

PROPOSED ORDINANCE CHANGES:



10.25.101 AUTHORITY TO IMPOUND VEHICLES AND 10.25.102 ILLEGAL PARKING

Amendments to Municipal Ordinances in City Code

Presenters:

Jamie Fabos- Office of the Mayor -City of Colorado Springs Chief of Staff

Shantel Withrow, City Attorney's Office- Division Chief of Prosecution

3/10/25

PROPOSED CHANGES



GOALS:

1. Simplify the ordinances, specifically how they can be cited and enforced.
2. Empower our parking enterprise, CSPD and Code Enforcement to cite parked vehicles failing to display current registration.
3. Make any necessary edits to modernize or clarify ordinance language.
4. Encourage compliance.

CURRENT ORDINANCES- IMPOUNDING/ ILLEGAL PARKING



- City Code currently addresses the authority for CSPD to impound vehicles in City Code **§ 10.25.101**.
- § 10.25.101-Authority to Impound Vehicles and § 10.25.102- Illegal Parking work in coordination with each other.
 - They give officers authority to impound vehicles that are parked in the illegal manners described in the ordinance subsections.
- Therefore, changes made to these ordinances should be completed at the same time, and the language should be the same.

CURRENT ORDINANCES- ILLEGAL PARKING



- City Code currently addresses illegal parking violations in multiple sections. These include:
 - City Code Chapter 10- Motor Vehicles and Traffic
 - Article 11: Method of Parking
 - Article 12: Stopping, Standing or Parking Regulations
 - Article 13: Stopping, Standing or Parking Regulations-Sign Required
 - Article 14: Stopping for Loading or Unloading Only
 - Article 15: Parking Meter Regulations
 - Article 16: Municipal Parking Lots and Structures
- Proposed Changes will only be to **§ 10.25.102 Illegal Parking**

PROPOSED CHANGES-SIMPLIFICATION



- The ordinances will be separated and made independent.
 - 10.25.101- Will address Impoundment Authority
 - 10.25.102- Will address Illegal Parking for parking citations
- This will make the sections easier to read and understand. It will also make it easier to enforce.
- It will not change the substance of the ordinance, or when it can be enforced.
- The sections will use similar language and will still mirror each other.
 - Meaning: the underlying parking behavior will be the same in both ordinances

PROPOSED CODE CHANGES- SIMPLIFICATION



Current Enforcement	Proposed Changes
<p>To cite a parking ticket under §10.25.102 currently:</p> <p>“A. It shall be unlawful for any person to park ... a vehicle in the manner described in 10.25.101 A, C, D, I, J, K, T, U of this article.”</p> <p>Citation must state:</p> <p>“Defendant violated 10.25.102 by parking in the manner described in 10.25.101(A) by leaving a vehicle unattended on a bridge.”</p> <p>Creates citations to 2 ordinances, multiple letters and subsections, and is longer for entry into our ticketing systems.</p>	<p>Citing a parking ticket after the proposed amendments:</p> <p>“A. It shall be unlawful for any person to park ... a vehicle in the following manner:</p> <ol style="list-style-type: none">1.2.” <p>Citation would be cleaner, and would state:</p> <p>“Defendant violated 10.25.102(A)(1) by leaving a vehicle unattended on a bridge.”</p> <p>Direct Citation to illegal ordinance which is easier for integrations in computer systems and understanding by officers and members of the public.</p>

PROPOSED CHANGES- BASIC EDITS AND MODERNIZATION



Basics:

- Pretty self explanatory: working to clarify language to make it flow correctly.
- Ensuring correct references to other code sections.
 - Example: Adding necessary definitions to clarify the intent of the rule.
- Splitting up compound sections, and re-labeling.

Examples:

- § 10.25.101- Introduction paragraph has been modified for clarity and flow.
- §10.25.101(T): “Any commercial vehicle... parked on a public right of way in a Residential Zone District, *as defined by Article 2 of Chapter 7 of this Code.*”
 - *Adding a definition and reference to other code sections for clarification.*
- §10.25.101- Multiple Subsections: Previous subsection C was split into multiple subsections for clarity and simplicity.

PROPOSED CHANGES-SUBSTANCE



Substantive Changes to §10.25.101 Authority to Impound Vehicles

- The subsections have been re-labeled.
- Previous Subsection D, now Subsection G:
 - This subsection allows impoundment of vehicles left in the same place, continually, for a period of time. The changes clarify that the “same place” also means within 100 feet of that place. The definition is added to clarify the law and make enforcement easier.
- Previous Subsection G, now Subsection J:
 - Language here has been updated and modernized. It now states that a vehicle can be impounded when an officer develops probable cause (and therefore can issue a ticket) for a vehicle being driven without current and correct license plates. This includes violation of city code and state law regarding vehicle registration and license plates.
- Previous Subsection H, now Subsection K:
 - Language here has been updated and modernized. It now states that a vehicle can be impounded when an officer develops probable cause (and therefore can issue a ticket) for a vehicle being driven by a driver who is not licensed to drive, or has had their driver's license suspended or revoked.
- Subsection Y – New Subsection
 - This is a new subsection which allows a vehicle to be impounded when it is parked in public without displaying valid license plates in accordance with City Code.
- Subsection Z- New Subsection
 - This is a new subsection which allows a vehicle to be impounded when it is parked in a public right of way and is inoperable.

PROPOSED CHANGES- OVERALL



1. The biggest change: Simplified organization.
 - So that citations can be clear and efficient for citizens and officers.
2. The two ordinances will work in concert and mirror each other. This means that not only can these parking behaviors be grounds for impoundment of a vehicle, but they are also illegal and can be the basis for a parking citations.
3. New legal provisions:
 - Clarifying that it is illegal to park a vehicle continuously in the same place, *or within 100 feet*, for 72 hours, or 24 hours in a business zone.
 - Adding that it is illegal to park a vehicle in the public right of way that does not display current registration.
 - Adding it is illegal to park an inoperable vehicle in the public right of way.

PROPOSED NEW ENFORCEMENT MANNER



Enforcement of these two ordinances will be through the Colorado Springs Police Department.

This means it can be enforced by officers, or by any individual granted a Letter of Authority by the Chief of Police.

- Examples: Code Enforcement Officers, Parking Enforcement Officers. Goal is to empower nonsworn employees to enforce non-violent violation expanding our reach and freeing up officers for more serious calls

Citations will go through Municipal Court

BENEFITS

Financial Impact

HUTF Formula: Municipalities' share of the state tax revenue is based – in part - on the number of registered vehicles. Fewer registered vehicles = less revenue.

CDOT/BTE: The State's Bridge and Tunnel Enterprise program is funded by registration fees, and improvements happen in our region, as well as statewide. Recently this included two bridges over Academy Blvd. CDOT also invests its portion of HUTF in the State Highway Fund.

Parking Tickets: A conservative amount of revenue can be anticipated by those who choose to pay their ticket rather than seek a compliance incentive. Ticketing unregistered parked vehicles may also reduce vehicles left for long periods on roadsides.



BENEFITS



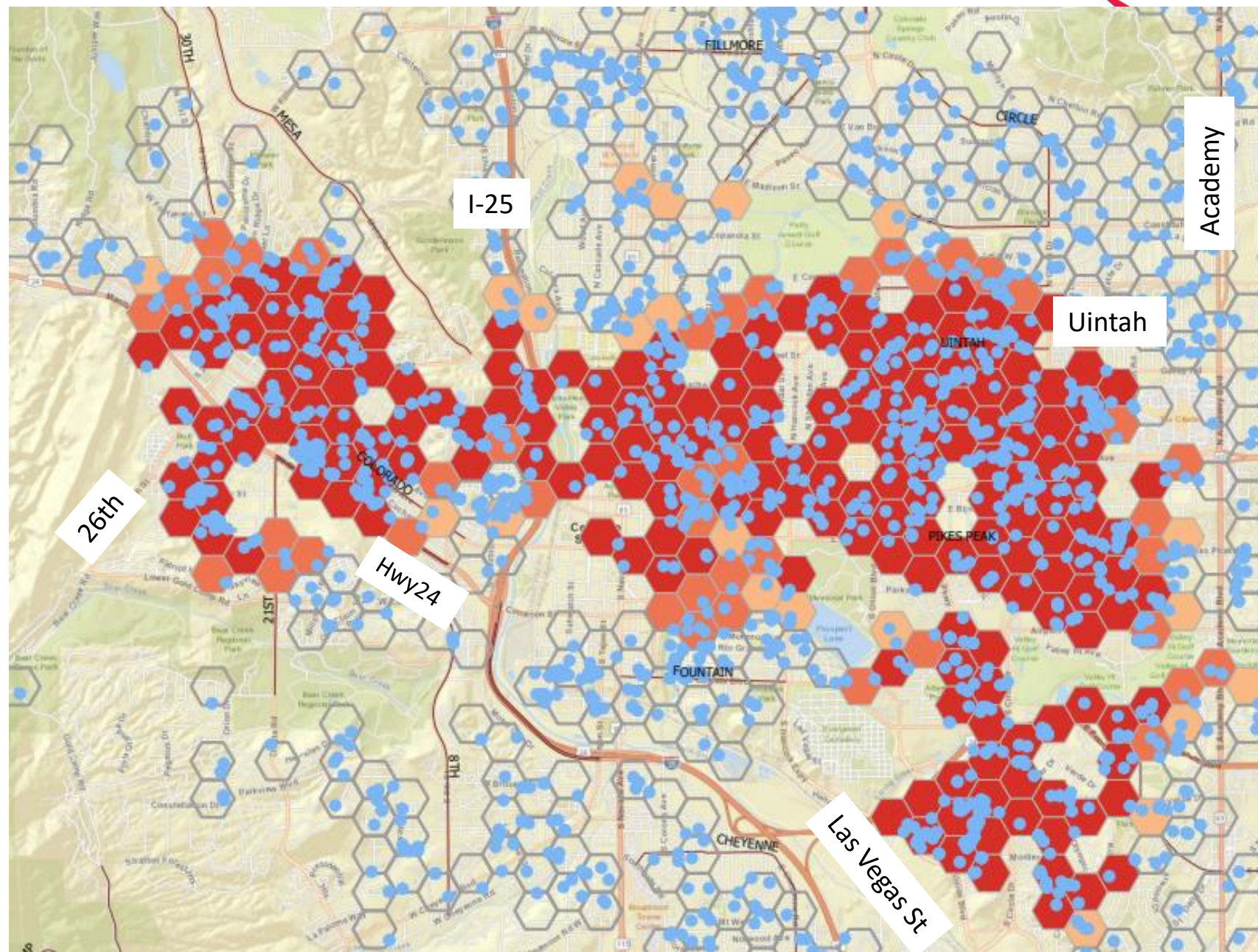
Responding to our Residents

Abandoned / unregistered vehicles are a significant source of complaints from neighborhoods and residents.

- The city has received over 14,500 complaints about abandoned vehicles since 2022.

There have been additional complaints about unregistered vehicles.

- During a recent push, CSPD wrote 175 citations in one week, displaying the volume of the issue, but taking officers from higher priority issues.



How big is the problem?

BENEFITS



Safety & Lawfulness

Right thing to do: Failure to enforce laws often leads to less compliance. On the flipside, consistent enforcement signals that we take our laws seriously.

Safety: CSPD: CSPD uses vehicle registration information to:

- Investigate crimes & traffic accidents
- Identify stolen vehicles
- Gain information on driver prior to a traffic stop to include whether the owner has a criminal record

Insurance: Registration is a key checkpoint in ensuring vehicles on the road are properly insured.

Being a Good Neighbor: Other agencies focusing on enforcement include Denver Police Department, Colorado State Patrol, Aurora Police Department, El Paso County Sheriff, Fountain Police Department.

QUESTIONS?

