



Office of the City Manager

CONSENT CALENDAR  
January 20, 2026

To: Honorable Mayor and Members of the City Council  
 From: Paul Buddenhagen, City Manager  
 Submitted by: Carianna Arredondo, Assistant to the City Manager  
 Subject: Amend Berkeley Municipal Code Chapter 14.68 – Bicycle Registration and Licensing

RECOMMENDATION

Adopt first reading of an Ordinance repealing Berkeley Municipal Code (BMC) Chapter 14.68, Sections 14.68.020–100 (bicycle licensing and registration), Article II (bicycle establishment permits and dealer reporting), and Article III (general licensing regulations), while retaining definitions (§14.68.010) and operating provisions (§14.68.110–200, including sidewalk restrictions).

SUMMARY

BMC Chapter 14.68<sup>1</sup> was adopted in the 1970s to establish bicycle licensing, theft-prevention requirements, and operating rules within the City of Berkeley. Since that time, changes in state law have rendered the licensing requirements obsolete, and the City has not actively administered or enforced a licensing program for many years.

California Vehicle Code (CVC) § 39002(a)<sup>2</sup> prohibits municipalities from enforcing penalties for operating an unlicensed bicycle, making Berkeley's licensing mandate unenforceable.

This ordinance updates the code by:

- Repealing obsolete bicycle licensing requirements (§14.68.020–100);
- Repealing Article II (permit and reporting requirements for bicycle establishments);
- Repealing Article III (general license-related provisions); and

<sup>1</sup> [https://berkeley.municipal.codes/BMC/14\\_DivII](https://berkeley.municipal.codes/BMC/14_DivII)

<sup>2</sup> [https://california.public.law/codes/vehicle\\_code\\_section\\_39002](https://california.public.law/codes/vehicle_code_section_39002)

- Retaining core definitions (§14.68.010) and bicycle operation and safety provisions (§14.68.110–200, including sidewalk and accident reporting requirements).

This approach preserves relevant safety and operational rules while eliminating unenforceable and outdated licensing provisions.

Updating Chapter 14.68 will:

- Bring the City’s municipal code into compliance with state law;
- Remove an outdated provision that may disproportionately impact youth and low-income residents;
- Reduce administrative workload by eliminating an unused program; and
- Support the City’s transportation, equity, and climate goals by removing potential barriers to bicycle use.

The proposed repeal aligns with the recommendations of the *2025 Fines and Fees Report: Advancing Equity in Berkeley, California*<sup>3</sup>, prepared in partnership with the Goldman School of Public Policy, which identified this section of the BMC as both unenforceable and inequitable in practice.

#### FISCAL IMPACTS OF RECOMMENDATION

No fiscal impact, as the associated license program has not been administered or enforced for more than a decade. Minor staff time savings from removing outdated code provisions. No additional appropriation is required.

#### CURRENT SITUATION AND ITS EFFECTS

Under the existing code, any person operating or using a bicycle in the City is required to register and license their bicycle with BPD, provide proof of ownership, and display a City-issued license sticker. The code also sets out fees, renewal requirements, dealer reporting obligations, and penalties for noncompliance.

Over time, changes in state law have made the City’s licensing requirement unenforceable. CVC § 39002(a) explicitly prevents municipalities from prohibiting the operation of an unlicensed bicycle, allowing only for voluntary registration.

BPD does not maintain an active licensing program, and no administrative systems exist to process applications, renewals, or dealer reporting. Retaining operational sections ensures continued enforceability of key safety standards, such as prohibitions

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<sup>3</sup>[https://berkeleyca.gov/sites/default/files/documents/FINAL\\_Reimagining%20Public%20Safety%20July%202022\\_Comp-anionAppendix.pdf](https://berkeleyca.gov/sites/default/files/documents/FINAL_Reimagining%20Public%20Safety%20July%202022_Comp-anionAppendix.pdf) (See pp. 26-68)

on unsafe sidewalk riding, requirements for accident reporting, and conformity with traffic rules. Repealing licensing provisions aligns the code with state law and reduces confusion for residents.

This action advances the City’s Strategic Plan goals to champion and demonstrate social and racial equity; and be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

### BACKGROUND

Mandatory bicycle licensing was once common in many U.S. cities, including Berkeley, as a means to deter theft and identify stolen bicycles. Berkeley’s ordinance dates back to the 1970s and includes annual renewal requirements, proof-of-ownership rules, and penalties for noncompliance. Experience over several decades—both in Berkeley and in other jurisdictions—has shown that mandatory registration programs have limited theft-prevention impact and can create barriers for those who purchase bicycles second-hand, particularly youth and low-income riders. In California, CVC § 39002(a) prohibits municipalities from requiring bicycle licenses as a condition of use, limiting programs to voluntary registration only. Many cities, including Oakland and San Francisco, have repealed similar requirements.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Encouraging bicycle use supports greenhouse gas reduction targets, Vision Zero transportation safety goals, and the City’s Climate Action Plan. Removing barriers to bicycle ownership and use is consistent with these objectives.

### RATIONALE FOR RECOMMENDATION

This amendment to BMC Chapter 14.68 will:

- Ensure consistency with California law;
- Remove outdated and unused licensing requirements;
- Reduce administrative complexity and potential confusion;
- Retain necessary bicycle safety and operational standards; and
- Support the City’s transportation equity and climate goals.

### ALTERNATIVE ACTIONS CONSIDERED

Staff considered amending Chapter 14.68 to establish a voluntary bicycle registration program. This option was not recommended due to lack of administrative infrastructure and minimal theft-prevention benefit.

CONTACT PERSON

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Attachments:

- 1: Ordinance Repealing Berkeley Municipal Code Chapter 14.68 – Bicycle Registration and Licensing
- 2: California Vehicle Code § 39002(a)
- 3: Fines and Fees Report: Advancing Equity in Berkeley, California (Daniel V. Muñoz, 2025)

ORDINANCE NO. -N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 14.68 – BICYCLE  
REGISTRATION AND LICENSING

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Chapter 14.68 is amended as follows:

**Chapter 14.68**  
**BICYCLES AND BICYCLE ESTABLISHMENTS**

Sections:

**14.68.010 Definitions.**

**Article I.**

**Bicycles and Motorized Bicycles**

~~14.68.020 License and registration required.~~

~~14.68.030 Applicability of provisions.~~

~~14.68.040 License--Application required.~~

~~14.68.050 License--Proof of ownership.~~

~~14.68.060 License--Bicycle to be presented.~~

~~14.68.070 License--Examination of applicant required when.~~

~~14.68.080 License--Renewal procedures.~~

~~14.68.090 License--Fees.~~

~~14.68.100 License--Issuance.~~

**14.68.110 Operation--Conformity with chapter provisions required.**

**14.68.120 Riding motorized bicycles and motorized scooters on sidewalk  
prohibited.**

**14.68.130 Riding bicycles on sidewalk permitted when.**

**14.68.140 Operation restrictions--Playgrounds, parks, school grounds.**

**14.68.150 Operation restrictions--Public places.**

**14.68.160 Stunt riding.**

**14.68.170 Procedures on emerging from driveway or alley.**

**14.68.180 Parking Restrictions.**

**14.68.190 Accidents--Procedures required.**

**14.68.200 Accidents--Report required when.**

**Article II.  
Bicycle Establishments**

- ~~14.68.210 Business license and permit required.~~
- ~~14.68.220 Permit--Application.~~
- ~~14.68.230 Permit--Not transferable.~~
- ~~14.68.240 Weekly secondhand buy report required.~~
- ~~14.68.250 Dealer's report of sale required weekly.~~
- ~~14.68.260 Holding period for bicycles and parts.~~
- ~~14.68.270 Bicycle register--Required--Contents.~~
- ~~14.68.280 Bicycle register--Disposition of purchased items.~~
- ~~14.68.290 Bicycle register--Safekeeping--Inspection.~~
- ~~14.68.300 Permit--Revocation conditions.~~

**Article III.  
General Regulations**

- ~~14.68.310 Provisions supersede other regulations.~~
- ~~14.68.320 License transfer prohibited.~~
- ~~14.68.330 Dismantled or junked bicycles--Return of registration certificate.~~
- ~~14.68.340 Bicycle rental agency--Licensing requirements.~~
- ~~14.68.350 Abandoned or unidentified bicycles.~~
- ~~14.68.360 Violation of provisions by persons under eighteen--Penalty.~~
- ~~14.68.370 Violations Generally--Penalty.~~

**14.68.010 Definitions.**

A. "Bicycle" means a device upon which any person may ride, propelled exclusively by human power through a belt, chain or gears, and having either two or three wheels in a tandem or tricycle arrangement.

B. "Bicycle establishment" means and includes a business operated by any person, partnership, association or corporation, wherein new or used bicycles or bicycle parts are purchased, sold, dismantled or junked.

C. "Motorized bicycle" means any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor which produces less than two gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground.

D. "Motorized scooter" means any two-wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding and is powered by a motor. (Ord. 7786-NS § 3, 2021; Ord. 4957-NS §§ 1-3, 1976)

## Article I. Bicycles and Motorized Bicycles

### ~~14.68.020 — License and registration required.~~

~~It is unlawful for any person to operate or use a bicycle or motorized bicycle in the city which has not been registered and licensed in accordance with Section 39002(a) of the Vehicle Code of the state. (Ord. 4957-NS § 4, 1976)~~

### ~~14.68.030 — Applicability of provisions.~~

~~Any bicycle or motorized bicycle not subject to the provisions of Division 16.7 of the Vehicle Code of the state of California shall be subject to this chapter, as provided by Section 39002(b) of the Vehicle Code of the state. (Ord. 4957-NS § 5, 1976)~~

### ~~14.68.040 — License Application required.~~

~~Every person making application for a bicycle license or registration in the City shall make application to the Chief of Police, either directly or through a bicycle establishment, upon forms provided by the Chief of Police. Said application form shall contain such information as may be required by the Chief of Police as to the applicant and the description of the bicycle licensed. (Ord. 6230-NS § 1, 1994; Ord. 4957-NS § 6, 1976)~~

**~~14.68.050 — License—Proof of ownership.~~**

~~For each bicycle license issued, the applicant may be required to provide proof of ownership to the Chief of Police. Said proof shall be in any form designated by the Chief of Police to be satisfactory for such purpose. (Ord. 4957-NS § 7, 1976)~~

**~~14.68.060 — License—Bicycle to be presented.~~**

~~Upon making application for a bicycle license or bicycle license renewal, the applicant shall present the bicycle at such place designated by the Chief of Police as a licensing facility. (Ord. 4957-NS § 8, 1976)~~

**~~14.68.070 — License—Examination of applicant required when.~~**

~~Upon making an application for a first bicycle license, the applicant may be required to be examined by an examining officer designated by the Chief of Police. The Chief of Police may further designate the manner of examination. Upon completion of said examination, the examining officer may refuse to issue a license to the applicant if the said examination discloses to the examining officer that the applicant does not have a reasonable knowledge of the provisions of this chapter, the provisions of Division 11 (commencing with Section 21220) of the Vehicle Code of the state, or that the applicant is unable to exercise reasonable control in operating a bicycle. (Ord. 4957-NS § 9, 1976)~~

**~~14.68.080 — License—Renewal procedures.~~**

~~Application for a bicycle license renewal shall be made by presentation of the licensed bicycle and the registration certificate last issued for the bicycle, and by payment of the full annual fee for said bicycle as provided by this chapter. (Ord. 4957-NS § 10, 1976)~~

**~~14.68.090 — License—Fees.~~**

~~The fees required to be paid pursuant to the provisions of this chapter are:~~

~~A. For each new bicycle license and registration certificate, the sum shall be two dollars per year or any portion thereof;~~

~~B. For each transfer of registration certificate, the sum shall be one dollar;~~

~~C. For each replacement of a bicycle license and registration certificate, the sum shall be one dollar;~~

~~D. For each replacement of a registration certificate only, there shall be no fee;~~

~~E. For each bicycle license renewal, the sum shall be one dollar. (Ord. 5181-NS § 1, 1979; Ord. 4957-NS § 11, 1976)~~

~~**14.68.100 License Issuance.**~~

~~Upon approval of the application and payment of the license fee, the Chief of Police will issue a license and a copy of the registration certificate to the applicant pursuant to Section 39003 of the Vehicle Code of the state. (Ord. 4957-NS § 12, 1976)~~

**14.68.110 Operation--Conformity with chapter provisions required.**

It is unlawful for any person to operate a bicycle or motorized bicycle in the City in violation of any of the provisions of this chapter. (Ord. 4957-NS § 13, 1976)

**14.68.120 Riding motorized bicycles and motorized scooters on sidewalk prohibited.**

No person shall ride or operate a motorized bicycle or motorized scooter on any sidewalk in the City. (Ord. 7786-NS § 4, 2021; Ord. 4957-NS § 14, 1976)

**14.68.130 Riding bicycles on sidewalk permitted when.**

No person shall ride or operate a bicycle on any sidewalk in the city except:

A. Juveniles, exercising the due care and giving the pedestrian the right-of-way, may ride and operate their bicycles upon the sidewalk, except such sidewalks as are in front of schools, stores or buildings used for business purposes;

B. Juveniles riding or operating a bicycle on the sidewalk shall do so in single file;

C. Peace officers who determine in good faith that riding or operating a bicycle on the sidewalk is necessary to perform official duties. (Ord. 6113-NS § 1, 1992: Ord. 4957-NS § 15, 1976)

**14.68.140 Operation restrictions--Playgrounds, parks, school grounds.**

No person shall ride or operate a bicycle or motorized bicycle upon any playground, park, or school ground where children are playing, without the permission of the person having supervision of said playground, park or school ground. (Ord. 4957-NS § 16, 1976)

**14.68.150 Operation restrictions--Public places.**

No person shall ride or operate a bicycle or motorized bicycle upon any public place in the City other than a public street or highway, without due regard for the safety of the operator and other persons upon such public place. (Ord. 4957-NS § 17, 1976)

**14.68.160 Stunt riding.**

No person riding or operating a bicycle or motorized bicycle shall perform or attempt to perform any acrobatic, fancy or stunt riding upon any public place, other than a street or highway, in the City. (Ord. 4957-NS § 18, 1976)

**14.68.170 Procedures on emerging from driveway or alley.**

The operator of a bicycle or motorized bicycle, on leaving a driveway or alley when the operator's view of either the sidewalk or street area is obstructed, shall stop such bicycle or motorized bicycle immediately prior to riding upon or across such sidewalk or street area. (Ord. 4957-NS § 19, 1976)

**14.68.180 Parking Restrictions.**

No person shall park any bicycle, motorized bicycle, or motorized scooter against windows or parking meters or on the main-traveled portion of the sidewalk, nor in such manner as to constitute a hazard to pedestrians, traffic or property. (Ord. 7786-NS § 5, 2021; Ord. 4957-NS § 20, 1976)

**14.68.190 Accidents--Procedures required.**

The operator of any bicycle or motorized bicycle involved in an accident shall take reasonable steps to ascertain whether or not anyone was injured, and shall give their name, and address ~~and the license number of their bicycle or motorized bicycle~~ to the person with whom they had the accident, and shall obtain the same information from the other person. (Ord. 4957-NS § 21, 1976)

**14.68.200 Accidents--Report required when.**

It shall be the duty of the operator of any bicycle or motorized bicycle to make a written report of any accident resulting in death or injury to the Police Department immediately after such accident. (Ord. 4957-NS § 22, 1976)

**~~Article II. Bicycle Establishments~~**

**~~14.68.210 Business license and permit required.~~**

~~No person or persons in the city shall establish, carry on or operate a bicycle establishment, except as authorized by this chapter, and without first obtaining a business license as provided in Ordinance 2805-NS of the City, and a permit from the Chief of Police. (Ord. 4957-NS § 23, 1976)~~

**~~14.68.220 Permit--Application.~~**

~~A. The application for such permit shall be in writing and signed by the applicant and shall set forth the following information: The name, age and residence address of the applicant if a natural person, or if a corporation, its name, date and place of~~

~~incorporation, address of its principal place of business and the names of all its officers with their respective residence addresses, or if a partnership, association or unincorporated company, the names of the partners or persons comprising the partnership, association or company with their respective residence addresses. The application shall state whether the applicant had conducted a bicycle establishment prior to the current filing. If so, the applicant shall specify each and every such business, its location and dates of operation.~~

~~B. The application shall be made on forms provided by the Chief of Police and filed in duplicate with the Chief of Police. (Ord. 4957-NS § 24, 1976)~~

~~**14.68.230 — Permit—Not transferable.**~~

~~No person having a bicycle establishment permit under the provisions of this chapter shall transfer, sell, assign, loan or permit any person to have or use such permit. (Ord. 4957-NS § 25, 1976)~~

~~**14.68.240 — Weekly secondhand buy report required.**~~

~~A. All persons operating a bicycle establishment are required to make a weekly report to the Chief of Police upon forms provided for that purpose by the Chief of Police, giving the true name and address of the person from whom each bicycle or bicycle part is purchased, and a description of each bicycle, its frame number and the number of any license found thereon, if any. If the bicycle does not have a license, the buyer shall require the seller to obtain the approval of the Chief of Police to complete such sale or exchange. This report shall be known as the "secondhand buy report," and shall be made in triplicate. The original shall be mailed or delivered to the Chief of Police, the duplicate shall remain with the dealer, and the triplicate shall be given to the seller. It shall be the duty of the dealer to mail or deliver to the Chief of Police all reports at the close of each business week.~~

~~B. This section shall not apply to new bicycles or bicycle parts purchased at wholesale. (Ord. 4957-NS § 26, 1976)~~

~~**14.68.250 — Dealer's report of sale required weekly.**~~

~~All persons operating a bicycle establishment shall make a weekly report to the Chief of Police upon forms provided for that purpose by the Chief of Police, to report all sales made, including the name and address of each person to whom a bicycle is sold, together with the make, frame number and license number found thereon, if any. These reports shall be known as the "dealer's report of sale," and shall be made in triplicate. The original shall be mailed or delivered to the Chief of Police, the duplicate shall be retained by the dealer, and the triplicate shall be given to the seller. It shall be the duty of the dealer to make or deliver all reports to the Chief of Police at the close of each business week. (Ord. 4957-NS § 27, 1976)~~

~~**14.68.260 — Holding period for bicycles and parts.**~~

~~No person operating a bicycle establishment shall alter, repair or dispose of any bicycle or bicycle part purchased or taken in exchange as secondhand bicycle or bicycle part thereof until after the expiration of thirty days from the date of purchase or exchange, and during those thirty days the bicycle or bicycle part so obtained shall remain without alteration on the premises of such bicycle establishment, shall be kept separate from bicycles or bicycle parts previously purchased, and shall be subject to inspection at any time during business hours by the Chief of Police, or any police officer or other person designated by the Chief of Police. (Ord. 4957-NS § 28, 1976)~~

~~**14.68.270 — Bicycle register--Required--Contents.**~~

~~A. The Chief of Police shall furnish free of charge to every person operating a bicycle establishment a book known as the "bicycle register" in which shall be entered in plain and legible handwriting a record of all bicycles or bicycle parts purchased or taken in exchange. The entry must be made at the time of purchase or immediately thereafter and shall include, in addition to the date and hour of purchase, a full description of the bicycle or bicycle part, the price paid therefor, and the name, address, age, height, weight and complexion of the seller. In entering the description of the bicycle, the name of the manufacturer and the factory serial number thereof shall in every case be recorded if known or if it can be ascertained.~~

~~B. This section shall not apply to new bicycles or bicycle parts purchased at wholesale. (Ord. 4957-NS § 29, 1976)~~

~~14.68.280 — Bicycle register--Disposition of purchased items.~~

~~The operator of a bicycle establishment shall also enter in the bicycle register a record showing the disposition of each bicycle purchased, indicating whether such bicycle was resold or dismantled. (Ord. 4957-NS § 30, 1976)~~

~~14.68.290 — Bicycle register--Safekeeping--Inspection.~~

~~The operator of a bicycle establishment shall keep the bicycle register in a safe place and see that it is not mutilated or destroyed. The bicycle register shall remain the property of the City, and shall be opened to inspection by the Chief of Police or any police officer at any time the establishment is open for business, and it may be taken by such police officer from the possession of the operator of a bicycle establishment if deemed necessary. (Ord. 4957-NS § 31, 1976)~~

~~14.68.300 — Permit--Revocation conditions.~~

~~A. Bicycle establishment licenses issued pursuant to this chapter may be revoked by the Chief of Police after notice and hearing for any of the following reasons:~~

- ~~1. Fraud, misrepresentation, or any false statement contained in the application for a permit;~~
- ~~2. Any violation of any provision of this chapter or any provisions of any other chapter or law relating to and regulating the bicycle establishment;~~
- ~~3. Conviction of the permit holder of any felony or lesser crime reasonably related to the purposes of this chapter.~~

~~B. Any hearing on revocation or suspension conducted by the Chief of Police shall be conducted pursuant to written rules of procedure adopted by the City Council. (Ord. 4957-NS § 32, 1976)~~

**Article III. General Regulations**

~~14.68.310 — Provisions supersede other regulations.~~

~~The provisions of this chapter with reference to bicycles shall supersede and be in lieu of any other ordinance or section of any other ordinance which is in conflict with the provisions of this chapter. (Ord. 4957-NS § 40, 1976)~~

~~14.68.320 — License transfer prohibited.~~

~~It is unlawful to transfer a bicycle license from one bicycle or motorized bicycle to another. (Ord. 4957-NS § 34, 1976)~~

~~14.68.330 — Dismantled or junked bicycles--Return of registration certificate.~~

~~Upon dismantling or disposing of a bicycle or motorized bicycle as junk, the licensee shall turn in the registration certificate for such bicycle or motorized bicycle to the Chief of Police within ten days of the date of said disposal indicating that the bicycle or motorized bicycle was junked. (Ord. 4957-NS § 35, 1976)~~

~~14.68.340 — Bicycle rental agency--Licensing requirements.~~

~~All persons engaged in operating a bicycle rental agency for the purpose of renting or lending bicycles or motorized bicycles to patrons shall first obtain a bicycle license and registration certificate for each bicycle or motorized bicycle prior to renting or lending such bicycle or motorized bicycle. (Ord. 4957-NS § 36, 1976)~~

~~14.68.350 — Abandoned or unidentified bicycles.~~

~~All bicycles and motorized bicycles that are abandoned or unidentified remaining in the hands of the Chief of Police shall at the end of six months be sold at auction and the proceeds therefrom deposited in the general fund of the City. (Ord. 4957-NS § 37, 1976)~~

~~14.68.360 — Violation of provisions by persons under eighteen--Penalty.~~

~~Where this chapter has been violated by juveniles under the age of eighteen years, in lieu of such fine and imprisonment provided in Section 14.68.370, and in lieu of filing charges in the juvenile court, the Chief of Police may prohibit the operation upon the streets, alleys and public places in the City for a period not to exceed thirty days of a bicycle so used in such violation, in which event the bicycle so used in such violation shall be impounded by the Chief of Police and retained by them during the period of the operation which is prohibited, and the owner's registration card shall be held for a like period. (Ord. 4957-NS § 39, 1976)~~

~~**14.68.370 — Violations Generally--Penalty.**~~

~~Any person found to be in violation of any of the provisions of this chapter, except for Section 14.68.130, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as set forth in Chapter 1.20 of this code. Any person found to be in violation of Section 14.68.130 shall be deemed guilty of an infraction and upon conviction thereof shall be punished as set forth in Chapter 1.20 of this code. (Ord. 6921-NS § 1, 2006; Ord. 5716-NS § 3 (part), 1986; Ord. 4957-NS § 38, 1976)~~

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



**VEHICLE CODE - VEH**

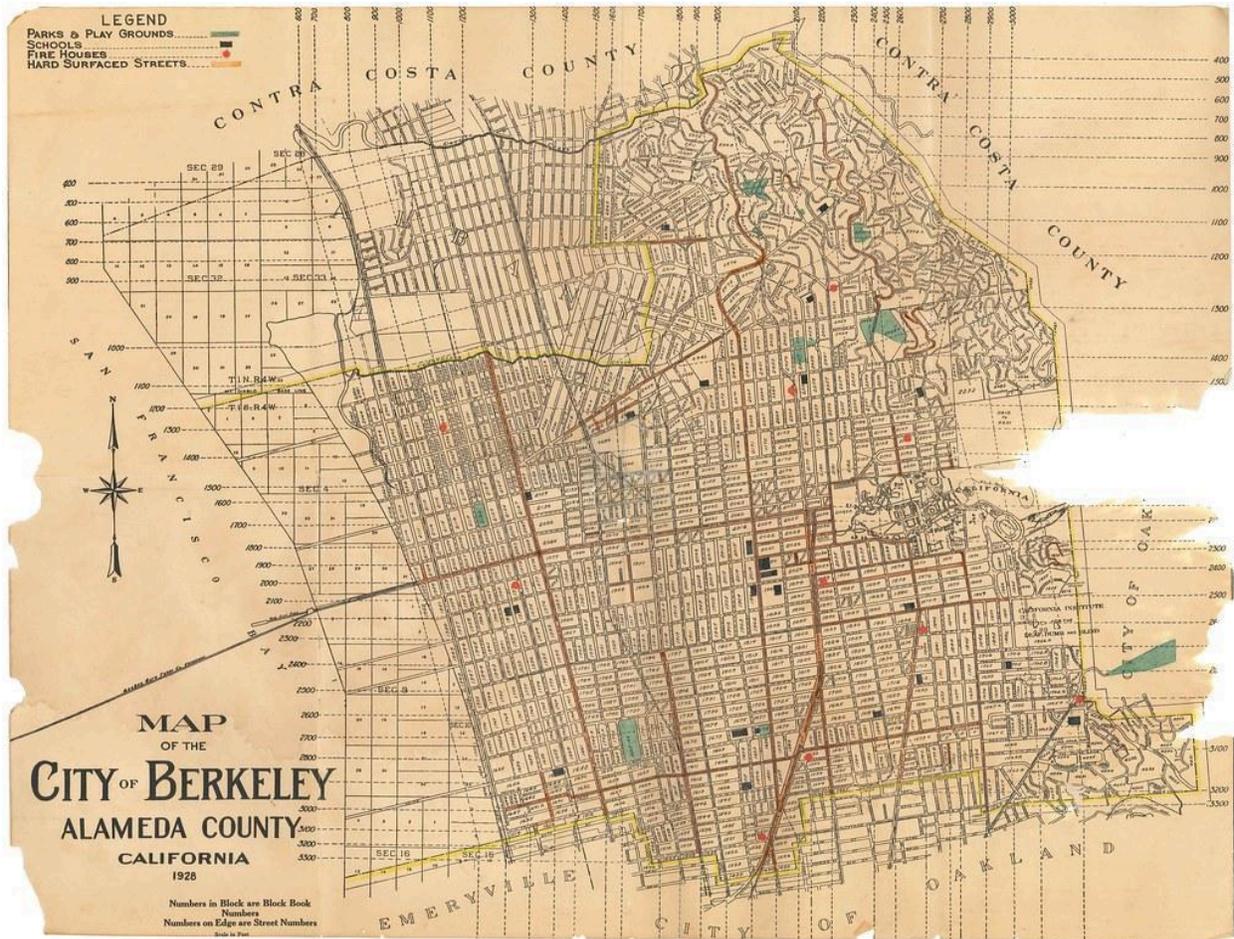
**DIVISION 16.7. REGISTRATION AND LICENSING OF BICYCLES [39000 - 39011]** ( *Heading of Division 16.7 amended by Stats. 1975, Ch. 1250.*  )

**39002.** (a) A city or county, which adopts a bicycle licensing ordinance or resolution, shall not prohibit the operation of an unlicensed bicycle.

(b) It is unlawful for any person to tamper with, destroy, mutilate, or alter any license indicia or registration form, or to remove, alter, or mutilate the serial number, or the identifying marks of a licensing agency's identifying symbol, on any bicycle frame licensed under this division.

*(Amended by Stats. 2022, Ch. 343, Sec. 7. (AB 1909) Effective January 1, 2023.)*

# The Fines and Fees Report: Advancing Equity in Berkeley, California



***Daniel V. Muñoz MPP 2025***

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*University of California Berkeley*

***This document was prepared for the City of Berkeley's Fines and Fees Steering Committee and the Berkeley City Council***

The author conducted this study as part of the program of professional education at the Goldman School of Public Policy, University of California at Berkeley. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author, and are not necessarily endorsed by the Goldman School of Public Policy, by the University of California, or by any other agency.

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## Statement of Positionality

My engagement throughout this Capstone and Berkeley's Fines & Fees system is inseparable from my lived experience. I am a multi-racial Hispanic male who grew up—and, for much of my adult life, remained—in low-income circumstances, living paycheck-to-paycheck. I am formerly incarcerated and have personally carried the weight of punitive fines and fees that compounded economic insecurity for me and my family.

Having navigated the criminal legal system from the inside, I understand how cumulative financial penalties can trap people in cycles of debt, surveillance, and marginalization. This perspective grounds my insistence that policy proposals be evaluated not only for fiscal efficiency but also for their capacity to restore dignity, promote due process access, and reduce racial- and socio-economic disparities. Equity is not an abstract goal for me—it is a tangible necessity tied to survival and self-determination.

At the same time, I recognize that my proximity to the issue may introduce bias toward favoring reforms that reduce or eliminate fines altogether. To mitigate that bias, I rely on rigorous empirical evidence, dialogue with stakeholders of varied backgrounds, and transparent methodology. I strive to balance the urgency of lived experience with the discipline of data-driven public policy analysis.

Ultimately, my position in this project is both scholar-advocate and community voice. I leverage personal insight to spotlight systemic harms that might otherwise remain hidden, while committing to rigorous standards that make our recommendations credible to policymakers. My aim is to ensure that Berkeley's fines and fees framework advances fiscal responsibility *and* justice—so that no one's ability to meet basic needs is derailed by punitive costs.

## Executive Summary

### Introduction

Berkeley's multi-department fines and fees framework, while designed to meet diverse operational needs, has led to challenges around consistent communication, administrative efficiency, and equitable enforcement for low-income residents. In the first half of Fiscal Year 2025, parking citation volume rose by 12.9 percent while related revenues fell by 9.9 percent, indicating a growing disparity between enforcement actions and actual collections.<sup>1</sup> This gap highlights the limits of relying on punitive, lump-sum charges and underscores the need to realign the City's approach to promote both fiscal stability and equitable access for all residents.

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<sup>1</sup> "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025. <https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

This report examines Berkeley's multilingual, multi-department fines and fees framework to identify opportunities for improving fiscal stability, administrative efficiency, and equitable access. It assesses how reliance on punitive, lump-sum penalties can exacerbate financial hardships for low-income residents and strain public trust, setting the stage for targeted reforms to realign policy with broader equity and transparency goals.

### Criteria Used to Evaluate

This study evaluates six targeted interventions using a mixed-methods approach: mapping departmental fee schedules, analyzing budget and revenue data, conducting semi-structured interviews with staff from multiple City departments, and benchmarking against other Bay Area jurisdictions, such as San Francisco, Alameda, and Oakland, as well as other jurisdictions across the U.S.

To ensure a transparent and data-driven assessment of each reform, a criteria matrix was developed that quantifies their performance across five key dimensions. The study's criteria matrix assigns each proposed reform a score from 1 to 10 across each dimension—political feasibility, implementation cost, anticipated effectiveness, long-term sustainability, and potential externalities—to facilitate an objective, side-by-side comparison of policy options. By quantifying each recommendation against these standardized measures, the matrix highlights top-scoring interventions and illuminates trade-offs, enabling decision makers to prioritize actions that balance impact with practicality and equity.

### Key Findings and Challenges

The disproportionate burden that fines and fees impose on low-income individuals and communities of color has been documented across California. A UCLA Summer Programs for Undergraduate Research (SPUR) study in 2021 found that nearly half of Californians with outstanding fines or fees were unable to pay other essential bills, with 40 percent skipping utilities and 37 percent missing grocery payments.<sup>2</sup> Concurrently, a 2023 analysis by the California Budget and Policy Center revealed that 63 percent of households earning under \$35,000, 46 percent earning \$35,000–\$74,999, and 30 percent earning \$75,000–\$149,999 reported difficulty meeting basic expenses.<sup>3</sup> These findings illustrate how unexpected municipal charges can exacerbate financial fragility and erode trust in local governance.

Recognition of these harms has grown alongside broader public safety reforms. Berkeley's Reimagining Public Safety Task Force called for non-punitive interventions and restorative

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<sup>2</sup> Denney, Jacob. "More Harm Than Good: Building a More Just Fine and Fee System in California," June 2021.

[https://www.spur.org/sites/default/files/2021-06/SPUR\\_More\\_Harm\\_Than\\_Good\\_0.pdf](https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf)

<sup>3</sup> California Budget and Policy Center. "Millions of Californians Are Struggling to Make Ends Meet." Accessed April 13, 2025.

<https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

approaches to reduce reliance on traditional enforcement,<sup>4</sup> while the City Council’s Care First, Jails Last resolution shifted focus toward prevention and community-centered support.<sup>5</sup> Yet, without targeted reforms to the fines and fees framework, efforts to advance equity risk being strained by financial barriers that may contribute to financial hardship for vulnerable residents.

Although some City departments use informal, case-by-case discretion to extend deadlines, waive minor penalties, or guide residents through the fines and fees process, these accommodations depend on individual staff availability, lack clear, uniform procedures, and remain unevenly accessible, which can inadvertently reinforce inequities.

## Recommendations

First, **consolidating all fees, deadlines, and relief programs into a single, multilingual online resource page**—complemented by a council-adopted Master Fee Schedule—could vastly improve transparency and reduce administrative overhead. San Francisco, who publishes a biennial Master Fee Schedule, reports measurable increases in voluntary compliance and reductions in staff time spent responding to routine inquiries.<sup>6</sup> Also, embedding clear instructions and QR codes on physical notices can further guide residents to assistance at the point of citation.

Second, **updating Berkeley Municipal Code section 14.40.100<sup>7</sup> to align with the ADA Amendments Act of 2008<sup>8</sup> and California Vehicle Code § 295.5<sup>9</sup>** would broaden eligibility for disabled-parking placards to include individuals with blindness, cardiopulmonary conditions, or episodic impairments, and would allow caregivers to use placards when they are providing transportation to disabled persons. Harmonizing local law with federal and state definitions reduces legal risk and expands equitable access without substantive revenue loss.

Third, **converting mandatory bicycle licensing under BMC 14.68 to a voluntary program** removes a punitive requirement that discourages sustainable transportation and disproportionately penalizes second-hand bike owners who often lack sales documentation. State law under Cal. Veh. Code § 39002(a) prohibits enforcement against unlicensed bicycles,<sup>10</sup> and Berkeley’s Climate Action Plan reported that sustainable modes—including cycling—accounted for 34 percent of trips in 2023, underscoring the

<sup>4</sup> “Reimagining Public Safety.” Berkeley Task Force Report, March 2022.

<https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/TaskForceReport-2322-653pm2-8-2022.pdf>

<sup>5</sup> Jones, Monica. “Resolution to Adopt a City-Wide ‘Care First, Jails Last’ Policy,” July 25, 2023.

<https://dev.berkeleyca.gov/sites/default/files/documents/2023-07-25%20Item%2031%20Resolution%20to%20Adopt%20a%20City-Wide.pdf>

<sup>6</sup> City and County of San Francisco Staff Interview. Financial Justice Project, 2025

<sup>7</sup> Berkeley Municipal Code, § 14.40.100 (1952).

<sup>8</sup> ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).

[https://archive.ada.gov/nprm\\_adaaa/nprm\\_adaaa.htm](https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm)

<sup>9</sup> Legislature, Cal. “Cal. Vehicle Code § 295.5.” Accessed April 18, 2025.

[https://california.public.law/codes/ca\\_veh\\_code\\_section\\_295.5](https://california.public.law/codes/ca_veh_code_section_295.5)

<sup>10</sup> Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).

[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=)

importance of barrier-free bike access.<sup>11</sup> Forecasts project the global used bike market to grow from \$47 billion in 2025 to \$72.4 billion by 2035,<sup>12</sup> highlighting the need for accessible, voluntary registration.

Fourth, ***evaluating a centralized, end-to-end fines and fees management platform***—either by extending the City’s existing Enterprise Resource Planning (ERP) software framework or deploying an end-to-end solution—could streamline workflows, eliminate tedious data entry, and enable real-time visibility into citation lifecycles. When taken a step further and complemented by Robotic Process Automation (RPA), which automates repetitive tasks in legacy systems, the combined technology reduces errors and frees staff for more strategic work.<sup>13</sup>

Fifth, ***extending Berkeley’s Indigent Payment Plan***—currently limited to parking citations—to all eligible fines and fees would align obligations with residents’ financial realities and bolster compliance. In San Francisco, their Ability-to-Pay model, which reduces the entry fee for payment plans by over 90 percent led to a 400 percent enrollment increase and nearly \$160,000 in additional revenue within two months.<sup>14</sup>

Finally, ***embedding automatic installment plans as the default for every citation***—offering three- or four-month payment schedules at the point of ticket issuance—aligns fiscal obligations with household cash-flow patterns. Research shows that many households facing modest but unexpected expenses are more likely to maintain compliance when payments are spread over time.<sup>15</sup> One study of installment plans reported a 16:1 advantage in dollars collected compared to lump-sum enforcement, illustrating both revenue gains and administrative savings.<sup>16</sup>

## Implementation Considerations

Implementation of these reforms will require phased investments, targeted staff training, and robust public outreach—particularly to limited-English-proficiency communities—to ensure broad awareness and uptake. While some benefits, such as increased compliance and streamlined operations, may emerge quickly, others—like cumulative revenue

<sup>11</sup> “Climate Action Plan and Resilience Update.” Berkeley City Council, April 15, 2025.

[https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%202023%20Climate%20Action%20Plan%20and%20Resilience%20Update\\_0.pdf](https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%202023%20Climate%20Action%20Plan%20and%20Resilience%20Update_0.pdf).

<sup>12</sup> “Used Bike Marketplace Size, Share & Forecast 2025 to 2035.” Accessed April 20, 2025.

<https://www.futuremarketinsights.com/reports/sales-of-used-bikes-through-used-bike-marketplace>.

<sup>13</sup> Digital Robots. “Benefits of Integrating RPA with ERP: Savings and Efficiency.” Accessed April 24, 2025.

<https://www.digital-robots.com/en/news/beneficios-de-integrar-rpa-con-erp-ahorro-y-eficiencia>.

<sup>14</sup> Rodriguez, Joe Fitzgerald. “City Says Reduced Fee for Parking Citation Payment Program Boosting Revenues.” San Francisco Examiner, May 14, 2018.

[https://www.sfoxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article\\_520d8832-0300-5643-8267-3ad4c041176f.html](https://www.sfoxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article_520d8832-0300-5643-8267-3ad4c041176f.html).

<sup>15</sup> Hasler, Andrea, and Annamaria Lusardi. “Financial Fragility among Middle-Income Households: Evidence Beyond Asset Building.” Working Paper. Global Financial Literacy Excellence Center: The George Washington University School of Business, March 4, 2019. <https://gflec.org/wp-content/uploads/2019/04/Financial-Fragility-among-Middle-Income-Households-WP-2019-1-v2-3.pdf>.

<sup>16</sup> “Payment Plans as a Compliance Tool: Best Practices For Florida Courts.” Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

stabilization—may appear over longer timeframes. Moreover, reforms touching county- or state-mandated fees will necessitate intergovernmental coordination.

## Conclusion

The report proposes options to consolidate communication, update legal standards, review current mandates, leverage technology, and incorporate income-sensitive payment options to support a fines and fees system in Berkeley that promotes transparency, operational efficiency, and fiscal stability while advancing equity goals. A strategic, phased approach will enable the City to establish benchmarks, while building the foundation for more comprehensive, sustainable change.

## Project Scope

This capstone undertakes a comprehensive review of Berkeley's system of municipal fines and fees to determine how current practices affect equity, fiscal stability, and administrative efficiency. The primary emphasis is on Berkeley-specific fines and fees structures and opportunities for local reform; however, it is important to note that some fines and regulations are governed by Alameda County ordinances or California state law, which are beyond the City's authority to modify.

This memorandum first maps the status quo: a decentralized network of department-specific schedules, payment portals, and appeal procedures that, despite generating large volumes of citations, often yield declining revenues and create or exacerbate burdens on economically vulnerable populations. In addition to reviewing municipal fee schedules, budget data, and comparative research, semi-structured interviews were conducted with staff from multiple departments, including the City Manager's Office, Planning and Development, Police Department, Parks, Recreation and Waterfront, Public Works, Finance, and the City Attorney's Office. These interviews provided critical insights that helped identify operational challenges and pinpoint areas where fines and fees reforms would be most impactful and administratively feasible.

Guided by a multi-criteria analytical framework that weighs political feasibility, cost, effectiveness, sustainability, and externalities, the scope extends beyond diagnosis to targeted reform design. Six principal interventions are developed: (1) a city-wide communication strategy and consolidated master fee schedule; (2) modernizing disability parking provisions to align with federal and state standards; (3) making bicycle registration voluntary; (4) unifying and simplifying the citation-appeals process; (5) offering automatic installment payment plans to everyone at the point of citation; and (6) expanding the Indigent Payment Plan model across the Berkeley Municipal Code (BMC).

The project further evaluates how automation, such as Robotic Process Automation software and Enterprise Resource Planning platforms, can reduce clerical workload,

improve accuracy, and ensure consistent rule application when administering payment plans.

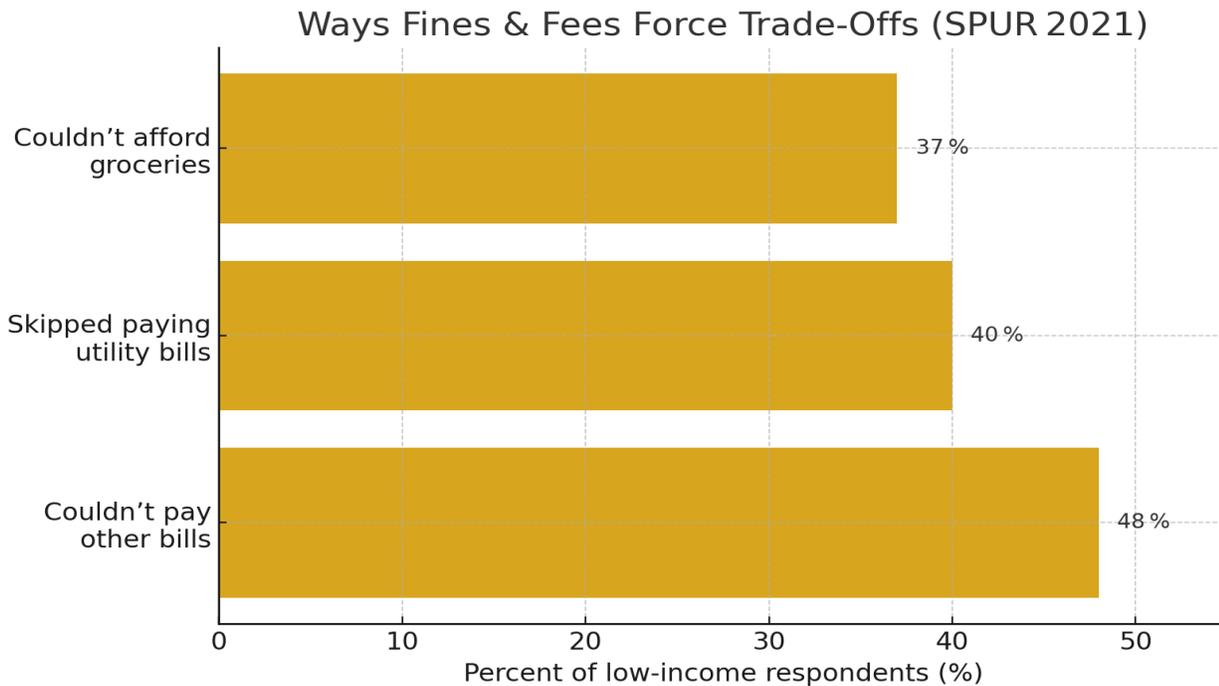
Overall, the scope encompasses problem analysis, stakeholder engagement, legal review, best-practice benchmarking, and the development of actionable policy and technology recommendations aimed at making Berkeley's fines and fees framework more equitable, transparent, and fiscally resilient.

## Limitations

While this project employed a rigorous mixed-methods approach, several limitations should be noted. Access to comprehensive, granular data across departments and national partners was limited, which constrained the ability to perform a deeper quantitative analysis of fines and fees distribution and impacts. The timeline of the study also naturally limited the breadth of inquiry, including the opportunity to conduct direct interviews with low-income Berkeley residents most affected by municipal fines and fees. Additionally, while the project engaged multiple City departments and offices, further connections with additional departments could have strengthened the comprehensiveness of the findings. Future studies could build on this work by incorporating direct community engagement to further validate and refine recommendations. Additionally, some fines and regulations fall under Alameda County or California state authority, which places natural boundaries on the reforms that the City of Berkeley can independently implement. These factors should be considered when interpreting the findings and recommendations presented in this report.

## Background

The City of Berkeley imposes a range of fines and fees on individuals for various violations and services. Although intended to maintain public order and offset administrative costs, studies show that such charges may place a disproportionate burden on low-income residents. Research indicates that relatively minor fees can lead to substantial financial hardship, as individuals with limited resources may need to choose between paying fines and covering basic necessities such as food, rent, or utilities.

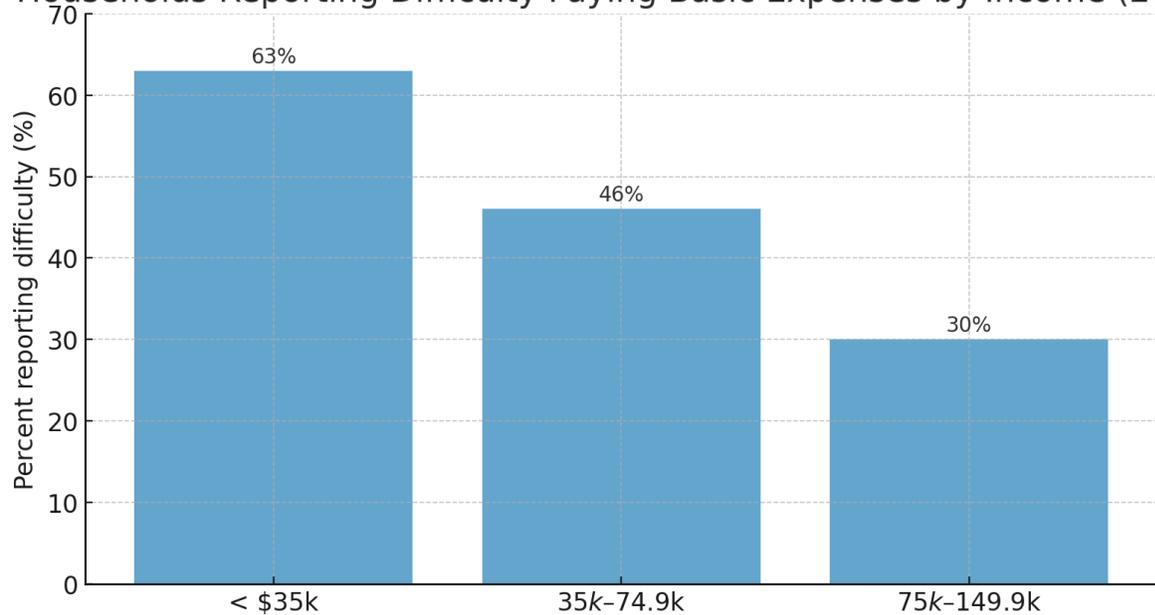


A report by SPUR in 2021 highlighted that fines and fees disproportionately harm low-income Californians, pushing many families into debt and impeding their ability to meet basic needs.<sup>17</sup> The report noted that 48 percent of individuals grappling with fines and/or fees could not pay their other monthly bills, 40 percent had to skip paying utility bills, and 37 percent could not afford groceries.<sup>18</sup> These findings underscore the significant burden that fines and fees can impose on low-income individuals, often leading to difficult choices between fulfilling legal obligations and meeting essential living expenses.

<sup>17</sup> Denney, Jacob. "More Harm Than Good: Building a More Just Fine and Fee System in California," June 2021. [https://www.spur.org/sites/default/files/2021-06/SPUR\\_More\\_Harm\\_Than\\_Good\\_0.pdf](https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf)

<sup>18</sup> Ibid.

## Households Reporting Difficulty Paying Basic Expenses by Income (2023)



Source: California Budget & Policy Center (2023) [\[cite\]turn8file0](#)

Data at the California Budget and Policy Center shows that in 2023, 63 percent of households making less than \$35,000 per year, 46 percent making \$35,000-\$74,999, and 30 percent making \$75,000-\$149,999 per year, reported difficulty paying for basic expenses.<sup>19</sup> Households living paycheck-to-paycheck can be highly vulnerable to unanticipated expenses, as their budgets are already stretched thin by necessities like rent, food, and transportation. The lack of disposable income and emergency savings means that a significant portion of Californians, not just those who fall under the “low-income” threshold, are at risk of falling into deeper financial hardship with any unexpected cost.

Research suggests that fines and fees undermine efforts to alleviate poverty and strengthen social mobility by creating cumulative financial burdens that may contribute to financial hardship for vulnerable residents, ultimately perpetuating economic insecurity and reinforcing broader patterns of social and economic inequality. Recognizing these adverse impacts, policymakers and community advocates are increasingly calling for reforms to fine and fee structures, aiming for greater financial equity reflected in the City's municipal code.

## Problem Statement

Across the United States, fines and fees related to minor offenses, court costs, and administrative penalties place a significant burden on individuals and families, particularly

<sup>19</sup> California Budget and Policy Center. “Millions of Californians Are Struggling to Make Ends Meet.” Accessed April 13, 2025. <https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

in communities of color, disproportionately harming those with lower incomes.<sup>20</sup> In Berkeley, a city with more than 118,000 residents<sup>21</sup> and a federal poverty threshold of \$15,650 per year in California<sup>22</sup>, 17.7 percent of residents live below that mark, placing them at higher risk of hardship when faced with compounding municipal fines.<sup>23</sup> This dynamic can lead to spiraling debts and other consequences that can significantly impact those already struggling to meet basic needs.

The City of Berkeley recognizes the importance of addressing economic disparities and expanding opportunities that support financial and physical security for low-income individuals and families through accessible local government programs. Through the city's efforts to create a public safety system that prioritizes equity and care, this comprehensive re-evaluation stems from the need to address concerns about the disproportionate impact of punitive fines on low-income residents and communities of color, as highlighted in both the Reimagining Public Safety initiative and the Care First, Jails Last resolution.

The Care First, Jails Last resolution shifts public safety toward prevention, treatment, and community-based interventions rather than criminalization and incarceration.<sup>24</sup> The resolution also calls for financial investments in restorative justice and survivor support, guided by City Council and the Mental Health Commission. Reimagining Public Safety is a Berkeley led, council-mandated initiative and Task Force effort to develop a community centered safety paradigm that moves beyond traditional policing by repairing historical harm, advancing equity, and integrating non-police responders for mental health, substance use, and quality-of-life calls.<sup>25</sup> Grounded in extensive community engagement and interdisciplinary research, it seeks to foster restorative justice, enhance transparency, and invest in alternative public safety solutions—such as specialized care units, transportation reforms, and violence-prevention programs—to build lasting, inclusive well-being across every neighborhood.<sup>26</sup>

The disproportionate impact of fines and fees often exacerbates existing inequalities, placing additional barriers before residents who are already facing significant economic challenges. When fines and fees escalate due to an individual's inability to pay immediately, they can escalate into larger debts, which may affect credit scores, housing opportunities, and vehicle registration, among other impacts, which is crucial in order to be legally able to get to and from a place of employment. These cascading consequences create cycles of

<sup>20</sup> Firefly Advocates. "The Hidden Cost of Justice: Fines, Fees, and Their Impact on Communities of Color," February 14, 2025. <https://www.fireflyadvocates.org/blog/the-hidden-cost-of-justice-fines-fees-and-their-impact-on-communities-of-color>.

<sup>21</sup> "U.S. Census." Accessed April 5, 2025. <https://www.census.gov/quickfacts/fact/table/berkeleycitycalifornia/PST045223>.

<sup>22</sup> "2025 Poverty Guidelines: 48 Contiguous States (All States except Alaska and Hawaii)," n.d. <https://aspe.hhs.gov/sites/default/files/documents/dd73d4f00d8a819d10b2fdb70d254f7b/detailed-guidelines-2025.pdf>.

<sup>23</sup> "U.S. Census." Accessed March 24, 2025. <https://data.census.gov/all?q=residents+below+the+federal+poverty+line+Berkeley+city+California>.

<sup>24</sup> Jones, Monica. "Resolution to Adopt a City-Wide 'Care First, Jails Last' Policy," n.d. <https://dev.berkeleyca.gov/sites/default/files/documents/2023-07-25%20Item%2031%20Resolution%20to%20Adopt%20a%20City-Wide.pdf>.

<sup>25</sup> "Reimagining Public Safety." Berkeley Task Force Report, March 2022.

<https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/TaskForceReport-2322-653pm2-8-2022.pdf>.

<sup>26</sup> Ibid

debt that hinder economic mobility and deepen the very poverty such penalties may unintentionally exacerbate, despite intended regulatory purposes..

Research and experiences from other jurisdictions highlight viable alternatives to punitive approaches, emphasizing restorative practices and income-sensitive fine structures. Cities implementing tiered systems or income-based fee waivers have seen reduced financial burdens on marginalized communities without compromising the efficacy or intent behind fines as regulatory tools; effectively promoting compliance without imposing undue hardship.

In alignment with the values articulated in the Reimagining Public Safety initiative and the Care First, Jails Last approach, the City of Berkeley is uniquely positioned to put forth comprehensive reforms that not only mitigate economic disparities but also reinforce community trust in local governance. Engaging directly with impacted communities to understand lived experiences and soliciting input on equitable fine structures can help Berkeley craft policies that better reflect the city's commitment to fairness, justice, and inclusion. Ultimately, these reforms serve as integral components of a broader strategy to build safer, healthier, and more resilient communities, ensuring that local government actions consistently align with the principles of equity and compassion.

## Methodology

This project employed a mixed-methods approach anchored in rigorous evidence analysis. The first phase combined documentary analysis—examining the BMC, department-level fee schedules, recent budget updates, and revenue reports—with 15 semi-structured interviews, including correspondence through numerous follow up emails with City staff across Parking Enforcement, Code Enforcement, Finance, the City Attorney's Office, and the Indigent Payment Plan program, as well as staff at San Francisco's Financial Justice Project and the Fines and Fees Justice Center.

These steps mapped the current fines and fees ecosystem, surfaced operational pain points, and recorded equity concerns from frontline perspectives. Concurrently, Berkeley was benchmarked against other jurisdictions, including, but not limited to, San Francisco, Alameda, Oakland, and extensive literature review to identify legally and administratively viable reform models. All findings were cross-checked for consistency and accuracy.

Each potential reform is measured by a multi-criteria decision matrix—political feasibility, cost, effectiveness, sustainability, and externalities—scored on a 1-10 scale to generate comparative rankings. Quantitative scores were paired with qualitative insights from interviews and existing evidence supported the prioritization of six recommendations measuring for equity, fiscal soundness, and administrative practicality. Iterative peer review and reconciliation of data discrepancies ensured internal validity, while continuous

stakeholder feedback helped to mitigate any potential bias and maintain fidelity to community needs throughout the project.

## Analytical Framework

### The preferred package of six recommendations:

- 1) publish a consolidated, multilingual Master Fee Schedule and plain-language portal
- 2) update BMC 14.40.100 to align disability-parking rules with federal and state standards
- 3) convert mandatory bicycle licensing in BMC 14.68 to a voluntary program
- 4) explore internal software options
- 5) extend the Indigent Payment Plan beyond parking tickets to all eligible fines and fees
- 6) Offer an installment payment option for every citation

It is important to note that the order of the recommendations reflects a strategic sequencing based on relative ease of implementation. Recommendations are prioritized beginning with actions that present lower operational barriers and fewer interdependencies, and progressing toward reforms that involve broader structural considerations, require additional coordination, or present higher complexity. This approach is intended to support a phased implementation process that maximizes early gains while preparing for more comprehensive changes over time.

When evaluating policy recommendations for fines and fees reform, we assess each option's viability. Using specific criteria, this framework promotes a balanced approach that considers political, economic, social, and practical implications. Each recommendation involves trade-offs that influence the effectiveness and sustainability of the policy. The following matrix summarizes the considerations of a set of policy alternatives that follow. Each criteria is based on a 1-10 score, with 10 being the best score. As it pertains to externalities, lower scores lean to more negative externalities, while higher scores lean to more positive externalities.

- A.** Political Feasibility - Will the policy gain the political support needed to be adopted?
- B.** Cost Effectiveness - Do the policy outcomes outweigh the cost?
- C.** Effectiveness - Will the policy achieve its intended goals?
- D.** Sustainability - Can the policy be maintained over the long-term?
- E.** Externalities - What are the unintended side-effects of the policy?

## Criteria Matrix

Criteria	Status Quo	Develop Clear Comm Strategy	Amend BMC 14.40.100 Disabled Parking Rules	Amend BMC 14.68 Bicycle License And Registration	Explore Internal Software Options	Indigent Payment Plan Extended to Other Areas of BMC	Automatic Payment Plans Available to Anyone	Community Service
Political Feasibility	8	9	7	7	7	5	4	4
Cost Effectiveness	3	9	8	7	6	8	8	5
Effectiveness	3	8	9	9	9	9	9	6
Sustainability	2	8	9	9	9	8	8	3
Externalities Low=Neg High=Pos	2	8	8	8	7	8	8	5
<b>Total Score</b>	<b>15</b>	<b>42</b>	<b>41</b>	<b>40</b>	<b>38</b>	<b>38</b>	<b>37</b>	<b>23</b>

## Considerations:

### Implementation Considerations

Following the evaluation of policy alternatives through the multi-criteria analytical framework, it is important to acknowledge key considerations that could impact the practical implementation of the recommendations. While the reforms identified offer clear opportunities to advance equity, fiscal stability, and operational efficiency within the City of Berkeley's fines and fees system, successful implementation will require careful navigation of administrative, fiscal, and structural realities inherent to municipal governance.

Several considerations are outlined below:

- 1) **Budgetary Constraints:** Although many proposed reforms, such as updates to the BMC and the development of a centralized communication strategy, are relatively low-cost, initiatives involving technological investments—such as integrating Enterprise Resource Planning (ERP) systems or Robotic Process Automation (RPA)—will require initial capital outlays. Given competing fiscal priorities across City departments, implementation may require phased funding strategies or pursuit of external grants to offset costs.
- 2) **Administrative Capacity and Workload:** Consolidating department-specific schedules into a Master Fee Schedule, modernizing appeals processes, and expanding payment plan access will necessitate significant interdepartmental coordination, updates to workflows, and staff training. In the short term, these reforms may increase administrative burdens before longer-term efficiencies are fully realized. The City would need to consider how to strategically allocate resources, project management support, and technical assistance during the transition period.
- 3) **Public Awareness and Compliance:** The effectiveness of reforms such as automatic installment plans and expanded access to financial relief options depends heavily on robust public communication. Without intentional outreach—particularly to low-income and limited-English-speaking communities—improvements in system design may not immediately translate into higher compliance rates or improved user experience. A comprehensive education and engagement campaign would be necessary to ensure that impacted residents are aware of and able to access new programs.
- 4) **Timing of Fiscal Benefits:** Although many reforms are designed to strengthen Berkeley's fiscal resilience over time, cost savings and revenue stabilization may not be immediately apparent. As demonstrated in peer jurisdictions, there may be a lag between initial implementation and the realization of measurable fiscal outcomes. Berkeley should build this lag into its financial projections and maintain regular

monitoring—using key performance indicators such as plan enrollment rates and delinquency trends—to sustain internal support for continued funding.

- 5) **Jurisdictional and Legal Boundaries:** Certain fines and fees affecting Berkeley residents are governed by Alameda County ordinances or California state law, limiting the City's direct authority to enact reforms in those areas. Any recommendations pertaining to fines set outside the City's jurisdiction would require coordination with county or state entities to fully realize intended impacts.

Incorporating these considerations into a phased implementation plan—with defined milestones, dedicated resources, and ongoing stakeholder engagement—will enable Berkeley to establish a fines and fees system that is transparent, impartial, and financially sustainable.

## Community Service Considerations

Additionally, community service in lieu of monetary fines has long been proposed by countless jurisdictions, including Berkeley, as an alternative for individuals unable to pay, but past implementations in Berkeley proved financially unsustainable. Police officials noted that the prior program, facilitated through an outside agency, required officers to work overtime in order to supervise participants, driving up costs without commensurate revenue or compliance gains.<sup>27</sup> Multiple Parking Enforcement Officers stated that, “the cost to run the program and where the money goes or doesn't go are factors”<sup>28</sup> and, “the cost was too high to pay officers the overtime required to staff a program like that.”<sup>29</sup>

Other interview respondents nonetheless suggested an expanded community service model, pointing to recent legislative reforms in other states that broaden acceptable service activities beyond roadside cleanup, would be necessary if Berkeley was to revisit a program like this.<sup>30</sup> In Texas, for instance, courts under Article 45.049(c) of the Code of Criminal Procedure may grant credit for participation in addiction counseling, victim impact panels, or social service outreach—rather than strictly manual labor.<sup>31</sup> Likewise, New Mexico's 2023 amendment to Section 31-12-3 of its statutes explicitly allows community service credit “including enrollment in job training or an academic or vocational program or participation in social service or rehabilitation programs,” offering a more flexible framework for fulfillment of court-ordered hours.<sup>32</sup>

<sup>27</sup> City of Berkeley Police Department Staff Interview, 2025.

<sup>28</sup> City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

<sup>29</sup> City of Berkeley Staff Interview. Parking Enforcement, 2025.

<sup>30</sup> Policy and Research Director at Fines and Fees Justice Center, n.d.

<sup>31</sup> FindLaw. “Texas Code of Criminal Procedure - CRIM P Art. 45.049. Community Service in Satisfaction of Fine or Costs.” Accessed April 23, 2025. <https://codes.findlaw.com/tx/code-of-criminal-procedure/crim-ptx-crim-pro-art-45-049/>.

<sup>32</sup> Justia Law. “2024 New Mexico Statutes :: Chapter 31 - Criminal Procedure :: Article 12 - Fines, Fees and Costs :: Section 31-12-3 - Paying Fines, Fees or Costs in Installments; Community Service Option.” Accessed April 23, 2025. <https://law.justia.com/codes/new-mexico/chapter-31/article-12/section-31-12-3/>.

In light of these findings, a future community service alternative would need to incorporate a broader array of service options, while ensuring staffing and supervision costs are controlled to maintain both accessibility and fiscal responsibility.

## Exemption Considerations

Exemptions to certain municipal fines and fees is an eventual objective; viewing them as a mechanism to advance equity and restorative public safety practices beyond strictly punitive measures. However, the City's current fiscal environment—marked by a tightly constrained general fund and recent mid-year revenue shortfalls<sup>33</sup> renders broad fee waivers infeasible at this time, as any reduction in revenue would deepen existing budgetary pressures and risk displacing critical services.

Under the present deficit state, allocating resources to cover foregone fine and fee revenues would require significant reallocation within an already balanced budget, making comprehensive exemptions in the near term, unfeasible. Once the City's finances recover—through the steady and sustained revenue streams the proposed reform in this report is intended to provide, it can revisit and phase in targeted exemptions that align with the City's long term equity goals, ensuring that financial capacity and policy intent advance in tandem.

## Recommendations

### Status Quo:

#### Current State of City of Berkeley's Fines and Fees

Berkeley assesses administrative fines and fees through a decentralized system in which multiple departments—such as Parking Enforcement, Code Enforcement, Planning and Development, Public Works, Parks and Recreation, Finance, and the City Attorney's Office—manage their own distinct schedules, billing systems, appeal procedures, and enforcement protocols. Parking citations, for example, operate under a separate framework from business license penalties or code violations, and each maintains its own payment forms and deadlines. An income-screened Indigent Payment Plan is available for parking citations, while most other fines require the assessed amount to be paid before an appeals hearing can be requested.

Information about fines and fees is dispersed across department-specific webpages and office counters, requiring residents—especially those with limited digital access or English

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<sup>33</sup> "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025. <https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

proficiency—to contact several departments to determine the status of their citation, payment options, or eligibility for waivers. Staff have shared that some of the complaints from residents was their lack of knowledge that these programs exist.<sup>34</sup> Additionally, some third-party portals that handle payments lack translation capabilities, creating further access barriers. According to multiple staff interviews, this decentralization not only confuses residents but also increases clerical workload, as employees must repeatedly explain disparate procedures and policies<sup>35</sup> that could otherwise be unified under a central platform.

Currently, the City does not have a fully integrated case management system that spans departments. While some internal coordination tools are used for fiscal tracking and administrative operations, these tools do not track citations in real-time or automate installment plan management. Adjudication Staff shared that their department uses a citation management software that assists with their processes, but the software is exclusive to their department and does not crossover to other departments.<sup>36</sup> For the most part, City of Berkeley staff must rely on manual coordination and independent data entry, creating duplication of effort and inconsistent user experiences.

### Current City Statute

Several provisions in the BMC further compound both operational inefficiencies and equity concerns. BMC § 14.68, which mandates annual bicycle licensing and registration,<sup>37</sup> is misaligned with California Vehicle Code § 39002(a), which prohibits municipalities from enforcing penalties for unlicensed bicycles.<sup>38</sup> In practice, this outdated requirement<sup>38</sup> can confuse residents, especially youth and low-income individuals who acquire secondhand bikes without formal documentation. Staff are left to explain or enforce a law that is rarely applied consistently and may not be legally enforceable—creating administrative friction and exposing the City to reputational or legal risk without generating meaningful public benefit.

Similarly, BMC § 14.40.100, which restricts disability related parking waivers to individuals with specific physical impairments and requires that the disabled person be the vehicle's driver,<sup>39</sup> does not reflect current definitions<sup>39</sup> under state law or the federal ADA.<sup>40</sup> This can limit access for individuals with blindness, respiratory illness, or cognitive impairments, and burden caregivers who assist disabled residents with transportation. Operationally, this has the potential to create ambiguity for enforcement staff and eligibility reviewers, who must reconcile local requirements with broader legal standards. From an equity standpoint, the

<sup>34</sup> City of Berkeley Staff Interview. Code Enforcement, 2025

<sup>35</sup> Ibid.

<sup>36</sup> City of Berkeley Staff Interview. Adjudication Staff, 2025.

<sup>37</sup> Berkeley Municipal Code § 14.68.020 (1976).

<sup>38</sup> Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).

[https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=](https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=)

<sup>39</sup> Berkeley Municipal Code, § 14.40.100 (1952).

<sup>40</sup> ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).

[https://archive.ada.gov/nprm\\_adaaa/nprm\\_adaaa.htm](https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm).

restrictive language can result in unnecessary financial or mobility barriers for disabled residents—undermining the City’s broader commitments to accessibility and inclusion.

### Departmental Practices and Informal Flexibility

While Berkeley’s current fines and fees structure is decentralized, it is important to note that some departments have developed informal practices to support residents. Staff from Planning and Development, Parks and Recreation, and the Finance Department reported taking case-by-case approaches to extend deadlines, waive minor penalties, or explain procedures to individuals unfamiliar with the system.<sup>41 42 43</sup> These discretionary practices are rooted in a strong commitment to public service and, in some cases, help residents avoid deeper noncompliance.

However, such efforts remain dependent on individual staff availability, discretion, and a resident’s ability to reach the right person. Without a codified, transparent process for requesting relief, these accommodations are not universally accessible and can inadvertently perpetuate inequity. The absence of clear, uniform rules also places pressure on staff to make judgment calls in the absence of policy guidance—adding to administrative workload and introducing the risk of inconsistent outcomes.

Research at the state level confirms that fines and fees disproportionately harm low-income communities and may cost more to administer and collect than they ultimately generate in revenue.<sup>44</sup>

### Evaluation of the Status Quo Based on Criteria

#### Total Score: 15/50

Based on the criteria evaluation, the proposed approach received a score of 15 out of 50. On the positive side, it requires no new policy implementation, allowing the City to maintain short-term administrative continuity without the disruptions and learning curves associated with entirely new processes.

However, several significant drawbacks accompany this status quo. Rising default rates are placing increasing strain on both revenue collection and administrative capacity. Low-income residents continue to face inequitable outcomes, unable to afford large lump-sum payments or to navigate the City’s decentralized system of fines and fees. Finally, by forgoing modern platforms, the City misses opportunities to reduce staff workload through automation, streamline communication with residents, and boost overall compliance.

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<sup>41</sup> City of Berkeley City Staff Interview. City Planning, March 2025.

<sup>42</sup> City of Berkeley Staff Interview. Parks and Recreation, April 2025.

<sup>43</sup> City of Berkeley Staff Interview. Finance Department, 2025

<sup>44</sup> Denney, Jacob. "More Harm Than Good: Building a More Just Fine and Fee System in California," June 2021. [https://www.spur.org/sites/default/files/2021-06/SPUR\\_More\\_Harm\\_Than\\_Good\\_0.pdf?utm\\_source=chatgpt.com](https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf?utm_source=chatgpt.com).

## Financial Implications

If Berkeley continues operating under its current structure, it is likely to face ongoing fiscal and operational strain. The City's Fiscal Year 2025 Mid-Year Budget Update revealed a 12.9 percent increase in parking citations during the first half of the year, but a simultaneous 9.9 percent drop in related revenue—indicating that enforcement alone is not producing proportional returns. Departments are required to maintain their own intake, appeals, and payment processes, preventing the City from realizing cost savings that could be achieved through automation, centralized intake, shared administrative tools, or payment plans.

## Recommendation 1: Develop a Clear Fines and Fees Communication Strategy

### Current State

The BMC, contains provisions that allow for flexibility or assistance in payment of some fines and fees; however, when these provisions are not clearly communicated, eligible residents may remain unaware that help exists as the fines and fees system can be difficult to navigate.<sup>45</sup> In its current state, the City of Berkeley has multiple sites and departments that receive and determine eligibility for payment plans or waivers.<sup>46</sup>

One of the most significant lessons learned through our research is the necessity of framing information in a manner easily understandable to diverse populations. Even when local laws or ordinances (such as sections of the BMC) allow for exemptions or alternative payment schedules, instructions are delivered in overly technical language or strewn across multiple websites.<sup>47 48 49 50 51 52</sup> This places additional challenges on residents who may face barriers in navigating complex systems.<sup>53</sup>

### Proposed Change

In line with the broader goals of this project, the development of a clear communication strategy has emerged as a pivotal first step toward ensuring that fines and fees do not compound or create punitive barriers for vulnerable individuals. Therefore, a primary component of the recommended communication strategy is the consolidation of vital

<sup>45</sup> "Targeted Fines and Fees Against Communities of Color Civil Rights & Constitutional Implications," September 2017. [https://www.usccr.gov/files/pubs/docs/Statutory\\_Enforcement\\_Report2017.pdf](https://www.usccr.gov/files/pubs/docs/Statutory_Enforcement_Report2017.pdf).

<sup>46</sup> "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley, n.d. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

<sup>47</sup> City of Berkeley Staff Interview. Parking Enforcement, 2025.

<sup>48</sup> City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

<sup>49</sup> City of Berkeley Staff Interview. Finance Department, 2025.

<sup>50</sup> City of Berkeley Staff Interview. Code Enforcement, 2025.

<sup>51</sup> City of Berkeley Staff Interview. Adjudication Staff, 2025.

<sup>52</sup> City of Berkeley Staff Interview. City Attorney's Office, 2025.

<sup>53</sup> Herd, Pamela, Donald Moynihan, and Amy Widman. "Identifying and Reducing Burdens in Administrative Processes," December 5, 2023. [https://www.acus.gov/sites/default/files/documents/Identifying-and-Reducing-Burdens-in-Administrative-Processes-Final-Report-2023.12.05\\_2.pdf](https://www.acus.gov/sites/default/files/documents/Identifying-and-Reducing-Burdens-in-Administrative-Processes-Final-Report-2023.12.05_2.pdf).

details—like eligibility for fee reductions, application procedures for indigent payment plans, and relevant deadlines—into a single, widely accessible platform, such as a dedicated city webpage, along with a Master Fees Schedule with a fines and fees guide that contains and describes all known fees associated with the various city departments across Berkeley, fully translated into the multiple languages commonly spoken by Berkeley residents.

### Improving Access and Compliance

According to multiple City of Berkeley staff interviews, while an Indigent Payment Plan for parking citations<sup>54</sup> or low-income ambulance waivers are available in Berkeley, some individuals miss critical enrollment windows or remain unaware of their eligibility.<sup>55 56</sup> This outcome likely stems from decentralized information, which is often scattered across department-specific websites and physical offices. Staff at the City of Berkeley Finance Office shared that only 120-140 parcels out of around 3000 each year are utilizing their low-income program as it relates to property taxes.<sup>57</sup>

Consolidating essential details about fines and fees into a single, user friendly platform can be vital for increasing awareness and compliance. Cities that centralize payment information and provide clearer instructions see a measurable rise in compliance and a decrease in overall default rates.<sup>58</sup> A centralized website, available in multiple languages, can outline steps for entering payment plans, applying for fee reductions, and understanding deadlines; all in plain language. Although the City's web portal allows for language translation, once users are directed to third-party payment pages, translation features may not persist, which could pose challenges for non-English speakers when entering sensitive payment information.

Neighboring jurisdictions demonstrate that consolidating every municipal charge in a single, council-adopted Master Fee Schedule (MFS) is both feasible and beneficial. San Francisco issues a combined "Master Fee Schedule & Fee Certification" with its biennial budget, listing licenses, service charges, fines, and the percentage of each fee's cost recovery.<sup>59</sup> Alameda publishes an annual MFS that incorporates Consumer Price Index adjustments and impact-fee studies,<sup>60</sup> while Oakland posts a searchable web page with the full PDF of its adopted MFS for each fiscal year, updated every July 1.<sup>61</sup>

<sup>54</sup> "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley, n.d. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

<sup>55</sup> City of Berkeley Staff Interview. Parking Enforcement, 2025.

<sup>56</sup> City of Berkeley Staff Interview. Finance Department, 2025

<sup>57</sup> Ibid.

<sup>58</sup> Hernandez, Pete. "Court E-Payments: External Service Providers, In-House Solutions and Beyond," n.d.

[https://www.ncsc.org/\\_data/assets/pdf\\_file/0021/15915/court-e-payments.pdf](https://www.ncsc.org/_data/assets/pdf_file/0021/15915/court-e-payments.pdf).

<sup>59</sup> Office of the Controller Budget and Analysis Division. "Combined Fees Certification & Master Fee Schedule FY 2024-25 & FY 2025-26," City and County of San Francisco, May 24, 2024.

<https://www.sf.gov/sites/default/files/2024-05/FY24-25%20Master%20Fee%20Schedule%20and%20Fees%20Certification.pdf>.

<sup>60</sup> "Master Fee Schedule." City of Alameda, July 2024.

<https://www.alamedaca.gov/files/assets/public/v/1/finance/master-fee-schedule-fy-2024-25.pdf>.

<sup>61</sup> City of Oakland. "City of Oakland Master Fee Schedules." Accessed April 17, 2025.

<https://www.oaklandca.gov/documents/city-of-oakland-master-fee-schedules>.

These documents do more than aggregate numbers; they increase transparency for residents and businesses, reduce repetitive staff inquiries, and give policymakers a clear view of how closely each fee aligns with the cost of providing the service. The Government Finance Officers Association (GFOA) recommends that local governments “adopt formal policies regarding charges and fees,” measure the full cost of each service, and house the results in a single document that is reviewed regularly.<sup>62</sup>

Berkeley, by contrast, posts fee schedules individually—Planning and Building updates appear in individual council items or departmental PDFs, Engineering fees live on separate forms, and Environmental Health fees are embedded in staff reports. Because the information is scattered across multiple webpages and file types, residents must hunt for the total cost of a permit or appeal, while staff spend extra time explaining where to look.

### Public Trust and Clear and Consistent Communications

Another critical aspect is ensuring that any official notices, such as traffic citations or billing statements, link directly to resources. Something as simple as a QR code on the back of a parking ticket can direct an individual to a frequently asked questions (FAQ) page or a payment plan enrollment form. When individuals receive the information at the moment they need it—right when they open a ticket—it reduces confusion and can increase the likelihood of timely compliance.

Equally important is the equity dimension of clear communication. Providing instructions in multiple languages, offering large-print materials for visually impaired individuals, and furnishing straightforward, user-focused FAQs exhibits a commitment to equity.

Clarity and consistency also reduce administrative burdens and enhance public trust. Currently, citations and the Parking and Transportation website inform residents that their vehicles can be towed or booted strictly for unpaid citations.<sup>63</sup> <sup>64</sup> According to a Parking Enforcement staff interview, that penalty no longer aligns with current policy.<sup>65</sup> Updating official texts and website content to reflect actual practice not only preserves trust but also prevents repetitive queries and appeals. Parking Enforcement staff further explained that, although the city no longer tows for purely delinquent citations, a vehicle will be denied registration until a delinquent citation is paid, and subsequently, a vehicle recognized on the street without registration can be towed and impounded, incurring an additional set of fees.<sup>66</sup> Such discrepancies can cause confusion and may impact public confidence. A targeted and continuous communication campaign—one that clarifies actual policy—could resolve these conflicts, reduce confusion, and enhance compliance among residents.

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<sup>62</sup> “Establishing Government Charges and Fees.” Accessed April 17, 2025.

[https://www.gfoa.org/materials/establishing-government-charges-and-fees?utm\\_source=chatgpt.com](https://www.gfoa.org/materials/establishing-government-charges-and-fees?utm_source=chatgpt.com).

<sup>63</sup> “Notice of Parking Violation.” City of Berkeley, n.d. <https://drive.google.com/drive/folders/1w1DoIG3cc4-sBhMBjMulKRhRVi-YscFy>.

<sup>64</sup> “Paying Citations | Parking and Transportation.” Accessed April 23, 2025. <https://pt.berkeley.edu/citations/paying-citations>.

<sup>65</sup> City of Berkeley Staff Interview. Parking Enforcement, 2025.

<sup>66</sup> City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

## Evaluation of Recommendation 1 based on Criteria

### Total Score: 42/50

Based on the criteria evaluation, the proposal achieved a score of 42 out of 50. Consolidating all fines, fees, deadlines, and relief programs onto a single, plain-language webpage would provide significant administrative relief and improve accuracy: clerks would spend less time answering repetitive questions or correcting payment errors caused by misinformation. In addition, clear presentation of what individuals owe and how to apply for relief in multiple languages can foster higher voluntary compliance and build trust—payment rates tend to rise and public resentment diminishes when people understand their obligations and options.

Nevertheless, maintaining this streamlined schedule poses its own challenges. Keeping the webpage perfectly up to date will require ongoing inter-departmental coordination, and any lapses could quickly recreate confusion. Moreover, residents without reliable internet access or mobile data may still miss digital notices unless the City supplements the portal with documents sent in the mail and provided at public buildings, or includes QR codes directly on paper tickets.

### Financial Implications

From a fiscal perspective, an informed public is more likely to seek relief rather than simply not pay. Cities can then avoid burdensome collection tactics that siphon resources away from more pressing community needs. When people understand their obligations, deadlines, and available financial assistance, they tend to comply more swiftly, lowering the administrative cost of follow-up actions and possible legal enforcement.<sup>67</sup>

When residents easily grasp what they owe, why they owe it, how to request relief, and where to go for assistance, they are less inclined to ignore or contest citations, thus saving time and resources for both the public and city officials.<sup>68</sup> This level of transparency fosters stronger, more respectful relationships between local government and its constituents. Consolidating relevant information, fostering partnerships with community organizations, and adopting a multilingual, multimodal outreach approach could help Berkeley lower default rates, sustain stable revenue, and prevent residents from incurring additional penalties.

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<sup>67</sup> Johnson, Shanelle. "First Steps Toward More Equitable Fines and Fees Practices," n.d. [https://finesandfeesjusticecenter.org/content/uploads/2020/11/FFJC\\_Policy\\_Guidance\\_Ability\\_to\\_Pay\\_Payment\\_Plan\\_Community\\_Service\\_Final\\_2.pdf](https://finesandfeesjusticecenter.org/content/uploads/2020/11/FFJC_Policy_Guidance_Ability_to_Pay_Payment_Plan_Community_Service_Final_2.pdf).

<sup>68</sup> "Online Infraction Adjudication and Ability-to-Pay Determinations." Report to Legislature, n.d. [https://courts.ca.gov/sites/default/files/courts/default/2024-08/2024\\_online-infraction-adjudication-and-ability-to-pay-determinations.pdf](https://courts.ca.gov/sites/default/files/courts/default/2024-08/2024_online-infraction-adjudication-and-ability-to-pay-determinations.pdf).

## Recommendation 2: Amend BMC 14.40.100 to align with federal and state standards on disability parking standards and accommodations.

### Current State

Berkeley's parking ordinance, 14.40.100 for disabled persons, still uses a 1950s statute that recognizes disability only when someone "has completely lost by paralysis the use of one or both feet or one or both legs, or who has had one or both feet or one or both legs amputated" and insists that the individual be the one behind the wheel.<sup>69</sup> In practice, that wording bars blind residents, people with cardiopulmonary disease, wheelchair users who cannot drive, and anyone whose disability is episodic or cognitive from enjoying the fee waiver that was meant to guarantee access. The text also clashes with national civil-rights law: Congress defines disability far more broadly as "a physical or mental impairment that substantially limits one or more major life activities," or a record or perception of such an impairment, and demands that the term be "construed broadly" after the ADA Amendments Act of 2008.<sup>70</sup> California codifies this broader view in Vehicle Code § 295.5, which adds blindness, severe lung and heart disease, and other mobility-impairing conditions to the list of qualifying disabilities.<sup>71</sup>

### CA Department of Motor Vehicle Guidelines and Supportive Persons

Because Berkeley's ordinance also states that "the disabled person shall operate the motor vehicle themselves," a resident who cannot drive must either pay the meter or forgo the trip unless a costly alternative is arranged. State law and the Department of Motor Vehicles, by contrast, expressly allow a disabled-person placard to be "moved from one vehicle to another," which "makes them a good option for a caregiver who transports a disabled person."<sup>72</sup>

The local restriction translates into concrete barriers to daily life. If a blind resident's friend cannot legally use the placard while driving the resident to a doctor's appointment, the pair may have to pay curbside fees they cannot afford or resort to ADA paratransit. Paratransit is reliable but expensive and inflexible: federal rules permit providers to insist on next-day reservations and one-hour pick-up windows,<sup>73</sup> and fares may legally run up to twice the regular bus fare.<sup>74</sup> Diverting travelers onto vans inflates public costs while denying disabled residents the spontaneity and dignity enjoyed by nondisabled neighbors.

<sup>69</sup> Berkeley Municipal Code, § 14.40.100 (1952).

<sup>70</sup> ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).  
[https://archive.ada.gov/nprm\\_adaaa/nprm\\_adaaa.htm](https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm).

<sup>71</sup> Legislature, Cal. "Cal. Vehicle Code § 295.5." Accessed April 18, 2025.  
[https://california.public.law/codes/ca\\_veh\\_code\\_section\\_295.5](https://california.public.law/codes/ca_veh_code_section_295.5).

<sup>72</sup> California DMV. "Disabled Person Parking Placards & Plates." Accessed April 18, 2025.  
<https://www.dmv.ca.gov/portal/vehicle-registration/license-plates-decals-and-placards/disabled-person-parking-placards-plates/>.

<sup>73</sup> "ADA Complementary Paratransit Requirements." Accessed April 18, 2025.  
<https://www.nationalrtap.org/Toolkits/ADA-Toolkit/Service-Type-Requirements/ADA-Complementary-Paratransit-Requirements>.

<sup>74</sup> Ibid.

This amendment can be accomplished almost immediately, aligning local law with federal and state standards, by substituting the following language: “ ‘Disabled person’ means an individual who meets the definition of disability under 42 U.S.C. § 12102<sup>75</sup> or California Vehicle Code § 295.5.<sup>76</sup> The parking privilege applies when the disabled person is the driver or is present as a passenger in a vehicle operated by a support person.” This single amendment harmonizes Berkeley’s code with prevailing civil-rights norms, protects the City from discrimination claims, and immediately extends equitable parking access to blind individuals, dialysis patients, and many others whose impairments do not involve limb loss. Allowing family or friends to drive also reduces unnecessary reliance on paratransit, easing both public budgets and riders’ pocketbooks, and it facilitates easier access to daily activities for disabled residents..

## Evaluation of Recommendation 2 Based on Criteria

### Total Score: 41/50

Based on the criteria evaluation, the proposal earned a score of 41 out of 50. By aligning Berkeley’s local ordinances with both the ADA and the California Vehicle Code, the City would reduce its legal risk—shielding itself from potential discrimination suits and DOJ enforcement actions. At the same time, expanding eligibility for parking waivers enables blind or cardiopulmonary-impaired residents to travel with friends and family rather than rely on costly paratransit vans, advancing equity goals while relieving pressure on transit subsidies.

However, this approach carries some drawbacks. Meter revenue may decline modestly as a greater number of vehicles qualify for fee waivers, and parking enforcement officers will need to learn and apply a broader set of placard rules.

## Financial Implications

Updating the section requires only an ordinance revision. Such a modest administrative step would modernize Berkeley’s code, advance disability equity, and trim avoidable transportation costs—all while honoring the City’s broader commitment to accessible public spaces.

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<sup>75</sup> “42 USC 12102: Definition of Disability.” Accessed April 18, 2025.

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section12102&num=0&edition=prelim>

<sup>76</sup> Legislature, Cal. “Cal. Vehicle Code § 295.5.” Accessed April 18, 2025.

[https://california.public.law/codes/ca\\_veh\\_code\\_section\\_295.5](https://california.public.law/codes/ca_veh_code_section_295.5).

## Recommendation 3: Amend BMC 14.68 that requires an individual to license and register their bicycles annually to be optional.

### Current State

Berkeley's Municipal Code still makes it “unlawful for any person to operate or use a bicycle... which has not been licensed and registered.”<sup>77</sup> Yet state law does not make this a requirement. California Vehicle Code § 39002(a) expressly says that when a city adopts a licensing ordinance it may not prohibit the operation of an unlicensed bicycle, confirming that any local program can be voluntary in practice.<sup>78</sup>

### Proposed Change

Amending Chapter 14.68 so the words “shall license” become “may license,” and deleting the fines that are currently associated with it, would bring Berkeley into alignment with this state standard while still allowing owners who want a theft-recovery sticker to obtain one.

### Reinforcing Berkeley's Climate-friendly Mobility Efforts

Encouraging climate-friendly transportation like bicycling requires policies that remove barriers—not create penalties. Mandating bicycle registration, especially with fines for non-compliance, discourages participation and disproportionately affects those who rely on bikes as an affordable, green alternative to cars. Doing so aligns with the city's Climate and Action Plan<sup>79</sup> while fostering equity and encouraging broader adoption of zero-emission travel.

In 2023, Berkeley City Council reported 34 percent of trips taken in the city were made by sustainable modes of transportation; bicycles included.<sup>80</sup> With an ordinance revision, Berkeley can continue to promote sustainable mobility by eliminating punitive requirements and instead, offering a voluntary program that makes riding easier and more accessible for all.

### Low-Income Options Carry Compliance Difficulties

Another compelling reason to make bicycle licensing voluntary in Berkeley is the significant burden it places on individuals who acquire their bikes second-hand—particularly youth and low-income residents who often rely on the used bike market for affordability. Under the current BMC, registrants are expected to provide documentation such as a sales receipt

<sup>77</sup> Berkeley Municipal Code § 14.68.020 (1976).

<sup>78</sup> Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).  
[https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=](https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=)

<sup>79</sup> “Climate Action Plan and Resilience Update.” Berkeley City Council, April 15, 2025.  
[https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%2023%20Climate%20Action%20Plan%20and%20Resilience%20Update\\_0.pdf](https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%2023%20Climate%20Action%20Plan%20and%20Resilience%20Update_0.pdf).

<sup>80</sup> Ibid.

or proof of ownership to complete registration. However, many used bikes are exchanged informally through garage sales, online marketplaces like Craigslist or Facebook, or given as hand-me-downs within families or communities. Second-hand global sales through bike marketplaces or private sellers are projected to grow from approximately \$47 billion in 2025 to \$72.4 billion by 2035, reflecting a 4.4% annual growth rate.<sup>81</sup> Many of these transactions do not come with formal receipts or serial number records, which would make it difficult—if not impossible—for the new owner to comply with the city’s registration requirements.

## Evaluation of Recommendation 3 Based on Criteria

### Total Score: 40/50

Based on the criteria evaluation, the proposal received a score of 40 out of 50. By eliminating the mandatory bicycle licensing requirement, the City stands to gain significant climate and public-health benefits: removing this punitive barrier encourages more residents to cycle, directly supporting Berkeley’s Climate Action targets. This change also promotes equity for youth and low-income riders, many of whom purchase second-hand bicycles without a sales receipt and currently face fines they cannot realistically contest.

On the other hand, the City would relinquish a modest theft-recovery tool—licensing stickers—that can aid in bicycle recovery unless an optional registry is promoted. Additionally, Berkeley would forgo a minor revenue stream generated by license fees.

## Financial Implications

In Washington, Seattle’s City Council reached this verdict decades ago. After police reported that keeping the program alive would cost at least \$20,000-\$25,000 (equal to over \$127,000 in 2025)<sup>82</sup> a year while attracting fewer than half of riders, their City Council repealed its mandate outright in 1978, converting registration to a purely voluntary service, citing that it was unnecessary to keep a law in place that was never enforced.<sup>83</sup>

## Recommendation 4: Establish a Centralized Platform for Fines and Fees Management

### Current State

Berkeley currently relies on multiple internally hosted systems to handle different aspects of its municipal operations: an ERP system for human resources, payroll, and

<sup>81</sup> “Used Bike Marketplace Size, Share & Forecast 2025 to 2035.” Accessed April 20, 2025.

<https://www.futuremarketinsights.com/reports/sales-of-used-bikes-through-used-bike-marketplace>.

<sup>82</sup> DollarTimes. “Calculate the Value of \$25,000 in 1978.” Accessed April 28, 2025.

<https://www.dollartimes.com/inflation/inflation.php?amount=25000&year=1978>.

<sup>83</sup> “Registering Bicycles - CityArchives | Seattle.Gov.” Accessed April 20, 2025.

<https://www.seattle.gov/cityarchives/exhibits-and-education/seattle-voices/registering-bicycles>.

disbursements;<sup>84</sup> a separate revenue-accounting application for incoming fines and fees;<sup>85</sup> and a back-end case-management system for parking citations appeals.<sup>86</sup> None of these platforms communicate directly to each other, requiring staff to manually export, transform, and consolidate data; often using spreadsheets.<sup>87</sup>

While the City may be utilizing specific software to coordinate specific internal processes, it may not be being used to its full potential. The City stands to benefit from a tool that can manage the full lifecycle of a fine or fee, from issuance to resolution, including user-facing functionality and automated workflows for payment plans. Significant consolidation and cross-communication of scalable and integrated administrative software would be instrumental in keeping structural inefficiencies from persisting.

## Proposed Change

Berkeley can evaluate whether to consolidate and extend its current ERP framework end-to-end to cover both outgoing expenditures and incoming revenues across departments or to deploy a modern, integrated ERP solution capable of end-to-end automation that spans the full lifecycle of fines, fees, and related financial operations.

### How Enterprise Resource Planning (ERP) Software Works

An ERP system is a modular suite that centralizes core business processes—finance, human capital management, procurement, and reporting—into a single, unified database, creating a “single source of truth.”<sup>88</sup> By automating data flows between functional units, ERP reduces tedious data entry, enforces standardized workflows, and provides real-time visibility into organizational performance metrics.<sup>89</sup>

### How Robotic Process Automation (RPA) Software Works

Robotic Process Automation employs software “bots” that watch user interactions with graphical interfaces and then replicate those actions—filling forms, extracting data, and moving information between systems—without direct API integration.<sup>90</sup> RPA excels at automating repetitive, rule-based tasks, lowering the barrier to automation when legacy systems lack programmable interfaces.<sup>91</sup>

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<sup>84</sup> “Contract 10549B Amendment.” City Manager: City of Berkeley, June 27, 2023.

<https://berkeleyca.gov/sites/default/files/documents/2023-06-27%20Item%2027%20Contract%2010549B%20Amendment%20Tyler.pdf?utm>.

<sup>85</sup> Ibid.

<sup>86</sup> Passport, Inc. “Getting Started (OpsMan Web).” Accessed April 24, 2025.

<https://help.passportinc.com/support/solutions/articles/73000552729-getting-started-opsman-web->

<sup>87</sup> City of Berkeley Staff Interview. Parking Enforcement, 2025.

<sup>88</sup> SAP. “What Is ERP? The Essential Guide.” Accessed April 20, 2025. <https://www.sap.com/products/erp/what-is-erp.html>.

<sup>89</sup> Ibid.

<sup>90</sup> Lumenalta. “What Is Robotic Process Automation (RPA),” January 7, 2025.

<https://lumenalta.com/insights/what-is-robotic-process-automation-rpa>.

<sup>91</sup> Ibid.

## ERP and RPA Can Work Together

When paired, RPA can bridge gaps in an ERP environment by automating tasks before and after core ERP workflows—such as processing incoming citations from a back-end system or generating custom compliance reports—while ERP handles master data, accounting logic, and consolidated reporting. This combination further reduces manual handoffs and accelerates end-to-end transactions.<sup>92</sup>

## Broader Opportunity

Having multiple software platforms can make compliance more difficult, create administrative inefficiencies, and hinder the City's ability to ensure equitable treatment across programs. A centralized ERP platform, potentially enhanced by RPA for legacy integrations, has the potential to promote transparency via consistent public dashboards, support fiscal responsibility through tighter budget controls, and lower equity barriers by automating internal processes among departments; thereby simplifying them, as well as residents' interactions with City payment portals.<sup>93</sup>

## Insights from Department of Labor Website

The Department of Labor describes how RPA bots are used in unemployment cases; stating that when tasked with adjudication and fact-finding, RPA bots review employer-submitted fact-finding requests and automatically enter the claimant's separation reason into the benefits system.<sup>94</sup> Used similarly, this can be helpful to the Fines and Fees citation ecosystem by eliminating the need for repetitive manual input, reducing both errors and processing time. Additionally, bots can scan relevant databases to determine whether required documentation has been returned by claimants and if documents are missing, the bots automatically generate and send a "failure to respond" notice, ensuring that claimants are aware of what is needed and how to provide it.<sup>95</sup> These automations streamline the adjudication process while reinforcing accuracy and timeliness in case handling.

RPA bots can also be used to assemble and send appeals packets to the involved parties and to the designated Hearing Officer or Administrative Law Judge prior to the appeal hearing.<sup>96</sup> This task, which once consumed considerable staff time, is now completed swiftly and systematically. Further, bots extract key data elements such as the claimant's name and the appeal issue from the request and input them into the system for human validation. After review, the bots complete the docketing of the appeal and ensure all related documentation is included. They are also capable of navigating scheduling systems

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<sup>92</sup> Digital Robots. "Benefits of Integrating RPA with ERP: Savings and Efficiency." Accessed April 24, 2025. <https://www.digital-robots.com/en/news/beneficios-de-integrar-rpa-con-erp-ahorro-y-eficiencia>.

<sup>93</sup> Ibid.

<sup>94</sup> Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

<sup>95</sup> Ibid.

<sup>96</sup> Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

to identify the availability of adjudicators, thereby assigning and scheduling hearings without manual intervention.<sup>97</sup>

States have reported processing time reductions of 70–80% due to bots handling high-volume, rule-based tasks with precision. The automation of such tasks enables staff to shift their attention to more complex, discretionary work that demands human judgment and insight. In doing so, RPA not only mitigates backlogs and reduces errors but also enhances job satisfaction among employees by relieving them of the burden of monotonous administrative work. These outcomes affirm that RPA is not merely a technological upgrade but a strategic tool for improving the capacity, equity, and responsiveness of public benefit systems. Supplementing Electronic Resource Planning with Robotic Process Automation could further enhance administrative feasibility, fiscal soundness, and transparency.

Investing in a modern fines and fees management platform could be critical to making payment plans universally available and to expanding the IPP in a fiscally sustainable, user-friendly way, simultaneously boosting employee satisfaction and relieving burnout and fatigue.

Peer jurisdictions, such as San Francisco, attest to improvements in administrative ease and data accuracy.

## San Francisco's Financial Justice Project as a Model

One of the most illuminating local precedents is San Francisco's Financial Justice Project (FJP). Established to address the regressive nature of fines and fees, FJP demonstrated that lowering fines for low-income residents not only improves payment rates but also mitigates the harmful collateral consequences of unpaid debt.<sup>98 99</sup> Their "MyCitations" income-based fine reductions underscore that expanding streamlined payment strategies can achieve both revenue stability and social equity.<sup>100</sup> This mirrors the observations of Berkeley's Indigent Payment Plan;<sup>101</sup> participants who can see a direct path to resolving their obligations without spiraling penalties are more likely to follow through and pay.<sup>102</sup>

## Software Impact on San Francisco

As discussed, purpose-built ERP or platforms can replace time-consuming manual data-entry with a single, scalable system that processes every account according to

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<sup>97</sup> Ibid.

<sup>98</sup> City and County of San Francisco Staff Interview. Financial Justice Project, 2025

<sup>99</sup> "Graduating Economic Sanctions According to Ability to Pay | Iowa Law Review - The University of Iowa." Accessed April 13, 2025. <https://ilr.law.uiowa.edu/print/volume-103-issue-1/graduating-economic-sanctions-according-to-ability-to-pay>.

<sup>100</sup> Byrne, Francine. Report to the Legislature: Online Infraction Adjudication and Ability-to-Pay Determinations (2023). <https://jcc.legistar.com/View.ashx?M=F&ID=11695191&GUID=70B48C8A-FE60-48DB-8137-320B528E107D>.

<sup>101</sup> City of Berkeley Staff Interview. Parking Enforcement, 2025.

<sup>102</sup> "Payment Plans as a Compliance Tool: Best Practices For Florida Courts." Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

consistent rules. FJP has implemented specific ERP software and their Payment Plan staff, shared the following in an email:

Our software handles the bulk of the heavy lifting and is essential to the efficacy of the payment plan administration. The way CSS [Impact] computes and administers the plans is great (and user friendly):

- The system has the flexibility to set rules for the payment plan program parameters that can be specific to a type of debt; The system uses those rule settings to perform the math to calculate the payment installments and terms, and trigger other workflow logic to conduct outreach and identify outlier cases and apply rules for those situations, and progresses each of the plans through its life cycle with no need for human intervention.
- The system can maintain all of the necessary documents related to the payment plan program (i.e., any financial documents needed to assess eligibility, the application and terms of agreement, critical communications), and set rule restrictions to ensure all plans are handled the same/treated equally
- Manages the sustained outreach that helps facilitates compliance and helps increase the propensity for payment; We send out enrollment notices once the plans are set-up, a reminder notice 15 days before the due date, another reminder on the due date (if we have the email address or are approved to send text), a notice when they are in default to give an opportunity to cure, and notice when the plans are cancelled
- Maintains the modern features of convenience, such as interfacing daily with the online payment page to provide clientele with information on the status of their plans, special messaging on the portal, and outreach through email or text messages
- Provide reports for analysis that can be used to account for trends, change needs in the payment plan program rules, and provide a general status of how the program is performing

They go on to say:

From my experience the software is absolutely essential to successfully administer and manage the payment plan program. The initial set-up costs can vary based on the complexity of the payment plan program, but in my experience it is worth the investment. It is much more cost effective over time, greatly reduces the administrative burden, greatly reduces the chance for human error or delays, and centralizes the data to a single scalable source vs maintaining multiple spreadsheets, and far easier to make changes as service programs evolve.<sup>103</sup>

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<sup>103</sup> City and County of San Francisco Payment Plan Staff. Financial Justice Project, 2025.

When asked what effect the software had on the administrator, staff at the City and County of San Francisco assured that this software is intended to supplement the administrator's job as a tool for efficiency and accuracy, not a replacement.<sup>104</sup>

## Evaluation of Recommendation 4 Based on Criteria

### Total Score: 38/50

Based on the criteria evaluation, the proposal achieved a score of 38 out of 50. By consolidating Berkeley's fines and fees systems, the City would realize improved administrative efficiency and eliminate time-consuming processes. This streamlined approach would also enhance transparency for residence and provide them with accessible self-service options. In addition, it lays a strong foundation for future capabilities—such as advanced analytics, mobile engagement, and proactive compliance features—that can further strengthen the system over time.

However, these gains come with notable upfront challenges. Implementing a unified platform will demand a significant initial investment and careful transition planning across multiple departments. Furthermore, sustaining its benefits will require ongoing governance and coordination to uphold shared data standards and ensure that workflows remain aligned across the organization.

## Financial Implications

With departments routinely resorting to spreadsheets for interim calculations and cross-program reconciliations, such manual processes can consume dozens of hours per month, diverting staff from higher-value tasks and slowing the City's responsiveness to emerging compliance or equity concerns.<sup>105</sup> The current decentralization not only increases maintenance costs for multiple software licenses and support contracts but also amplifies the risk of data entry errors and delays in critical decision-making.<sup>106</sup>

Public-sector studies put the ceiling for national annual savings from cognitive automation at up to \$41 billion and 1.2 billion staff hours, with even "minimal" investments freeing 96 million hours and \$3.3 billion a year.<sup>107</sup> Federal agencies have already eliminated more than 1.4 million staff hours of low-value work in their first five years of RPA use, redirecting capacity to mission-critical tasks.<sup>108</sup> State unemployment-insurance programs report 70-80 percent faster claim-handling and more than 300,000 staff hours saved after deploying

<sup>104</sup> City and County of San Francisco Staff Interview. Financial Justice Project, 2025

<sup>105</sup> Schwarz, Lisa. "ERP Automation Benefits and Trends." Oracle Net Suite, June 4, 2023.

<https://www.netsuite.com/portal/resource/articles/erp/erp-automation.shtml?utm>.

<sup>106</sup> TechTarget. "An Explanation of SAP ERP," November 20, 2024.

<https://www.techtarget.com/whatis/video/An-explanation-of-SAP-ERP?utm>.

<sup>107</sup> Deloitte Insights. "AI-Augmented Government." Accessed April 19, 2025.

<https://www2.deloitte.com/us/en/insights/focus/cognitive-technologies/artificial-intelligence-government.html>

<sup>108</sup> Jacobs, Brian. "Intelligent Automation in the Federal Government: Key Factors for Success." *Macro Solutions* (blog), March 6, 2023. <https://macrosolutions.com/intelligent-automation-in-the-federal-government-key-factors-for-success/>.

bots to copy data and send notices.<sup>109</sup> These figures far outweigh typical licensing and integration fees, especially for cloud solutions that scale elastically.

### Cost/Benefit

Low-code suites let non-technical staff drag-and-drop workflows; Los Angeles put up an emergency-rental-assistance app in two months, and New South Wales built a disaster-response hub in a single week, saving AUD \$10.5 million and 30,000 work-hours.<sup>110</sup>

Implementing or refining a centralized ERP platform alone, or with complementary RPA capabilities will require interdepartmental coordination and potentially phased investments—similar to other technology projects undertaken by the City. However, modern ERP solutions have consistently delivered strong returns. Nucleus Research found that organizations recouped implementation investments in sixteen months on average and achieved over 200 percent return on investment (ROI), driven by the elimination of legacy system costs and efficiency gains.<sup>111</sup>

Additionally, ERP automation benefits such as reduced human labor, improved productivity, and lower error rates further free staff capacity for strategic work and accelerate revenue collection processes.<sup>112</sup> Over time, these savings can outweigh up-front costs, delivering a sustainable platform that underpins the City's equity, transparency, and fiscal-responsibility objectives.

Certain ERP software have the ability to centralize multiple processes and absorb and facilitate the use of additional software simultaneously. By centralizing and automating fines and fees across all municipal programs, Berkeley stands to achieve a more equitable, transparent, and cost-effective system, while laying the foundation for future enhancements such as advanced analytics and AI-driven customer support.

To achieve a centralized system, convening a dedicated cross-departmental strike team could drive timely coordination and bring the initiative across the finish line.

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<sup>109</sup> Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025.

<https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

<sup>110</sup> Sturges, Kim Kaull. "3 Ways to Harness the Power of Low-Code in Government & Public Services." servicenow.com, n.d.

<https://www.servicenow.com/blogs/2024/power-low-code-government>.

<sup>111</sup> Nucleus Research. "ERP Pays for Itself--Fast," December 16, 2019.

<https://nucleusresearch.com/research/single/erp-pays-for-itself-fast/>.

<sup>112</sup> Schwarz, Lisa. "ERP Automation Benefits and Trends." Oracle Net Suite, June 4, 2023.

<https://www.netsuite.com/portal/resource/articles/erp/erp-automation.shtml?utm>.

## Recommendation 5: Expand the Indigent Payment Plan to Other Areas of the BMC

### Current Framework

Currently, Berkeley's Indigent Payment Plan program offers to reduce a parking fine down to its original amount and set up an installment plan for qualifying residents, who qualify by proof of their enrollment in government assistance programs such as EBT or Medi-Cal. According to staff overseeing this initiative, compliance rates under this plan exceed those in regular enforcement.<sup>113</sup> This result hints to the relationship of compliance and the direct alignment of monthly payments with people's financial realities.

### Proposed Change

Building on these findings, Berkeley can extend the Indigent Payment Plan beyond parking or specific code enforcement contexts to other parts of the BMC that involve fines and fees. Low-income residents often face collateral consequences—such as vehicle registration holds, towing risks, or even property liens—when they cannot pay large lump-sum fines.

Berkeley officials consistently acknowledged these inequities in interviews. Staff at Berkeley's Code Enforcement highlighted that compounding penalties disproportionately penalize vulnerable populations, creating additional layers of economic hardship for those least able to afford them.<sup>114</sup> Similarly, the National Consumer Law Center's 2022 report documents extensively how punitive municipal fines create harmful financial instability among already struggling residents.<sup>115</sup> Ultimately, once a household falls behind on one fine, additional fees or penalties usually accumulate, reducing the likelihood of eventual payment, subsequently harming the City's bottom line.

### Financial Implications

With the numerous benefits and relief that payment plans provide, Ability-to-Pay models have been repeatedly underscored by other jurisdictions. For example, according to the San Francisco Municipal Transportation Agency, when they reduced their fee to enter a payment plan from \$60 to \$5, enrollment in the payment plan increased by 400 percent; resulting in an increase of nearly \$160,000 in total revenue for the City in the first two months.<sup>116</sup>

<sup>113</sup> City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

<sup>114</sup> City of Berkeley Staff Interview. Code Enforcement, 2025.

<sup>115</sup> NCLC. "No Fresh Start 2022: Will States Let Debt Collectors Push Families Into Poverty as the Cost of Necessities Soars?" Accessed March 30, 2025.

<https://www.nclc.org/resources/no-fresh-start-2022-will-states-let-debt-collectors-push-families-into-poverty/>.

<sup>116</sup> Rodríguez, Joe Fitzgerald. "City Says Reduced Fee for Parking Citation Payment Program Boosting Revenues." San Francisco Examiner, May 14, 2018.

[https://www.sfoxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article\\_520d8832-0300-5643-8267-3ad4c041176f.html](https://www.sfoxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article_520d8832-0300-5643-8267-3ad4c041176f.html).

## Insights from the 2025 Mid-Year Budget Update

The City of Berkeley's Fiscal Year 2025 Mid-Year Budget Update notes that parking-ticket issuance grew by 12.9 percent during the first half of the fiscal year, yet parking-fine revenue fell by \$320,386 (9.85 percent).<sup>117</sup> In the report, City staff attribute the revenue decline to a 2018 change in California law that prohibits towing solely for unpaid parking citations<sup>118</sup> however, outstanding citations can still block a vehicle's registration and cars driven without valid registration remain subject to towing, license suspensions, added fines or fees, and can impact insurance coverage.<sup>119</sup>

This analysis has uncovered another possible factor: higher default rates among residents who cannot afford lump-sum payments. A BMC-wide IPP could reverse such losses by transforming large, unrealistic obligations into affordable, enforceable ones.

Scaling the IPP across the BMC has the potential to stabilize municipal finances by converting high-risk debt into steady receipts, lighten administrative workloads by curtailing costly enforcement actions, and fulfill the City's equity mandate by shielding its most vulnerable residents from cascading penalties wherever fines and fees can impact low-income Berkeley residents. In doing so, Berkeley can align itself with a growing national movement that recognizes humane, data-driven policy on fines as both fiscally prudent and socially responsible.

## Evaluation of Recommendation 5 Based on Criteria

### Total Score: 38/50

Based on the criteria evaluation, the proposal earned a score of 38 out of 50. By extending the IPP, the policy would deliver robust equity gains, safeguarding the lowest-income households from cascading late fees. It also presents a demonstrated fiscal upside, as higher participation rates are likely to boost overall revenue collections.

However, some middle-income residents may perceive the policy as preferential unless it is paired with the universal installment option described in Recommendation 6. In addition, expanding the IPP would increase the burden on staff to verify public-benefit eligibility for a wider range of citation types—unless that workload is mitigated by the software upgrades proposed elsewhere in the Report.

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<sup>117</sup> Friedrichsen, Sharon, and Henry Oyekanmi. "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025.  
<https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

<sup>118</sup> Ibid.

<sup>119</sup> LegalClarity. "California Vehicle Code 465: Registration Rules and Penalties," December 27, 2024.  
<https://legalclarity.org/california-vehicle-code-465-registration-rules-and-penalties/>.

## Recommendation 6: Explore Automatic Fines and Fees Payment Plans Available to Anyone

### Current Framework

At present, Berkeley's installment options are restricted almost exclusively to its Indigent Payment Plan, which residents may access only if they can document enrollment in programs, such as CalFresh/EBT, Medi-Cal, or General Assistance.<sup>120</sup> All other citation recipients must either pay the full amount in a single lump sum or navigate ad-hoc appeals, leaving most households without a structured, affordable path to compliance.

Unfortunately, many residents who do not meet the public-assistance test still lack the liquidity to pay large fines at once and the risk of widespread non-payment is poised to grow. As highlighted earlier, 63 percent of California households earning under \$35,000, 46 percent earning \$35,000–\$74,999, and even 30 percent earning \$75,000–\$149,999 reported difficulty meeting basic expenses.<sup>121</sup> When core living costs already strain the budgets of more than just low-income families, a sudden \$75–\$100 parking ticket—or a far larger code enforcement penalty—can quickly become unpayable, driving citation holders into default.

### Proposed Change

Berkeley can strengthen both fiscal stability and procedural fairness by making installment-based payment plans the default option for every fine or fee assessed under the BMC. Offering three- or four-month schedules at the moment a citation is issued aligns payment obligations with ordinary household cash-flow patterns, fostering timely partial payments instead of sporadic lump-sum defaults. Embedding an *automatic* three- or four-installment option into every notice issued under the BMC therefore meets residents where they are financially, converting what is often perceived as a sudden shock into a series of manageable obligations.

Studies highlight how many individuals hesitate or delay payments if the amount is too large at once, while smaller scheduled payments can encourage individuals to budget more effectively and keep their accounts current.<sup>122</sup> Success stories from other jurisdictions bolster this approach. According to the Brennan Center for Justice's 2019 report, high fines frequently lead to non-payment, resulting in costly enforcement actions, including

<sup>120</sup> "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley. Accessed March 23, 2025. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

<sup>121</sup> California Budget and Policy Center. "Millions of Californians Are Struggling to Make Ends Meet." Accessed April 13, 2025. <https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

<sup>122</sup> Hasler, Andrea, and Annamaria Lusardi. "Financial Fragility among Middle-Income Households: Evidence Beyond Asset Building." Working Paper. Global Financial Literacy Excellence Center: The George Washington University School of Business, March 4, 2019. <https://gflc.org/wp-content/uploads/2019/04/Financial-Fragility-among-Middle-Income-Households-WP-2019-1-v2-3.pdf>.

administrative expenses, collections procedures, and potential legal actions.<sup>123</sup> Conversely, reasonable fines aligned with individuals' ability to pay can provide more reliable revenue streams and minimize unnecessary expenditures associated with unpaid debts.

Research consistently shows that aligning fines with individuals' economic reality directly improves compliance rates,<sup>124 125</sup> thereby boosting overall revenue and saving resources that would otherwise be spent on cumbersome enforcement actions.<sup>126</sup>

Berkeley's leadership on this issue would set an important precedent, demonstrating how local governments can cultivate a balanced, inclusive, and fiscally responsible enforcement framework. By adopting comprehensive installment options for all residents, Berkeley can strengthen both its fiscal health and its commitment to an equitable civic environment.

### Comprehensive Social Impacts

Municipalities nationwide have reported significant benefits from implementing equitable fine and fee reforms similar to those proposed for Berkeley. Reforms around fines and fees in Las Vegas, for example, improved community relations, enhancing trust between local governments and constituents.<sup>127</sup> This outcome is critical, given the broader societal impacts associated with financial penalties, including diminished community trust, heightened socioeconomic disparities, and perpetuated cycles of poverty.

### Financial Implications

Although Berkeley's Indigent Payment options focus on those with demonstrated low income, research indicates that payment plan options offered to all residents can lead to greater compliance and increased revenue, regardless of income. Empirical evidence from other jurisdictions underscores this financial logic. When Palm Beach County clerks placed misdemeanor and traffic defendants on installment plans at the first point of contact, 85 out of 200 cases made payments, generating \$11,097 on \$61,823 owed; non-plan cases saw just four payers and a meager \$678 on \$73,693 assigned.<sup>128</sup> The ratio—roughly 16:1 in favor of structured installments—speaks not only to willingness but to capacity: residents

<sup>123</sup> Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019. <https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-ten-counties/>.

<sup>124</sup> Harris, Alexes. *A Pound of Flesh: Monetary Sanctions as Punishment for the Poor*. New York: Russell Sage Foundation, 2016. <https://muse.jhu.edu/pub/207/monograph/book/45636>.

<sup>125</sup> Obama Whitehouse Archives. "FINES, FEES, AND BAIL: Payments In the Criminal Justice System That Disproportionately Impact the Poor," December 2015. [https://obamawhitehouse.archives.gov/sites/default/files/page/files/1215\\_cea\\_fine\\_fee\\_bail\\_issue\\_brief.pdf](https://obamawhitehouse.archives.gov/sites/default/files/page/files/1215_cea_fine_fee_bail_issue_brief.pdf).

<sup>126</sup> Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019. <https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-ten-counties/>.

<sup>127</sup> National League of Cities. "5 Lessons from NLC's Cities Addressing Fines and Fees Equitably Initiative," March 20, 2025. <https://www.nlc.org/article/2025/03/20/5-lessons-from-nlcs-cities-addressing-fines-and-fees-equitably-initiative/>.

<sup>128</sup> "Payment Plans as a Compliance Tool: Best Practices For Florida Courts." Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

will comply when the obligation fits with a monthly budget cycle. By lowering barriers and placing people on payment plans immediately, the county has increased collections and reduced the number of cases that fall out of compliance.

As another example, in February 2017, the National Task Force on Fines, Fees and Bail Practices issued a bench card to help judges properly apply fees and fines. Later that year, Texas passed a law requiring courts to assess defendants' ability to pay earlier in the process, adjust financial penalties accordingly, limit warrants for noncompliance, and expand community service options—leading to a 7 percent increase in collections.<sup>129</sup>

### Reducing Administrative Costs and Default Rates

One commonly overlooked advantage of providing installment plans is a reduction in administrative overhead. According to the Brennan Center for Justice's 2019 report, for every unpaid citation, the City has the potential to incur costs associated with collection; additional administrative paperwork, sending notices, and in some cases, court proceedings.<sup>130</sup> In some municipalities, resources consumed in pursuit of delinquent fines often exceeded the revenue gained. One New Mexico county, for example, spent \$1.17 for every \$1.00 collected in fines and fees, illustrating how enforcement and oversight expenses rapidly erode any revenue gain.<sup>131</sup> These costs mount as courts and their partners devote resources to paperwork, hearings, and other procedures to pursue unpaid obligations that frequently remain uncollected. Automatically implementing payment plans and shifting to an installment-based system would almost certainly cut any expenses related to collection efforts by turning potential defaulters into willing payers, while simultaneously preventing the City from funneling resources into endless attempts to collect from individuals who lack the immediate means to pay.

### Evaluation of Recommendation 6 Based on Criteria

#### Total Score: 37/50

Based on the criteria evaluation, the proposal earned a score of 37 out of 50. By offering early payment plans, jurisdictions have realized higher net revenue and lower collection costs and have mitigated collateral harms, since timely partial payments prevent vehicle registration holds and other cascading penalties that accompany delinquency.

However, rolling out this approach depends on integrating new software into existing systems and ensuring staff are properly trained to use it.

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<sup>129</sup> "Fees and Fines: The Criminalization of Poverty." Accessed April 7, 2025.

[https://www.americanbar.org/groups/government\\_public/publications/public\\_lawyer\\_articles/fees-fines/](https://www.americanbar.org/groups/government_public/publications/public_lawyer_articles/fees-fines/).

<sup>130</sup> Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice." November 21, 2019.

<https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-ten-counties/>.

<sup>131</sup> Miller, Andrea L., and Nikole Hotchkiss. "Policy Reforms for Racial Justice: What Works for Fines and Fees." National Center for State Courts, December 2024. <https://ncsc.contentdm.oclc.org/digital/collection/financial/id/293>.

## Conclusion

This report brings together key insights on Berkeley's fines and fees framework, while underscoring the prospective impact on the City's broader civic values. The analysis demonstrates that Berkeley's existing fines and fees system—characterized by decentralized departmental schedules, uneven informational access, and reliance on punitive lump-sum charges—has contributed to growing revenue shortfalls and imposed disproportionate burdens on financially vulnerable residents.

Employing a mixed-methods approach that combines document review, semi-structured staff interviews, budget analysis, and other jurisdiction benchmarking, this report developed a multi-criteria decision matrix to evaluate six targeted reforms. Each recommendation was assessed on political feasibility, cost, effectiveness, sustainability, and externalities, yielding clear prioritization; from low-barrier interventions, such as consolidating all fees into a single Master Fee Schedule; to more complex technology investments, such as centralized ERP and RPA; to expanding access to payment plans.

Early implementation phases should prioritize low-cost, high-impact actions while laying the groundwork for subsequent technology integrations and payment-plan expansions. . Collectively, these reforms promise to enhance transparency, promote equitable access, and stabilize long term revenues. A unified Master Fee Schedule and multilingual online resource page will streamline resident interactions and reduce clerical workload; updates to disability-parking and bicycle-registration ordinances will remove outdated requirements and align local law with state and federal standards; modernized software platforms will automate repetitive tasks, improve data accuracy, and free staff for higher-value work; and expanded income-sensitive and automatic installment payment options will convert high-risk debt into manageable obligations and bolster compliance.

Ultimately, regular reporting to the City Council and the Fines and Fees Steering Committee, including transparent updates on fiscal impacts, compliance metrics, and community feedback, will help maintain momentum and adaptability. By sequencing reforms to secure early administrative relief and building capacity for more complex changes, the City of Berkeley can progressively realize a fines and fees framework that balances fiscal responsibility with equitable access, operational efficiency, and public trust. Such an approach aligns with the City's broader "Care First, Jails Last" and "Reimagining Public Safety" initiatives, illustrating that reforms to fines and fees are not merely revenue tools but integral components of a more just and resilient local government framework.

## Appendix I

### Additional Sections of the Berkeley Municipal Code (BMC) for Staff to Consider for Inclusion in Payment Plan Eligibility

<b>BMC Section</b>	<b>Description</b>
6.04.080	Bathe, swim, wade in Aquatic Park
6.08.020	Going upon or using the wharf
6.24	Municipal Off-Street Parking Facilities (meters, pay-to-display)
6.32	Parks and Public Pathways—Use Restrictions
6.50.030	Prohibition on feeding wild animals on public property
12.32.050	Garbage collection and fees
12.32.060	Garbage collection and fees
12.36.070	Collecting recyclables from the curbside (aimed at low-income individuals)
12.40.040	Litter, Debris, and Noxious Plants
12.40.050	Litter, Debris, and Noxious Plants
12.40.060	Litter, Debris, and Noxious Plants
13.36.015	Creation of accessibility on commercial sidewalks—related restrictions
13.36.20	Obstructing entrance to or exit from public or private buildings
13.36.040	Obstructing City-owned planters and trees
13.52.040	Parking vehicle on private property
13.52.050	Parking vehicle on private property
13.52	Parking vehicle on private property (entire Chapter 13.52)
13.98.030	Placing graffiti as a nuisance—owner’s obligation to have graffiti removed
13.98.040	Penalties if owner does not remove or show good-faith efforts to remove graffiti

16.04.010 Sidewalk repair requirements—property owner’s duty to maintain public sidewalks

## Appendix II

### Public Safety Defined

Public Safety in the context of fines and fees reform refers to the deliberate use of financial penalties not simply as revenue tools or punitive measures, but as instruments for promoting equitable compliance and reinvesting in community wellbeing. A well designed system ensures that penalties deter harmful behavior without imposing disproportionate burdens on low-income residents or triggering secondary sanctions that can worsen economic instability. By providing transparent payment options, relief programs like installment plans and clear communication, municipalities foster voluntary compliance.

Moreover, reducing the administrative and enforcement resources tied up in pursuing delinquent fines frees up capacity to support upstream interventions, such as violence prevention, mental-health outreach, and social services, that address root causes of unsafe behavior. In this way, reforms to fines and fees serve both to uphold individual rights and to enhance collective safety by minimizing collateral harm and enabling proactive, preventive public safety strategies.