

## Parking Violations and Abandoned Vehicles

### 507.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Redding City Ordinance regulating 72-hour parking violations, parking violation citations, and abandoned vehicles under the authority of Vehicle Code § 22669.

### 507.2 PARKING VIOLATION CITATIONS

- (a) The Parking Violation citation shall be used for parking violations; all other violations shall be written on the standard citation (Notice to Appear). Parking violations cannot be placed on the same citation with other California Vehicle Code, Business and Professions, or Health and Safety Code violations. Only one violation may be marked on a citation.
- (b) Employees issuing Parking Violation citations shall fill in all boxes at the top of the citation and shall check the appropriate violation box. Employees shall include, on the citation, the last four digits on the VIN, and, if applicable, the parking meter number. If the parking violation is not listed, it shall be written in the blank space provided and the box shall be checked.
- (c) Subsections must be entered after the appropriate code section. Should the issuing officer feel that clarification is necessary, he or she can print the information between code columns.
- (d) The employee issuing the Parking Violation shall leave the yellow copy, with the attached envelope, conspicuously on the violator's vehicle. The white copy shall be routed in the same manner as Notice to Appear citations.
- (e) Officer's notes relative to the citation should be made on the reverse side of the white copy. Should a hearing be requested, the original will be in the court's possession. The officer can request to review the citation and their notes at that time.
- (f) Parking citations shall be submitted daily for processing.
- (g) Equipment violations written on parked vehicles shall not be written on a parking citation.

#### 507.2.1 PARKING REGULATIONS

- (a) With the exception of disabled persons and disabled veterans, no vehicle is exempt from parking regulations, including vehicles with exempt license plates.
- (b) Employees of the Redding Police Department are responsible for parking citations issued to vehicles under their operation and control.

#### 507.2.2 PARKING ON PRIVATE PROPERTY

The following guidelines have been established for the enforcement of Redding Municipal Code Section 11.24.260 (Parking on Private Property):

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- (a) It is unlawful for the operator of any vehicle to park or stand his vehicle in any private property area within the city, and which is situated on private property without the consent of the owner, manager, or lessee, provided the area is conspicuously posted against such parking with signs referring to the ordinance codified in this section and bearing the name and telephone number of the Police Department.
- (b) The Police Department shall require the notarized signature of the owner, manager, or lessee of the property, parking lot, or space on a "Consent to Enforcement" form which shall be kept on file at the Police Department, and give to the Police Department the authorization to enforce parking restrictions in the parking facilities properly posted pursuant to section 11.24.260 of the Redding Municipal Code.
  - 1. If a violation is observed, and the owner, manager, or lessee has complied with paragraphs A and B, an officer may issue a parking citation without obtaining a signature from the owner, manager, or lessee.
  - 2. If the private area is properly posted but the "Consent to Enforcement" form has not been signed, the owner, manager, or lessee must co-sign the citation in the space designated for complainant's signature.
  - 3. For red zone parking violations on private property, if the private area is properly posted but the "Consent to Enforcement" form has not been signed, the owner, manager, or lessee must co-sign the citation in the space designated for complainant's signature. The citation violation will be 22500.1 CVC, Prohibited Stopping, Standing, or Parking: Fire Lane.
  - 4. The complainant's name, address, and phone number shall be recorded on the citation and the complainant shall be advised his appearance will be required in court if the citation is contested.

#### 507.2.3 PARKING FOR DISABLED PERSONS

Section 22511.5 CVC allows disabled persons to park free of charge in restricted, metered, or disabled persons zones if the vehicle has proper identification, which includes the following:

- (a) Disabled Person or Disabled Veteran special identification license plates authorized by the California Vehicle Code.
- (b) Disabled Person placard authorized by the California Vehicle Code.
- (c) A special identification Disabled Person license plate or placard issued by another stated or foreign jurisdiction.
  - 1. Officers, CSOs, and Cadets may enforce disabled parking violations on both public and/or privately owned and maintained off-street parking facilities.
  - 2. Prior to issuing citations for Disabled Person parking violations, officers shall ensure that the space is properly painted/posted as per 22511.7 or 22511.8 CVC.
  - 3. Section 22652 CVC authorizes officers to tow vehicle illegally parked in Disabled Person zones. Redding Police Department officers will not tow a violator unless there are extenuating circumstances and approval of the shift supervisor has been obtained.

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#### 507.2.4 DISMISSING PARKING CITATIONS

Section 40215 CVC provides guidelines for the dismissal of parking citations. Section 40215 CVC provides for an officer who has written a parking citation to recommend in writing the citation to be dismissed in the interest of justice.

The City Treasurer reviews the recommendation. If grounds for dismissal exist, the notice of parking violation may be canceled pursuant to section 40215 CVC.

If an officer, after issuing a citation, determines the citation should be canceled, he/she should complete a "Request for Cancellation of Parking Violation" form (Form A92-001). This form should be placed in an envelope and forwarded to the City Treasurer, it should not be placed with the citation.

In order for the City Treasurer's office to cancel the parking citation, there must be a valid reason for the recommendation. Under no circumstances shall a personal relationship with any officer, public official, or law enforcement agency be grounds for dismissal.

#### **507.3 ABANDONED VEHICLES**

- (a) Abandoned vehicles, including, but not limited to, automobiles, pick-up trucks, trailers, recreational vehicles, motorcycles, all-terrain vehicles, motorized scooters, mopeds, vehicle frames, and vehicle engines shall not be held as "found property" or in "safekeeping" at a Police Department facility.
- (b) When a suspected abandoned vehicle is observed or reported to the Police Department, the responsible officer shall conduct a registration and stolen vehicle check on the vehicle. If the vehicle is on a public street or public property, and cannot be towed pursuant to 22669(d), 22651(o) or 22651(b) CVC, the following steps shall be completed:
  - 1. Complete an abandoned vehicle Tow Away Warning or Private Property Tow Away Warning and affix the top portion of the tag to the suspected abandoned vehicle in a conspicuous place.
  - 2. Initiate a log report and obtain a case number from SHASCOM.
  - 3. Place the bottom portion of the Tow Away Warning or Private Property Tow Away Warning in the AVA officers tray.
- (c) The AVA officer (or other assigned officer) shall complete the following investigation and take the following actions, when necessary:
  - 1. Determine if the suspected abandoned vehicle has been moved within the required time frame.
  - 2. If the vehicle is still present at its prior location and has not been moved within the required time period, the AVA officer shall conduct another registration and stolen vehicle check.
  - 3. If the AVA officer determines the vehicle is abandoned, the AVA officer shall complete a tow report using the CHP 180/RPD 180 form, obtain a new case number from SHASCOM, and request an abandoned vehicle tow. The AVA

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officer shall advise SHASCOM of the tow report and provide Redding Police Department Services personnel with the necessary vehicle information for entry into SVS in a timely manner.

#### **507.4 MARKING VEHICLES**

Vehicles suspected of being in violation of the City of Redding 72-Hour Parking Ordinance shall be marked and noted on the Redding Police Department Marked Vehicle Card. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Marked Vehicle Card. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle at least 24 hours prior to removal.

All Marked Vehicle Cards shall be submitted to the Traffic Bureau for computer data entry.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and a Marked Vehicle Card completed and forwarded to the Traffic Bureau.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

##### **507.4.1 MARKED VEHICLE FILE**

The Traffic Unit shall be responsible for maintaining a file for all Marked Vehicle Cards.

Parking control officers assigned to the Traffic Unit shall be responsible for the follow up investigation of all 72-hour parking violations noted on the Marked Vehicle Cards.

##### **507.4.2 VEHICLE STORAGE**

Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Division immediately following the storage of the vehicle. It shall be the responsibility of the Records Division to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento ( Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS)(Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Division to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).