

PARKING ENFORCEMENT IN JACKSON



Amador County Civil Grand Jury Final Report 2024-2025

SUMMARY

The Grand Jury received a complaint concerning Jackson Police Department's (Police Department's) enforcement and citation of illegal parking in handicap spaces. The Grand Jury chose to investigate the complaint. Following a review of the Police Department's parking enforcement practices, including enforcement of handicapped only parking, the Grand Jury found that parking laws are investigated and enforced in a timely manner.

BACKGROUND

After reviewing the complaint, the Grand Jury assessed the allegations in the complaint to determine whether an investigation should be undertaken. The Grand Jury decided to conduct a full investigation of parking enforcement in the City of Jackson.

METHODOLOGY

During our investigation of parking enforcement in the City of Jackson, the Grand Jury interviewed three witnesses, analyzed one written complaint, and reviewed documentation provided by the Police Department and the City of Jackson.

The Grand Jury reviewed the following documents provided by the Police Department and the City of Jackson:

- Computer Automated Database (CAD) Incident reports related to alleged parking violations, occurring in 2024
- Summary of parking related citations issued by the Police Department between February 7, 2024 – February 6, 2025. This summary was provided by the Police department who obtained this data from a query from Data Ticket, Inc.'s¹ (Data Ticket's) online portal.
- Documents from the City of Jackson regarding the removal of parking meters.
- City of Jackson Municipal Code.
- California Vehicle Code.
- A copy of a parking citation form.
- The contract between Data Ticket and the Police Department.
- The Data Ticket fee schedule.

DISCUSSION

1. Jackson Police Department Procedures

The city of Jackson has a population of just over 5000 citizens. The Police Department consists of the Chief of Police, a Captain, a Sergeant, a Detective, and six patrol officers. Additionally, the Police Department employs one non-officer records clerk. These officers and the record's clerk are full time employees. To assist their fulltime workforce, reserve officers are employed to perform enforcement of parking laws. Reserve officers are retired peace officers or other

¹ According to promotional material, "Data Ticket is a California Corporation that provides parking citation processing and collections services, administrative review and hearing coordination, permit sales and processing, accounting services, customer service and a web-based solution that manages the entire process. Data Ticket has been providing these services for Cities and Counties, Universities, Districts and other public entities nationwide for over 30 years. Data Ticket was incorporated in California in 1989. We provide expertise to ensure that citations get processed and collected in a timely manner for over 400 Agencies nationwide."

qualified officers who are not full-time. Reserve officers have the same credentials as full-time officers. They are enabled to write citations, make arrests and use force when required. The City of Jackson pays reserve officers by the hour at the same rate paid to new, full-time peace officers. Depending on their availability, the Police Department endeavors to have reserve officers conduct parking enforcement duties two times per week. The Police Department also utilizes approximately ten Community Service Volunteers that are used for parking related duties, usually during special events. They sometimes accompany full-time officers on patrol. They do not have special training or peace officer credentials, and they are unpaid. Community Service Volunteers do not issue parking citations.

Laws governing parking in the City of Jackson are found in the Municipal Code, these are ordinances enacted by the Jackson City Council. Municipal parking ordinances are local laws specific to a municipality. For example, Jackson Municipal Code sec. 10.08.100 specifies time limits for parking on public streets: “It is unlawful to park any vehicle for longer than the designated period between nine a.m. and six p.m., Sundays and holidays excluded.” Other portions of the Municipal Code specify the signage necessary to inform motorists of the timeframes parking is legally permissible. The overarching law regarding motor vehicles is found in the California Vehicle Code (Vehicle Code), state laws that apply to all communities in California and the corresponding regulations promulgated by the California Department of Motor Vehicles (DMV). Parking citations may include violations of the Vehicle Code or the Jackson Municipal Code and sometimes both. The Vehicle Code² requires all local governments to determine what fines will be imposed on motorists who violate parking laws within their jurisdiction. Municipal Code sec. 10.14.040 addresses parking fines by stating that “[f]ines and charges ...shall be set from time to time by resolution.”

Parking enforcement activities are diverse and may include; issuing citations to motorists for illegal parking resulting in monetary fines, arranging to tow vehicles that violate parking laws, and giving verbal warnings to motorists who violate parking laws but are able to remedy their indiscretion by moving their vehicle. As indicated above, reserve officers are dedicated to parking enforcement, however, full-time patrol officers also engage in parking enforcement depending upon their availability. These officers patrol public parking areas, including public parks, to ensure that vehicle operators are adhering to the Municipal Code and the Vehicle Code. Whether reserve officers or patrol officers, enforcement resources are primarily dedicated to the downtown historic Main Street where parking availability is limited. Officers do not patrol parking areas located on private property, such as privately maintained parking lots that service commercial businesses, but they may investigate parking violations after receiving a complaint from a member of the public. Officers may write citations for violations of handicapped parking laws on private property pursuant to Vehicle Code sec. 22507.8, subd. (d).

The Jackson Police Department receives and documents complaints regarding parking violations. Complaints made as a call for service can be made by email or phone. Email may be sent to the City of Jackson’s public email address or to individual officers who maintain public email addresses printed on their peace officer business cards. If an email complaint is received by

² Vehicle Code sec. 40203.5 specifies that “The schedule of parking penalties for parking violations ...shall be established by the governing body of the jurisdiction where the notice of violation is issued.” Subdivision (c) however, creates an exception for handicapped parking where the state sets a minimum fine of \$250 and a maximum fine of \$1000.

either the city or individual officers, those complaints are forwarded to the records clerk who creates an entry in the CAD. These documents are also known as incident reports. CAD entries are then transmitted to patrol cars alerting officers that a parking related complaint needs to be investigated.

Reporting parking violations by telephone requires calling the Police Department's non-emergency telephone number. Members of the public can locate this well-publicized number in a variety of locations to include phone books, on City and Police Department Internet sites, a Google search, or public outreach advertisements. When calling the Police Department, the caller will receive an automated phone tree that gives the caller the option to contact the Amador County Sheriff's office, individual members of the Police Department or the records clerk. If the caller chooses the Sheriff's office, the dispatcher will enter the complaint into the CAD system and thus, distribute the complaint to patrol officers. If an individual officer is chosen from the automated answering system, the caller will leave a message about the complaint. The recipient forwards the complaint to the records clerk who then enters the complaint into the CAD system the same way that occurs when an emailed complaint is received. Similarly, if the records clerk receives the telephoned complaint directly, that complaint will be entered into the CAD system directly.

The person who ultimately speaks to the complainant will gather as much information from that person as possible including but not limited to the make and model of the vehicle, license plate, and length of time the vehicle was illegally parked, or any other information relating to the alleged violation. Once a CAD record is created, these requests for service are immediately placed in a queue of incidents to investigate. The next available officer will investigate the incident; however, incidents may not be investigated in the order in which they were reported. Parking violations are handled as soon as possible with higher priority calls taking precedence. In general, any incidents that potentially threaten public safety are prioritized over parking violations. Sometimes, by the time an officer investigates a parking violation, the vehicle has been moved, and the officer is unable to find any evidence that a violation occurred or the identity of the violator. However, all calls for service and resulting incident reports are saved for reference later, even if a violation was not identified. All parking-related complaints are investigated.

The Grand Jury received from the Police Department 71 incident reports representing all parking related complaints in calendar year 2024 received by telephone, in-person or by email. All 71 parking-related incident reports were investigated by an officer who documented how the incident was concluded. Of these 71 incident reports, 18 of them concluded with a parking citation being issued. On 28 occasions, incident reports show that information was shared with the vehicle owner, but no citations were issued. The respondent was contacted and aided by the responding officer without the issuance of a citation on 15 occasions. The balance of incident reports showed that an officer responded to a complaint and issued a warning or merely reported what the officer discovered. In interviews, the Grand Jury learned that police officers investigate complaints and act based on various facts and circumstances discovered, including whether the person requesting police intervention has previously reported incidents.

The grand jury recognizes that parking enforcement officers and patrol officers are required to investigate parking violations and issue citations when appropriate. After investigating, officers don't necessarily have to write citations. For example, before issuing a citation, an officer

investigating if someone is parking illegally in a handicapped parking space, will determine whether the proper signage and pavement markings are present. Citations will not be issued where the pavement markings and signage are not legally sufficient. They will also seek to determine if the person parking in that handicapped space has the proper credentials to park there. Often, properly credentialed vehicle operators will forget to display their placards indicating that they are entitled to park in handicapped parking areas. When the investigating officer can establish proper credentialing, a citation may not be issued; however, the officer may instead give a vehicle operator a warning to be more vigilant in the future.

The Police Department issued citations for 331 parking related violations between February 7, 2024, and February 6, 2025. Most citations were issued for unregistered vehicles being parked on public streets or in public parking facilities pursuant to Vehicle Code sec. 4000. Nineteen citations were issued for illegally parking in a designated handicapped parking space in violation of Vehicle Code sec. 22507.8 subd. (a). The Grand Jury observed that on 28 occasions, more than one violation was cited. For example, an officer may write a citation for exceeding the time a vehicle may be legally parked and in the process of documenting the citation, the officer determines that the vehicle does not have a current registration tag. The resultant citation includes both violations of law. There were also citations issued for other parking violations, including exceeding allowed parking timeframes, parking in no parking zones or restricted parking zones. The following table summarizes the number and types of violations ticketed during the one-year period.

SEE TABLE ON NEXT PAGE

TABLE OF CITATIONS³

JACKSON PARKING ORDINANCE CITED	VIOLATION DESCRIPTION	NUMBER OF TIMES CITED
10.08.010	Parking on streets where parking is prohibited. There is a long list of streets listed in the ordinance.	12
10.08.100	Exceeded designated parking time.	16
10.08.110	Parking on a street designated with red paint and the designation "no parking."	2
10.08.140	Parking by appropriate signs, markings or traffic devices indicate that no parking is permitted.	9
CALIFORNIA VEHICLE CODE CITED	VIOLATION DESCRIPTION	NUMBER OF TIMES CITED
4000	Unregistered vehicle parked on public streets.	173
4000(a)(1)	Driving, moving, or leaving standing on a street or off-street parking structure an unregistered vehicle.	3
4462(b)	Presenting to a peace officer a registration or license plate not issued for a vehicle.	1
5200	When two license plates are issued, they must both be displayed on the vehicle, front and back.	19
5202	Failure to display a license plate on a vehicle.	1
5204(a)	Failure to display registration tags.	15
21113(a)	Parking on a driveway or path of a public school, college or public park.	1
22500(b)	Parking in a crosswalk.	4
22500(e)	Parking in front of a driveway unless directed by a peace officer or traffic device.	4
22500(f)	Parking on or a portion of a sidewalk.	2
22500(h)	Parking on the roadway side of another parked vehicle.	3
22502(a)	Parallel parking more than 18 inches from the curb.	18
22504(a)	Blocking a traffic lane <u>preventing</u> passage of traffic.	4
22505(b)	Parking where signs or markings prohibit parking.	1
22507.8(a)	Parking in handicapped locations without credentials to park there.	19
22514	Parking within 15 feet of a fire hydrant.	24
TOTAL NUMBER OF PARKING VIOLATIONS		331

2. Data Ticket

On March 23, 2015, the City Council of the City of Jackson repealed Chapter 10.12 of the Jackson Municipal Code eliminating the use of parking meters in the City of Jackson. This new policy went into effect 30 days following the March 23, 2015, vote. By eliminating the revenue generated by parking meters, the City of Jackson could no longer employ a full-time officer to enforce parking laws, and this paid position was eliminated soon after parking meters were

³ Table of Citations: This table summarizes parking related violations that resulted in citations. On 28 occasions more than one violation was cited; however, each violation is listed separately in this table to accurately capture all violations cited.

removed. Instead of having a meter to inform police officers when a parking violation occurred, officers were now required to manually chalk tires to determine how long a vehicle was parked and whether the posted time-limit had been exceeded before a violation could be ticketed. This exercise became difficult without an officer dedicated to parking enforcement since patrol officers may chalk a vehicle's tire and then get called away on a more urgent matter and not be able to return to the vehicle to determine whether the legal parking time was exceeded.

Following the removal of parking meters, the Police Department began utilizing the services of reserve officers for parking enforcement. When citations for monetary fines were issued, tracking the citations, sending statutorily required notices mandated by the Vehicle Code and collecting the fines became challenging. Personnel resources within the police department were needed to conduct the myriad of other public safety responsibilities required by municipal police departments, such as investigation of serious crime, traffic control and enforcement, ongoing training, and immediate responses to emergencies.⁴

On October 30, 2023, the Police Department's Christopher Mynderup, Chief of Police, on behalf of the City of Jackson signed a contract with Data Ticket to process parking citations and collect parking penalties. Vehicle Code sec. 40200.5 authorizes an issuing agency, such as the Police Department, to contract with a private vendor for parking fine collection services. Data Ticket is a processing agency defined by Vehicle Code sec. 40200.6 subd. (a) as "... the contracting party responsible for the processing of the notices of parking violations and notices of delinquent parking violations." Vehicle Code sec. 40202, subd. (a) specifies what information must be included on a notice of parking violation, what is commonly called a citation,⁵ issued by the Police Department. Among other specific information, the notice of parking violation must specify what law has been violated, the date and time of the citation and the date payment is required to be made not more than 21 calendar days from the date of the issuance of the citation and the process for making that payment. The notice of violation must also specify how the citation can be contested.⁶ Service of the notice of parking violation is accomplished by affixing the notice of violation to the vehicle by placing it under the windshield wiper or other conspicuous place pursuant to Vehicle Code sec. 40202, subd. (b) if the vehicle is unattended.

When a notice of parking violation is issued, that citation is uploaded into the Data Ticket computer system by the reserve officer assigned to process information in the Data Ticket computer system. Instructions on the citation inform motorists how to pay or contest the citation. Citations may be paid directly to the Police Department or through the Data Ticket Internet portal.⁷ The address for the Data Ticket Internet portal is printed on the reverse side of the citation. If the citation recipient pays the fine to the police department, the assigned officer will inform Data Ticket of the payment through the computer system. When the parking penalty is paid, further proceedings terminate pursuant to Vehicle Code sec. 40204 subd. (a). Funds collected for parking penalties are deposited in the City of Jackson's general fund.

⁴ A more comprehensive list of activities conducted by the Police Department may be found in the Jackson Police Policy Manual located on the City of Jackson's Internet site and navigating to the Police Department under the "Departments" drop down menu. The City of Jackson's Internet portal is located at <https://www.ci.jackson.ca.us>.

⁵ The terms "notice of parking violation" and "citation" interchangeably.

⁶ Vehicle Code sec. 40202 subd. (a) lists all the information that must be included on the notice of parking violation.

⁷ Data Ticket's Internet portal is located at: citationprocessingcenter.com. At this location, a motorist can input citation related information and receive instructions on how to remit payment. Additionally, the citation recipient is given an option to pay by telephone. A customer service number is available for people seeking assistance.

If the registered owner of the vehicle cited does not remit payment by the date fixed on the notice of parking violation, Vehicle Code sec. 40206 subd. (a) requires Data Ticket to, “deliver to the registered owner a notice of delinquent parking violation.” Subdivision (b) requires service of this notice to be by first-class mail to the address on file at the DMV or by personal service. Vehicle Code sec. 40207 subd. (a) specifies what information the notice of delinquent parking violation must include. Aside from the same information on the citation, the notice must inform the registered owner that they must pay the parking penalty within 21 calendar days from the date of issuance or 14 calendar days after the mailing of the notice of delinquent parking violation or file an affidavit of nonliability.⁸ An affidavit of nonliability may be submitted, for example, when the cited registered owner has made a sale or transfer of the vehicle prior to the issuance of the citation. A notice of delinquent parking violation must also inform the vehicle owner that if payment is not timely made or an affidavit of nonliability is not provided, “the renewal of the vehicle registration shall be contingent upon compliance with the notice of delinquent parking violation.” If payment is made within the timeframes indicated in the notice of delinquent parking violation, there will be no “[a]dditional fees, assessments, or other charges...”

Vehicle Code sec. 40215 subd. (a) specifies that within 21 calendar days of the issuance of the parking citation or within 14 calendar days of the notice of delinquent parking violation, a person may request an initial review of the citation by the issuing agency, such as the Police Department. This request may be made by telephone, in writing, or in person. After the initial review, if the Police Department, “is satisfied that the violation did not occur, that the registered owner was not responsible for the violation, or that extenuating circumstances make dismissal of the citation appropriate in the interest of justice...,” the notice of violation can be canceled and Data Ticket notified of the cancellation. Either the Police Department or Data ticket must mail the outcome of the initial review decision to the person contesting the citation. If the citation is not canceled, this notification must include the reason for the denial of the requested relief and, among other things, a notification on how to request an administrative hearing.

The person dissatisfied with the reason for denial of the initial review may seek an administrative hearing within 21 calendar days from the date the result of the initial review is mailed. When requesting an administrative hearing by telephone, in writing, or in person, the aggrieved person requesting the administrative hearing must post the amount of the parking penalty with Data Ticket. The administrative hearing must occur within 90 calendar days following the date an administrative hearing is requested.⁹ The administrative hearing is held by an examiner demonstrating “those qualifications, training, and objectivity necessary to conduct a fair and impartial review.”¹⁰ For a fee, Data Ticket may provide qualified examiners to conduct administrative hearings. Interviewees have informed the Grand Jury that the Police Department has not engaged the services of an examiner to conduct an administrative hearing because they have not received requests for administrative hearings. The Police Department’s experience is

⁸ Vehicle Code sec. 40208 states: “The notice of delinquent parking violation shall contain, or be accompanied with, an affidavit of nonliability and information of what constitutes nonliability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the issuing agency.”

⁹ Vehicle Code sec. 40215 subd. (b) also requires there to be a procedure to address indigent people who are unable to post the parking penalty in advance of an administrative hearing.

¹⁰ See Vehicle Code sec. 40215 subd. (C) (4) for the specific requirements and necessary training of an examiner who holds administrative hearings.

that citations are resolved before the necessity of an administrative hearing because the recipient violator either pays the parking penalty or the citation contest is satisfactorily resolved during an initial review.¹¹

Data Ticket is given authority to collect delinquent parking penalties in Vehicle Code sec. 40220. One collection option is found in subdivision (a)(1)(A) that allows Data Ticket to file with the DMV an itemization of unpaid parking penalties and related service fees for “collection with the registration of the vehicle...”. The DMV then collects the delinquent fees and fines from the registered owner when the vehicle is registered and remits the parking penalties and administrative fees collected to the issuing jurisdiction, in this instance the City of Jackson. However, pursuant to Vehicle Code sec. 4763 the DMV assesses a fee for the recording of the notice of delinquent parking violation that is forwarded to the DMV by a processing agency like Data Ticket. This fee is deducted from the parking penalties and fees remitted to the City of Jackson.¹² Vehicle Code sec. 40220 also describes procedures for reducing outstanding parking penalties to civil judgements for the purpose of collecting the penalties and fees.

One purpose of describing the processes for issuing parking citations and the collection of resulting fines is to illustrate the complexity of the systems in place to enforce parking laws in the City of Jackson. Contracting with processing agencies, like Data Ticket, allows the Police Department to dedicate its resources to more critical policing responsibilities for the safety of Jackson’s residents and visitors. The discussion of the collection processes and the right to contest parking violations is an overview and not intended as a comprehensive analysis of the legal processes.

The contract between the City of Jackson and Data Ticket specifies that Data Ticket is responsible for screening citations sent to them from the Police Department to determine whether those citations are processable. Processability means that the citation is not missing critical information that would render the citation unenforceable. Other services conducted by Data Ticket include a monthly accounting of fees and parking penalties received, the direct deposit of funds into a City of Jackson account, identifying registered owners from DMV records and the processing of delinquency notices and vehicle registration holds. Data Ticket also provides notifications to vehicle owners who wish to contest liability for a parking violation. Additional services that are available include out-of-state collections and delinquent collections.

Data Ticket invoices the City of Jackson and the Police Department for their services on a fee-for-service basis. The Grand Jury has obtained a copy of Data Ticket’s fee schedule. For example, the manual processing of parking citations, \$0.65 per citation is charged. Courtesy notices that are sent first class mail with a return envelope in which the responsible person may submit payment are charged at \$0.75 for each notice. This charge may increase if postage increases. Out-of-state collections and Delinquent collections are invoiced at 26 percent of the revenue collected. A delinquent citation is more than 90 days past the citation issue date.

¹¹ The legal process does not end with the administrative hearing. If dissatisfied with the final decision of the examiner, the aggrieved person may appeal the administrative decision to the Superior Court pursuant to Vehicle Code sec. 40230. The possibility of an appeal beyond the administrative hearing is beyond the scope of this investigation and will not be addressed.

¹² See Vehicle Code sec. 4762 which states that the DMV “... shall remit all parking penalties and administrative fees collected, after deducting the administrative fee authorized by Section 4763...”

Registered owners of motor vehicles responsible for paying parking citations may see the citation, and copies of all notifications that have been sent to the owner previously by accessing the Data Ticket Internet portal.

CONCLUSION

Based on the results of the investigation the Grand Jury concludes that the Jackson Police Department routinely enforces parking laws within their jurisdiction. The operations reviewed by the Grand Jury indicate that the Police Department utilizes their resources effectively. We thank the Police Department for their responsiveness to Grand Jury requests for documents and information.

FINDINGS

F1. After investigating the City of Jackson's parking enforcement practices, we find that parking laws are investigated and enforced in a timely manner.

RECOMMENDATIONS

The Grand Jury has no recommendations.

INVITATION TO RESPOND

No response is required.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.
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