

# Street Use Citation Penalty Fee Update



# Our vision, mission, and core values

**Vision:** Seattle is a thriving equitable community powered by dependable transportation

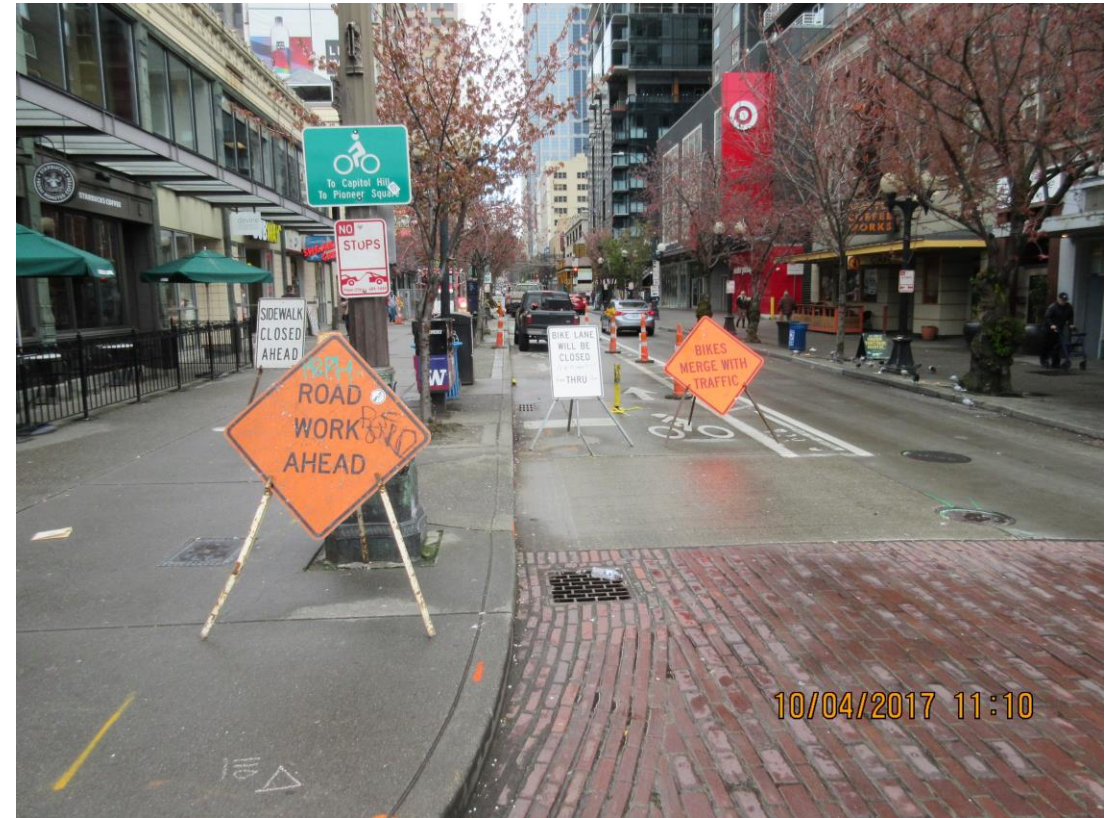
**Mission:** to deliver a transportation system that provides safe and affordable access to places and opportunities

Committed to **6 core values:**

- Equity
- Safety
- Mobility
- Sustainability
- Livability
- Excellence

# Presentation overview

- Proposal and Background
  - Progressive Enforcement Process
- Goals for Proposal
- Proposed Changes
- Case Studies
- Outreach Summary
- Next Steps



# Proposal and Background

**Proposal:** Update citation penalty fees as part of existing progressive enforcement process. This will have no impact on people working within the conditions of their permit.

## **Current Enforcement Tools in SMC Title 15:**

- Warning
- Citation
- Notice of Violation (NOV)
- Emergency Order
- Stop Work Order
- Abatement
- Recuperation of costs

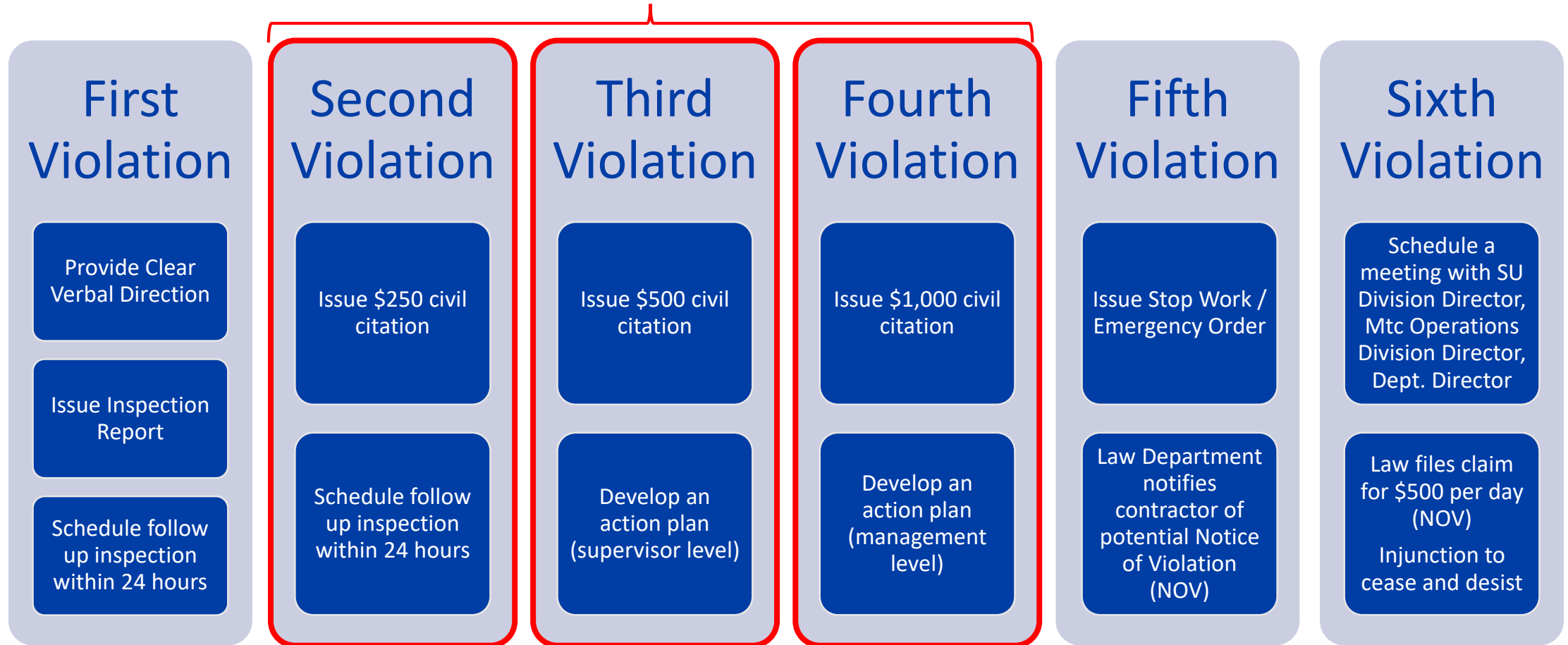
# Background

## History of SMC Citation Penalty Fees:

- 2002 – Citation section created with fees established at \$150 for first citation and \$500 for subsequent violations
- No holistic review of citation penalty fees since 2002. Minor updates include:
  - 2005 – Fees increased from \$150 to \$250 for first citation
  - 2009 – Created new penalties for not obtaining a permit from \$500 for first time violators; \$1000 for subsequent violations
  - 2011- created new citation penalty fees for vending-related enforcement \$300-\$1200 based on number of violations

# Progressive Enforcement Process

Proposal adjusts these citation penalty fees



# Goals for Proposal

- Set citation penalty fees at an amount that incentivizes compliance
- Provide for an escalation scale prior to issuing a stop work order
- Align citation penalty fees with impact of the permit type
- Help minimize disproportionate impacts

# Proposed Changes

Permit Type	Single-Family Zones	All Other Zones
<b>Public Space Management, Vending, and Maintenance Permits</b>	Reduce citation penalty fees in all areas of the city Proposed: \$250 /\$500/\$1,000 (for first/second/third violation)	
<b>Utility Permits</b>	Increase citation penalty fees in all areas of the city Proposed: \$1,000/\$2,000/\$4,000 (for first/second/third violation)	
<b>Construction Permits</b>	Reduce citation penalty fees in single-family zones Proposed: \$250 /\$500/\$1,000 (for first/second/third violation)	Increase citation penalty fees in all other areas Proposed: \$1,000/\$2,000/\$4,000 (for first/second/third violation)



# Proposed Changes

- Minor amendments to clarify regulations, including:
  - Amending subsequent violation timeframe from 5 years to 1 years
  - Consistent abatement procedures for all uses
- Authorize citation penalty fees to be adjusted annually for inflation

# Case Study #1: Utility work without a permit in non-residential zone

- Current Process:
  - First Step: warning
  - Second Step: \$500 citation
  - Third Step: \$1,000 citation
  - Fourth Step: \$1,000 citation
- Proposal:
  - First Step: warning
  - Second Step: \$1,000 citation
  - Third Step: \$2,000 citation
  - Fourth Step: \$4,000 citation



## Case Study #2: Vending without a permit

- Current Process:
  - First Step: warning
  - Second Step: \$300 citation
  - Third Step: \$600 citation
  - Fourth Step: \$1,200 citation
- Proposal:
  - First Step: warning
  - Second Step: \$250 citation
  - Third Step: \$500 citation
  - Fourth Step: \$1,000 citation



# Outreach Summary

Informed internal and external stakeholders, and general public:

- Notification in SDOT Street Use and SDCI newsletters and blogs
- Emailed notice to:
  - Registered tree service providers
  - Street Use vending permit holders
  - WMBE Contractors
  - Registered side sewer contractors
- In-person briefing:
  - Small Business Advisory Council
  - Master Builder Association
  - National Association of Minority Contractors (WA Chapter)

# Next Steps

Date	Action
9/17/19	Sustainability & Transportation Committee takes action on legislation
Late Sept	Full Council will take action on legislation (if voted out of committee)
30 days from Mayor's signature	Legislation takes effect
Q4 2020	Evaluate impact of new citation penalty fees

# Questions?

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