

ORDINANCE NO. 4856

AN ORDINANCE, to amend and reordain Section 5-2-64 of Article C (STREET NAMES) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Section 13-1-23 of Chapter 1 (GENERAL OFFENSES) of Title 13 (MISCELLANEOUS OFFENSES) and repeal Section 5-2-25 of Article A (GENERAL PROVISIONS) of Chapter 2 (STREETS AND SIDEWALKS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Article B (ALEXANDRIA TRANSPORTATION SAFETY COMMISSION) of Chapter 8 (PARKING AND TRAFFIC REGULATIONS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) and repeal Chapter 9 (REBOUND TUMBLING CENTERS) of Title 9 (LICENSING AND REGULATION) of the Code of the City of Alexandria, Virginia, 1981, as amended

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. Section 5-2-64 of Article C of Chapter 2 of Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is, amended and reordained to read as follows:

Sec. 5-2-64 Streets named in future.

- (a) Except as hereinafter provided, all streets hereafter named and running in a generally eastward direction shall be designated as avenues, and all streets hereafter named and running in a generally north-south direction shall be designated as streets. In the case of diagonal streets, the planning commission shall designate the direction to be applied. Streets may also be designated parkways or places when the planning commission is of the opinion that the use of such a name is more desirable than that of street or avenue.
- (1) In that portion of the city lying east of Quaker Lane, names shall be in harmony with the existing developments insofar as possible.
- (2) In the area west of Quaker Lane, an alphabetical progression of names shall be instituted, based upon a rectangular grid whose eastern base line shall run in a northerly direction passing through the intersection of Duke Street and Quaker Lane and the intersection of King Street and Quaker Lane, and northern base line of which shall be at right angles to the eastern base line and pass through the northernmost corner of the city limits west of Quaker Lane.
- (3) Each base line shall be subdivided into sections 600 feet in length. Beginning at the intersection of the base lines, each 600 feet shall be lettered alphabetically beginning with A and proceeding south and east through W at which point a new alphabet beginning with A shall be begun.
- (4) ~~Street names shall be assigned beginning with that letter in whose interval the street or its proposed extension begins. Streets running in a generally east-west direction shall bear names of persons or places prominent in American history; streets running in a generally north-south direction shall, insofar as possible, bear the names of confederate military leaders.~~

- (b) The planning commission is hereby empowered to assign names to all newly acquired or dedicated streets in accordance with the provisions of this section.

Section 2. Section 13-1-23 of Chapter 1 of Title 13 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is, repealed:

~~Sec. 13-1-23 Lewd and lascivious cohabitation.~~

~~If any persons, not married to each other, lewdly and lasciviously associate and cohabit together, or whether married or not, be guilty of open and gross lewdness and lasciviousness, each of them shall be guilty of a class 3 misdemeanor; and upon a repetition of the offense, and conviction thereof, each of them shall be guilty of a class 2 misdemeanor.~~

Section 3. Section 5-2-25 of Article A of Chapter 2 of Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, repealed:

~~Sec. 5-2-25 Bootblack stands.~~

~~Bootblack stands on the streets or sidewalks of the city are prohibited.~~

Section 4. Article B of Chapter 8 of Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, repealed:

~~Sec. 5-8-11 Establishment and organization.~~

~~There is hereby created the Alexandria Transportation Safety Commission, herein sometimes referred to as the "commission," which shall consist of 10 members, seven members of which shall be the members of the traffic and parking board whose terms of office on the commission shall correspond with their terms on the board. One member shall be a member of the city council who shall be appointed by and serve at the pleasure of the city council. One member shall be the superintendent of public schools whose term of office shall correspond to his tenure as superintendent. One member shall be the chief of police. The commission shall elect its chairman from its membership. A quorum of six members present is required before the commission may take any official action. All decisions shall be determined by a majority vote of the members present, and no proxy vote shall be allowed. The commission shall meet at least four times each year. In matters concerning the procedure for meetings not covered by this article, the commission may establish its own rules; provided they are not contrary to the spirit of this article.~~

~~Sec. 5-8-12. Powers and duties.~~

- (a) ~~The commission is charged with the responsibility for recommending to the city council plans for the formulation of a transportation safety program for the city and thereafter with the responsibility for a periodic review of the operation and effect of this program. The commission shall advise and assist the city in the preparation of a program for transportation safety within the city which shall be subject to the approval of the governor for purposes of determining the eligibility of the city to participate in funds and grants available under the federal Highway Safety Act of 1966 or any federal or state funds as may be made available. The plans shall specifically include, in addition to any matters as the governor through~~

~~the state board of transportation safety may require, material on the status of need for and means to provide within the city driver education and driver improvement courses for adults and out of school youths and identification of accident-prone locations on roads within the city's jurisdiction and in cooperation with state agencies.~~

- ~~(b) The commission shall also perform any other functions relating to transportation safety as the city council may from time to time require.~~

~~Sec. 5-8-13. Advisory officials.~~

~~The city manager may designate appropriate public officials or employees to attend the meetings of the commission in an advisory and consulting capacity, but with no right to vote.~~

Section 5. Chapter 9 of Title 9 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, repealed:

~~Sec. 9-9-1 Definitions.~~

~~For the purposes of the chapter, the following words and phrases shall have the meaning ascribed to them in this section, unless otherwise expressly stated or the context clearly indicates a different intention:~~

- ~~(1) *Director of recreation.* The legally designated director of recreation of the city or his authorized representative.~~
- ~~(2) *Operator.* The individual in control of the management and operation of a rebound tumbling center or any person acting by and with the authority of the person so in control.~~
- ~~(3) *Permit.* A written permit issued by the director of recreation to maintain and operate a rebound tumbling center, issued under the provisions of this chapter, which permit shall be separate and distinct from any other business license or pertinent which may otherwise have been issued for the conduct of any business other than that of a rebound tumbling center.~~
- ~~(4) *Rebound tumbling center.* Any facility open to the use of the general public, within or upon which any rebound tumbling mat is installed, maintained or operated, irrespective of whether or not a charge is made for its use.~~
- ~~(5) *Rebound tumbling mat.* Any rebound or recoil tumbling mat or net, or any similar rebound or recoil device or apparatus of any type of construction or installation, designed or intended to be used by any person for bouncing, tumbling, springing, acrobatic or gymnastic activity, or any other amusement, recreational or athletic purpose.~~

~~Sec. 9-9-2 Permit required.~~

- ~~(a) It shall be unlawful for any person to establish, construct, operate, maintain or offer for use any rebound tumbling center unless he holds a valid permit issued by the director of recreation, in the name of such person for the specific rebound tumbling center and a special use permit has been granted by the city council pursuant to the provisions of title 7, chapter 6, article J of this code. The requirement that such permits shall be obtained is in addition to any other permits or licenses required by the state, this code, the city council or any department, board, agency or commission of the city.~~
- ~~(b) Any person violating the provisions of this section shall, upon conviction, be punished by a fine not to exceed \$100 or by imprisonment in the city jail for a period not to exceed 30 days, or by both such fine and imprisonment.~~

- (c) ~~Violations of this section may also be restrained, prohibited and enjoined in any proper court of equity jurisdiction.~~
- (d) ~~The suspension or revocation of any permit shall not excuse any violation or permit it to continue.~~

~~Sec. 9-9-3 Same application; generally.~~

~~Each application for a permit required by this chapter shall be filed with the director of recreation, in writing, signed by the applicant, and shall contain the following:~~

- (1) ~~the name and address of the applicant;~~
- (2) ~~the name and address of the operator of the rebound tumbling center;~~
- (3) ~~the name and address of the owner of the real property upon which the rebound tumbling center will be located;~~
- (4) ~~the area and dimensions of the tract of land to be used;~~
- (5) ~~the zone in which the location is located and reference to the special use permit granted by the city council;~~
- (6) ~~the nature of the installation, viz., open ground or enclosed within roofed building or other structure; and~~
- (7) ~~the number of rebound tumbling mats to be installed and operated.~~

~~Sec. 9-9-4 Same same; plans showing location, space and general layout.~~

- (a) ~~The applicant for a permit under this chapter shall attach to and file with the application detailed plans, drawn to scale of a ratio of not less than one (1) inch to 10 feet, which shall contain the following:~~
 - (1) ~~The size and location of all rebound tumbling mats. Size shall be indicated by the overall dimension of the frame of the rebound tumbling in mat.~~
 - (2) ~~The size and thickness of all padding covering the framework of all rebound tumbling mats.~~
 - (3) ~~The location and height of all fences, walls or other barricades in or enclosing the rebound tumbling center.~~
 - (4) ~~The net overhead distance between the rebound tumbling mat and the ceiling or roof, if the center is located within the enclosure of any building or structure.~~
 - (5) ~~The location and height of all poles bearing illumination fixtures, number of lights carried per pole and wattage per individual light.~~
 - (6) ~~The course and maximum height of all overhead electric wiring, with an indication of all voltages carried thereby.~~
 - (7) ~~The size and location of any office or any other building or structure existing or proposed to be located on the tract of land to be used.~~
 - (8) ~~The layout of the public address system and specifications of decibel output.~~
 - (9) ~~The size and location of off-street parking area showing each individual car space and aisle space and the dimensions thereof.~~
 - (10) ~~The size and location of all entrances and exits.~~
- (b) ~~Such plans shall bear a certification of compliance with all affected city departments, as specified on the approved special use permit, as required by title 7, chapter 6 of this code, before a permit is issued by the director of recreation for the operation of such rebound tumbling center.~~

- (c) ~~One (1) copy of the approved plans shall be kept as a permanent city record in the office of the director of building and mechanical inspection.~~

~~Sec. 9-9-5 Same—same; specifications.~~

~~The applicant for a permit required by this chapter shall attach to and file with the application detailed specifications, which shall include the following:~~

- ~~(1) the type of padding to be used on the rebound tumbling mats;~~
- ~~(2) if other than pit type installation, a detail of the support of the rebound tumbling mats, the manner of securing the same to the ground or floor and the minimum distance from the rebound tumbling mat to the ground or floor.~~
- ~~(3) any further specification or plan which the director of recreation may reasonably require in order to enable him to determine compliance with this chapter.~~

~~Sec. 9-9-6 Same—issuance; term; renewal; nontransferable.~~

~~The director of recreation shall issue a permit for a rebound tumbling center to an applicant upon compliance with the provisions of this chapter. The permit shall be valid for a period of one (1) year from date of issuance unless sooner revoked or suspended. Permits may be renewed annually. No permit may be transferable, and any person holding a permit shall give notice in writing to the director of recreation within 24 hours after having sold, transferred, given away, or otherwise disposed of interest in or control of any rebound tumbling center. The notice shall include the name and address of the person succeeding to the ownership or control of the rebound tumbling center.~~

~~Sec. 9-9-7 Same—suspension and revocation.~~

- ~~(a) Whenever the director of recreation determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any regulations adopted pursuant to this chapter, he shall give notice of such alleged violation to the person responsible therefor. The notice shall:~~
- ~~(1) be put in writing;~~
 - ~~(2) include a statement of the reasons for its issuance; and~~
 - ~~(3) contain an outline of remedial action, which if taken will effect compliance with provisions of this chapter and any regulations adopted pursuant thereto.~~
- ~~(b) The notice shall be served upon the owner or his agent or the operator, as the case may require. Such notice or order shall be deemed to have been properly served upon the owner or agent or upon the operator when a copy thereof has been sent by certified or registered mail to his last known legal address.~~
- ~~(c) If, after 15 calendar days, commencing from the day such legal notice is received by the owner or operator, as the case may require, the violation as exists is not corrected, the director of recreation shall send a notice of the violation to the city manager.~~
- ~~(d) The city manager shall cause the alleged violations to be brought to the attention of the city council, and the city council may revoke or suspend the special use permit as provided in title 7, chapter 6, article J of this code. A suspension or revocation of the special use permit shall be deemed a suspension or revocation of any permit granted by the director of recreation pursuant to this chapter.~~

- (e) ~~Whenever the director of recreation finds that a violation of this chapter exists which he deems requires immediate action to protect the public health or safety, he shall issue an order requiring that action be taken to immediately correct the violation. If the violation is not immediately corrected the director of recreation shall send a notice of the violation to the city manager.~~
- (f) ~~The city manager shall forthwith cause the alleged violations to be brought to the attention of the city council, and the city council may revoke or suspend the special use permit, as provided in title 7, chapter 6, article J of this code. A suspension or revocation of the special use permit shall be deemed a suspension or revocation of any permit granted by the director of recreation pursuant to this chapter.~~

~~Sec. 9-9-8 Construction and installation regulations.~~

~~No rebound tumbling center located within the city shall be installed, maintained or operated until the following regulations have been complied with:~~

- (1) ~~Measured from the outside dimension of the frame, the minimum distance between rebound tumbling mats shall be: End to end (longitudinal), 10 feet; side to side (lateral), six (6) feet.~~
- (2) ~~All rebound tumbling mat frames shall be securely covered with padding of an approved type, construction and dimension.~~
- (3) ~~Any ceiling, roof or other covering shall be not less than 15 feet above the rebound tumbling mat.~~
- (4) ~~For pit type rebound tumbling mats, the downward vertical distance from the rebound tumbling mat to the bottom of such pit shall not be less than 36 inches. The pit shall be constructed in such a manner so as to provide a shelf or ledge beneath all springs, elastic bands or other recoil or rebound mechanism attached to the rebound tumbling mat.~~
- (5) ~~All rebound tumbling mats other than pit type shall be firmly secured to the floor or ground.~~
- (6) ~~No rebound tumbling center shall be open between the hours of 10:00 p.m. and 8:00 a.m.~~
- (7) ~~Any rebound tumbling center open for use after the hour of sunset shall be illuminated with a light intensity of not less than seven (7) foot candles at the level of the rebound tumbling mat. However, where such rebound tumbling center is located immediately adjacent to or across the street from any residential zone or property used for residential purposes, such illumination shall be controlled and regulated so as not to create objectionable glare visible from any residential zone or properties.~~
- (8) ~~Upon every rebound tumbling center, a public address system of sufficient capacity, design and volume shall provide at all times a voice transmission clearly audible to all persons within and upon the rebound tumbling center. Such public address system shall be operated at all times for the sole purpose of directing and controlling the activities of all persons within and upon the center. The operating sound level of such public address system shall at no time exceed 20 decibels measured at 50 feet at any point beyond the perimeter of the rebound tumbling center.~~
- (9) ~~The perimeter of the rebound tumbling center, excluding the off street parking area, shall be enclosed with a sturdy fence no less than six (6) feet in height.~~

- (10) ~~Off street parking shall be provided, having adequate means of ingress and egress. Such off street parking facility shall be constructed and surfaced in accordance with prevailing city standards.~~
- (11) ~~No rebound tumbling center shall be maintained or operated unless there is in full force and effect and covering the operation of the same a policy of public liability and property damage issued by a duly authorized insurance carrier, and insuring such operation within minimum public liability limits of \$100,000/\$200,000 and property damage limit of \$5,000.~~
- (12) ~~No rebound tumbling mat shall be any closer to another object than six (6) feet.~~
- (13) ~~Sanitary facilities for both sexes shall be installed in accordance with the requirements of the health department of the city.~~

~~Sec. 9-9-9 General operating regulations.~~

~~The following operating regulations shall be enforced by the permittee at any rebound tumbling center used by the public:~~

- (1) ~~No child under six (6) years of age shall use any rebound tumbling mat at any time.~~
- (2) ~~No child between the ages of six (6) and nine (9) years shall use any rebound tumbling mat, except in the presence of a parent, legal guardian or other adult relative.~~
- (3) ~~Any rebound tumbling mat in use shall at all times be under the immediate supervision, direction and control of an authorized supervisor. The required number of supervisors shall be as follows:~~
 - a. ~~six (6) rebound tumbling mats or less in use, one (1) supervisor;~~
 - b. ~~for each additional six (6) rebound tumbling mats or fraction thereof in use, one (1) additional supervisor for each such additional six (6) rebound tumbling mats or fraction thereof.~~
- (4) ~~Each supervisor shall be an individual of good moral character and physical fitness, trained and experienced in the safe use of and performance upon a rebound tumbling mat, and shall at all times be a qualified holder of the standard first aid certificate of the American Red Cross.~~
- (5) ~~An adequate first aid kit shall be kept on the premises, and shall be available at all times.~~
- (6) ~~Persons using any rebound tumbling mat shall be directed to perform thereon in accordance with accepted good gymnastic practice.~~
- (7) ~~Eating and drinking shall be prohibited on the premises.~~
- (8) ~~All persons shall be required to wear socks or shoes and a shirt or blouse while using a rebound tumbling mat.~~
- (9) ~~No rebound tumbling mat that is wet or damp shall be used at any time.~~
- (10) ~~Only one (1) person shall be allowed to perform on any rebound tumbling mat at one (1) time.~~
- (11) ~~A complete record of all injuries shall be kept and shall be open for inspection by the director of recreation at all times.~~
- (12) ~~All persons shall be required to register with the supervisor, such registration to include the name, address, whom to contact in case of an accident and the person's previous gymnastic experience.~~

~~Sec. 9-9-10 Inspection; right of entry.~~

- ~~(a) The director of recreation shall make inspections to determine the condition of rebound tumbling centers located within the city, in order that he may perform his duty of safeguarding the health and safety of persons using such rebound tumbling centers.~~
- ~~(b) The director of recreation shall have the power to enter any reasonable time upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter or of regulations adopted pursuant thereto.~~

This ordinance shall become effective immediately.

William D. Euille
Mayor

Final Passage: January 25, 2014

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