



# PISMO BEACH PARKING DEPARTMENT

## Information Bulletin

### Parking Citations

Per California Vehicle Code Section 40220, the following procedures are to be followed for contesting parking citations. This mechanism provides you with three (3) levels of review for your parking citation and must be followed in order.

#### 1. Request for Investigation

- A. Pursuant to CVC Section 40215(a), you may first contest a parking citation by completing the **Request for Parking Citation Cancellation** form.
- B. You must, within 21 days of receiving the citation or within 14 days of the mailing of the notice of a delinquent parking violation, then mail or deliver this form to:

Pismo Beach Parking Department  
585 Dolliver Street, Pismo Beach, CA 93449  
Attn: Parking Citation Contest

Upon receipt of this form, a supervisor from the Parking department will conduct an investigation into the circumstances pertaining to the issuance of the citation.

- a. If based on the results of the investigation the supervisor is satisfied the violation did not occur or that the registered owner is not responsible for the violation, the citation may be canceled. On the other hand, the supervisor may find the violation did occur or that the registered owner is responsible for the violation. You will be notified of the results of the investigation.

#### 2. Request for Administrative Hearing

- A. Once you receive the results of the investigation and you are still not satisfied, you may request an **Administrative Review** form within fifteen (15) days of the investigation results being mailed to you from the Parking Department. You must then send in or deliver the request for an Administrative Review form along with the parking penalty by check or money order to the Parking Department. A hearing will then be conducted and you will be notified of the results. If you are exonerated, the parking penalty will be returned to you with the final decision.
  - a. You may pick up the form at the Parking Department or call and have one sent to you. You may even have one electronically sent to you for convenience.
  - b. The Administrative Review is an informal hearing to determine whether or not the officer had reasonable cause and authority to issue the parking citation. You will be notified as to the date and time of the hearing and you have the right to attend on your behalf. You may also bring any witness or representative.

#### 3. Appeal to Superior Court

- A. After you have received the final decision resulting from the Administrative Review and are still not satisfied with the finding, you may appeal the decision to the San Luis Obispo Superior Court within twenty (20) days after the mailing of the Administrative review findings (CVC 40230). The matter will be heard "de novo."
  - a. You must appear at the San Luis Obispo Superior Court and obtain a Notice of Appeal. The court will affix a case number and set a court date. The court will also collect a \$25.00 filing fee. You will be instructed to serve a copy of the Notice to Appeal to the Pismo Beach Parking Department.
  - b. The Parking Department will send the court a copy of the parking citation and documentation from the Administrative Review as prima facie evidence of the facts.
  - c. The court de novo hearing does not provide for appearance of the citing officer or any other member of the Parking Department. You may elect to subpoena anyone you wish to testify.
  - d. The Superior Court will notify the Parking Department of the ruling on the appeal. If the court decides in your favor, the Parking Department will return the parking penalty to you.



**PISMO BEACH PARKING DEPARTMENT**  
Parking Citation  
Cancellation Request

<b>Name</b>	<b>Citation Number</b>
<b>Address</b>	<b>Citation Date</b>
<b>City / State / Zip Code</b>	<b>Location When Cited</b>
<b>Telephone Number(s)</b>	<b>Today's Date</b>

The request for the cancellation of this citation is for the following reason:

Signature:

ADMINISTRATIVE USE ONLY	
<input type="checkbox"/> Cancelled	<input type="checkbox"/> Not Cancelled