



Parking Tickets, Appeals, Booting, and Towing Issues in the City of Wilmington, Delaware

June 3, 2019

Authors' Notes

AAA provides automotive, travel, and insurance services to 59 million members nationwide and more than 146,000 members in Delaware through its clubs. For more than 100 years, AAA has advocated for the safety and mobility of its members as well as transparency and good government at the local, state, and federal levels.

Starting in July 2018, AAA members, drivers, business owners, and Wilmington residents started contacting the AAA club that operates in Delaware (AAA Club Alliance Inc.) about booting practices, poor record-keeping, and other issues.

AAA filed a series of Freedom of Information Act (FOIA) requests between September 2018 and May 2019, gathered information from drivers, and discussed issues with the City of Wilmington to address and resolve AAA member complaints and key systemic weaknesses identified in public service practices related to parking enforcement.

It is important to note that issues outlined in this report originated in the late 1990s and early 2000s, when the City of Wilmington's Municipal Court was dissolved and the City made a strategic decision to use parking tickets and fines as a revenue stream rather than focusing on public safety and traffic flow.

Since then, the City of Wilmington seems to have cobbled together a system that, either by design or default, leaves drivers at a significant disadvantage while the City ignores or dismisses appropriate administrative procedures and processes integral to its municipal parking enforcement program (i.e., notifications on towing, late mailings, inaccurate and misleading signage, etc.).

AAA recommends municipalities use revenues accruing from parking meters, fines, and fees to be used for running the parking system (purchase, installation, service and maintenance of parking meters, etc.) and to not use the revenues in support of the general fund.

Our findings and recommendations are outlined in this report.

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Executive Summary

AAA, as the motorists' advocate, was contacted by AAA members and others over the past 10 months with concerns regarding Wilmington parking tickets, appeals, boots, and tows. Research on these issues found it nearly impossible to assist or credibly guide motorists because of the multiplicity of systemic parking issues in the City of Wilmington. Below is a summary of findings and recommendations.

1

Towing

Thousands of drivers have suffered the loss of their vehicles because the City of Wilmington has failed to follow certain State and City Codes or provide any oversight of the towing company contracted to handle towing in the City.

AAA Recommendations

- Establish a working group to discuss and review the following:
 - i. Vehicles towed by the City of Wilmington that were claimed to be owned by the towing company – what happened to the vehicles, did the owners ever try to claim them back, and determine whether the City should reimburse owners for their loss.
 - ii. A comprehensive review of the City Code – which continues to reference Municipal court, an entity that has not existed for 20 years – as well as other updates.
 - iii. Working Group could be made up of representatives from the City Executive Branch, City Council, DelDOT, the Attorney General's Office, Justice of the Peace Court, and AAA.
- As a step towards transparency – the City of Wilmington should post historic data and begin posting monthly statistics on the City website of:
 - i. parking tickets issued
 - ii. appeals filed
 - iii. appeals granted
 - iv. number of boots applied to vehicles
 - v. number of vehicles towed
 - vi. number of vehicles kept by the towing company
- Terminate the contract with First State Towing. The company has not adhered to the contractual record keeping requirements and has been unable to respond to document requests by the City.
- Issue notices to all registered vehicle owners when their vehicles are towed to be in compliance with the State and City Code requirements.

2

BOOTING

The City of Wilmington has “booted” drivers by mistake – either through failure to remove a successfully appealed ticket or by failing to recognize that an appeal had been filed. The City does not seem to track reimbursements made to drivers who were booted improperly so it does not know the impact of the cost to the taxpayers of Wilmington.

AAA Recommendations

- Establish a working group to discuss and review the following:
 - i. Bootings, specifically whether the bootings were based on legitimate past fines
 - ii. Delinquency notices sent to drivers to see whether the driver had responded to a ticket with an appeal or payment
 - iii. Reviewing the automated system to determine what changes should be made and also developing a process to provide confirmation of appeals.
 - iv. Working Group could be made up of representatives from the City Executive Branch, City Council, DelDOT, the Attorney General’s Office, Justice of the Peace Court, and AAA
- Integrate all automated systems related to parking permits, ticketing, appeals, booting, and towing.

3

APPEALS

Drivers face a variety of unnecessary challenges because the Office of Civil Appeals:

- a. lacks statutory authority to address parking enforcement
- b. for approximately 16 years used language threatening Court action or arrest, which it did not have the authority to do, in an attempt to harass drivers
- c. does not appear to provide those who successfully appeal a parking ticket with paperwork on a consistent basis
- d. had a backlog of appeals which led to several hundred dismissals in 2018
- e. provides inadequate notice to those whose appeals are denied – drivers receive a notice that they have 15 days to appeal to the Justice of the Peace Court from the date of the letter, which is generally a week before the postmark on the envelope

AAA Recommendations

- Launch an independent review of the Office of Civil Appeals with input from the Courts and Attorney General’s Office about a way to establish a legitimate administrative appeals process that provides clarity, structure, efficiency, and transparency for drivers.
- Appoint an ombudsman to review parking ticket appeals.

4

Parking Permit Problems

Drivers with properly permitted vehicles are receiving illegitimate tickets due to a lack of coordination between the City of Wilmington parking permit program and the devices used by Parking Enforcement Officers.

AAA Recommendation

- Integrate all automated systems involving permits, tickets, appeals, booting, and towing.

5

Unwarranted Delinquency Notices

Drivers who have filed an appeal for their parking ticket are receiving unwarranted delinquency notices from the City claiming the driver had not responded to their citation.

AAA Recommendations

- Establish a working group to discuss and review the following:
 - i. Bootings, specifically whether the bootings were based on legitimate past fines
 - ii. Delinquency notices sent to drivers to see whether the driver had responded to a ticket with an appeal or payment
 - iii. Reviewing the automated system to determine what changes should be made and also developing a process to provide confirmation of appeals
 - iv. Working Group could be made up of representatives from the City Executive Branch, City Council, DelDOT, the Attorney General's Office, Justice of the Peace Court, and AAA
- Integrate all automated systems related to parking permits, ticketing, appeals, booting, and towing.

6

Misinformation to Motorists

Drivers receive conflicting and inaccurate information from City employees about policies, appeals, and even the existence of a Post Office Box maintained by the City.

AAA Recommendation

- Train City employees responsible for responding to driver questions on the proper appeals process, including a section on whether the City provides envelopes for payment and whether the City maintains a Post Office Box to accept appeals.

7

Mismanagement of Riverfront Parking Kiosks

Drivers paid the City of Wilmington approximately \$20,700 through parking kiosks on the Wilmington Riverfront during times when payment for parking is not legally required.

AAA Recommendation

- Explore methods to reconcile, repay, or “make good” the \$20,700 it collected from the Riverfront Kiosks – such as offering free parking along Justison Street for a period of time that would equal \$20,700 worth of revenue while maintaining the posted time limits for parking.

###

Key Findings

One	Thousands of drivers have suffered the loss of their vehicles because the City of Wilmington has failed to follow certain State and City Codes or provide any oversight of the towing company contracted to handle towing in the City.	p. 8-13
Two	The City of Wilmington has “booted” drivers by mistake – either through failure to remove a successfully appealed ticket or by failing to recognize that an appeal had been filed. The City does not seem to track reimbursements made to drivers who were booted improperly so it does not know the impact of the cost to the taxpayers of Wilmington.	p. 14-15
Three	Drivers face a variety of unnecessary challenges because the Office of Civil Appeals: <ul style="list-style-type: none"> A. lacks statutory authority to address parking enforcement B. for approximately 16 years used language threatening Court action or arrest, which it did not have the authority to do, in an attempt to harass drivers C. does not appear to provide those who successfully appeal a parking ticket with paperwork on a consistent basis D. had a backlog of appeals which led to several hundred dismissals in 2018 E. provides inadequate notice to those whose appeals are denied – drivers receive a notice that they have 15 days to appeal to the Justice of the Peace Court from the date of the letter, which is generally a week before the postmark on the envelope 	p. 16-19
Four	Drivers with properly permitted vehicles are receiving illegitimate tickets due to a lack of coordination between the City of Wilmington parking permit program and the devices used by Parking Enforcement Officers.	p. 20
Five	Drivers who have filed an appeal for their parking ticket are receiving unwarranted delinquency notices from the City claiming the driver had not responded to their citation.	p. 21
Six	Drivers receive conflicting and inaccurate information from City employees about policies, appeals, and even the existence of a Post Office Box maintained by the City.	p. 22-23
Seven	Drivers paid the City of Wilmington approximately \$20,700 through parking kiosks on the Wilmington Riverfront during times when payment for parking is not legally required.	p. 24-26

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Key Finding

1

Towing

Thousands of drivers have suffered the loss of their vehicles because the City of Wilmington has failed to follow certain State and City Codes or provide any oversight of the towing company contracted to handle towing in the City.

Delaware State Code

Title 21, § 4403 of the Delaware Code states:

The police ... causing the removal of an abandoned vehicle shall immediately ascertain the identity of any person or persons holding a lien against said vehicle. Within 5 days of the removal of the vehicle,... police agencies... shall cause a written notice to be mailed to the registered owner of the vehicle removed and lien holders stating:

- (1) That the vehicle has been removed pursuant to law;
- (2) The place to which it has been removed; and
- (3) That the vehicle may be sold to satisfy the costs of removal and storage of the vehicle as provided in § 4404 of this title unless those costs have been paid in full on or before 30 days from the date of the removal of the vehicle.

Wilmington City Code

Section 37-129 (b) of the Wilmington City Code states:

The public authority causing the removal of an abandoned vehicle shall immediately ascertain the identity of any person holding a lien against such vehicle. Within five days from the removal of any vehicle, provided that the vehicle has not been released from the pound, the police or transportation departments, or both, shall notify the chief of police who shall send the owner and any lien holder of such vehicle, by registered mail, a notice that the same has been impounded, designating the place from which such vehicle was removed, the reason for its removal and impounding, and the location of the pound in which it is impounded.

Based on documents obtained through FOIA, AAA finds the City of Wilmington has attempted to “outsource” the vehicle owner notification to the towing company, the contract with the towing company states that the towing company

“...shall cause a written notice to be mailed by certified mail, return receipt requested, to the registered owner of the vehicle removed...”

The contract further states:

“No sooner than thirty (30) days after the tow of the vehicle to the official storage lot, the contractor may proceed to sell or otherwise dispose of the vehicle pursuant to Delaware law ... A list of cars to be auctioned or otherwise disposed of shall be forwarded to the Department of Police at least two weeks before the sale or other disposal takes place.”

In at least three other clauses in the City contract with the towing company there are requirements concerning monthly reports to the City concerning vehicles towed and vehicles the company plans to sell or dispose, notice to vehicle owners, and general record keeping.

FOIA Request

On October 15, 2018, AAA filed a FOIA Request that included the following requests:

1. According to the contract(s) the City of Wilmington, Delaware has with towing companies (First State Towing, etc.) the towing company “*may proceed to sell or otherwise dispose of vehicles and a list of cars to be auctioned or otherwise disposed shall be forwarded to the Department of Police at least two weeks before the sale or other disposal takes place.*” **We are requesting those lists of cars auctioned or otherwise disposed from January, 2004 until August, 2018.**
2. The amount of money each of those vehicles sold at auction between January, 2004 and August, 2018.
3. The individuals and/or entities that receive the money from those vehicles sold at auction or otherwise disposed between January, 2004 and August, 2018.

Responses

On Nov. 5, 2018, AAA received the following response to the FOIA request from Assistant City Solicitor Loren Holland:

“...this information is maintained by First State Towing. The representative I previously spoke to needed to consult with his boss, who at the time was not available. I sent him a follow up email for a status update. He did previously inform me that they anticipate it will be very labor intensive to obtain the information requested because they only keep information for the current year on the premises. Everything else is stored elsewhere, which is why he needed to consult with his boss. I will provide you an update once I have additional information.”

On Nov. 27, 2018, AAA received this response from Assistant City Solicitor Loren Holland:

“...after a diligent effort to locate documents responsive to these items, we do not have any materials responsive to your request. The City has never received this information from our vendor and moving forward we are working to ensure that we receive monthly submissions regarding vehicles sold at auction.”

On May 20, 2019, in response to a follow-up request for updated information, AAA received this response from Assistant City Solicitor Marlaine White:

As to the remaining three of your original twelve (12) requests, (No. 10 - a copy of the Impound Vehicle Notice Forms and authorized release forms from December 2018 through March 2019 – broken down by month. [4 months total]; No. 11 – a copy of these itemized breakdowns from December 2018 through March 2019 – broken down by month. [4 months total]; No. 12 - requesting those lists of cars auctioned or otherwise disposed from November 2018 through March 2019 – broken down by month. [5 months total]), the City’s search through its own records thus far has not yielded documents responsive to these requests. The City has encountered considerable difficulty with the towing contractor in attempting to fulfill those requests and the City is exploring options to compel cooperation on the part of the towing contractor, but due to the vendor’s non-compliance a date to fulfill cannot be given at this time.

In an effort to determine how many vehicles had been retained by First State Towing without providing notice to the City of Wilmington, AAA filed FOIA Requests asking for the number of vehicles towed and the number of \$25 release fees (the City requires vehicle owners to pay the release fee to obtain a certificate before retrieving their vehicle from the towing company), broken down by month from December 2017 through February 2019.

Based on the responses from the City of Wilmington Law Department (see chart below), the data suggests that **First State Towing may be keeping more than 1,000 vehicles a year.**

Month	Vehicles towed	Notices sent to registered vehicle owners	Number of drivers who paid \$25 release fees to the City of Wilmington	Difference (vehicles presumably not released by towing company)
December 2017	182	Unknown	111	71
January 2018	227	Unknown	143	84
February 2018	214	Unknown	149	65
March 2018	219	8	130	89
April 2018	244	15	149	95
May 2018	241	20	130	111
June 2018	241	21	158	83
July 2018	285	49	181	104
August 2018	282	56	168	114
September 2018	273	58	166	107
October 2018	245	39	180	65
November 2018	251	45	168	83
December 2018	265	57	163	102
January 2019	263	44	198	65
February 2019	239	56	157	82
TOTAL	3671	468	2351	1320

*Chart created by AAA based on raw data obtained from the City of Wilmington through four FOIA Requests

While the City was responding to two of these FOIA Requests, it was also negotiating a new contract with First State Towing:

City of Wilmington



MICHAEL S. PURZYCKI
Mayor

September 26, 2018

Katharine Morris
First State Towing LLC
424 Old Airport Road
New Castle, DE 19720

RE: Contract 18034PD Towing & Impounding of Vehicles

Ms. Morris:

The City of Wilmington would like to extend the current contract 18034PD for an additional 60 days to allow sufficient time to award the new contract. Our records indicate that the contract 18034PD had a start date of October 1, 2017 and a term of 1 year, ending on September 30, 2018.

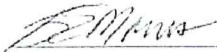
This extension will be for the period beginning on October 1, 2018 and ending on November 30, 2018. All terms, conditions and pricing will remain unchanged.

Please sign below indicating your acceptance and return the signed copy to me. As always, if you have any questions, concerns or comments, please feel free to give me a call at 302-576-2421.

Thank you,

Phil Ceresini

Phil Ceresini, CPPB
Purchasing Agent




Signature



Date



Witness



Date

cc: Arthur Gliem
Debra Wooden
Brett Taylor
Linda Hunter

JOHN L. REDDING CITY/COUNTY BUILDING • 800 FRENCH STREET • WILMINGTON, DELAWARE • 19801-3537
WWW.WILMINGTONDE.GOV

AAA Recommendations

- Establish a working group to discuss and review the following:
 - i. Vehicles towed by the City of Wilmington that were claimed to be owned by the towing company – what happened to the vehicles, did the owners ever try to claim them back, and determine whether the City should reimburse owners for their loss.
 - ii. A comprehensive review of the City Code – which continues to reference Municipal court, an entity that has not existed for 20 years – as well as other updates.
 - iii. Working Group could be made up of representatives from the City Executive Branch, City Council, DelDOT, the Attorney General's Office, Justice of the Peace Court, and AAA.
- As a step towards transparency – the City of Wilmington should post historic data and begin posting monthly statistics on the City website of:
 - i. parking tickets issued
 - ii. appeals filed
 - iii. appeals granted
 - iv. number of boots applied to vehicles
 - v. number of vehicles towed
 - vi. number of vehicles kept by the towing company
- Terminate the contract with First State Towing. The company has not adhered to the contractual record keeping requirements and has been unable to respond to document requests by the City.
- Issue notices to all registered vehicle owners when their vehicles are towed to be in compliance with the State and City Code requirements.

Key Finding

2

BOOTING

The City of Wilmington has “booted” drivers by mistake – either through failure to remove a successfully appealed ticket or by failing to recognize that an appeal had been filed. The City does not seem to track reimbursements made to drivers who were booted improperly so it does not know the impact of the cost to the taxpayers of Wilmington.

AAA has heard from drivers whose vehicles were “booted” but could not understand why. In one case, the driver had called the City of Wilmington to verify that he had no outstanding parking tickets, the City confirmed that he had no outstanding parking tickets on record, but his vehicle was booted just a few weeks later.

Apparently when some of these drivers had successfully appealed their parking tickets, the automated system simply placed the ticket “on hold” for a period of time rather than removing the ticket from the system. When the “hold time” expires, the automated system then shows an unpaid ticket and a boot is applied to the vehicle. Drivers then need to pay for the boot removal as well as the ticket and fines that they had previously successfully appealed and then apply to the City of Wilmington for reimbursement which creates a lot of effort and concerns for those drivers.

In other cases, drivers have filed an appeal to a ticket but not received a response and more than a year later received a delinquency notice stating that they had not responded to a ticket and now owed \$100, which also makes them eligible for booting or towing.

Multiple requests have been made to the City of Wilmington to find out exactly how often this has happened, how much it has cost Wilmington taxpayers, and how many drivers are still waiting for reimbursement. The City seems either unwilling or unable to locate that data.

Because the City of Wilmington rarely provides those who successfully appeal a parking ticket with any documentation, some of these cases appear to turn into a case of “he said, she said” where the City claims the final decision.

AAA Recommendations

- Establish a working group to discuss and review the following:
 - i. Bootings, specifically whether the bootings were based on legitimate past fines
 - ii. Delinquency notices sent to drivers to see whether the driver had responded to a ticket with an appeal or payment
 - iii. Reviewing the automated system to determine what changes should be made and also developing a process to provide confirmation of appeals.
 - iv. Working Group could be made up of representatives from the City Executive Branch, City Council, DelDOT, the Attorney General's Office, Justice of the Peace Court, and AAA
- Integrate all automated systems related to parking permits, ticketing, appeals, booting, and towing.

Key Finding

3

A. Drivers face a variety of unnecessary challenges because the Office of Civil Appeals lacks statutory authority to address parking enforcement

The Office of Civil Appeals is where all drivers are directed to file appeals for parking tickets. It should be noted that while this office appears to act as part of the Judicial Branch of government, it is located in the Executive Branch.

A FOIA Request filed on October 2, 2018 by AAA included requests for the following information:

1. When was the Wilmington Office of Civil Appeals created?
2. By what authority was the Wilmington Office of Civil Appeals created?

On October 26, 2018, AAA received this response from Assistant City Solicitor Loren Holland:

With respect to questions 1 and 2, there are no documents responsive to your requests.

B. Drivers face a variety of unnecessary challenges because the Office of Civil Appeals for approximately 16 years used language threatening Court action or arrest, which it did not have the authority to do, in an attempt to harass drivers

It would appear the City of Wilmington issues a notice by mail to drivers whether the driver filed an appeal to the parking ticket or not. An "OVERDUE VIOLATIONS NOTICE" from 2001 contains the following language:

"In order to avoid further enforcement activities, you should make every effort to satisfy this obligation. If you have 5 or more outstanding tickets and/or owe \$75 or more your vehicle is subject to TOWING or BOOTING without further warning.

"A \$10.00 PENALTY will be added in any unpaid ticket on the 21st day, an additional \$10.00 on the 45th day and an additional \$10.00 on the 90th day following the date of ISSUANCE OF PARKING TICKET, pursuant to Section 37-67 of Wilmington City Code. Failure to comply may also result in COURT ACTION."

A "DELINQUENCY NOTICE" from 2002 contains the following language:

"You have failed to respond to previous notices which were mailed to you. Because of your failure to respond to these notices, you are now subject to additional enforcement activities as prescribed by law. Your car may be subject to TOWING and/or BOOTING without further notification. Failure to comply may also result in a CHARGE OF CONTEMPT OF COURT and the ISSUANCE OF A BENCH WARRANT FOR YOUR ARREST. All relevant city agencies have been notified of this action against you. It is important that you pay the total amount due listed on this notice to vacate these and other enforcement activities."

This language appears to have been used until November 2018, when AAA asked the following questions in a FOIA Request:

- iv. According to Delinquency Notices issued by the Wilmington Department of Finance (see excerpt below), citizens who fail to comply may face a charge of Contempt of Court and the issuance of a Bench Warrant for arrest. Please provide the number of times a person has been charged with Contempt of Court for failing to respond to a notice from the Department of Finance between January 2010 and October 2018, broken down by month.

	TOTAL AMOUNT DUE \$200.00
<small>You have failed to respond to previous notices which were mailed to you. Because of your failure to respond to these notices, you are now subject to additional enforcement activities as prescribed by law. Your car may be subject to TOWING and/or BOOTING without further notification. Failure to comply may also result in a CHARGE OF CONTEMPT OF COURT and the ISSUANCE OF A BENCH WARRANT FOR YOUR ARREST. All relevant city agencies have been notified of this action against you. It is important that you pay the total amount due listed on this notice to vacate these and other enforcement activities. You may pay online at www.wilmingtonparkingtickets.com or in person at the Department of Finance, First Floor, City/County Building, 8th and French Streets between the hours of 9:30 AM and 4:00 PM Monday through Friday or mail your payment in the enclosed envelope.</small>	
CHAPTER 37 - WILMINGTON CODE In accordance with Chapter 37 of the Wilmington Code:	
<small>... If a person fails to answer or fails to appear at Municipal Court within 21 days after the issuance of a parking infraction ... they are obligated to pay the minimum fine.</small>	
<small>... Delay of payment will prompt a further increase of the fine.</small>	

- v. Please provide the number of times a Bench Warrant has been issued for failing to respond to a notice from the Department of Finance between January 2010 and October 2018, broken down by month.

AAA received the following response to those questions from Assistant City Solicitor Loren Holland on December 11, 2018:

1. There are no documents responsive to your request as the City does not charge people with Contempt of Court.
2. There are no documents responsive to your request as the City does not issue Bench Warrants.

It appears the City has been using the following language since December 2018:

“Our records indicate that you have failed to respond to parking ticket(s) issued to a vehicle registered in your name. A \$20.00 PENALTY will be added to any unpaid ticket on the 21st day, an additional \$20.00 on the 45th day and additional \$20.00 on the 90th day following the date of ISSUANCE OF PARKING TICKET, pursuant to Section 37-67 of Wilmington City Code.

“If you have 3 or more outstanding tickets and/or owe \$75 or more, your vehicle is subject to TOWING or BOOTING without further warning.”

AAA concludes that the City of Wilmington was either fully aware that it did not have the authority to issue Bench Warrants or charge people with Contempt of Court between 2002 and 2018, but chose to use such threatening language against drivers, or the City of Wilmington may have believed it had the authority to carry out these threats and simply chose not to follow through on those threats for 16 years.

C. Drivers face a variety of unnecessary challenges because the Office of Civil Appeals does not appear to provide those who successfully appeal a parking ticket with paperwork on a consistent basis

AAA has heard from drivers who say they have appealed parking tickets but never received a response. Some called the City of Wilmington and were told that if they didn't hear anything back, then they could assume the appeal was successful.

The City of Wilmington claims its policy is to provide a response in writing to those who successfully appeal a parking ticket, but AAA has yet to see any evidence of that policy being followed consistently (however a handful of drivers have said they have received paperwork recently).

D. Drivers face a variety of unnecessary challenges because the Office of Civil Appeals had a backlog of appeals which led to several hundred ticket dismissals in 2018

A review of the number of parking tickets appealed each month showed fairly consistent numbers each month from 2014 through August of 2018 – approximately 170- 300 appeals filed each month with 40 – 100 of those appeals granted. In September 2018, the City recorded 1,209 appeals filed and 500 appeals granted. According to the City, that jump in numbers reflected hundreds of appeals that had not been processed for more than a year.

**NOTE* In response to a FOIA request in 2019, we were advised that the City records only 1,002 appeals filed in September 2018.*

E. Drivers face a variety of unnecessary challenges because the Office of Civil Appeals provides inadequate notice to those whose appeals are denied – drivers receive a notice that they have 15 days to appeal to the Justice of the Peace Court from the date of the letter, which is generally a week before the postmark on the envelope

Anecdotally, AAA has heard from drivers who appealed parking tickets and received a notice that the appeal was denied by the Office of Civil Appeals and they had 15 days to appeal the ticket to a legitimate Court. In each case, though, the date on the notice was at least a week earlier than the date on the postmark and nine to ten days prior to the receipt of the notice which means the drivers do not really have the timeframe that the Office of Civil Appeals is supposed to give them.

The City of Wilmington has yet to respond to questions about this issue.

AAA Recommendations

- Launch an independent review of the Office of Civil Appeals with input from the Courts and Attorney General's Office about a way to establish a legitimate administrative appeals process that provides clarity, structure, efficiency, and transparency for drivers.
- Appoint an ombudsman to review parking ticket appeals.

Key Finding

4

Parking Permit Problems

Drivers with properly permitted vehicles are receiving illegitimate tickets due to a lack of coordination between the City of Wilmington parking permit program and the devices used by Parking Enforcement Officers.

AAA has heard from business owners and residents in the City of Wilmington who have provided the City with all required information to obtain a business or residential parking permit. The City no longer issues physical stickers for vehicles, but sends an email letting the driver know that their vehicle should now be in the system:

Dear Resident,

Your renewal application for a Digital Residential Parking Permit has been approved.

The City of Wilmington's residential parking permits are now digital, which means you are no longer required to have a residential parking permit sticker affixed to your vehicle. Our new system will use license plate recognition technology to determine if vehicles have permission to park in a specific residential parking permit zone.

As a reminder, digital residential parking permits only exempt your vehicle from limited-time parking, and not from other parking regulations.

Your information is as follows:

Plate Number: DEXXXXXX

Account: 02XXXXX

Permit Number: L2XXXXX

If you have any questions or concerns, please contact our office at (302) 571-4320, option #4, Monday - Friday, 9:30 a.m. - 4:00 p.m.

Thank you,

Department of Finance

DO NOT REPLY TO THIS EMAIL. THIS EMAIL BOX IS NOT MONITORED.

However, these drivers often receive a parking ticket within a week of receiving the email.

At least two of the individuals who contacted AAA were not able to get their issues resolved through regular channels – one is still waiting for a response from the City.

AAA Recommendation

- Integrate all automated systems involving permits, tickets, appeals, booting, and towing.

Key Finding

5

Unwarranted Delinquency Notices

Drivers who have filed an appeal for their parking ticket are receiving unwarranted delinquency notices from the City claiming the driver had not responded to their citation.

When a driver receives a parking ticket and responds to the City of Wilmington with an appeal, the driver appears to automatically receive a notice stating they have not responded to the \$40 ticket and now owe an additional \$20.

AAA has also heard from drivers who appealed parking tickets to J.P. court who, over a year later, receive a notice stating they have not responded to the \$40 ticket and now owe \$100 and are in danger of having their vehicle booted.

While this practice can be chalked up to two systems that are failing to communicate, it appears to be yet another example where the City benefits from its mismanagement and not complying with the requirements.

AAA Recommendations

- Establish a working group to discuss and review the following:
 - i. Bootings, specifically whether the bootings were based on legitimate past fines
 - ii. Delinquency notices sent to drivers to see whether the driver had responded to a ticket with an appeal or payment
 - iii. Reviewing the automated system to determine what changes should be made and also developing a process to provide confirmation of appeals
 - iv. Working Group could be made up of representatives from the City Executive Branch, City Council, DelDOT, the Attorney General's Office, Justice of the Peace Court, and AAA
- Integrate all automated systems related to parking permits, ticketing, appeals, booting, and towing.

Key Finding

6

Misinformation to Motorists

Drivers receive conflicting and inaccurate information from City employees about policies, appeals, and even the existence of a Post Office Box maintained by the City.

AAA has heard from several drivers who say they are being given conflicting and false information when they call the City of Wilmington about parking and appeals issues. This is one example from a Wilmington business owner:

- 10/23/18 - received email stating "Digital Residential Perking Permit has been approved".
- 11/9/18 Parking Violation Received
- 11/12/18 spoke with (City official) at 302-571-4320, option "2". The reason for my call was to inquire about the ticket since we had received an email stating the Parking Permit had been approved. After explaining the details, (City Official) told me the 'ticket would be removed'.
- 11/14/18 I followed up with (City Official) to make sure everything was taken care of. He assured me the ticket had been voided.
- 11/14/18 On the same day we received a SECOND email stating the Parking Permit had been approved.
- 12/3/18 We received a NOTIFICATION OF PARKING VIOLATION letter stating the Parking Violation was still active. I once again spoke with (City Official) at which time he denied telling me he would resolve the issue. I immediately outlined all the facts up to this point in a letter to the 'Civil Director' as instructed on the Violation Notice and filed an appeal and mailed it immediately. *To date I have never heard anything in response to my appeal letter.*
- Assuming this problem was being worked out I waited for a response.
- Not sure of the exact date I received another NOTICE OF VIOLATION with a penalty added for a total of \$60. Being extremely frustrated I decided to mail a check for \$60 using the "return envelope provided". This was mailed on 1/12/19. Several days later the "return envelope provided" was returned to me with a yellow sticker stating:
 - **RETURN TO SENDER.....NOT DELIVERABLE AS ADDRESSED....UNABLE TO FORWARD**
- Totally perplexed as to how to resolve this issue, several days passed and towards the end of January I received an OVERDUE VIOLATIONS NOTICE stating I now owe \$80.
- 2/6/19 I attempt once again to get this resolved by calling....since mailing with the "return envelope provided" did not work.
 - Once again I get (City Official) on the phone. I explained that the "return envelope provided" was returned to me. He then proceeded to tell me several

times that 'we don't send out envelopes'. I explained that I have three of them sitting in front of me at that very moment. He repeated that 'we don't send out envelopes'. Then I asked him to look on a copy of a Violation notice that I hoped he had in front of him. At that time, I pointed out that on the notice it also says to return payment to the same address that is on the "return envelope provided" which is PO Box 15377, Wilmington, DE 19850-5377. He said he had never heard of PO Box 15377.

- Seemingly getting nowhere, I asked to speak to someone, a supervisor maybe who could at least take away the penalties that had been added to the original \$40 fine. He then said, "We can't take away penalties". I tried to explain that none of this was our fault and that I really don't feel we should have to pay penalties. He eventually transferred me to the "Civil Appeals Dept." where I was put into a voicemail. I left a detailed message. I have not heard back from anyone.
- Then I chose to call the same number back 302-571-4320 and decided to try Option "4" this time. The message I got was, "All operators are busy now. Please try your call again later."

In February 2019, this driver reached out to AAA – AAA contacted officials in the City of Wilmington in an attempt to resolve this issue.

On March 4, 2019, the driver received a voicemail simply stating that the appeal was successful. As of the writing of this report, this driver has not received anything in writing nor has the driver or AAA received any explanation about the false information provided by phone.

This story is not unique.

AAA Recommendation

- Train City employees responsible for responding to driver questions on the proper appeals process, including a section on whether the City provides envelopes for payment and whether the City maintains a Post Office Box to accept appeals

Key Finding

7

Mismanagement of Riverfront Parking Kiosks

Drivers paid the City of Wilmington approximately \$20,700 through parking kiosks on the Wilmington Riverfront during times when payment for parking is not legally required.

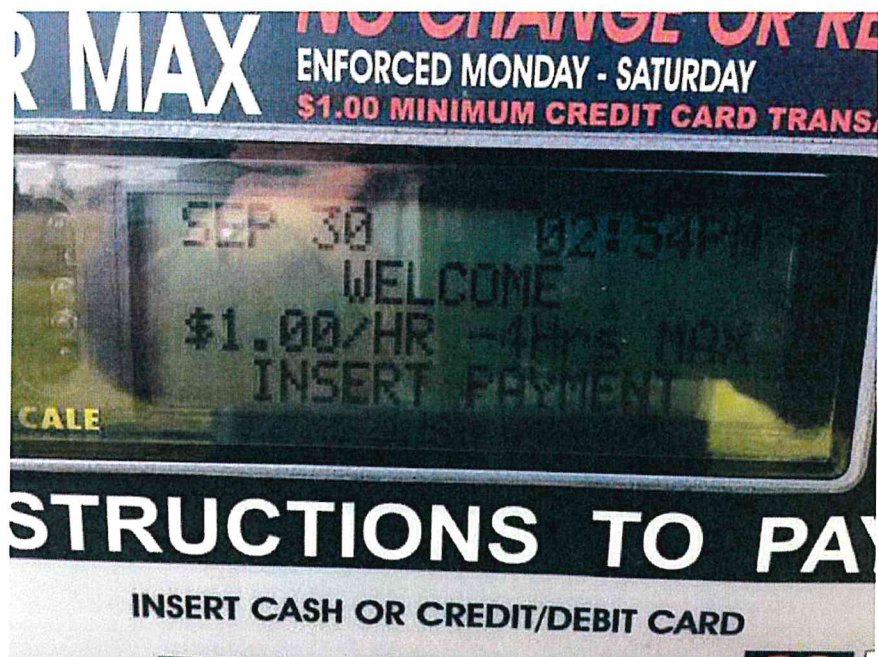
Wilmington City Code states:

Sec. 37-263. - Procedure for parking in meter spaces; deposit of coin generally; overtime parking.

When any vehicle shall be parked in any space along side or next to which there is located a parking meter, the owner, operator, manager or driver of such vehicle shall upon entering such parking space immediately deposit the minimum required amount of coins of the United States in such parking meter, **except on any Saturday or Sunday**. If such vehicle shall remain in any such parking space beyond the parking limit of time as determined by regulation of the department of public works for such parking space, or the period of time obtained by deposit of coins, whichever is less, the parking meter shall indicate illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the time so determined by the department, and the parking of a vehicle overtime or beyond the period of time so determined now or hereafter by the department in any such part of a street where any such meter is located shall be a violation of this division and punished as provided by this chapter. It shall be unlawful for any person to cause, allow, permit or suffer any such vehicle registered in his name to be parked overtime or beyond the lawful period of time as above described. The limited parking expiration shall not exceed one hour beyond the posted limited parking time. These provisions shall be applicable in all locations of city parking meters. A conviction of a violation of the provisions of this section, whether by exceeding the period of time obtained by deposit of coins in the parking meter or by exceeding the maximum time limit as posted shall be punishable by a fine in the amount of \$40.00.

However, parking kiosks located along Justison Street near the Wilmington Riverfront had electronic messages stating that drivers needed to pay for parking seven days a week and would accept payments at all times.

Additionally, signage on and around the kiosks remains confusing, at best:



According to data provided to AAA by the City of Wilmington in response to a FOIA request shows that from the time the parking kiosks were installed through September 2018, the City collected \$123,688.20. However, of that income:

\$8,820.95 was collected on Saturdays

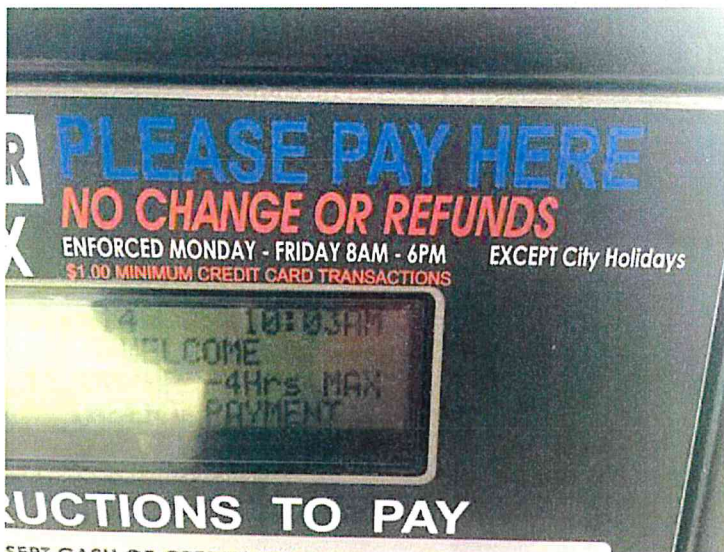
\$1,972.90 was collected on Sundays

\$7,243.50 was collected between 6:00 PM and Midnight on weeknights

\$2,668.40 was collected between Midnight and 8:00 AM on weekdays

Which means the City of Wilmington collected **\$20,705.85** it was not legally entitled to receive.

When this was pointed out to City officials by AAA in November 2018, the City had the kiosks properly re-programmed so they would no longer accept payments when they are not supposed to. However, the City did not change the wording on the kiosks stating that parking is “Enforced: Monday – Saturday” until late May 2019.



AAA Recommendation

- Explore methods to reconcile, repay, or “make good” the \$20,700 it collected from the Riverfront Kiosks – such as offering free parking along Justison Street for a period of time that would equal \$20,700 worth of revenue while maintaining the posted time limits for parking.

Complete List of Recommendations for Addressing Wilmington's Parking Issues

- Establish a working group to discuss and review the following:
 - i. Vehicles towed by the City of Wilmington that were claimed to be owned by the towing company – what happened to the vehicles, did the owners ever try to claim them back, and determine whether the City should reimburse owners for their loss.
 - ii. A comprehensive review of the City Code – which continues to reference Municipal court, an entity that has not existed for 20 years – as well as other updates.
 - iii. Bootings, specifically whether the bootings were based on legitimate past fines
 - iv. Delinquency notices sent to drivers to see whether the driver had responded to a ticket with an appeal or payment
 - v. Reviewing the automated system to determine what changes should be made and also developing a process to provide confirmation of appeals.
 - vi. Working Group could be made up of representatives from the City Executive Branch, City Council, DeDOT, the Attorney General's Office, Justice of the Peace Court, and AAA.
- As a step towards transparency – the City of Wilmington should post historic data and begin posting monthly statistics on the City website of:
 - i. parking tickets issued
 - ii. appeals filed
 - iii. appeals granted
 - iv. number of boots applied to vehicles
 - v. number of vehicles towed
 - vi. number of vehicles kept by the towing company
- Terminate the contract with First State Towing. The company has not adhered to the contractual record keeping requirements and has been unable to respond to document requests by the City.
- Issue notices to all registered vehicle owners when their vehicles are towed to be in compliance with the State and City Code requirements.
- Integrate all automated systems related to parking permits, ticketing, appeals, booting, and towing.
- Launch an independent review of the Office of Civil Appeals with input from the Courts and Attorney General's Office about a way to establish a legitimate administrative appeals process that provides clarity, structure, efficiency, and transparency for drivers.
- Appoint an ombudsman to review parking ticket appeals.
- Train City employees responsible for responding to driver questions on the proper appeals process, including a section on whether the City provides envelopes for payment and whether the City maintains a Post Office Box to accept appeals.

- Explore methods to reconcile, repay, or “make good” the \$20,700 it collected from the Riverfront Kiosks – such as offering free parking along Justison Street for a period of time that would equal \$20,700 worth of revenue while maintaining the posted time limits for parking.

APPENDIX A

Excerpts from Wilmington City Budgets: FY 2012 - FY 2019

Licenses, Permits, Fees, and Fines (FY 2012 Base Year: \$12,672,291 - 9.1% of total revenues)

Fines (consists of Criminal/Traffic and Parking Tickets/Booting Fines) will fall by a total of \$650,000. Criminal/Traffic Fines revenue is projected to total \$3.065 million in FY 2012, down a net \$250,000 from the FY 2011 Budget. This revenue account consists of red-light camera fines, other miscellaneous traffic and criminal fines, and the L&I Instant Ticketing Program. While base red-light camera fines are projected to decline by \$700,000, as violations decrease at older sites, \$400,000 in additional revenue from the full conversion to a video capturing system instead of the still-photo one will net to an overall decline of \$300,000. There is no change in miscellaneous traffic and criminal fines. Lastly, the portion of the base attributed to the L&I Instant Ticketing Program is expected to rise by \$50,000 above the FY 2011 budget to match the current trend.

Parking Ticket/Booting Fines revenue is forecast to decrease by \$400,000 below the FY 2011 budgeted level. Revenues will be adversely affected by the set-aside of 100 metered spaces for student parking and the change in parking regulations that now allow downtown residents to park for free at 332 metered spots. These changes occurred in FY 2011 and are considered permanent. Parking Ticket/Booting Fines revenues are forecasted to remain at FY 2012 levels throughout the projection period.

Licenses, Permits and Fees revenue is projected to be just under \$3.45 million in FY 2012, or \$700,000 below the FY 2011 Budget. Business Licenses will remain stable at \$1.6 million, but Permits and Fees will fall by \$500,000 and \$200,000 respectively. Continued weakness in the construction sector has driven Building Permit revenue down, while Parking Meter Fees have declined as a result of the same changes outlined in Parking Ticket revenue above. The Permits and Fees portion of this revenue source (with a base of \$1.85 million) is projected to grow modestly in out years, beginning at 2% in FY 2013. Business Licenses are forecasted to remain at the FY 2012 level for Fiscal Years 2013 through 2016. 62 Finally, no growth in Criminal/Traffic Fines, consisting largely of red-light camera fines and L & I Instant Ticketing revenues, is projected for the out years.

Licenses, Permits, Fees, and Fines (FY 2013 Base Year: \$12,336,773 - 8.8% of total revenues)

Fines will fall by \$372,514 to a total of \$8,850,000. Criminal/Traffic Fines revenue is projected to total \$3.85 million in FY 2013, up \$784,363 from the FY 2012 budget. This revenue account consists of red-light camera fines, other miscellaneous traffic and criminal fines, and the L&I Instant Ticketing Program. Red-light camera fines have exceeded the FY 2012 budgeted amount due to significantly higher than expected right-turn-on-red violations captured on video. For FY 2013, Red-light camera fines are projected to decline somewhat, as violations decrease at older sites, but are still forecasted to be above the original FY 2012 budget. There is no change in miscellaneous traffic and criminal fines, nor in the L&I Instant Ticketing revenues. The aggregate of these is \$750,000.

Parking Tickets/Booting Fines are forecast to decrease by \$407,000 below the FY 2012 projected level, and a full \$1.16 million below the FY 2012 budgeted level. Revenues are being adversely affected by changes in parking regulations and a reduction in parking citation revenues collected through the Delaware Motor Vehicle Division's registration hold program. Parking Ticket/Booting Fines revenues are forecasted to remain at FY 2013 levels throughout the projection period.

Licenses, Permits and Fees revenue is projected to be just under \$3.5 million in FY 2013, or \$37,000 above the FY 2012 budget. Business Licenses will remain stable at \$1.6 million, but Permits and Fees are slated to rise by \$27,000 and \$10,000 respectively. The Permits and Fees portion of this revenue source (with a base of \$1.9 million) is projected to grow modestly in out years, at a rate of 2.5%. Business Licenses are forecasted to remain at the FY 2013 level for Fiscal Years 2014 through 2017.

Licenses, Permits, Fees, and Fines (FY 2014 Base Year: \$12,470,360 - 8.6% of total revenues)

Criminal/Traffic Fines revenue is projected to total \$3.95 million in FY 2014, up \$100,000 from the FY 2013 budget. This revenue account consists of red-light camera fines, other miscellaneous traffic and criminal fines, and the L&I Instant Ticketing Program. Despite significant downtime at several locations early in Fiscal Year 2013, the budgeted projection for red-light camera fines is expected to be met. Though violations tend to decrease somewhat at older sites, red-light camera fines are projected to equal the FY 2013 level of \$3.1 million again in FY 2014.

There is no change in the \$450,000 projected for miscellaneous traffic and criminal fines. But, based on increased activity, L&I Instant Ticketing revenues are projected to increase by \$100,000 to reach a new total of \$400,000 in FY 2014. For FY 2015, red-light camera fines are expected to decline by \$400,000, and diminish further by \$100,000 in both FY 2016 and 2017, then remain unchanged in FY 2018. For the out years of the projection, Criminal Fines and L&I Instant Ticketing revenues are expected to remain at current levels.

Parking Tickets/Booting Fines are forecast to remain at the FY 2013 level of \$5.0 million. Long-term vacancies of PREO's in FY 2013 has led to a \$500,000 drop in the projected amount. For FY 2014, ticket issuance is expected to climb, as an emphasis on prompt replacement of vacancies will be initiated. Parking Ticket/Booting Fines revenues are forecasted to remain at FY 2014 levels throughout the projection period.

Licenses, Permits and Fees revenue is projected to be just over \$3.5 million in FY 2014, or \$33,587 above the FY 2013 budget. Business Licenses and Permits will remain stable at \$1.6 million and \$1.4 million respectively, but Fees are slated to rise by \$33,587 based on recent trends. The Permits and Fees portion of this revenue source (with a base of \$1.9 million) is projected to grow modestly in out years, at an annual rate of 2.5%. Business Licenses are forecasted to remain at the FY 2014 level for Fiscal Years 2015 through 2018.

Licenses, Permits, Fees, and Fines (FY 2015 Base Year: \$12,670,360 - 8.4% of total revenues)

Fines will increase by \$200,000 to a total of \$9,150,000. The breakout is as follows:

Criminal/Traffic Fines revenue consists of red-light camera fines, other miscellaneous traffic and criminal fines, and the L&I Instant Ticketing Program. Revenue is projected to total \$4.95 million in FY 2015, up \$1.0 million from the FY 2014 budget. This increase is solely due to red-light camera fines. A recent change in the review process used to verify accuracy prior to the issuance of red-light camera violations has resulted in significantly fewer violations being dismissed, boosting this revenue source. Accordingly, the projection for red-light fines has been raised by \$1.0 million in FY 2015. There is no change in the \$450,000 projected for miscellaneous Criminal Fines or the \$400,000 for the L&I Instant Ticketing revenues in FY 2015. For FY 2016 and FY 2017, red-light camera fines are expected to decline by \$100,000 each year, then remain at that level in FY 2018 and FY 2019. During this period, Criminal Fines and L&I Instant Ticketing revenue is expected to remain at current levels.

Parking Tickets/Booting Fines are forecast to decrease \$800,000 from \$5.0 million in FY 2014 down to \$4.2 million for FY 2015. Revisions in parking regulations, the pilot program for "smart" meter installation, and an increase in the amount of uncollectibles have all contributed to the decrease. Parking Ticket/Booting Fines revenues are forecasted to remain at FY 2015 levels throughout the projection period.

Licenses, Permits and Fees revenue is projected to remain at just over \$3.5 million in FY 2015. Business Licenses and Permits are expected to hold at \$1.6 million and \$1.4 million respectively, while Fees will remain at \$525,000. The Permits and Fees portion of this revenue source (with a base of \$1.9 million) is projected to grow modestly in out years, at a rate of 2.5%. Business Licenses are forecasted to remain at the FY 2015 level for FY 2016 through FY 2019.

Licenses, Permits, Fees, and Fines (FY 2016 Base Year: \$12,800,000 - 8.3% of total revenues)

Licenses, Permits and Fees revenue is projected to rise by nearly \$680,000 to \$4.2 million in FY 2016. Business Licenses are expected to hold at \$1.6 million, but Permits are projected to increase by almost \$605,000, a result of the revision of the entire schedule of Building Permit fees in late FY 2014. Fee revenue is also expected to increase by \$75,000, to a total of \$600,000, based on recent trends in this category. The Permits and Fees portion of this revenue source (with a base of \$2.6 million) is projected to grow modestly in out years, at a rate of 2.0% in FY 2017 and 2018, and at a rate of 2.5% in subsequent years. Business Licenses are forecasted to remain at the FY 2016 levels throughout the projection period.

Fines are projected to decrease by \$550,000, to a total of \$8.6 million. The breakout is as follows:

Criminal/Traffic Fines revenue consists of red-light camera fines, other miscellaneous traffic and criminal fines, and the L&I Instant Ticketing Program. Revenue is projected to total \$4.7 million in FY 2016, down \$250,000 from the FY 2015 budget and is broken down as follows: Red-light camera fines at \$4.0 million (down \$100,000), Criminal Fines at \$300,000 (down \$150,000), and L & I Instant Ticketing at \$400,000 (no change). For FY 2017, red-light camera fines are expected to remain at \$4.0 million. As no new red-light camera sites are anticipated, and violations decrease at older sites, a reduction of \$350,000 each year is forecasted for FY 2018 and FY 2019, with a further decrease of \$300,000 in FY 2020. Criminal Fines and L&I Instant Ticketing revenue is expected to remain at current levels throughout the projection period.

Parking Tickets/Booting Fines are forecast to decrease \$300,000 from \$4.2 million budgeted in FY 2015, down to \$3.9 million for FY 2016. There has been a multi-year downward trend resulting from changes in parking regulations. This revenue is also expected to remain at current levels throughout the projection period.

Licenses, Permits, Fees, and Fines (FY 2017 Base Year \$12,350,000 - 8.0% of total revenues)

Licenses, Permits and Fees revenue is projected to rise by \$200,000 to \$4.4 million in FY 2017. Business Licenses and Fees are expected to hold at \$1.6 million and \$600,000 respectively. However, Permits (Building) are projected to increase by \$200,000, due to several large development projects getting underway the summer of 2016.

Business Licenses are forecasted to remain at the FY 2017 levels throughout the projection period.

Fines are projected to decrease by \$650,000, to a total of \$8.0 million. The breakout is as follows: Criminal/Traffic Fines revenue consists of red-light camera fines, other miscellaneous traffic and criminal fines, and the L&I Instant Ticketing Program. Revenue is projected to total \$4.7 million in FY 2017, down \$50,000 from the FY 2016 budget, and is broken down as follows: Red-light camera fines at \$4.0 million (no change), Criminal Fines at \$250,000 (down \$50,000), and L & I Instant Ticketing at \$400,000 (no change).

As no new red-light camera sites are anticipated, and violations decrease at older sites, a reduction of \$350,000 each year is forecasted for FY 2018 and FY 2019, with a further decrease of \$300,000 in FY 2020, and remaining level for FY 2021. Criminal Fines and L&I Instant Ticketing revenue is expected to remain at the FY 2017 levels throughout the projection period.

Parking Tickets/Booting Fines are forecast to decrease \$600,000 from the \$3.9 million budgeted in FY 2016, down to \$3.3 million in FY 2017. There has been a three-year downward trend resulting from reduced ticket writing activity and changes in parking regulations. The trend is expected to continue throughout the projection period, with revenue decreasing to \$2.75 million in FY 2018, \$2.6 million in FY 2019, \$2.4 million in FY 2020, and finally to \$2.3 million in FY 2021.

Licenses, Permits, Fees, and Fines (FY 2018 Base Year: \$11,500,000 - 7.3% of total revenues)

Licenses, Permits, Fees and Fines revenue is projected to decrease by \$850,000. Business Licenses and Fees are expected to hold at \$1.6 million and \$600,000 respectively, while Permit (Building) revenue is projected to hold at \$2.2 million.

Fines are projected to decrease by \$850,000, to a total of \$7.1 million. The breakout is as follows: Criminal/Traffic Fines revenue consists of red-light camera fines, other miscellaneous traffic and criminal fines, and the L&I Instant Ticketing Program. Revenue is projected to total \$3.8 million in FY 2018, down \$850,000 from the FY 2017 budget. The largest portion of Criminal/Traffic Fines is derived from red-light camera fines. In FY 2017, State legislation halted the City's Right-Turn-on-Red (RTOR) camera violation program, eliminating \$1.4 million in revenue. However, revenue from customary Red-Light violations (driving straight through an intersection at a red light) was not affected by the legislation and has trended higher, partially offsetting the RTOR loss by \$550,000. For FY 2018, the total for the category is broken down as follows: Red-Light camera fines at \$2.7 million (down \$850,000), Criminal Fines at \$250,000 (no change), and L&I Instant Ticketing at \$400,000 (no change).

Parking Tickets/Booting Fines are forecast to remain at the \$3.3 million figure budgeted in FY 2017 for FY 2018. The three-year downward trend resulting from reduced ticket writing activity and changes in parking regulations has leveled off.

No overall increase in red-light camera sites is anticipated, although some cameras may be moved to new intersections based on updated accident statistics. As a result, this revenue source is projected to remain level through FY 2022. Criminal Fines and L&I Instant Ticketing revenue are also expected to remain at the FY 2018 levels throughout the projection period.

The remaining sources of revenue, Permits and Fees, are projected to grow by 2% annually in fiscal years 2019 through 2022.

Licenses, Permits, Fees, and Fines (FY 2019 Base Year: \$12,880,000 - 7.9% of total revenues)

Licenses, Permits, Fees, and Fines revenue are budgeted to collectively increase by \$1.38 million in FY 2019, to a new total of \$12.9 million. The largest portion of this category is derived from red-light camera fines. This is budgeted to grow from \$3.15 million in FY 2018 to \$4.45 million in FY 2019, due to the addition of 17 new red-light cameras midway through FY 2019. Red-light revenues are projected to further grow to \$5.45 million in FY 2020, which would include a full year of revenue from the 17 new cameras and the elimination of seven older cameras. No changes are projected for red-light revenue for FY 2021 through FY 2023.

Conversely, permit revenue is expected to decline by \$600,000 in FY 2020, to a new total of \$2.1 million, due to the completion of several large construction projects begun in FY 2019. Given that construction activity tends to be highly variable, no growth in permit revenue is projected for the remainder of the projection period.

Other revenues in this category include business licenses, criminal fines, L&I instant ticketing, parking tickets and booting fines, and other miscellaneous fees. Collectively these total \$5.7 million in FY 2019 and are projected to remain flat for out years FY 2020 through FY 2023.

APPENDIX B

Parking Tickets Issued, Appeals Filed, Appeals Granted, and
Boots applied: 2012 – early 2019

2012

Issue Month Year	Tkt Cnt
JAN2012	5,137
FEB2012	5,114
MAR2012	4,658
APR2012	6,035
MAY2012	5,343
JUN2012	6,005
JUL2012	5,301
AUG2012	6,119
SEP2012	5,347
OCT2012	6,177
NOV2012	6,001
DEC2012	5,030
Total	66,267

Appeal Requested Month Year	Tkt Cnt
JAN2012	169
FEB2012	316
MAR2012	209
APR2012	259
MAY2012	211
JUN2012	180
JUL2012	235
AUG2012	185
SEP2012	312
OCT2012	280
NOV2012	194
DEC2012	216
Total	2,766

Appeal Granted	Tkt Cnt
JAN2012	451
FEB2012	510
MAR2012	438
APR2012	502
MAY2012	503
JUN2012	427
JUL2012	449
AUG2012	452
SEP2012	419
OCT2012	516
NOV2012	537
DEC2012	539
Totals	5,743

Boots

Jan 2012	524
Feb 2012	457
Mar 2012	453
Apr 2012	361
May 2012	407
Jun 2012	360
Jul 2012	394
Aug 2012	318
Sep 2012	225
Oct 2012	293
Nov 2012	278
Dec 2012	320
Total	4,390

2013

Issue Month Year	Tkt Cnt
JAN2013	5,544
FEB2013	5,551
MAR2013	5,311
APR2013	7,702
MAY2013	6,726
JUN2013	6,245
JUL2013	7,982
AUG2013	7,558
SEP2013	6,798
OCT2013	7,078
NOV2013	5,076
DEC2013	4,744
Total	76,315

Appeal Requested Month Year	Tkt Cnt
JAN2013	339
FEB2013	121
MAR2013	272
APR2013	260
MAY2013	323
JUN2013	284
JUL2013	213
AUG2013	440
SEP2013	245
OCT2013	1,487
NOV2013	526
DEC2013	260
Total	4,770

Appeal Granted	Tkt Cnt
JAN2013	429
FEB2013	413
MAR2013	360
APR2013	438
MAY2013	497
JUN2013	382
JUL2013	444
AUG2013	643
SEP2013	417
OCT2013	711
NOV2013	465
DEC2013	314
Totals	5,513

Boots

Jan 2013	343
Feb 2013	318
Mar 2013	363
Apr 2013	290
May 2013	233
Jun 2013	218
Jul 2013	292
Aug 2013	316
Sep 2013	304
Oct 2013	311
Nov 2013	345
Dec 2013	284
Total	3,617

2014

Issue Month Year	Tkt Cnt	Appeal Requested Month Year	Tkt Cnt	Appeal Granted	Tkt Cnt
JAN2014	4,250	JAN2014	506	JAN2014	404
FEB2014	3,841	FEB2014	388	FEB2014	334
MAR2014	5,159	MAR2014	357	MAR2014	403
APR2014	6,763	APR2014	329	APR2014	434
MAY2014	5,571	MAY2014	360	MAY2014	501
JUN2014	5,163	JUN2014	346	JUN2014	389
JUL2014	5,476	JUL2014	331	JUL2014	362
AUG2014	5,246	AUG2014	335	AUG2014	249
SEP2014	5,872	SEP2014	305	SEP2014	167
OCT2014	6,074	OCT2014	257	OCT2014	113
NOV2014	4,476	NOV2014	215	NOV2014	83
DEC2014	4,324	DEC2014	331	DEC2014	112
Total	62,215	Total	4,060	Totals	3,551

Boots

Jan 2014	292
Feb 2014	275
Mar 2014	313
Apr 2014	282
May 2014	291
Jun 2014	322
Jul 2014	311
Aug 2014	331
Sep 2014	311
Oct 2014	305
Nov 2014	270
Dec 2014	307
Total	3,610

2015

Issue Month Year	Tkt Cnt
JAN2015	3,838
FEB2015	4,351
MAR2015	4,787
APR2015	8,049
MAY2015	6,397
JUN2015	7,323
JUL2015	6,019
AUG2015	5,697
SEP2015	5,887
OCT2015	5,745
NOV2015	5,178
DEC2015	4,416
Total	67,687

Appeal Requested Month Year	Tkt Cnt
JAN2015	209
FEB2015	157
MAR2015	408
APR2015	293
MAY2015	317
JUN2015	505
JUL2015	341
AUG2015	287
SEP2015	370
OCT2015	291
NOV2015	222
DEC2015	467
Total	3,867

Appeal Granted	Tkt Cnt
JAN2015	69
FEB2015	51
MAR2015	160
APR2015	110
MAY2015	143
JUN2015	204
JUL2015	144
AUG2015	75
SEP2015	139
OCT2015	111
NOV2015	107
DEC2015	169
Totals	1,482

Boots

Jan 2015	272
Feb 2015	330
Mar 2015	265
Apr 2015	216
May 2015	316
Jun 2015	297
Jul 2015	292
Aug 2015	323
Sep 2015	299
Oct 2015	336
Nov 2015	272
Dec 2015	248
Total	3,466

2016

Issue Month Year	Tkt Cnt	Appeal Requested Month Year	Tkt Cnt	Appeal Granted	Tkt Cnt
JAN2016	3,836			JAN2016	118
FEB2016	4,754	JAN2016	446	FEB2016	87
MAR2016	5,612	FEB2016	296	MAR2016	95
APR2016	7,704	MAR2016	313	APR2016	68
MAY2016	6,127	APR2016	310	MAY2016	71
JUN2016	7,183	MAY2016	296	JUN2016	72
JUL2016	5,546	JUN2016	282	JUL2016	130
AUG2016	6,068	JUL2016	448	AUG2016	115
SEP2016	5,615	AUG2016	374	SEP2016	78
OCT2016	5,716	SEP2016	211	OCT2016	457
NOV2016	4,901	OCT2016	471	NOV2016	73
DEC2016	4,184	NOV2016	282	DEC2016	120
		DEC2016	410		
Total	67,246	Total	4,139	Totals	1,484

Boots

Jan 2016	168
Feb 2016	180
Mar 2016	368
Apr 2016	257
May 2016	247
Jun 2016	317
Jul 2016	422
Aug 2016	389
Sep 2016	334
Oct 2016	378
Nov 2016	295
Dec 2016	362
Total	3,717

2017

Issue Month Year	Tkt Cnt
JAN2017	4,384
FEB2017	3,865
MAR2017	4,021
APR2017	5,562
MAY2017	4,967
JUN2017	5,338
JUL2017	5,111
AUG2017	5,458
SEP2017	4,265
OCT2017	4,449
NOV2017	3,658
DEC2017	4,030
Total	55,108

Appeal Requested Month Year	Tkt Cnt
JAN2017	168
FEB2017	399
MAR2017	354
APR2017	205
MAY2017	301
JUN2017	159
JUL2017	186
AUG2017	306
SEP2017	247
OCT2017	167
NOV2017	118
DEC2017	201
Total	2,811

Appeal Granted	Tkt Cnt
JAN2017	30
FEB2017	97
MAR2017	112
APR2017	54
MAY2017	88
JUN2017	36
JUL2017	74
AUG2017	106
SEP2017	79
OCT2017	62
NOV2017	61
DEC2017	73
Totals	872

Boots

Jan 2017	346
Feb 2017	271
Mar 2017	260
Apr 2017	231
May 2017	250
Jun 2017	291
Jul 2017	264
Aug 2017	326
Sep 2017	256
Oct 2017	254
Nov 2017	232
Dec 2017	200
Total	3,181

2018 (based on FOIA filed in October 2018)

Issue Month Year		Appeal Requested Month Year		Appeal Granted	
Tkt Cnt		Tkt Cnt		Tkt Cnt	
JAN2018	3,522	JAN2018	320	JAN2018	111
FEB2018	3,327	FEB2018	299	FEB2018	88
MAR2018	3,110	MAR2018	360	MAR2018	107
APR2018	6,983	APR2018	342	APR2018	140
MAY2018	5,834	MAY2018	174	MAY2018	56
JUN2018	5,445	JUN2018	321	JUN2018	98
JUL2018	4,955	JUL2018	206	JUL2018	77
AUG2018	5,992	AUG2018	304	AUG2018	170
SEP2018	5,160	SEP2018	1,209	SEP2018	500
Total	44,328	Total	3,535	Totals	1,347

Boots

Jan 2018	218
Feb 2018	257
Mar 2018	249
Apr 2018	282
May 2018	325
Jun 2018	330
Jul 2018	304
Aug 2018	306
Sep 2018	266
Oct 2018	314
Nov 2018	291
Dec 2018	289
Total	3,431

2018 - 19 (based on FOIA filed in 2019)

MONTH YEAR PARKING TICKETS ISSUED

July	2018	4,945
August	2018	6,022
September	2018	5,150
October	2018	5,724
November	2018	3,946
December	2018	3,363
January	2019	3,962
February	2019	3,857
March	2019	4,630

Appeals Requested

Month Year	Ticket Count
JUL2018	154
AUG2018	340
SEP2018	1,002
OCT2018	310
NOV2018	352
DEC2018	217
JAN2019	327
FEB2019	331
MAR2019	332
	3,365

Appeals Granted

Month Year	Ticket Count
JUL2018	77
AUG2018	170
SEP2018	501
OCT2018	155
NOV2018	175
DEC2018	108
JAN2019	163
FEB2019	165
MAR2019	166
Total	1,680

APPENDIX C

Comparison of Wilmington to Other Cities

Comparing Wilmington to other cities, AAA finds the following:

City	Population	Ticket price	Parking Tickets issued 2018	Parking tickets as population percentage	Tows in 2018	Boots in 2018	Tows and Boots as population percentage
Wilmington, DE	71,525	\$40	57,361	80%	2,987	3,431	8.9%
New Britain, CT	72,939	\$30	7,800	11%	5	6	<0.1%
Gastonia, NC	73,209	\$5	Less than 100	<0.1%	No towing	No booting	0%
Evanston, Ill	75,570	\$25	86,000	114%	2,500	450	3.9%
Arlington Heights, Ill	75,994	\$25	16,249	21%	836	17	1.1%
Lynchburg, VA	78,014	\$20	5,444	7%	40	No booting	<0.1%
Westland, MI	82,578	\$25	372	<0.1%	1,897	No booting	2.3%
Bellflower, CA	78,308	\$47	34,889	45%	800	No booting	1%
Washington, DC	702,455	\$25	1,417,000	201%	29,215	4,301	4.8%
Santa Barbara, CA	92,101	\$50	81,485	88%	1,926	No booting	2%
Newark, DE	33,858	\$20	31,206	92%	33	373	1.2%