

# City of Rochester Parking Citation Reviews

Parking citations are only subject to review if some sort of error was made in issuing the citation.

Any person who feels that a **City of Rochester** parking ticket was issued in error may contest the parking ticket and receive an administrative review by filling out an attached notice of appeal form.

The administrative review process involves no court appearance. You also have the right to request a court appearance in District Court. You may do this by bringing your citation to the 5<sup>th</sup> Floor of the Olmsted County Government Center on Wednesdays at 1 p.m.

Administrative citation reviews are completed weekly by parking enforcement representatives of the Rochester Police Department and City Clerk's Office. If the administrative review is denied, you are obligated to pay the fine noted on the ticket and any late fees that have accrued. Late fees begin accruing 10 days after the ticket was issued, so it is important to submit a request for review in a timely manner.

## Requesting a Dismissal

### Citations from other jurisdictions

If you wish to contest a ticket issued by a city in Olmsted County other than Rochester, you must contact that city directly or go to Court on Wednesdays at 1 p.m.

### Citations for a vehicle you no longer own

If you no longer own a vehicle that you have received notices of unpaid parking tickets for, the ownership of the vehicle has not been properly updated with the State Department of Public Safety Driver and Vehicle Services division.

Do not fill out the attached appeal form.

Instead, visit the Driver and Vehicle Services web site to complete the [Report of Sale web form](#). After submitting this form to the State of Minnesota, submit a copy of the Report of Sale form submission to the City Clerk's Office ALONG WITH an [Affidavit of Sale form](#). The affidavit must be notarized and must provide information about the new owner in order to release your liability for any parking tickets issued to the vehicle after the change in ownership.

### Citations for parking in a residential permit zone

If you do not have a residential parking permit but are eligible to get one for a particular zone, a single ticket will be dismissed at the time of application for a parking permit. *\*Learn more about [residential permit parking on our website](#).*

If you have a parking permit but still received a citation, contact the City Clerk's Office at 507-328-2900 or [cityclerk@rochestermn.gov](mailto:cityclerk@rochestermn.gov) to verify your permit status and to ensure the information on your permit is accurate and up to date. Enforcement of parking permits is done entirely by license plate readers, so it is essential to keep your vehicle information up to date.

### Malfunctioning meters

Information about how to report a malfunction is printed on all parking meters in the City. If a parking meter is not operating correctly, you must notify the City Clerk's Office at the time you first park and discover the malfunction. Call 507-328-2900 and be prepared to provide the meter number (NOT the zone number), a description of the issue, and your license plate number.

If you already loaded money into the meter, you may remain parked for the duration of the meter time limit. The Clerk's Office will send a parking technician to check on the meter, and if a malfunction is noted, any ticket issued to you will be voided. Tickets issued as the result of an unreported meter malfunction cannot be voided.

Please note that issues with reloading additional time in excess of the posted time limits on a parking meter is not a malfunction. City ordinance requires you move your vehicle at least one block after the time limit on a meter expires.

## Handicap Parking Permits

If you received a parking ticket but have a valid handicap placard or plate, your citation can be reviewed. Under state law, your placard must be visibly displayed when you are parked. Please provide proof of display of your placard if possible. A single citation for no display of permit will be considered for voiding with or without proof.

## General reasons citations won't be dismissed

If you are contesting a citation for any other reason than those listed above, it is not likely administrative review will result in voiding or dismissing the citation. You may choose to go to Court on Wednesdays at 1 pm or pay the citation.

Below are some commonly listed reasons given for violating parking regulations that will not be considered for administrative dismissal of a citation. While these reasons may seem valid to the violator, they do not address the [Rochester Code of Ordinances](#) or Minnesota State Law. These reasons generally will not result in the violations being dismissed, or the violator being successful on appeal.

- **Short errands**  
No errand, no matter how short or how important to the driver, is an acceptable excuse for illegal parking. A short errand is a very common excuse. It is not a valid reason for illegal parking.
- **"I was late for a business or personal appointment"**  
Being late does not permit the driver the privilege of parking illegally.
- **"There was no other place to park"**  
It is a driver's responsibility to locate legal parking.
- **"I didn't see the sign" or "I didn't understand the sign"**  
Drivers are required to look for signs when parking. Saying that you did not see a sign preventing parking is not an acceptable excuse.
- **"Only part of my car was illegally parked"**  
A violation is not based on a certain percentage of the vehicle being illegally parked. If part of the vehicle extends into a restricted area, the violation is the same as if the entire vehicle encroached.
- **"I left someone in the car"**  
**"I left my parking lights on (or blinking)"**  
**"I left a note on the car as to my whereabouts"**  
**"I left the motor running"**  
The purpose of parking regulations is to restrict vehicles from certain places. The presence of a passenger, a note or blinking lights does not satisfy this purpose and does not constitute a valid reason to dismiss a violation.
- **"It was only a few minutes"**  
This explanation is one of the most common claims. Even if true, parking in a prohibited area is still a violation.
- **"Nobody else got a ticket"** Sometimes this excuse is raised as discriminatory enforcement. The officer may have had to leave the area before checking all the vehicles, however, a parking citation stands on its own.
- **"Someone else had my car; I wasn't even driving it"**  
The registered owner has joint responsibility with the person driving his or her car. Unless it can be shown by the registered owner that the car was driven without permission, the registered owner, renter or lessee is responsible for a parking citation.
- **"The violation was not enforced in the past"**  
This normally is not the case, however, inadequate staffing or other priorities may give rise to violations not being enforced continually; however, apparent failure to enforce parking laws does not constitute a valid excuse for illegal parking.
- **"I've done it for years" or "Everybody else does it"**  
This is never a valid excuse for illegally parking. Nobody should be rewarded for getting away with prior violations.



# CITY OF ROCHESTER PARKING CITATION REVIEW FORM

If completing this form by hand, it must be legible. Review requests that cannot be read will not be considered. At least one method of contact must be provided for follow up.

Today's Date: \_\_\_\_\_

## PERMIT INFORMATION

1. General reason for review request:

- Permit Parking violation in error
- Permit Parking violation w/valid new permit application
- Handicap Parking with permit

Placard No. \_\_\_\_\_

Was placard displayed when ticket was issued?  Yes  No

- Meter Malfunction

Did you report the malfunction when parking?  Yes  No

- Do not own the vehicle **STOP – Do not complete this form; follow the instructions in the accompanying information sheet**
- Other error was made in issuing the citation
- Other reason besides an error in issuing the citation – *please review the information sheet for more information about what can be considered for dismissal; no late fees can be waived for citations that are submitted for review and not dismissed*

2. First Name

3. Middle Name(s)

4. Last Name(s)

5. Citation Number

6. Issue Date of Citation

7. Explanation of reason for requesting review

*(Attach additional pages, photos and other proof if desired – officers take photos at the time of issuing citations that will be consulted as part of the review)*

8. Home Address

9. City

10. State

11. Zip Code

12. Primary Phone Number

13. Email Address

14. License Plate State & Number (use additional sheet for multiple vehicles)

15. Vehicle Make and Model



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## NOTIFICATION AND VERIFICATION

### Notice of Collection of Data

The information collected and required as part of this request will be used to determine whether or not to dismiss a parking citation. Disclosure of this information is voluntary. It is not legally required to provide requested data, however, failure to do so may mean the City of Rochester is unable to consider your request for review. All information contained in this application is public information upon submission pursuant to the Government Data Practices Act, Minnesota Statutes Chapter 13. Individuals have the right to see and obtain copies of the data maintained on them, including private data, and also have the right to be told the contents and meaning of the data, and to contest the accuracy and completeness of the data.

### Verification

I have read and understand the above information regarding my rights as a subject of government data. I certify that the answer to every question is true to my knowledge, information and belief, and contains a full and true account of the information requested.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

### TO BE COMPLETED BY CITY CLERK'S OFFICE AND PARKING ENFORCEMENT:

DATE RECEIVED \_\_\_\_/\_\_\_\_/\_\_\_\_

NOTES PRIOR TO REVIEW:

DATE OF REVIEW \_\_\_\_/\_\_\_\_/\_\_\_\_

ACTION TAKEN: \_\_\_\_\_

REQUESTOR NOTIFIED: \_\_\_\_\_