Council Meeting
December 16, 2008

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: SECOND AND FINAL READING OF ORDINANCE 3716

RECOMMENDATION:

Second and Final reading of **ORDINANCE NO. 3716** adding a new Section 7 to Article 2 of Chapter 1 of Division 1 of the Torrance Municipal Code imposing a fee for the collection of delinquent parking citations.

BACKGROUND:

At the regular meeting of the City Council held on the 9th day of December 2008, this Ordinance was introduced and approved for its first reading by the following roll call vote:

AYES:	COUNCILMEMBERS:	Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	None.

Respectfully submitted,

Sue Herbers, City Clerk

NOTED:

LeRoy J. Jackson, City Manager

Attachment A: Ordinance 3716
B: Ordinance summary

ATTACHMENT A

ORDINANCE NO. 3716

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW SECTION 7 TO ARTICLE 2 OF CHAPTER 1 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE IMPOSING A FEE FOR THE COLLECTION OF DELINQUENT PARKING CITATIONS.

WHEREAS, the City of Torrance may utilize the services of private collection agencies to collect delinquent parking penalties; and

WHEREAS, these private agencies charge the City of Torrance for the cost of their services; and

WHEREAS, the City of Torrance wishes to recover all of its costs associated with the collection of delinquent parking penalties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TORRANCE, DOES ORDAIN AS FOLLOWS:

SECTION 1

That a new Section 7 is added to Article 2 of Chapter 1 of Division 1, entitled "FEES FOR THE COLLECTION OF DELINQUENT PARKING CITATIONS." This section reads in its entirety as follows:

"**SECTION 11.2.7. FEES FOR THE COLLECTION OF DELINQUENT PARKING CITATIONS.**
Any person liable for a civil penalty will be required to pay the penalty provided on the bail schedule of parking penalties for parking violations, including process service fees, and any late payment penalty. In addition, if the City incurs collection costs in conjunction with the assignment of a parking citation, those costs will be added to the penalty and the violator will be liable to the city for both the civil penalties and the collection costs. "

SECTION 2

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance, to the extent of the inconsistencies and no further, are repealed.

SECTION 3

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

SECTION 4

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED AND APPROVED the __ day of ____, 2008.

ADOPTED AND PASSED this ___ day of _____, 2008.

_____
Frank Scotto, Mayor

ATTEST:

_____
Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____
Ronald T. Pohl, Assistant City Attorney

ATTACHMENT B

ORDINANCE NO. 3716

SUMMARY

On _____, 2008, the City Council of the City of Torrance adopted an ordinance imposing a fee for the collection of delinquent parking citations.

The ordinance requires the person liable for a civil penalty to pay the penalty provided on the bail schedule of parking penalties for parking violations, including process service fees, and any late payment penalty. In addition, if the City incurs collection costs in conjunction with the assignment of a parking citation, those costs will be added to the penalty and the violator will be liable to the City for both the civil penalties and the collection costs.

*****City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against.*****