## **CITY of ALBUQUERQUE TWENTY SIXTH COUNCIL**

COU	NCIL	BILL NO. 0-24-54 ENACTMENT NO. 0.2024.044									
SPONSORED BY: Joaquín Baca											
	1	ORDINANCE									
		AMENDING THE TRAFFIC CODE, ROA 1994 CHAPTER 8, ARTICLE 1, PART 3,									
	_	TO ALLOW FOR AUTOMATED PARKING ENFORCEMENT.									
	4	WHEREAS, the City's Parking Enforcement Division is limited in its ability									
		to manage City parking spaces by restrictions that prohibit utilizing new									
		parking technology; and									
	7	WHEREAS, the current City Traffic Code requires parking enforcement									
	8	officers to physically place citations on vehicles, which limits enforcement on									
	9	City metered spaces; and									
	10	WHEREAS, advancements in technology enable real-time monitoring of									
- New Deletion	11	parking spaces, allowing for efficient tracking of available spots and reducing									
- New Deletic	12	instances of illegal parking; and									
	13	WHEREAS, the City's metered parking spaces are located in urban spaces									
	14	with many businesses that desire accessible loading spaces; and									
Agte Na	15	WHEREAS, new parking innovations allow for monitoring of delivery zones									
일 🕻 1	16	allowing these spaces to be flexible in operation hours; and									
nderscored Material ethrough Material] -	17	WHEREAS, mobile applications can provide users with instant updates on									
를 <del>불</del> 1	18	parking regulations, availability, and enforcement schedules, fostering									
	19	compliance and enhancing public awareness; and									
Bracketed/U  Bracketed/Stri	20	WHEREAS, the Comprehensive Plan's Main Street Corridors prioritize on-									
	21	street parking, and as growth is incentivized along these corridors, parking									
画業	22	will become more of a premium, requiring more meters and enforcement; and									
	23	WHEREAS, data analytics obtained through automated parking									
	24	enforcement can help identify patterns in parking violations, allowing for									
	25	enforcement strategies that improve compliance.									

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- 1 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
- 2 ALBUQUERQUE:

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- 3 SECTION 1. The Traffic Code, ROA 1994, Sections 8-1-3-10, 8-1-3-11, and 8-
- 4 1-3-99 are hereby amended as follows:
- 5 § 8-1-3-10 CITATION OF A PARKED VEHICLE.
  - (A) Affixed Parking Citation. Whenever a motor vehicle without a driver is found in violation of this code or state law or parked or stopped in violation of any provision of Article 5 of this Chapter 8 of the code of ordinances or state law, the officer, parking enforcement officer, or security officer finding such vehicle shall take its license plate number and any other information which may identify its owner of use, and shall conspicuously affix to such vehicle a parking citation for the driver to answer to the charge alleged within ten days during the hours at the place, or by the method specified in the citation.
  - (B) Mailed Parking Citation. Automated enforcement technologies may be used by the Albuquerque Police Department, parking enforcement officer or security officer in determining violations of any provision of Article 5 of this Chapter 8 of the code of ordinances. If an officer, parking enforcement officer, or security officer determines through investigation of evidence provided through automated enforcement technologies a motor vehicle to be in violation of any provision of Article 5 of this Chapter 8 of the code of ordinances, and the officer, parking enforcement officer, or security officer through investigation determines that such evidence can be shown to have been collected at the date and time of the violation and show the license plate number or any other information which may identify the violating vehicle's owner of use, the investigating officer may issue a parking citation by United States Postal Service mail to the address of the registered owner of the violating vehicle for the registered owner to answer to the charge alleged within twenty days of issuance of the citation during the hours at the place or by the method specified in the citation. "Issuance of the citation" shall mean the date on which the citation is mailed.
- § 8-1-3-11 FAILURE TO PAY FOR PARKING CITATION. 31
  - (A) Affixed Parking Citation. If the alleged violator does not pay an affixed parking citation within a period of ten days, a letter shall be sent to the

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occurred.

1 registered owner of such vehicle setting forth the time of the alleged violation, 2 listing the presumptions provided for in § 8-5-1-39, and informing the alleged 3 violator of the violations and warning that a complaint shall be delivered to the 4 Metropolitan Court against the registered owner of such vehicle, if there is no payment of the parking fine within 30 days of the date on which the violation 5

(B) Mailed Parking Citation. If the alleged violator does not pay a mailed parking citation within a period of twenty days of issuance of the citation, a letter shall be sent to the registered owner of such vehicle setting forth the time of the alleged violation, listing the presumptions provided for in § 8-5-1-39, and informing them of the violations and warning that a complaint shall be delivered to the Metropolitan Court against the registered owner of such vehicle, if there is no payment of the parking fine within 45 days of the date of issuance of the citation.

15 § 8-1-3-99 PENALTY.

> (B)(4) Fines for any affixed parking violation, including § 7-5-3 Display and Sale of Motor Vehicles, if not paid within ten days of the occurrence of the violation, shall be two times the amount of the fine, and if not paid within 20 days of the occurrence of the violation, shall be three times the amount of the fine, unless the person cited has initiated court proceedings to answer the charges within ten days of the issuance of the citation. Fines for any mailed parking citation, if not paid within twenty days of the issuance of the citation, shall be two times the amount of the fine, and if not paid within thirty days of the issuance of the violation, shall be three times the amount of the fine, unless the person cited has initiated court proceedings to answer the charges within twenty days of the issuance of the citation.

> SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause, word or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

	1	SECTION 3. COMPILATION. SECTION 1 of this Ordinance amends, is to t
	2	incorporated in, and is to be compiled as part of the Revised Ordinances of
	3	Albuquerque, New Mexico, 1994 in Sections 8-1-3-10, 8-1-3-11, and 8-1-3-99.
	4	SECTION 4. EFFECTIVE DATE. This Ordinance takes effect five (5) days
	5	after publication by title and general summary.
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	1	PASSED AND ADOP	TED 1	THIS	16 <sup>th</sup>	DAY OF	December , 2024		
	2	BY A VOTE OF:	7	_FOR_	1	AGAINST.			
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	4	For: Baca, Bassan, Champine, Fiebelkorn, Grout, Peña, Rogers							
	5	Against: Sanchez	:						
	6	Excused: Lewis							
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