if not paid in 30 days	\$10, \$15 if not paid in 30 days
Clive	\$15, \$20 if not paid in 30 days	\$15, \$20 if not paid in 30 days
Dubuque	\$7, \$12 if not paid in 30 days	\$15, \$20 if not paid in 30 days
Iowa City	\$10 (variable at meters)	\$15, \$20 if not paid in 30 days
Mason City	\$15, \$20 if not paid in 30 days	\$15, \$20 if not paid in 30 days
West Des Moines	\$15, \$20 if not paid in 30 days	\$15, \$20 if not paid in 30 days
Iowa State University	\$10	\$15-30

Most of the cities in this survey have an illegal parking fine amount of \$15. There was somewhat more variability in how communities addressed overtime parking violations although a majority had amounts similar to the \$15 for illegal parking. Iowa City, for instance had a scaled response with the first violation waived at meters, followed by rapidly escalating amounts for repeat offenders. Dubuque charges \$7 for this violation.

### **Citizen Feedback**

A summary of the violations and parking system finances were prepared as the basis for discussion in these meetings. Sessions were held with interested parties from Campustown, downtown, and the Panhellenic representatives. Meetings were held with the ISU Parking System representative, the GSB Off-Campus Student Senator, and a representative of the ISU Athletic Department. In addition, comments were invited from citizens through emails to the neighborhood association representatives and ISU Greek Affairs.

A wide array of opinions were represented in the comments that were received. While any summary may not adequately represent the opinion of all citizens, there were some themes that emerged from several of the meetings:

- Some citizens expressed opposition to any increase. This was particularly true with reference to parking meter violations. Meters and meter violations were mentioned as a deterrent to shopping in certain areas, particularly in reference to downtown businesses and customers.
- Many citizens understood the need for parking enforcement and accepted the “break-even” approach to financing the parking system. There was more caution expressed about a possible meter fine increase than about an illegal parking fine increase.
- Customer access to stores and “turnover” continued to be a high priority for both Campustown and downtown businesses. Participants brainstormed ways to finance a system to enforce a time limit without the use of meters. (While there is license-plate reader technology available to do this, these are costly technologies). The convenience of alternate payment systems seemed to be of greater concern among Campustown respondents than downtown respondents.
- Although some citizens recognized that parking comes at a cost that has to be accounted for in some way, there continues to be some perception of parking as a “free” commodity. A couple of respondents suggested that this cost would best be absorbed by merchants rather than by shoppers.
- The fine amount at meters was seen differently by different groups - some participants indicated that the current amount encouraged a “*take my chances*” approach while a higher penalty would lead them to pay the meter. Others indicated that any fine amount may be a negative influence on the customer experience. One neighborhood respondent suggested that those who pay the fine receive a shopping coupon sponsored by the local merchants as way to offset a potentially negative experience.
- We received comments from a couple of respondents who had downtown or Campustown responsibilities during times that on-street parking is prohibited. For example, businesses’ staff who clean in bars after 2:00 a.m. find themselves in violation of the overnight no parking rules. These rules are designed to allow street cleaning, snow removal, and other maintenance activities while also deterring long-term on-street storage.
- Participants were not particularly sympathetic to those who parked illegally. **Game day parking was of special concern to neighborhood residents.** The ISU Athletic Department has discouraged illegal parking in the neighborhoods. Space is available in ISU lots during all home football games. In response to citations, visitors commonly report difficulty in understanding posted regulations. Many participants acknowledged that a “game day surcharge” may be perceived as hostile to visitors but balanced this with the recognition that the illegal parking is also difficult for neighborhood residents. While there was no single solution to this problem, one group suggested that areas immediately adjacent to ISU experience enough parking demand that the fine will need to be higher in order to achieve sufficient deterrence. In essence, they recommended a higher fine in some high demand zones.
- ISU students emphasized the importance of advance public notice of any change in the fees. In these discussions, there seemed to be some acceptance of the need for increased fines. At the same time, they emphasized the value of widespread public awareness prior to the change.

In general, there were a number of ideas developed for improving parking regulation compliance. These have been captured and shared with the Traffic Engineer for consideration as we replace meters or consider new parking regulations.

**Options:**

1. Illegal Parking

- a. The City Council can increase illegal parking fines to \$20 (\$15 if paid within seven days).
- b. The City Council can increase illegal parking fines to a different amount.
- c. The City Council can make no change in illegal parking fines.

2. Overtime Parking

- a. The City Council can increase overtime parking fines to \$12 (\$7 if paid within seven days).
- b. The City Council can increase overtime parking fines to a different amount.
- c. The City Council can elect to make no change to the overtime parking fine amount.

3. High Demand Parking Penalties

- a. The City Council can direct staff to explore the development of high-demand parking zones with the potential for different penalties in these areas.
- b. The City Council can elect to take no action on the question of high-demand parking zones.

**Staff Comments:**

The 2012/13 budget anticipates that revenue will not cover the operating costs in the Parking Fund. While parking fines are primarily set to encourage compliance with regulations, a secondary goal is to cover the expenses associated with enforcement of parking regulations. In considering these goals and the current practices in other cities, it seems appropriate to consider increasing the illegal parking fine to \$20 (\$15 if paid within seven days). The Council may be interested in exploring whether high-density residential areas should have a higher fine (perhaps \$25 - reduced to \$20 if paid within 7 days). The creation of these zones could begin to address some of the game day issues, but are unlikely to eliminate this problem. The current illegal fine could be increased citywide, while still allowing additional time for consideration of zones or other game day options.

There was less unanimity on the question of overtime parking fines. Some opposed any increase. Those who acknowledged that an increase may be warranted tended to support a more cautious increase in the overtime parking fine amount. If an increase is implemented, it might be to \$12 (\$7 if paid within seven days). As the Parking Fund is presented to you in early February, you will see the trend for this fund balance and be able to judge what, if any, changes to make.