

**ORDINANCE NUMBER 1250 SUPPLEMENTAL
AMENDING SECTION 231, ARTICLE I, SECTIONS 6, 7 AND 8, VEHICLES AND TRAFFIC,
OF THE CODE OF ORDINANCES TO PROVIDE FOR
NEW FINES FOR PARKING VIOLATIONS**

WHEREAS, Chapter 231 of the Code of Ordinances, Vehicles and Traffic, contains general provisions concerning vehicles and parking; and

WHEREAS, the City's administrative costs in administering the vehicle and traffic enforcement program has significantly increased; and

WHEREAS, it has been determined that it is in the best interests of the City of Stamford to increase the fees for vehicle and parking violations to cover the higher costs.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 231, Article I, Sections 6, 7 and 8, are hereby amended as follows:

Sec. 231-6. - Prohibited Stopping, Standing or Parking.

A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a police officer, traffic violation officer or traffic control device, in any of the following places:

(1) The following shall be Class II parking violations:

- (a) Obstructing a public or private driveway.
- (b) Within twenty-five (25) feet of a crosswalk at an intersection.
- (c) In a loading zone reserved for commercial use without commercial or combination plates.
- (d) In a municipal lot operated by the City of Stamford when parking so as to occupy more than one (1) space.
- (e) Any place where official signs prohibit stopping or parking.
- (f) In violation of residential parking permit area regulations as adopted by the traffic authority.
- (g) On any property owned or managed by the Stamford Housing Authority without a resident or visitor permit issued, or otherwise authorized, by the Stamford Housing Authority.
- (h) Parking a vehicle as described in Section 231-8 A.

(2) The following shall be Class III parking violations:

- (a) On a sidewalk.
- (b) On a crosswalk.
- (c) In a marked bus stop.
- (d) In violation of Article IV, parking a truck in a residential zone for longer than two hours, except as exempted by Article IV.
- (e) On the roadway side of any vehicle stopped or parked at the edge of the curb of a street (double-parked).
- (f) In a designated and signed fire lane.
- (g) More than twelve (12) inches from a curb.
- (h) Within twenty-five (25) feet of a street corner or intersection.
- (i) Within fifty (50) feet of the nearest rail of a railroad crossing unless otherwise signed by the traffic authority.
- (j) Within twenty (20) feet of the driveway entrance to any fire station and on the side of the street opposite the entrance of any fire station within seventy-five (75) feet of such entrance (when properly signposted).
- (k) In parking lots, owned or operated by the City of Stamford, without a valid permit or failing to properly display a valid permit.
- (l) Parking on a city right-of-way.
- (m) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of the roadway.
- (n) Between a safety zone and the adjacent curb or within thirty (30) feet of the points on or at the curb immediately opposite the ends of a safety zone, unless the traffic authority has indicated a different length by signs or markings.
- (o) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- (p) Wrong way on street against the flow of traffic.

(3) The following shall be Class IV parking violations:

- (a) In a handicapped space, marked in accordance with state law, without a permit.
- (b) In violation of Article IV, parking of a truck within five hundred (500) feet of a residential dwelling between 9:00 p.m. and 6:00 a.m.
- (c) Within ten (10) feet of a fire hydrant.
- (d) Misuse of City issued parking lot permit.
- (e) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
- (f) Within an intersection.
- (g) On a designated snow emergency route during a declared snow emergency.

B. The above shall apply to private parking areas in which the parking authority has adopted regulations pursuant to Section 14-311b of the Connecticut General Statutes.

C. It shall be a Class II parking violation for any person to park or leave standing, or cause to be parked or left standing, any vehicle upon any public street in the City for one hundred and twenty or more consecutive hours. Any vehicle that is not moved within 24 hours of the issuance of a notice of violation of this section shall be deemed abandoned, and subject to removal in accordance with Section 231-16.

Sec. 231-7. - Parking violation penalties.

A. Penalties for violations of this Article are as follows:

- (1) A fine of twenty-five dollars (\$25.00) for parking meter violations or for overtime parking where posted.
- (2) A fine of fifty dollars (\$50.00) for a violation of any Class II parking regulation.
- (3) A fine of eighty dollars (\$80.00) for any violation of a Class III parking regulation.
- (4) A fine of one hundred and twenty dollars (\$120.00) for any violation of a Class IV parking regulation, except that parking in a handicapped space, marked in accordance with state law, without a permit shall be subject to a fine of one hundred and seventy-five dollars (\$175.00).

B. The aforementioned fines shall apply if payment is made in full to the Parking Violations Office within ~~thirty (30)~~fifteen (15) calendar days of the date of the violation. Payment is deemed to be made on the date that it is received by the Parking Violations Office.

C. Delinquent penalties. In the event the penalties set forth herein are not paid in full within fifteen (15) calendar days following the date of the violation, said penalty shall double. In the event the penalties set forth herein are not paid in full within thirty (30) calendar days following the date of the violation the penalty established in Section 231-7 shall triple, provided however that such penalty shall not exceed two hundred fifty dollars (\$250.00). Parking citations shall be considered delinquent if they are not paid or appealed within thirty (30) days of their issuance. If the original fine is not paid or appealed within said thirty-day period, an additional penalty of twenty-five [dollars] (\$25.00) shall be added. If the original fine and the penalty assessed after thirty (30) days is not paid or appealed within thirty (30) days from the first penalty, an additional twenty-five [dollars] (\$25.00) shall be added.

D. Delinquent notice required. The traffic authority shall send notice to the registered owner of any vehicles against which delinquent citations are outstanding. The notice shall list the number of delinquent citations and the total penalty owed. Such notice shall be mailed by the traffic authority as soon as possible to the registered owner at his/her address according to the registration records of the Department of Motor Vehicles of the state in which the vehicle was last registered.

E. Penalty assessment notice.

- (1) If the fines and/or penalties are not paid or appealed within fifteen (15) days of the date of the notice of delinquency, the traffic authority shall send, by first class mail, a notice of penalty assessment. Such notice shall be mailed by the traffic authority as soon as possible to the registered owner at his/her address according to the registration records of the Department of Motor Vehicles of the state in which the vehicle was last registered.
- (2) Not less than thirty (30) days nor more than twelve (12) months after the mailing of the penalty assessment notice, the traffic authority shall file a certified copy of the penalty assessment notice with the Clerk of the Superior Court, together with the appropriate entry fee. The certified copy of the penalty assessment notice shall constitute a record

of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one (1) record of assessment. The Clerk shall enter judgment in the amount of such record of assessment and court costs against any person in favor of the city. Notwithstanding any other provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment, and a levy of execution on such judgment may issue without further notice to such person.

Sec. 231-8. - Removal or immobilization of motor vehicles bearing outstanding citations.

- A. No person shall park any vehicle on any city street, in any public parking garage, on any public property within the city, or on property owned or managed by the Stamford Housing Authority if the last registered owner of the vehicle or license plate owes delinquent parking fines in a cumulative amount of two hundred fifty dollars (\$250.00) or greater, or has three or more delinquent parking citations that are otherwise unsettled and uncontested. ~~Whenever there is found any motor vehicle parked upon the streets or public grounds of the city, or property owned or managed by the Stamford Housing Authority, which has received three (3) or more parking citations issued for a violation of any provision of Section 231-5 or 231-6 of this Article which are delinquent, unpaid or otherwise unsettled and uncontested,~~ In addition to being subject to a Class II parking violation penalty as provided in section 231-6, such vehicle shall, ~~by towing or otherwise,~~ upon approval of the traffic authority or his/her designee, by towing or otherwise be removed for safekeeping, by or under the direction of a police officer, traffic violations officer or other individual empowered by the traffic authority, to a garage or other location, or such vehicle shall be immobilized in such a manner as to prevent its removal or operation except by persons as shall be authorized to do so by the traffic authority.
- B. It shall be the duty of any police or traffic violations officer removing or immobilizing a motor vehicle or under whose direction such a vehicle is removed or immobilized to inform as soon as practicable, within one (1) business day, the owner of the removed or immobilized vehicle. The traffic authority shall give notice to the City of Stamford Police Department before removing any vehicle. Furthermore, the traffic authority shall send notice of the removal or immobilization to the registered owner by certified mail, within one (1) business day, of said action. The notice shall apprise the owner of the prior unsettled parking violations notices for which such vehicle was removed or immobilized. In any case involving immobilization of a vehicle pursuant to this section, there shall be placed on such vehicle, in a conspicuous manner, a notice warning that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage thereto.
- C. Release of vehicle.
- (1) Before the owner or duly authorized person shall be allowed to repossess or to secure the release of said vehicle, he or she shall pay the following:
 - (a) The cost of towing and/or booting fee, whichever applies; and
 - (b) The cost of storage for each day or portion of a day that such vehicle is stored; and
 - (c) All sums legally due for any City of Stamford parking citations issued and outstanding against such vehicle in lieu of the above; or
 - (d) A bond with a surety company, authorized to do business in this state, in an amount sufficient to cover the charges specified in Subsection C(1)(a), (b) and (c) above.
 - (2) No such vehicle shall be released until the owner or a duly authorized person has established his or her identity and right to possession and has signed a proper receipt therefor.
 - (3) If a vehicle has been immobilized by means of a self-releasing immobilization device pursuant to paragraph B of this section and the owner or a duly authorized person ~~motorist~~ chooses to remove the device, the owner or a duly authorized person ~~motorist~~ must return the device to the City within twenty-four (24) hours after being authorized to remove the device. If the device has not been returned to the City within the time required by this section, the vehicle owner may be assessed a late fee of twenty-five dollars (\$25.00). If the device is not returned within forty-eight (48) hours after being authorized to remove the device, or the device is returned damaged and inoperable, the vehicle owner will be assessed a replacement fee of five hundred dollars (\$500.00).
- D. The owner or keeper of any garage or other place where such motor vehicle is stored shall have a lien upon said vehicle for such owner's or keeper's towing and/or storage charges.

Any such vehicles which remain unclaimed may be disposed of pursuant to the provisions of Connecticut General Statutes, § 14-150, including by auction or sale.

- E. Any person who, ~~after having had his or her vehicle towed or immobilized, shall remove such any immobilized vehicle, or removes any device to immobilize a vehicle,~~ without complying with Subsection C shall, in addition to the charge provided for in said subsection, will be assessed a replacement fee of five hundred dollars (\$500.00) for the device be liable for any damage done to the immobilization device or mechanism and be subject to a fine of five hundred dollars (\$500)two hundred fifty dollars (\$250.00).
- F. Prior to scheduling any vehicle on a list for impoundment or immobilization, the traffic authority shall cause to be mailed to the registered owner a list of all delinquent charges and a statement warning that such vehicle shall be impounded or immobilized if found and giving notice of appeal rights pursuant to § 231-10 B. of this article. Such notice shall be mailed at least fifteen (15) days prior to the placement of any vehicle on a list for impoundment or immobilization.

This ordinance shall take effect upon enactment.

Matthew Quinones, President, and Susan Nabel, Clerk, do hereby certify that the foregoing Ordinance was approved by the 30th Board of Representatives by a machine vote of 27-10-1 at the Regular Board Meeting held on January 7, 2019.



Matthew Quinones, President
Dated this 14 day of January, 2019



Susan Nabel, Clerk
Dated this 14 day of January, 2019



David R. Martin, Mayor, City of Stamford
Dated this 20th day of January, 2019

EFFECTIVE DATE: February 1, 2019

cc: Mayor David R. Martin
Kathryn Emmett, Esq., Law Department
Michael Handler, Director of Administration
Jay Fountain, Director of OPM
Mark McGrath, Director of Operations
Lyda Ruijter, City & Town Clerk
Thomas Madden, Director of Economic Development
Ted Jankowski, Director of Public Safety, Health & Welfare
Jim Travers, Transportation Bureau Chief