

Appendix F

City of Stockton, CA, Parking Operations Assessment

ON-STREET PARKING & ENFORCEMENT PROGRAM

Sample Parking Enforcement Operations Manual

April 2014

Introduction

Sample Parking Enforcement Parking Enforcement Operations Manual

This sample operations manual & parking enforcement officer handbook is being provided to City of Stockton as a mechanism to facilitate parking enforcement program development, training and implementation.

Many of the specific rules and regulations should be reviewed and modified as needed to comply with City of Stockton standards.

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CHAPTER 1

MISSION – DUTIES AND RESPONSIBILITIES

Introduction

This manual was prepared for Parking Control Officers of the City of Stockton, OH, hereafter referred to as PCO's or Officer's.

PCO's are not Peace Officers; however, they are involved in the enforcement of state law and local ordinances, and they provide a highly visible and valuable service to the community. Most citizens appreciate having parking regulations enforced. Few, however, appreciate receiving parking citations or finding that their vehicles have been impounded. Due to this unique job status, a PCO's duties must be performed with greater sensitivity and a different perspective than other parking program personnel.

This Manual sets forth proposed Policies and Procedures of the City of Stockton's Parking Enforcement program. It also provides a tool to train and support PCO's in the effective and efficient performance of their required duties. Every officer shall be issued a manual and be responsible to read and be aware of the information written herein.

1/101 Mission of the Parking Services Division

Department: To serve the City's residential and commercial communities by providing quality public works services and infrastructure with environmental and fiscal responsibility.

Parking Services: To provide for the safe and efficient movement of people and goods while promoting the economic vitality of the City and the quality of life of its residents through diligent enforcement of authorized regulations with integrity and empathy.

1/102 Duties and Responsibilities

The Parking Services function manages the on-street residential parking permit program and the parking enforcement function, including adjudication of citations.

1/102.1 Parking Control Officer (PCO)

- Patrols an assigned route, identifies vehicles parked illegally or with expired registrations, and issues a parking citation.
- Responds to parking complaints.
- Conducts field investigations of posted signage.

- Operates a vehicle, two-way radio, handheld computer, and other miscellaneous tools such as a chalk-stick, flashlight, etc.
- Maintains equipment and adheres to safe operating procedures.
- Reports traffic accidents, abandoned vehicles, missing/vandalized signage, miscellaneous municipal code violations, and traffic hazards.
- Responds to miscellaneous inquiries from the public and City staff.
- Responds to calls for assistance from City personnel.
- Performs special assignments upon request.
- Performs other related duties as assigned.

CHAPTER 2

CONDUCT

2/100 Code of Ethics

PCO's have a fundamental duty to serve the public. In doing so they must display honesty and integrity while obeying all laws and City policies.

PCO's shall enforce parking regulations and perform all other required duties courteously and appropriately without favor, malice or ill will. PCO's shall never accept favors or gratuities.

Gratuities are defined as any type of gift or service of value, free beverages, free or reduced-priced meals, or money. If a resident, visitor or business person along the enforcement route offers any such item it must be refused. You are expected to decline graciously any such gifts or tokens of appreciation. Acceptance of gratuities is a disciplinary offense.

2/101 Professional Demeanor and Conduct

It is policy of the City of Stockton that when dealing with the public and co-workers, PCO's should be courteous, respectful, cooperative and professional at all times.

At no time shall an officer make inappropriate comments or gestures, make physical contact with a member of the public or a co-worker, or use profane or insolent language.

A member of the public has the legal right to report behavior he or she believes to be unprofessional. The officer shall readily provide his/her first name, their manager's name and the office address and phone number to a member of the public upon request.

City policy prohibits discrimination on the basis of age, race, gender, color, national origin, disability, or sexual preference in any work related activities. Sexual harassment in the workplace is a form of discrimination. Parking enforcement staff shall comply with these policies.

2/102 Roll Call Demeanor

Roll call is the beginning of the duty shift and is a mandatory duty assignment. Officers are required to report to roll call on time and be prepared to begin work. This preparation includes being in complete uniform with all necessary equipment ready.

Roll call is the time for assignment, instructions and briefings to be given as a team. Roll call shall be brief and concise. On occasion roll call training is presented, which extends the time allotted. Officers shall behave in a professional manner throughout roll call. Officers shall not leave roll call unless excused by the Supervisor. Lengthy personal discussions are to not be held while roll call is in session.

When roll call is completed, all Officers are excused and shall report immediately to their assignments.

2/102.1 Conduct towards Fellow Employees

Officers shall treat Managers, Supervisors, fellow Officers and City Employees with respect. Officers shall be professional, courteous and civil at all times in their conduct toward one another.

2/102.2 Standard of Conduct

As a PCO, you are constantly in the public eye. The services you provide for the people must be free of hazards and liabilities. Drugs and alcohol can impair public trust and public safety and create criticism of all parking program employees. Therefore, being under the influence of or possession of illegal drugs or alcohol in the workplace is strictly prohibited. If you are found to possess illegal drugs/substances or alcohol, you are subject to termination of employment. This can also apply to off-duty drug use by parking enforcement staff. If a supervisor believes you are affected by the use of drugs or alcohol, the supervisor may require a drug test through a local medical facility. Refusal to submit to such tests may be considered insubordination and grounds for termination.

2/103 Court Demeanor

From time to time PCO's may be required to testify in court or at an official hearing. An officer may be summoned for the following: County court citation appeals.

- Administrative impound hearings.
- Witness to a traffic accident or a crime.
- Involvement in a traffic accident or a crime.

Notifications to appear in such hearings come in the form of subpoenas or other official documents. These notices indicate that attendance is a primary duty assignment. Should an officer experience an illness or other emergency, which will prevent attendance, immediate notification to the proper person is required, since attendance is mandatory. If notification is made to the immediate supervisor, the officer must indicate the inability to attend the hearing and give the supervisor the necessary information.

Prior to attending such hearing the officer shall review all necessary documents and relevant notes. Hearing cases shall be reviewed with staff prior to representing the City. Cases may be discussed with the City Attorney or other appropriate personnel if an officer is asked to do so.

When testifying, the officer shall respond only with facts as they are known and shall not express personal opinions, prejudices or ideas. The officer shall answer questions that are asked as directly and briefly as possible.

CHAPTER 3

GUIDELINES FOR PERSONAL APPEARANCE AND UNIFORM STANDARDS

3/100 General Provision

PCO's shall be neat, clean and well groomed at all times while on duty.

PCO's shall wear uniforms that are clean, neat and pressed at all times. Leather accessories shall be kept shined; metal accessories shall be polished.

The company will provide a laundry/cleaning service which will rotate clean uniforms on a bi-weekly basis. It is the Officer's responsibility to have soiled uniforms ready for pickup on the appropriate day and to use the clean uniforms in such a manner so they last until the next delivery of clean uniforms.

Officers shall present a professional appearance at all times while on duty. The full required uniform shall be worn on duty. No unapproved articles of clothing are to be worn with the required uniform. In addition, no part of the uniform shall be worn in conjunction with civilian clothes while the PCO is off-duty.

3/101.1 Hair Standards

Hair shall be neatly trimmed/combed at all times with no eccentricities of style, color or fashion. Hair shall be arranged so as not to interfere with vision in any way.

When male Officers choose to wear mustaches or sideburns they shall be worn short and neatly trimmed. No other facial hair is authorized.

3/101.2 Jewelry

For the Officers' safety, excessive jewelry shall not be worn. No jewelry shall be worn that dangles or can be grabbed or pulled off the Officers.

For Officers, "excessive jewelry" shall include nose rings or any other type of pierced jewelry or decoration, other than earrings, that is worn on the body and exposed to public view. Only one pair of stud earrings is authorized, one per ear.

3/101.3 Makeup

When female Officers wear makeup it shall be worn moderately.

3/102 Uniform Standards

Uniformed personnel shall possess at all times while on duty a serviceable uniform and the required equipment to perform assigned duties. The official uniform shall be worn in a professional manner. Buttons and zippers shall be secured at all times. Nothing shall be carried in the uniform pockets, which would detract from the proper appearance of the uniform.

3/103 Required Uniform Items

PCO's shall be provided basic articles of uniform and other articles of uniform as needed that shall be replaced as necessary. The uniform currently includes shirts, pants, shorts (for summer), a jacket, a parka for winter, and winter boots. Officers are expected to provide their own shoes for patrol when winter boots are not necessary. If the Manager determines an article of clothing is no longer serviceable, a new one will be issued.

3/103.1 ID Badges

Officers shall wear the official ID Badge, which will contain their first name for identification purposes. The nameplate shall be legible to members of the public facing the PCO.

3/103.2 Shoes and Socks

Shoes shall be solid black in color, either low or high cut and plain. Leather shall have a polished or glazed finish.

3/105.3 Lost, Stolen or Damaged ID Badges

When a badge is lost, stolen or damaged, the Officer shall immediately report this to the On-Street Manager. The Supervisor shall arrange for immediate replacement of the lost, stolen or damaged badge.

3/105.4 Misuse of an ID Badge

The ID badge shall not be carried, worn, displayed, or used in any manner by an officer who is off duty. It shall never be displayed in an attempt to gain favor, obtain gratuities, or otherwise receive a benefit to which the PCO would not otherwise be entitled. The ID badge shall not be used as a law enforcement device under color of authority or in any attempt to gain exemption from any law enforcement action. The badge shall never be used to harass, discriminate against, and intimidate others.

3/106 Accessories

Accessories are personal items not issued nor required by the Department. If Officers choose to wear or carry such items they must conform to company guidelines. Approval of all accessories must be obtained in advance.

3/106.1 Purses and Bags

Any purses or bags that are carried while in uniform shall be conservative in appearance. Officers shall not wear or carry any backpack, "fanny pack" or similar type bag while in uniform and on duty.

3/106.2 Timepieces

Timepieces or watches worn or carried by Officers shall be conventional, conservative and inconspicuous, preferably the type worn on the wrist.

3/106.3 Cell Phones

In the interest of safety, Officers shall not talk or text message on a cell phone while driving. Use of cell phones for personal calls should be kept to an absolute minimum. If the PCO must conduct personal business on the cell phone, this should be done during the break.

CHAPTER 4

PROPER USE OF EQUIPMENT

4/100 General Provisions

All assigned equipment is City Property and the care and maintenance of such are the responsibility of the PCO. Officers shall treat assigned equipment with responsibility and the care necessary to maintain it in safe and effective operating condition. All equipment must be returned to the proper location at the end of the work shift. Vehicles shall be parked in the designated areas.

Radios shall be turned off and returned to the appropriate charging units. Handheld citation writers shall be returned to the specific assigned charging port.

4/101 Vehicles

Officers may be assigned to drive an enforcement vehicle. The program is currently using Ford Escapes and Chevy Trackers, but this could change over time.

4/101.1 Assignment

Each officer assigned a vehicle is responsible for the proper care, fueling and monitoring of that assigned vehicle, as well as any other vehicle that may be assigned on a temporary basis. Each officer is also responsible for ensuring that any assigned vehicle is left clean and free of trash at the end of shift. Each officer is required to use the vehicle assigned to him/her, as applicable. When an assigned vehicle is inoperable or unavailable due to routine maintenance the On-Street Manager will assign the officer another vehicle if available. At the beginning of each shift each officer shall complete the vehicle assignment sheet and sign it. If it becomes necessary during a shift to change vehicles, the Officers shall ensure that the new assignment is entered on the assignment sheets.

4/101.2 Safety Checks

Prior to driving the vehicle at the beginning of each shift each officer shall complete a safety check of that vehicle. The safety check includes checking all lights, turn signals, breaks, tires, windshield wipers, and mirrors. If any safety item needs repair the fact should be reported to the On-Street Manager) immediately and his/her instructions followed. Any dents or other minor damage that does not affect the safe operation of the vehicle, including handles, hinges or other parts that may be loose, shall be reported to the Manager at the end of the shift.

4/101.3 Maintenance

The Vehicles used for parking enforcement are the property of the City of Stockton. Each Officer is responsible for monitoring the condition of his/her assigned vehicle(s). Vehicles that exhibit operating problems or damage should be reported to the On-Street Manager who will arrange for repair by the City.

If the vehicle becomes disabled while the Officer is on patrol and it is totally inoperable or unsafe to drive it to the shop; the PCO should communicate with the On-Street Manager (or the office) and await instruction.

4/101.5 Vehicle Fueling

Officers assigned a vehicle are responsible for refueling the vehicle at the designated City fueling station. Any officer driving a vehicle on a temporary assignment basis shall ensure that it is left with a full gas tank at the end of shift. PCO's may fuel their assigned vehicles during their shift, consistent with efficient patrol practices.

4/101.6 Driving Safety

The emergency flashers and directional arrows must be activated any time the vehicle is being driven slower than the normal flow of traffic.

The rotating lights on top of the vehicle must be activated during inclement weather for visibility. Discretion must be used during the late night hours when using the rotating lights due to complaints from residents.

To ensure safety and minimize traffic congestion during the issuance of parking citations, Officers are to park vehicles safely; whenever possible vehicles shall be parked at the curb, out of the flow of traffic. Vehicles should not be double-parked

while the officer is issuing a citation; this can be dangerous for the PCO and contributes to traffic congestion.

4/101.7 Traffic Accidents

Whenever an officer is involved in a traffic accident while on the duty, the Police Department should be notified by cell phone immediately, advising the dispatcher if there are injuries or if an ambulance is needed. The officer must not leave the scene until the Police respond and take appropriate reports. Do not move the vehicle until instructed to do so. If the vehicle is not drivable the Parking Manager should be advised.

4/102 Radios

Officers will usually use the cell phones integrated into their handheld issuance devices to communicate with the office and other enforcement personnel as necessary. The following rules apply to the use of radios:

4/102.1 Assignment of Radios

All radios are numbered and are assigned to Officers by badge number. (The inventory includes spare radios to be used when an assigned radio is out of order and being repaired). If an assigned radio is out of order and there are no spares available, the Parking Manager is to be notified.

4/102.2 Maintenance of Radios

Each officer is responsible for the proper care of his/her assigned radio. Should the radio become inoperable the officer shall notify the Parking Manager.

4/102.3 Charging Radio Batteries

When not in use, radio units must be placed in charging port. The Officer shall verify that radios are charging.

4/103 Handheld Enforcement Computers

Handheld citations writers must be properly cradled in designated ports. Officer shall verify that unit is charging and transmitting data.

4/103.1 Assignment

Each handheld unit is numbered and each officer has an assigned unit. If the assigned unit is out of order, a spare shall be used. If there are no spares available the Supervisor shall be notified and shall assign a unit that is normally assigned to an officer who is off-duty.

CHAPTER 5

PERSONAL ISSUES

5/100 General Provisions

Scheduling and deployment of personnel for the purpose of optimum effectiveness in serving the needs of the program and the Department and company as well as the personal concerns of the Officers requires management to address many priorities. Both management and employees have the responsibility of conforming to the necessary requirements to effectively of meet these needs.

5/101 Personnel Schedules

Officers who are full-time employees currently work a five day, Monday to Friday schedule with individual shifts starting at various times so as to provide coverage across the times that meters and other regulations are in effect. One part-time PCO currently works 20 hours per week. The current full-time daytime assignments are as follows:

- 7:00am to 3:30pm
- 8:00am to 4:30pm
- 9:00am to 5:30pm

The current part-time assignment is:

- Thursday: 6:00pm to Midnight
- Friday: 2:00pm to Midnight
- Saturday: 2:00pm to Midnight

5/101.1 Deployment Schedules

Schedules are developed for optimum field coverage and are subject to change by management as the need arises. Schedules are reviewed periodically.

5/101.2 Sick/Personal Leave

When an officer is unable to report for duty as assigned due to an illness or unexpected personal emergency he/she must immediately contact the Parking Manager at (___) ___-___. If this is not possible a message must be left in the office stating the reason for absence, the length of time off anticipated and a phone number where the Supervisor may reach the officer.

5/101.3 Vacation

Annual vacations must be requested sufficiently far in advance for the Supervisor to be able to plan deployment and scheduling. Requests for a single day's use of vacation time should be made at the beginning of a pay period unless the request is of an emergency nature. When more than one officer requests the same vacation period and deployment needs do not allow for one or more Officers to take vacation, officer seniority will determine priority.

5/102 Personnel Assignments

It is the policy of the program to make beat/route assignments based on priority enforcement requirements and public complaints. Day shift Officers are normally assigned to beats/routes on a rotating basis. Management reserves the right to make assignments to meet the best interests of the City.

5/103 Meal Periods/Breaks

Officers are entitled to a half-hour break which can be used for meals. The time of the break period may be defined by the Manager based on the needs of the assignment.

It is necessary for Officers to conduct themselves in a manner that provides the highest level of professional service to the City. Officers on all shifts are to sign out of service (by phone) when they leave their assigned route to begin the break period. The time it takes to travel to a location for a meal is included in the half hour time period. It is

important also to be aware that program vehicles are to be used solely for program business.

CHAPTER 7

PARKING ENFORCEMENT PROCEDURES

7/100 General Provision

The purpose of parking enforcement is to ensure the availability of parking in commercial and residential parking areas, to prevent congestion during peak traffic periods, to keep safety zones clear such as crosswalks, fire lanes and bus zones, and to maintain disabled persons' access. Parking enforcement is also necessary to clear the streets as required for a variety of other situations such as street sweeping, construction and special events.

7/101 Citing Instructions

PCO's are authorized to enforce parking regulations pursuant to various sections of the City of Stockton Municipal Code:

Parking citations may be issued when a vehicle is found to be in violation of any of the above City of Stockton Municipal Code Sections or California Vehicle Code Sections covering the proper registration of motor vehicles, and in accordance with Department Policy. Under certain circumstances, PCO's may also issue citations for illegal parking in taxi zones.

PCO's shall not enforce or cite vehicles outside the City of Stockton City limits. Parking citations shall only be issued for parking violations or registration-related violations.

A citation shall not be issued if at the time of the violation, any required sign or marking is not in place and sufficiently legible and visible to be seen by any ordinarily observant person.

7/102 Issuance of Citations

Prior to issuing a parking citation, the officer shall thoroughly check the vehicle (front, rear, dash) to determine that it is in violation and there is no obvious problem such as a flat tire or a person inside who needs assistance. If there is a note or the hood is up

indicating a possible mechanical problem, the officer may allow a reasonable period of time for the driver to get assistance, depending on the nature of the violation.

Generally, the PCO will list the license plate of the vehicle being cited; DMV records will later be accessed to identify the registered owner/responsible party. If a vehicle lacks a license plate, the officer should carefully record the vehicle's VIN number, which can be found on the driver's side of the dashboard, just inside the windshield.

The citation and the envelope shall be secured to the vehicle in a conspicuous location, preferably under the windshield wiper on the driver's side.

7/102.1 Return of Vehicle Operator

If the operator of the vehicle is present during the issuance of the citation and has been given the opportunity to move the vehicle or if some other communication has taken place, the officer shall so indicate in the comments/notes section of the citation.

When the officer becomes aware that a driver may leave without waiting for completion of the citation, it is important to make every attempt to ensure that the driver is aware that a citation will be issued, and serve the individual personally if she/he remains at the site. Nevertheless, at no time shall an officer make any attempt to forcibly detain the driver or stop a moving vehicle and place him/herself in danger. Even if the driver/vehicle leaves before the citation can be served, the officer should immediately complete the citation, retain the "respondent" copy and record the citation as a "driveway." The respondent copy will be mailed to the registered owner at a later time. At no time shall an officer make a determination of a violation and then wait to complete the citation at a later time.

7/102.2 Issuance of Warnings

It is City policy that out-of-County vehicles are given two “courtesy warnings” per year. Warnings are intended to educate the vehicle owner/operator without creating a bad impression of the City for a visitor. The handhelds communicate with the live database to indicate whether the vehicle has had previous warning in the last year, and the plate configuration will indicate whether it is registered out-of-County. The issuance of a warning should be treated identically to issuance of a citation by the PCO (i.e., the same required circumstances, same signage requirements, same conduct on the part of the officer).

7/102.3 Real-time Transmission of Citations

PCO's should be aware that in normal operations, citations are transmitted to and updated to the database on a real-time basis as soon as the officer completes the entry process on the handheld. If a vehicle owner returns to his/her vehicle just as a citation has been completed and protests that the citation should not be issued, he/she should be told that issuance is complete, and the PCO should briefly explain the contest process, and direct the owner to the back of the citation and the program web-site. The PCO should complete the discussion as quickly as possible without being rude, and resume patrol.

7/102.4 Voided Citations

7/103 Completion of Citation

7/103.1 Computerized Handheld Citation

When issuing citations by the use of a computerized handheld citation writer, the officer shall ensure that the unit is in working order prior going into the field. The officer shall ensure the battery and printer are operational, the date and time are accurate, and that there is a sufficient supply of blank citation stock. When issuing his/her first citation of the day, the PCO shall also verify that his name, ID and beat/route are being printed accurately.

7/103.2 Manual Citation

On rare occasions an officer may need to issue a citation by writing it manually due to problems with the handheld computers. When this is necessary the following procedures must be followed:

The citation must be filled in completely and legibly. Black ink is required, in inclement weather pencil may be used. Officers shall print using block letters. When entering information on the citation the officer must remember to press hard enough for all copies to be legible. The original copy of the citation shall not contain any information which does not appear on the violator's copy.

If critical elements are not included on the citation it may not be upheld in the hearing process.

Those important elements are:

- Date and Time
- Vehicle License, Make and Model
- Violation code
- Meter # (if applicable)
- Time first observed (if applicable)
- Location of violation

7/103.3 Entering Violation Date

The date is the day on which the vehicle is observed in violation and is entered as month, day and year (i.e.:03/06/00). In the hand held computer the date is

preprogrammed. On the manual citation this shall be entered in the space provided for date.

7/103.4 Entering Violation Time

The hand held computer keeps time and will indicate the time of the citation. On the handwritten citation, the time must be written in the space provided. The time used on the citation is based on the 24-hour (Military) clock. If the hour is less than 10, fill in with a zero to the left so that the time is always a four-digit number i.e.: 9:05 a.m. is 0905; 9:05 p.m. is 2105.

7/103.5 Entering Vehicles License Number or VIN

The license number is to be entered exactly as it appears on the license plate of the vehicle in violation using standard letters and numbers. IF there is no plate on the vehicle, the officer should enter the Vehicle Identification Number (VIN) in the appropriate field on the citation form. The VIN can be found on the front dashboard just inside the driver's side windshield. It is a long, complex list of numbers and letters and should be copied carefully to avoid mis-identifying the vehicle.

The State in which the license plate is registered is important. The officer shall ensure that the correct State is entered. There is a drop down menu of state abbreviations in the handheld device. It is also important to identify the month and year that the license plate registration expires and enter it correctly.

7/103.6 Entering Vehicle Make, Body Type and Color

For proper identification of the vehicle it is necessary to indicate the correct vehicle make; do not guess. Body type and color are important for corroborating evidence. Several makes and body types are preprogrammed in the computer but must be written on the manual citation. Vehicle color also is used to describe the vehicle, and the officer shall indicate the color as correctly as possible. It is understood that many colors are difficult to identify and a judgment decision may be called for. The handheld issuance devices will provide drop-down menus of the vehicle makes, body types and colors. (Verify) In the course of normal operations, officers should endeavor to learn these codes in case they have to use handwritten citations at some point.

7/103.7 Entering Vehicle Location (Verify)

It is necessary to be as accurate as possible when indicating the location of the vehicle in violation. Wherever possible exact numbered addresses are to be used. When no numbered addresses are available, approximate or across from are acceptable. Indicating the block number only is unacceptable in determining specifically where the vehicle was parked.

Example of acceptable addresses:

- 1) 901 N. Elm Street

Example of unacceptable address:

- 1) 900 block N. Elm
- 2) A/F 902 N. Elm
- 3) Approx. 905 N. Elm

7/103.8 Entering Beat or Route Number

It is important for statistical purposes to know what beat or route a citation was written in so Officers shall indicate the correct beat route number the appropriate place on the citation. (On Handheld citations, this should be done automatically if entered correctly at the start of the shift.)

7/103.9 Entering Officer Name and Badge Number

The handheld computer will enter the officer's name and badge number once set up properly at the beginning of the shift. The officer must clearly print their name and badge number on a handwritten citation.

7/103.10 Notes

On both the handheld computer and the manual citation there is a space for remarks/notes. This space is to be used for pertinent information that may be necessary to further establish a prima facie case or to help the officer remember a specific incident or circumstance. PCO's should remember that citation notes can be reviewed during citation appeal or in Court, so notes should be business-like and relevant to the violation or the circumstances of its issuance.

Some comments that are helpful in upholding the validity of the citation include:

- “Sign visible-XX feet”
- “Meter working”
- “RO present/talked with PCO”.

7/104 Patrol Techniques

In order to effectively patrol an assigned beat/route the officer must become familiar with the characteristics of the area, the restrictions, and the sign posting's and so forth. The development each day of an enforcement plan ensures effective and efficient coverage. A part of this plan must include being on patrol during peak times, taking the break during quiet times (and when approved by the Manager) and ensuring coverage by a fellow officer (or alerting fellow PCO's that one is off the beat).

At the same time, to the extent possible and practical, it is desirable that Officers do not patrol a beat in the same manner each day. If possible, PCO's should “mix it up” and vary the pattern by which they patrol a particular beat. This will both make the patrol day more interesting for the Officer and make it more difficult for habitual violators (such as meter-feeders) to “game” the system by anticipating when the PCO will be coming down the street.

CHAPTER 8 VALET ENFORCEMENT

CHAPTER 11 VEHICLE TOWING/IMPOUNDING

11/100 General Provisions

For PCO's, the purpose of towing/impounding is to provide for the removal of the vehicles of habitual parking violators who have failed to respond appropriately to previous citations. Habitual violators are otherwise known as scofflaws and have accumulated three or more unpaid parking citations, at least one of which is more than 15 days old (verify).

While the towing/impounding of another person's property becomes a service to the public, it also places a responsibility upon the Officer.

11/101 Authority to Tow/Impound

Illegally parked vehicles may be towed/ impounded when they fall under any of the situations outlined in Nebraska Vehicle Code (NVC) Section _____. Vehicles towed /impounded pursuant to these provisions are subject to City rules, regulations and policies and/or approval by the On-Street Manager.

11/102 Verifying Need to Tow/Impound

Although a tow/impound may be authorized, it is not always mandatory. An officer must use good judgment in determining that a vehicle is in violation and should be towed/impound.

The officer shall contact dispatch to verify necessary information. If the vehicle is being impounded as a scofflaw the officer shall ask dispatch to check DMV records and the processing agency records. The checks are to determine if the vehicle is stolen, has outstanding citations or has been recently impounded.

Once all criteria has been met for the impound and a determination has been made to tow/impound a vehicle, the tow truck is to be requested and the following steps are taken.

11/102.1 Completion of Vehicle Tow/Impound Form

When towing/impounding a vehicle someone's personal property is being taken. This creates an atmosphere for City liability and all due caution must be observed. Form XXX shall be completed to indicate the authority for the tow, the location the vehicle was removed from and the condition of the vehicle at the time of impound.

One copy of the form is completed. The driver of the responding tow truck is required to sign the report indicating he is taking possession of the vehicle.

11/102.2 Vehicle Inventory

When completing the ___ form it is necessary to thoroughly check the condition of the vehicle and make appropriate notations. It is also necessary to note any items of value inside the vehicle by looking through the window and noting items on the form. Officers may only enter the vehicle when another officer or tow operator is present. At no time shall an officer enter a vehicle while alone.

11/102.3 Processing the Impound Form

Upon completion of the tow, the officer clears the location and reports to the Police Records Division (term) so that if the vehicle owner reports the vehicle as stolen he/she can be informed that it was actually towed.

11/103 Stolen Vehicles

When the officer checks with Dispatch to verify information on the vehicles and the information returns that the vehicles is reported as stolen, Dispatch will request the location and advise the officer to standby for a Police Officer. For personal safety reasons, the officer should standby at a distance and be prepared to advise if the driver is present. The Officer shall then continue on patrol.

CHAPTER 12 CITATION ADJUDICATION

12/10 General Provisions

Parking citations may be contested in accordance with the administrative procedures outlined in the California Vehicle Code and local ordinance. In brief, a vehicle owner who wishes to contest a parking citation must first request a review of the citation with a representative of the City Attorney's office. It is possible that a decision might be held up pending research of a claim that a meter was not operational or fast, or that proper signage was missing. If the City Attorney makes a decision to uphold the protest, the balance due is reduced to zero and the citation is considered closed.

If, however, the City Attorney determines that the citation is valid, the respondent (customer) can either pay the fine or can request a hearing before a judge in County Court. It is quite possible that PCO's will be called upon to testify at County Court hearings (under oath???)

There are two things that PCO's can do both to reduce inconvenience to members of the public and see that legitimate violations are sustained once cited. First, PCO's should endeavor to always issue valid, legally sufficient citations. Second, they should always testify completely and truthfully in County Court as required.

12/107 Establishing a Proper Case

To ensure that citations are upheld during the initial administrative review process and the subsequent Hearing process, it is important for Officers to complete each citation clearly and legibly, with all proper information required to establish the violation, and issued for the proper violation based on the facts the PCO observes. Finally, all citations must be signed by the officer.

12/108 Testimony in Court

It is also critical that Officers testify properly in Court when required to do so. Elements of proper Court testimony include the following:

Appearing on-time and at the designated place. (Officers will be informed in writing about required Court appearances.) Presenting a professional appearance that reflects well on the PCO and the program. (This includes both

good grooming and proper attire consistent with the requirements stated elsewhere in this manual.)

Answering all questions directly and accurately. Officers must tell the truth and only respond to the exact question asked. They are not to embellish, offer their personal opinions, or provide answers beyond the question asked. They should return to the office as soon as told by Court personnel that they are no longer required in Court.

12/109 Understanding the Difference Between Citation Issuance and the Results of Administrative Reviews and Court Hearings

It is important that each PCO appreciate that subsequent dismissal of a citation which he/she wrote is not a negative reflection. The nature of our system calls for PCO's to make quick judgments in the field and issue citations based on the situations they observe, sometimes without all of the relevant facts known to them. Administrative reviews by the City Attorney and Court hearings allow citation recipients to put forward facts or evidence of which the PCO might not have been aware. Thus PCO's should not be concerned if they later hear that one of their citations has been dismissed.

CHAPTER 14 MANUAL MAINTENANCE

14/100 Manual Issuance Procedures

Each manual will be numbered. Each person who is issued a manual will be required to sign for it. Each person who is assigned a manual will be responsible for the care, maintenance and updating of that manual. More significantly, offices are responsible for knowing the material in the manual and performing their duties in compliance with the manual. If you have questions or are uncertain regarding what is expected of you, please ask your supervisor.

14/101 Manual Updating Instructions

As pages are revised or new pages are added, each manual holder will be required to sign for receipt of the update. The page numbering is used to locate the spot for new or revised pages. A revised page that is replacing an old page will have the same page number as the one it is replacing. To differentiate the replacement page from the old

page, the replacement page will be coded with its effective date in the lower right hand corner.

When a revision requires more than one page it shall be numbered with a decimal such as 28, 28.1, and 28.2. When revisions occur, insertion instructions shall accompany the new pages.

14/102 Manual Revision Inserts

The new and revised pages are to be incorporated into the Parking Enforcement Manual. It is suggested that the old pages not be immediately discarded. Replaced pages should be filed in the rear of the binder along with this notice of manual revisions. These should be retained for reference purposes for six (6) months from the date above.

14/103 Manual Rewrites

Changes of policies and procedures as well as legislative changes may require a rewrite of certain portions of the manual. In order to ensure the immediate dispatch of new information to Officers, Training Bulletins will be prepared and issued while manual updates are being prepared. Each Training Bulletin will indicate which Manual Chapter is being superseded or amended. As appropriate, a Manual rewrite will be completed to address the necessary changes.