

**ORDINANCE NO. 1710**

**AN ORDINANCE OF THE CITY OF GARDENA, CALIFORNIA, AMENDING CHAPTER 1.16 OF THE GARDENA MUNICIPAL CODE PERTAINING TO GENERAL PENALTIES TO ESTABLISH CIVIL PENALTIES FOR PARKING VIOLATIONS AND IMPOSING ADDITIONAL PENALTIES FOR DELINQUENT VIOLATIONS PENALTIES, ADMINISTRATIVE FEES, AND FEES RELATED TO DEBT COLLECTION**

**THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 1.16 of the Gardena Municipal Code is hereby amended by adding Section 1.16.080 thereto, which section shall read as follows:

**“1.16.080. Parking citation penalties.**

A. Civil Penalties. Any person violating any of the provisions of this code restricting the parking or standing of vehicles shall be assessed a civil penalty. The amounts of such penalties shall be specified on a schedule of civil penalties adopted by council resolution or any other means approved by law.

B. Delinquent Payment Penalty. If any person fails to make timely payment of a parking violation penalty within the time provided in the notice of citation or notice of parking violation, as provided by the California Vehicle Code, or later as may be provided for in this code or other applicable law for accrual of a late payment penalty, a separate delinquency and late payment penalty shall be assessed against that person for the late payment as specified on a schedule of civil penalties adopted by council resolution or any other means approved by law.

C. Administrative Fees, Process Service Fees, Collection Costs Related to Civil Debt Collection and Related Charges. If any person fails to make timely payment of a parking violation penalty within the time provided in the notice of citation or notice of parking violation, as provided by the California Vehicle Code, or later as may be provided for in this code or other applicable law, and further fails to make payment for the delinquency fee as provided for in subdivision B of this section, that person shall become liable for and be penalized further in the amount of the actual collection costs in conjunction with the assignment of a parking penalty for collection. That cost shall be added to the penalty and the person shall be liable to the city for both civil penalties and the collection costs including out of pocket administrative costs, civil service of process costs and other direct costs.

D. Each Violation Assessed Separate Civil Penalty. Each person who is assessed a civil penalty under the provisions of this section shall be assessed a separate civil penalty for each violation and shall be liable for the cumulative amount of all such penalties and collection costs.

E. This section shall not bar the use of any other procedure or remedy provided by this code or by law for the purpose of processing or collection parking violations.”

**SECTION 2.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

**SECTION 3.** Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local weekly newspaper of general circulation and which is hereby designated for that purpose.

**PASSED, APPROVED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 2008.**

\_\_\_\_\_  
PAUL K. TANAKA, Mayor

**ATTEST:**

\_\_\_\_\_  
MARIA ELENA MARQUEZ, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
STEPHEN M. FISCHER, Assistant City Attorney