



DEPARTMENT OF TRANSPORTATION &
ENVIRONMENTAL SERVICES

Enforcement of Right-of-Way Encroachments

June 13, 2026





Summary

Purpose :

- Establish civil penalties for non-permitted encroachments in the public right-of-way.

Council Action:

- Approve the ordinance to add warnings and fines

Key Elements :

- Warning of 1st violation
- \$200 penalty for 2nd violation, waived if meeting held with staff
- \$200 penalty for 3rd violation
- \$500 penalty for 4th violation
- \$1,000 penalty for 5th and subsequent violation
- Effective September 1, 2026



Request to Council

- To review a proposed code amendment establishing civil penalties for non-permitted encroachments within the public right-of-way and improve code enforcement
 - *An encroachment is an activity or object that occupies or extends into the public right-of-way beyond its intended public use*





Types of Permitted Encroachments

ADMINISTRATIVE

- Outdoor Dining
- Restaurants
- Retail Businesses
 - *Short-Term Parklets*
- Non-Permanent
 - *Planters*
 - *Furniture*

NON-ADMINISTRATIVE

- Architectural Features
 - *Steps/Stoops/Ramps*
- Stationary encroachments upon public sidewalks and rights-of-way
 - *Retaining Walls*



Enforcement Challenges

- City-Wide Concerns
 - Retaining walls, stored materials, and vending
 - Difficult to enforce with current regulatory options
 - Seek to achieve compliance through conversation
 - Direct to approval paths when possible
 - Without fines, we rely on voluntary compliance
 - Voluntary compliance is limited





Communications & Engagement

OBJECTIVES

- Raise awareness among Alexandria businesses and residents about upcoming increases in encroachment enforcement
- Improve public understanding of encroachment permit requirements for parklets and other uses of public right-of-way



Outreach & Education – Ongoing

OUTREACH & EDUCATION

Distribute a multilingual flyer (English, Spanish, Amharic, Arabic)

explaining:

- Enforcement Levels
- Permit Requirements
- How to Apply

Flyer to be provided alongside written warnings issued

TACTICS

Send targeted communications to:

- Business Districts
- Civic Associations
- Community orgs serving diverse populations

Communications to include multilingual flyer for digital sharing and printing

Include in August's



Working With the Business Community

Brick and Mortar Businesses

- Brick and mortar businesses have the option to obtain a parklet permit to operate retail and dining within parking lane and/or sidewalk

Street Vendor Pilot Program

- The City recently tested a pilot program to determine viability of a Street Vendor Program
- Regulatory framework was challenging for vendors to navigate
- Only 2 vendors chose to participate
- Enforcement for the City time-consuming and costly



Proposed Fine Structure

- **First violation:** warning with no monetary penalty. Staff will provide education on the encroachment ordinance and paths available for compliance
- **Second violation:** civil penalty of \$200 that can be waived if a meeting with City staff is scheduled within two weeks of receiving the citation to begin the permitting process
- **Third violation:** civil penalty of \$200
- **Fourth violation:** civil penalty of \$500
- **Fifth violation:** civil penalty of \$1,000
- **Any additional violations:** civil penalty of \$1,000 per citation



Recommended Action

- Adopt the proposed ordinance authorizing graduated civil penalties
- Delay authority to apply civil penalties to September 1, 2026
 - During this period, T&ES staff will continue outreach activities to educate businesses and local community groups on the new fine structure
- After September 1, 2026, continuation of education activities enforcement of proposed fine structure and penalties



Thank you.

Questions?