THE CITATION REVIEW PROCESS

California Vehicle Code Section 40500(d) prohibits any person (including the police) from altering, modifying, or destroying a citation before it is filed with the processing agency. Your citation can be dismissed by the police only for issuing error or for good cause in the interest of justice. Failure to properly display a parking permit, unauthorized parking, parking unlawfully due to being late for an appointment, leaving a vehicle "just for a moment," lack of funds and similar appeals, are not considered valid basis for dismissing a citation.

Effective 1 July 1993, citations are CIVIL VIOLATIONS and are not longer processed by the Criminal (Traffic) Courts. All appeals are reviewed ADMINISTRATIVELY except for the third level of appeal described below.

1.0 ADMINISTRATIVE INVESTIGATION

1.1 Request for administrative investigation may be made by mail, telephone, or in person to the Police or Officer of Parking Violations. Requesting parties will be provided this form to file their formal appeal.

1.2 Only requests made in writing, within 21 days on this form will be considered. KEEP A COPY FOR YOUR RECORDS! Mail your copy of the citation and form to: Los Gatos Police P.O. Box 973, Los Gatos CA. 95031 Attn: Citation Review. This form may also be delivered in person to the Los Gatos Police Department 110 E. Main Street, Los Gatos.

1.3 Appeal must be made within 21 days of the citation being issued or within 14 days from the mailing of a Notice of Delinquent Parking Violation. VC40215(a) You have no right of appeal after these specific periods.

1.4 There is no charge to you for this ADMINISTRATIVE Investigation.

1.5 Citation is investigated by the issuing agency to determine if the alleged violation occurred or if the registered owner of the cited vehicle was not responsible.

1.6 Decision will be sent to the requesting party by mail, usually within the 30 calendar days.

2.0 ADMINISTRATIVE REVIEW

If your administrative Investigation is denied under procedure1.0 above and you desire further review, you must file a written request with an explanation for this review. No official form is provided for this request.

2.2 The review request must be received within 21 days after the results of the ADMINISTRATIVE INVESTIGATION (Procedure 1.0 above) is mailed.

2.3 You must deposit the entire civil parking penalty amount with the Town of Los Gatos Finance Department when filing for this review. You may mail your payment and review request to the Town of Los Gatos, P.O. Box 973, Los Gatos, CA 95031 or deliver in person to 110 E. Main Street, Los Gatos. The deposit will be refunded if your citation is dismissed; the deposit is forfeited if the appeal is lost.

2.4 A Hearing Examiner (not a court judge) , at a location and a date & time to be determined, will review your reasons and any supporting evidence for dismissal of the citation.

2.5 The decision of the Hearing Examiner may be communicated to you in person or by mail.

3.0 ADMINISTRATIVE APPEAL

If your ADMINISTRATIVE Review is denied under Procedure 2.0 and above and you desire a further review, an appeal must be filed in the Santa Clara County Civil Court within 21 days after mailing of the ADMINISTRATIVE REVIEW(Procedure 2.0 above) decision. The appeal may be filed by mail or in person.

3.2 Requires a $25.00 filing fee paid by person requesting the appeal. This fee is refunded if the appeal is dismissed; the fee is forfeited if the appeal is lost. This amount is in addition to the civil penalty for the violation.

3.3 This court will review the factual aspects of the case, administrative process, and the decision of the Hearing Examiner. The decision of the Civil Court may be communicated to you in person or by mail.

PARKING CITATION
ADMINISTRATIVE INVESTIGATION
VC 40215(a)

This form must be submitted within 21 days of the date of the citation or within 14 days from the date of a notice of delinquent parking violation.
YOU HAVE NO RIGHT OF APPEAL AFTER THESE DATES!

Please Print All Information

Name:_____

Address:_____

City:_____State:_____Zip:_____

Citation # LG _____

Date Issued: _____

Vehicle License # _____

Phone # _____

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It is the responsibility of the person requesting this administrative investigation to comply with the procedures specified in the **CITATION REVIEW PROCESS** form (on back). Read before submitting your review request. The purpose of this investigation process is to determine if this alleged violation occurred, or if the registered owner was not responsible for the alleged violation.

Please explain your reason(s) for believing that this citation was issued in error or that you are not responsible for the alleged violation. It is important to be clear and detailed in your explanation. Use additional page(s) if necessary and attach photographs if you feel it will help prove your case. Please return both copies of this form and your citation which will be used to investigate and evaluate your appeal.

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_____

I have read and understand the Citation Appeal and the Citation Review Process and certify under penalty of perjury that the information herein is true and correct.

Signed:_____Date:_____

Do not write below this line - Official Use Only

Issuing Officer:_____Badge #:_____Officer Comments: _____

_____

_____

Investigation by _____Date:_____COMMENTS: _____

_____

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☐ **VALID CITATION** * *See reverse side of this form if you wish further review*

☐ **CITATION DISMISSED** * *Interest of Justice* *Employee/Department Error*

2.0 review by: Comments: