

City Looks to New Codes to Better Enforce Parking

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Brianna Gibbs/KMXT

A bill passed in the Alaska Legislature three years ago has forced the Kodiak City Council to discuss amending certain aspects of city code. In April, a law that mandates police officers personally serve citations went into effect across the state, which caused some unforeseen consequences in the area of parking enforcement.

Like many cities across the state, Kodiak handles parking violations through a district court. But when the face-to-face requirement went into effect in April, the courts stopped hearing any cases from violators who weren't personally served. Basically, the age-old method of leaving a parking ticket under a windshield wiper went out the window. In order to issue a citation, parking enforcers, like the community service officer here in Kodiak, now must wait by a vehicle until the violator returned.

Parking has still been enforced in Kodiak, but according to Police Chief T.C. Kamai, the situation definitely isn't ideal. That's why he's worked with city staff and the city attorney to amend code and put parking violations under the umbrella of the city, not the state. During last night's city work session, Kamai presented the lengthy ordinance.

"They would essentially become administrative matter. They would be addressed at the city level. If someone wanted to appeal or contest a violation they would have the ability to do that before an administrative hearing officer, who would be the city manager or someone designated by the city manager to hear it out."

The ordinance also calls for increasing parking fines from \$10 to \$20, which would help offset administrative costs within the city.

Kamai said there is also a long standing issue at the police department over citations in general. He said some of the citations officers write are commonly adopted by city ordinance, so essentially they write it under a particular heading and the fine amounts, when prosecuted, come back to the city. He said this is a nice cost recovery, but it's not always so.

"A large number of the violations we find ourselves frequently writing, like some of our speeding, failure to stop violations and things like that aren't. So while we may be writing the violation, when those things are disposed of and if there's any fines or fees to be collected they're actually going directly to the state of Alaska. Even though we're doing the work."

Part of the ordinance Kamai helped draft would bring those lost fines and fees back to the city.

"So what we're asking the council to do is to consider adopting that entire section of state law, in its entirety, including the fine amounts, and make them fall under the city. So that if we're out there exercising state's authority, but our folks and employees are actually doing the work, we think it's reasonable to expect that the cost recovery, the fine amounts are going to come back to us."

Another part of the ordinance would allow vehicles with a history of unpaid parking tickets to be towed when parked on public property.

"One of the long standing problems we had, because the fine amounts were so low, and because we didn't really have a good mechanism for compelling people to pay those fines, or to contest or challenge the ticket, is they just simply ignored them. And my staff spends an incredible amount of time every year in a letter writing campaign to people to collect unpaid fines and fees. So one of the things we're asking council to consider, and it's in the ordinance that's before you this evening, is to approve a section of code that would give us the ability for multiple violations, I think the number is four violations, four unpaid parking tickets, to be able to seize and impound the motor vehicle, if it's parked on public property, and hold it in lieu of the owner of the vehicle paying the fines."

Kamai said the ordinance is dense, and encouraged the council members to take a close look at it before the next city work session. City Manager Aimee Kniazowski said the ordinance is tentatively scheduled to appear on the August meeting agenda. City Mayor Pat Branson suggested taking a closer look at the city's parking plan during the next work session, to make sure the council felt confident with the parking rules and restrictions currently in place.