

PARKING VIOLATION APPEAL PROCESS

The following is a procedural guide to use when an individual appeals a final decision on a contested parking violation rendered by the issuing/processing agency.

FILING AN APPEAL

After receiving the final decision on a contested parking violation from the issuing/processing agency, an individual (appellant) may appeal the agency's final decision by filing a *Notice of Appeal – Parking* form with the Superior Court within **thirty (30) days** after the mailing or personal delivery of the final decision of the issuing/processing agency and after paying a \$25 filing fee. (Vehicle Code section 40230)

Upon the filing of an appeal with the Superior Court, the Clerk shall set a date and time for a hearing and provide the appellant with appropriate scheduling information on the *Notice of Appeal – Parking* form.

The appellant must serve a copy of *Notice of Appeal – Parking* form on the issuing/processing agency, either in person or by first class mail. The clerk will provide a *Proof of Service* form to the appellant at the time the parking appeal is filed. The appellant must file the completed *Proof of Service* Form with the court at least **ten (10) days** prior to the date of the court hearing.

Upon receipt of the *Notice of Appeal – Parking* form, the issuing/processing agency shall be responsible for sending to the Superior Court in a timely manner any documents in support of the agency's final decision along with a copy of the parking citation.

AT THE HEARING

The parking citation case file of the issuing/processing agency may be entered into evidence at the hearing. A representative from the issuing/processing agency is not required to appear personally at the appeal hearing. A copy of the parking citation shall be admitted into evidence as prima facie evidence of the facts stated therein.

AFTER THE HEARING

The Clerk shall send a copy of the Court's decision by first class mail to the appellant and the issuing/processing agency. If the appellant prevails, the filing fee, together with any deposit of parking penalty, shall be refunded by the processing agency, not the Superior Court.

Inquiries regarding the parking violation appeal process may be directed to the Small Claims Department:

Santa Barbara Division
1100 Anacapa Street
Santa Barbara, CA 93101

Santa Maria Division
312-C E. Cook Street
Santa Maria, CA 93454