

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2016-3

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4
5 AN ORDINANCE

6 AMENDING ARTICLE IX AND ARTICLE XII OF THE UNIFORM TRAFFIC
7 ORDINANCE TO ESTABLISH THAT ALL PARKING VIOLATIONS ARE CIVIL
8 PARKING VIOLATIONS AND SUBJECT TO ADMINISTRATIVE ADJUDICATION AND
9 COLLECTION BY AN EXTERNAL ADMINISTRATIVE AND COLLECTION AGENCY;
10 AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO MEET THE
11 PURPOSES OF THIS ORDINANCE.

12
13 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

14 Section 1. Article 12-9 of the City of Santa Fe Uniform Traffic Ordinance (being
15 Ord. #2011-4, as amended) is amended to read:

16 12-9-1 ADMINISTRATION. The parking division director has the authority to
17 administer the provisions of Article 12-9.*

18 12-9-2 DEFINITIONS. As used in this Article:

19 *Civil parking violation* means the act of parking a vehicle in violation of Section 12-9-3 of
20 the Uniform Traffic Ordinance.

21 *Covered parking meter* means a meter that is covered with an official city meter bag and
22 therefore not a valid metered parking space.

23 *Default* means the failure to pay a fine or to timely pay a fine pursuant to a decision of a
24 hearing officer under Section 12-9-4 of the Uniform Traffic Ordinance.

25 *Extending meter time* means purchasing time at a metered parking space beyond the

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1 maximum time permitted at that specific metered space.

2 *Hearing officer* means a person appointed by the city manager to resolve disputes under
3 Section 12-9-4 in an administrative hearing.*

4 *Law enforcement officer* means a person who has successfully completed the New Mexico
5 department of public safety training and recruiting division accredited satellite program and passes
6 the law enforcement officer certification examination. (10-29.5.11 NMAC)

7 *Meter holiday* means payment at a parking meter is not required on days established by the
8 parking division director as meter holidays.

9 *Parking enforcement officer* means a city of Santa Fe employee who is commissioned to
10 issue parking fine notifications and citations.*

11 *Parking fine notification*, as used in Section 12-9-4, includes the following:

12 (1) *City parking lot or garage insufficient payment notice* means a written notice
13 affixed to the windshield of the vehicle or handed to the patron upon exiting a city parking lot
14 or garage by a city of Santa Fe parking attendant or other person authorized by the city of
15 Santa Fe, for failure to provide sufficient payment for the mandatory parking fees at a city
16 parking lot or garage.

17 (2) *City parking meter violation notice* means a written notice affixed to the
18 windshield of the vehicle by a city of Santa Fe parking enforcement officer, parking
19 attendant, police officer or other person authorized by the city of Santa Fe, for failure to pay
20 the mandatory parking fees at a city parking meter.

21 (3) Parking violations and associated fines listed in Schedule B located at the
22 end of this section.

23 *Parking division director* means the director of the city of Santa Fe parking division and
24 parking violations bureau or his or her designee.

25 *Parking meter* means:

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1 (1) Multi-space parking meter, including a pay and display machine that is a type
2 of ticket machine used for regulating parking in city parking lots or garages for one or more
3 spaces; and

4 (2) Single-space parking meter that regulates on street parking for one space.

5 *Parking violations bureau* means the entity of the city of Santa Fe parking division that is
6 charged with the administration of parking violations.*

7 **12-9-3 PARKING REGULATIONS**

8 **12-9-3.1 AUTHORITY TO ESTABLISH PARKING METER ZONES.**

9 A. The parking division director may establish parking meter zones in which the parking
10 of vehicles upon streets or parts of streets shall be regulated by parking meters between the hours of
11 8:00 a.m. and 6:00 p.m. of any day except Sunday and meter holidays.

12 B. The parking division director may limit the period of time for which parking is
13 lawfully permitted in any parking meter zone where meters are located regardless of the value of the
14 payment made at a meter.

15 C. The parking meter zone may be reduced or extended and enlarged, or other parking
16 meter zones may be created as established by the parking division director.*

17 **12-9-3.2 INSTALLATION OF PARKING METERS (formerly 12-9-2).**

18 A. The parking division director shall install parking meters in established parking meter
19 zones.

20 B. Parking meters may be single-space or multi-space meters which shall be
21 conveniently placed on the curb adjacent to designated metered parking spaces.

22 C. Parking meters shall be capable of being operated, either automatically or manually.
23 Payment shall be considered made upon receipt of the minimum amount required to rent a metered
24 parking space for a pre-established fixed amount of time. The payment shall be in United States
25 currency in the form of coins, credit or debit cards and/or any other method of payment as determined

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1 by the parking division director including, but not limited to, pay-by-phone or smart-card.

2 D. Parking meters shall be capable of showing from a reasonable distance the time of
3 expiration of the parking meter. A receipt obtained from a multi-space parking meter shall display the
4 purchased amount of time and the time of expiration for such payment.

5 E. During the paid parking meter period and prior to the expiration of the paid parking
6 meter period, the meter shall clearly indicate the amount of time which has been paid for.

7 F. Each parking meter shall display the days and hours when the requirement to pay the
8 metered space shall apply, the value purchased for each type of coin or payment charged to a credit,
9 debit or smart card and the limited period of time for which paid meter parking is lawfully permitted
10 in the parking meter zone in which such meter is located.*

11 **12-9-3.3 PARKING METER SPACES**

12 A. The parking division director shall designate parking space or parking spaces
13 adjacent to single-space or multi-space parking meters for which the meter is to be used by
14 appropriate markings, including signage, upon the curb or the pavement of the street or both.

15 B. Designated parking meter spaces shall be of appropriate length and width so as to be
16 accessible from the traffic lanes of the street.

17 C. No person shall park a vehicle in any designated parking meter space during the
18 restricted or regulated time applicable to the parking meter zone in which the meter is located so that
19 any part of the vehicle occupies more than one space or protrudes beyond the markings designating
20 the space. However, a vehicle which is of a size too large to be parked within a single designated
21 parking meter zone shall be permitted to occupy two adjoining parking meter spaces when payment
22 has been made for each metered space that is occupied.(*)

23 **12-9-3.4 PARKING TIME LIMITS.** Parking or standing a vehicle in a designated
24 space in parking meter zones shall be lawful upon payment of the required fee indicated on the
25 parking meter. However, parking or standing a vehicle in a designated metered parking space beyond

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1 the permitted parking time limit indicated on the parking meter is prohibited. (*)

2 **12-9-3.5 DEPOSIT OF COINS OR OTHER METHOD OF PAYMENT.**

3 A. No person shall park a vehicle in any parking space regulated by a parking meter
4 between the hours 8:00 a.m. and 6:00 p.m. on any day except Sundays and meter holidays unless a
5 payment as provided in this ordinance has been made and the meter has been activated to indicate that
6 the parking space has been rented.

7 B. No person shall park a vehicle in any space regulated by a parking meter between the
8 hours of 8 a.m. and 6 p.m. on any day except Sundays and meter holidays while the parking meter for
9 the space indicates by signal that the lawful parking time in the space has expired. This provision
10 does not apply to the act of parking or the necessary time which is required to immediately thereafter
11 pay for parking at a meter.

12 C. No person shall park a vehicle in any parking meter space for a consecutive period of
13 time longer than the limited period of time for which parking is lawfully permitted in the parking
14 meter zone in which the meter is located, irrespective of the amount paid at the meter.

15 D. Failure to pay a parking meter as provided in this ordinance constitutes a violation of
16 this ordinance.

17 E. Upon expiration of the legal parking time, it is the duty of the owner or driver of the
18 vehicle to remove the vehicle from the parking space.

19 F. It is unlawful for any person to cause, allow or permit a vehicle registered in their
20 name or that of another person or entity when said vehicle is in their control to be parked or to stand
21 or remain in the parking space beyond the specified parking time limit.

22 G. The provisions of this section shall not apply in a period of emergency determined by
23 an officer of the fire department or the police department or in compliance with the directions of a
24 police officer or traffic-control device.

25 H. The provisions of this section shall not relieve any person from the duty to observe

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1 other and more restrictive provisions of this ordinance prohibiting or limiting the stopping, standing
2 or parking of vehicles in specified places or at specified times.(*)

3 **12-9-3.6 USE OF SLUGS PROHIBITED.** No person shall deposit or attempt to
4 deposit in any parking meter any slug, button or any other device or substance as substitutes for coins
5 of United States currency or other method of payment as provided in this ordinance.(*)

6 **12-9-3.7 TAMPERING WITH METER.** No person shall deface, injure, tamper
7 with, open or willfully break, destroy or impair the usefulness of any parking meter. A violation of
8 this section shall be considered a civil parking violation and shall be abated by the payment to the city
9 of the fine set forth in 12-9-4.5 and, at the election of the city, the city's actual damages.(*)

10 **12-9-3.8 PRESUMPTION OF UNLAWFUL PARKING.**

11 A. When the "violation" indicator is showing on a parking meter to indicate the
12 expiration of the lawful parking meter period for which coins or other method of payment as provided
13 in this ordinance have been deposited, it shall be presumptive evidence that any vehicle found parked
14 in a regulated parking space without evidence of payment is parked unlawfully.

15 B. It is unlawful and an enforceable offense for any person to pay a parking metered
16 space and remain in the metered parking space beyond the maximum parking time permitted at any
17 specific metered space.

18 C. It is unlawful and an enforceable offense for any person to park a vehicle at a covered
19 meter or to remove an official city installed meter bag and pay a covered parking meter for use as a
20 valid parking space. (*)

21 **12-9-3.9 PARKING IN DESIGNATED ADA ACCESSIBLE PARKING**
22 **SPACES.**

23 A. It is unlawful for any person to park a motor vehicle not carrying registration plates
24 or a placard indicating disability in accordance with Section 66-3-16 NMSA 1978 and Section 3-51-
25 46 NMSA 1978 in a designated accessible parking space for persons with significant mobility

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1 limitation or in such a manner as to block access to any part of a curb cut designed for access by
2 persons with significant mobility limitations. Any person who violates this section shall be subject to
3 a mandatory court appearance and a fine, of not less than two hundred fifty dollars (\$250) or more
4 than five hundred dollars (\$500). Failure to properly display a parking placard or special registration
5 plate issued pursuant to Section 66-3-16 NMSA 1978 is not a defense against a charge of violation of
6 Subsection A of this section (66-7-352.5 NMSA 1978)

7 B. It is unlawful for any person to stand or stop a motor vehicle not carrying registration
8 plates or a placard indicating disability in accordance with Section 66-3-16 NMSA 1978 and Section
9 3-51-46 NMSA 1978 in a designated accessible parking space for persons with significant mobility
10 limitation. Any person who violates this section shall be subject to a mandatory court appearance and
11 a fine, of not less than two hundred fifty dollars (\$250) or more than five hundred dollars (\$500).
12 Failure to properly display a parking placard or special registration plate issued pursuant to Section
13 66-3-16 NMSA 1978 is not a defense against a charge of violation of Subsection A of this section
14 (66-7-352.5 NMSA 1978).

15 C. It is unlawful for any person to use a designated accessible parking space for persons
16 with significant mobility limitation for the purpose of receiving or discharging passengers or for
17 loading or unloading if the vehicle receiving or discharging the passengers or loading or unloading
18 does not carry registration plates or a placard indicating disability in accordance with Section 66-3-16
19 NMSA 1978 and Section 3-51-46 NMSA 1978. Any person who violates this section shall be subject
20 to a mandatory court appearance and a fine, of not less than two hundred fifty dollars (\$250) or more
21 than five hundred dollars (\$500). Failure to properly display a parking placard or special registration
22 plate issued pursuant to Section 66-3-16 NMSA 1978 is not a defense against a charge of violation of
23 Subsection A of this section (66-7-352.5 NMSA 1978).

24 D. As used in this section, "designated accessible parking space" means any space
25 including an access aisle, marked and reserved for the parking of a vehicle that carries registration

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1 plates or a parking placard indicating disability in accordance with Section 66-3-16 NMSA 1978 and
2 Section 3-51-46 NMSA 1978, and designated by a conspicuously posted sign bearing the
3 international symbol of accessibility and if paved, by a clearly visible depiction of this symbol
4 painted white on blue on the pavement of the space, except where the total number of parking spaces
5 is four or less. Temporary accessible parking spaces may be designated by a blue hood labeled as
6 accessible parking or in such other manner as to clearly indicate the space is for accessible parking
7 only. "Curb cut" means a short ramp through a curb or built up to the curb designed for access by
8 persons with disabilities. (66-7-352.5 NMSA 1978).

9 E. Any vehicle parked in violation of Subsections A, B or C of this section is subject to
10 being towed at the expense of the vehicle owner upon authorization by law enforcement personnel or
11 by the property owner or parking division director.

12 F. State, county and municipal law enforcement personnel, including city of Santa Fe
13 parking enforcement officers, have the authority to issue citations for violations of §12-9-3.9 in their
14 respective jurisdictions, whether the violation occurs on public property or private property (Section
15 3-51-46 NMSA 1978).

16 G. A law enforcement officer may issue a citation or authorize towing of a vehicle for a
17 violation of Section A of this section regardless of the presence of the driver (66-7-352.5 NMSA
18 1978).

19 **12-9-3.10 SPECIAL REGISTRATION PLATE OR PARKING PLACARD**
20 **INDICATING DISABILITY.**

21 A. Vehicles displaying a valid special registration plate or parking placard pursuant to
22 Section 66-3-16 (1999) NMSA 1978 and Section 3-51-46 NMSA 1978 are exempt from the payment
23 of any parking fee imposed by the city of Santa Fe but shall not be exempt from any penalty or other
24 provisions of the Santa Fe City Code or of this Ordinance.

25 B. Vehicles displaying a valid special registration plate or parking placard pursuant to

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1 Section 66-3-16 (1999) NMSA 1978 and Section 3-51-46 NMSA 1978 shall be permitted to park for
2 unlimited periods of time in parking zones where the length of time for parking is normally restricted
3 and no penalty shall be imposed for such parking subject, however, to the following limitations. The
4 provisions of this section do not pertain to zones where stopping, standing or parking is prohibited,
5 zones reserved for special types of vehicles, zones where parking is prohibited during certain hours of
6 the day in order to facilitate traffic, during those hours when parking is prohibited, and zones subject
7 to similar regulation because parking presents a traffic hazard.

8 C. All special registration plate or parking placard issued pursuant to Section 66-3-16
9 (1999) NMSA 1978 shall expire on the same date as the person's driver's license or identification
10 card issued pursuant to Section 66-5-401 NMSA 1978.

11 D. A special registration plate or parking placard displayed on a vehicle parked in a
12 designated accessible parking space in the absence of the holder of that plate or placard, is subject to
13 immediate seizure by a law enforcement official or parking enforcement officer and if seized shall be
14 delivered to the parking division within twenty-four (24) hours. Failure to surrender the parking
15 placard on demand of a law enforcement officer or parking enforcement officer is a petty
16 misdemeanor and punishable by a fine not to exceed \$100.00.*

17 **12-9.3.11 CITY PARKING LOTS AND GARAGES.**

18 A. It is unlawful for any person to park a vehicle in a city parking lot or garage without
19 providing sufficient payment for the period of time the vehicle is parked.

20 B. It is unlawful for any person to deposit or attempt to deposit in any parking meter
21 located in a city parking lot or garage, any slug, button or any other device or substance as substitutes
22 for coins of United States currency or other method of payment as provided in this ordinance.

23 C. It is unlawful for any person to deface, tamper with, open or willfully break, destroy
24 or impair the usefulness of any parking meter. This civil parking violation shall be abated by
25 payment of the city's actual damages plus the fine set forth in 12-9-4.5. A violation of this section

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1 shall be considered a civil parking violation and shall be abated by the payment to the city of the fine
2 set forth in 12-9-4.5 and, at the election of the city, the city's actual damages.

3 D. The provisions of this section shall not apply in a period of emergency determined by
4 an officer of the fire department or the police department or in compliance with the directions of a
5 police officer or traffic-control device.

6 E. The provisions of this section shall not relieve any person from the duty to observe
7 other and more restrictive provisions of this ordinance prohibiting or limiting the stopping, standing
8 or parking of vehicles in specified places or at specified times.*

9 **12-9-4 CIVIL PARKING VIOLATION**

10 **12-9-4.1 AUTHORITY; TITLE.**

11 Section 12-9-4 is adopted pursuant to the statutory grant of authority contained in Sections 3-17-1 and
12 3-18-17A NMSA 1978 and shall be referred to as the "Civil Parking Violation Ordinance". This
13 Section shall be effective and enforced within the geographical boundaries of the city of Santa Fe.*

14 **12-9-4.2 PURPOSE AND INTENT.**

15 A. It is the intent of the governing body by adopting this Section to decriminalize the
16 following parking violations and deem them as civil offenses:

17 (1) Parking violations caused by persons who park in city-owned metered spaces
18 or city parking lots and garages and fail to make the required payments or remain parked after
19 the paid period of time has expired; and

20 (2) Parking violations caused by persons who park in violation of posted signs,
21 residential permit parking zones, painted curbs and restricted zones, or any other violation
22 listed in Schedule B of the Uniform Traffic Ordinance.

23 B. The governing body declares that this section is a civil parking violation abatement
24 measure enacted pursuant to the city's inherent authority under state law and that the remedies are
25 purely civil and not criminal in nature.*

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1 **12-9-4.3 CIVIL PARKING VIOLATIONS.**

2 It is a civil parking violation for any person to park a vehicle in violation of Schedule B of the
3 Uniform Traffic Ordinance.

4 **12-9-4.4 FINES AND PENALTIES.**

5 A. Original Fines are subject to additional penalties if the fine is not paid or citation is not
6 appealed within fifteen (15) calendar days from date of issue of the citation or date of first notice.

7 Penalties for all parking violations will be assessed as follows:

8 (1) First Penalty: Double of Original Fine Amount if not paid by original due
9 date.

10 (2) Second Penalty: Total Amount of first penalty + 30% if not paid by second
11 due date.

12 B. Disabled parking violation fees are subject to a \$250.00 additional penalty if the fine is
13 not paid within fifteen (15) days from date of issue of the citation or notice.

14 C. Fines shall be paid to the city:

15 (1) with a check or money order payable to the city of Santa Fe parking
16 violations bureau ; or

17 (2) by telephone with a city-accepted form of credit or debit card; or

18 (3) online, on the city of Santa Fe website; or

19 (4) in person at locations designated by the city.

20 Upon receipt, the parking violations bureau shall close the citation account from any further action.

21 **12-9-4.5 Enforcement.**

22 A. *Parking Fine Notification.*

23 (1) **Form and contents.** The parking fine notification shall state and contain the
24 license plate number, the date and time of the parking fine notification; the type of violation,
25 the location of the violation, the amount of the fine, the due date and address where payment

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1 shall be mailed or paid in person. The parking fine notification shall conspicuously and in
2 bold face type state; "Failure to pay this fine on time may lead to serious legal consequences
3 including the assessment of additional fines." The parking fine notification shall inform the
4 registered owner that within fifteen (15) days of the date of issue of the parking citation or
5 due date of notice, the owner may either pay the fine or submit a request for hearing to the
6 parking violations bureau on a form provided by the parking violations bureau, in accordance
7 with Subsection 12-9-4.6(B)(2) SFCC 1987.

8 (2) **Delivery.** Correspondence from the city regarding parking citations shall be
9 delivered to the address of the registered owner of a vehicle which has received a parking
10 violation citation according to the address registered with the motor vehicles department
11 (MVD). The registered owner has a duty to timely notify MVD of a change of address or if
12 vehicle was stolen. The failure to do so does not entitle the registered owner to assert the
13 defense of inadequate notice. The mailing of a parking citation notification to the address of
14 the registered owner of a vehicle according to the records of MVD is constructive notice of a
15 parking citation notification.

16 B. *Response to a Parking Citation Notification.* Within fifteen (15) days from the date
17 of issuance of the citation or from the date of first notice, the registered owner shall pay the fine or
18 submit a request for a hearing.

19 (1) *Payment of the parking fine.* Upon receipt of the parking citation notification,
20 the recipient may elect to acknowledge the violation and pay the fine. To proceed under this
21 paragraph, the recipient shall acknowledge the violation by signing and dating the parking
22 citation notification on a space provided and returning the parking citation notification with
23 payment to the parking violations bureau within fifteen (15) days from the date of issuance of
24 the citation. The city may, but is not required to, adopt procedures for alternative methods of
25 payment of citations using the internet or other on-line services. There shall be a fifty dollar

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1 (\$50.00) penalty for any payment tendered that is not honored or is returned for any reason.

2 (2) *Request for administrative review.* The recipient of a parking citation may
3 submit in writing within fifteen (15) days from the date of issuance of the parking citation or
4 date of notice, a request for an administrative review of their citation. Parking violations
5 bureau staff will conduct an administrative review of the evidence provided and make a
6 decision of the citizen's review request. Parking violations bureau staff will then notify the
7 appellant within ten (10) business days of the decision. Parking violations bureau staff shall
8 then verify citation status, including the disposition following administrative review, whether
9 the fine has been paid, and shall confirm whether an administrative hearing request has been
10 made within fifteen (15) days following the mailing of the notice of the results of the
11 administrative review.

12 (3) *Request for administrative hearing.* If all parking violations bureau defined
13 requirements are met, and a request for an administrative hearing has been received within
14 fifteen (15) days following the mailing of the notice of the results of the administrative
15 review, parking violations bureau staff shall schedule a hearing with the hearing officer
16 within five (5) business days from date of receipt of the request for an administrative hearing
17 from the registered owner. The administrative hearing date will be selected based on the
18 hearing officer's schedule and availability. Citizen's availability will be accommodated based
19 upon the hearing officer's availability. An amount equal to the original citation fine amount
20 shall accompany a request for an administrative hearing, and this payment will be held as a
21 deposit until a decision has been made by the hearing officer. If the decision of the hearing
22 officer is in favor of the hearing requestor, then the deposited amount will be returned to the
23 registered owner of the vehicle, or if the deposit was made in the form of a check, then the
24 deposit will be returned the account holder of the checking account.

25 If the hearing officer decides to uphold the citation, then the deposited amount shall

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1 be applied to other unpaid parking citations directly linked to the registered owner in the
2 order of the oldest citation being paid first until the deposited amount is fully consumed.
3 Should a balance of the deposited amount remain after all outstanding citations have been
4 paid, then the remaining balance will be returned to the registered owner, or if the deposit was
5 made in the form of a check, then the balance of the deposit will be returned to the account
6 holder of the checking account.

7 (4) If an appeal is denied by the hearing officer, the appellant may file an appeal
8 in the first judicial district court, county of Santa Fe, under Rule 1-074 NMRA. If the court
9 rules in favor of the appellant, the citation account will be closed, no further action by the
10 appellant will be necessary, and the amount of the citation which was previously deposited
11 with the city will be reimbursed to the appellant by the parking violations bureau.

12 C. *Revenue.* The revenue generated through parking violation fines, penalties, fees,
13 hearings and collections shall be retained by the city's parking division. The parking division shall be
14 responsible for paying all costs associated with the hearing officer, or a collection contract or other
15 contractors that assist the city in imposing and collecting parking violation fines and penalties, and
16 other costs or fees.

17 D. *Default with forfeit of hearing on the merits.* If the city does not receive payment of
18 the fine or a request for a hearing within fifteen (15) days from the date of issuance of the parking
19 citation or notice, the registered owner is in default. Default automatically results in liability to the
20 registered owner of the vehicle for the violation and the registered owner is barred from requesting or
21 obtaining any hearing after the date of the default. Additional penalties as defined in 12-9-4.4A will
22 be added to the original fine amount for all non-disability parking citations. The parking violations
23 bureau shall mail the notice of default to the defaulting party. The notice of default shall inform the
24 recipient that they have fifteen (15) days from the date of mailing of the notice of default to pay the
25 fine and default penalty. If the default is not cured within fifteen (15) days, the city may pursue all

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1 remedies for collection of a debt including turning over the amount to an outside collection agency
2 and reporting to all major credit bureaus and is entitled to an award of reasonable attorney's fees
3 incurred. An uncured notice of default shall be entered into the records of the parking violations
4 bureau. Defaulting accounts, including collections agency fees, shall be promptly sent to a contracted
5 collection agency, and once sent to a collection agency the default may only be cured by payment
6 directly to the collection agency.

7 **Section 2. Section 12-11-3 of City of Santa Fe Uniform Traffic Ordinance (being**
8 **Ordinance No. #2006-34, as amended) is amended to read:**

9 **12-11-3 WHEN A RECIPIENT OF A PARKING VIOLATION CITATION MAY**
10 **ELECT TO REQUEST A HEARING BEFORE A HEARING OFFICER.**

11 A. This section applies to all violations of the Uniform Traffic Ordinance for civil
12 parking violations as set forth in Section 12-9-3 and 12-9-4 of the Uniform Traffic Ordinance.

13 B. Any person whose vehicle has been cited for a parking violation for which payment
14 of a fine may be made to the parking violations bureau under the foregoing provisions shall have the
15 option of:

16 (1) pay the fine within the time specified on the citation or notice at the parking
17 violations bureau; or

18 (2) request a hearing before a hearing officer within fifteen (15) days from the
19 date of issuance of the parking violation citation or notice.

20 C. For the purpose of this ordinance, the payment of a fine to the parking violations
21 bureau shall be deemed an acknowledgment of the parking violation. (*)

22 **Section 3. Schedule B, Civil Parking Violation Fines Schedule of City of Santa Fe**
23 **Uniform Traffic Ordinance (being Ordinance No. 2006-34, as amended) is amended to read:**

24 **SCHEDULE B**

25 **CIVIL PARKING VIOLATION FINES SCHEDULE**

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1 ADOPTED: July 12, 2006
 2 AMENDED: March 25, 2009 – Ord. #2009-11
 3 December 10, 2014 – Ord. #2014-39
 4 January 13, 2016 – Ord. #2016-3

5 **SECTION 1.**

6 This Exhibit may be cited as the city of Santa Fe civil parking violation fines schedule.

7 **SECTION 2.**

8 "Parking violation" means violation of the following listed sections of the city of Santa Fe Uniform
 9 Traffic Code for which the listed fine is established. The term "parking violation" does not include
 10 any violation which has caused or contributed to the cause of an accident resulting in injury or death
 11 to any person.

<u>COMMON NAME OF OFFENSE</u>	<u>SECTION VIOLATED</u>	<u>FINE</u>
Stopping, Standing or Parking Prohibited	12-6-6.1	\$35
Additional Parking Regulations	12-6-6.2	\$27
Stopped/Parked Vehicles Interferes with other Traffic	12-6-6.3	\$42
Parking Alleys Prohibited	12-6-6.4	\$35
All-Night Parking Prohibited	12-6-6.5	\$35
Parking for Certain Purposes Prohibited	12-6-6.6	\$35
Parking Adjacent to Schools Prohibited	12-6-6.7	\$35
Parking Prohibited on Narrow Streets	12-6-6.8	\$35
Standing or Parking on One-Way Streets	12-6-6.9	\$35
Standing or Parking on Divided Streets	12-6-6.10	\$35
Stopping, Standing or Parking/Hazardous Places	12-6-6.11	\$35
Stopping, Standing or Parking/Certain Streets	12-6-6.12	\$35
Angle Parking and Permits for Loading or		

An asterisk () at the end of a paragraph indicates that there are no comparable provisions in the State Code. A reference includes any unreferenced paragraphs that precede it.

Unloading at an Angle to the Curb	12-6-6.13	\$35
Stopping, Standing or Parking Business/Residence District	12-6-6.14	\$35
Parking in Special Parking Area Without Permit	12-6-6.15	\$35
Stopping, Standing or Parking/Freight Passenger Loading Zones Loading Zones	12-6-8.3	\$42
	12-6-8.4	\$42
Parking of Buses and Taxicabs	12-6-9.3	\$42
Restricted Use of Bus and Taxicab Stands	12-6-9.4	\$35
Unhitched Trailer on Street	12-6-13.3	\$35
Parking Meter Space	12-9-3.3	\$35
Parking Time Limits	12-9-3.4	\$35
Deposit of Coins or Other Method of Payment	12-9-3.5	\$35
Use of Slugs Prohibited	12-9-3.6	\$35
Tampering with Meter	12-9-3.7	\$35
Presumption of Unlawful Parking Violation Indicator is Showing Covered Parking Meter	12-9-3.8(A)	\$35
	12-9-3.8(C)	\$35
Parking in Designated Disabled and Wheelchair Accessible Parking Spaces Parking in Designated Disabled and Wheelchair Accessible Parking Spaces Parking in Designated Disabled and Wheelchair Accessible Access Aisles	12-9-3.9(A)	\$250
	12-9-3.9(D)	\$250
Parking for Special Registration Plate or Placard Indicating Disability Parking is Prohibited	12-9-3.10(B)	\$35
City Parking Lots and Garages – Failure to Pay Parking Fees	12-9-3.11	\$10 (max)
Display of Current Valid Registration Plate	12-10-4	\$35
Abandoned Vehicles on Private Property	12-12-18	\$35
Immobilization Boot Fee	12-12-20	\$50

1

2 **SECTION 3. VEHICLE IMMOBILIZATION (BOOT) PROGRAM**

3 Vehicles with three (3) or more unpaid parking violation citations shall result in the booting of the

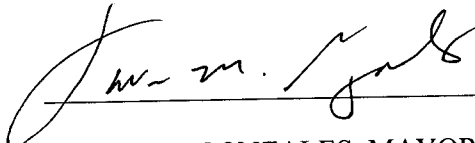
An asterisk () at the end of a paragraph indicates that there are no comparable provisions in the State Code. A reference includes any unreferenced paragraphs that precede it.

1 vehicle as set forth in section 12-12-20 of the city of Santa Fe uniform traffic ordinance.

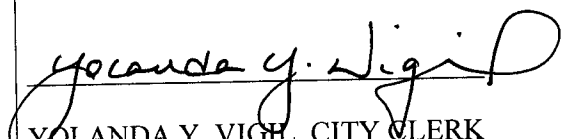
2 **SECTION 4. EFFECTIVE DATE**

3 This ordinance shall become effective January 1, 2016.

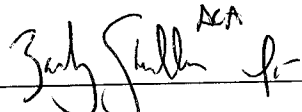
4 PASSED, APPROVED and ADOPTED this 13th of January, 2016.

5 
6 _____
7 JAVIER M. GONZALES, MAYOR

8 ATTEST:

9
10 
11 _____
12 YOLANDA Y. VIGIL, CITY CLERK

12 APPROVED AS TO FORM:

13
14 
15 _____
16 KELLEY A. BRENNAN, CITY ATTORNEY

An asterisk () at the end of a paragraph indicates that there are no comparable provisions in the State Code. A reference includes any unreferenced paragraphs that precede it.