

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 5-2-16 (PLACING MERCHANDISE ON OR OTHERWISE OBSTRUCTING SIDEWALKS AND OTHER PUBLIC RIGHTS-OF-WAY) and Section 5-2-29 (STREET ENCROACHMENTS) of Article A (GENERAL PROVISIONS) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article A of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 5-2-16 - Placing merchandise on or otherwise obstructing sidewalks and other public rights-of-way.

(a) No person shall place any goods, wares, merchandise, foodstuffs or similar items on, or in any way obstruct, any street, sidewalk, walkway of the city or occupy or use any of such sidewalks or walkways or other public right-of-way or use any such public right-of-way for the display or sale of any goods, wares, merchandise, foodstuffs or similar items, except either pursuant to a permit issued in accordance with section 7-2400 of the zoning ordinance and section 5-2-29(g) of this code or when receiving or delivering such items, in which case the items may remain on the public right-of-way only so long as is reasonably necessary for the delivery of same.

(b) Enforcement

(1) Civil violation. Any person who has committed any violation of this section shall be liable for a civil violation as follows:

a. The first violation of this section by such person shall result in City staff issuing a warning ticket that shall carry no monetary penalty.

b. The second violation of this section by such person shall be punished by a civil penalty in the amount of \$200.00, unless within two weeks of receiving this second citation, such person opts to schedule a discussion with City staff about how to address the violation, in which case the City shall waive the entire monetary penalty for the second violation.

c. The third violation of this section by such person shall be punished by a civil penalty in the amount of \$200.00.

- 1 d. The fourth violation of this section committed by such person shall be punished by a
2 civil penalty in the amount of \$500.00.
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4 e. The fifth and any subsequent violation of this section committed by such person shall
5 be punished by a civil penalty in the amount of \$1,000.00.
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7 f. Each day that a violation exists or persists shall constitute a separate violation of this
8 section.
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10 (2) Nothing in this section shall prevent the director of the department of transportation
11 and environmental services or designee from:
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13 a. Making efforts to obtain voluntary compliance through warning, conference or any
14 other appropriate means, or
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16 b. In matters where at least one penalty has already been issued, waiving additional
17 penalties if, in the director or designee's sole discretion, a person is actively in the
18 process of abating their violation under this section.

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22 **Sec. 5-2-29 - Street encroachments.**

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26 (d) Enforcement

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28 (1) Civil violation. Any person who has committed any violation of this section shall be
29 liable for a civil violation as follows:
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31 a. The first violation of this section by such person shall result in City staff issuing a
32 warning ticket that shall carry no monetary penalty.
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34 b. The second violation of this section by such person shall be punished by a civil
35 penalty in the amount of \$200.00, unless within two weeks of receiving this second
36 citation, such person opts to schedule a discussion with City staff about how to
37 address the violation, in which case the City shall waive the entire monetary penalty
38 for the second violation.
39
40 c. The third violation of this section by such person shall be punished by a civil penalty
41 in the amount of \$200.00.
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43 d. The fourth violation of this section committed by such person shall be punished by a
44 civil penalty in the amount of \$500.00.

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2 e. The fifth and any subsequent violation of this section committed by such person shall
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8 (2) Nothing in this section shall prevent the director of the department of transportation
9 and environmental services or designee from:
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11 a. Making efforts to obtain voluntary compliance through warning, conference or any
12 other appropriate means, or
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14 b. In matters where at least one penalty has already been issued, waiving additional
15 penalties if, in the director or designee’s sole discretion, a person is actively in the
16 process of abating their violation under this section.
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19 Section 2. That Article A as amended pursuant to Section 1 of this ordinance, be,
20 and the same hereby is, reordained as part of the City of Alexandria City Code.
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22 Section 3. That this ordinance shall become effective on September 1, 2026.
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27 ALYIA GASKINS
28 Mayor
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30 Introduction: 5/12/2026
31 First Reading: 5/12/2026
32 Publication:
33 Public Hearing: 6/13/2026
34 Second Reading: 6/13/2026
35 Final Passage: 6/13/2026
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