

ORDINANCE NO. 5214

AN ORDINANCE to amend and reordain Article R (LICENSE TAXES ON MOTOR VEHICLES, TRAILERS AND SEMITRAILERS), and Section 3-2-354 (PENALTIES FOR UNCONTESTED CITATIONS), Section 3-2-355 (REMOVAL OR IMMOBILIZATION OF MOTOR VEHICLES AGAINST WHICH THERE ARE OUTSTANDING PARKING CITATIONS), of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended; and, Repeal of Section 10-4-37 (FAILURE TO PROCURE AND DISPLAY CITY LICENSE PLATE, WINDSHIELD TAG OR DECAL), of Chapter 4 (STOPPING, STANDING, AND PARKING) of Title 10 (MOTOR VEHICLES AND TRAFFIC) of the Code of the City of Alexandria, Virginia, 1981, as amended

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-321 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:

ARTICLE R - ~~License Taxes~~ Local Registration Fee on Motor Vehicles, Trailers and Semitrailers

Sec. 3-2-321 – ~~License~~ Local Registration Fee required; license tax levied and billed.

A Local Registration Fee (also known as the license tax authorized pursuant to Section 46.2-752 of the Code of Virginia (1950), as amended) is ~~required~~ imposed each year ~~for on~~ every motor vehicle, trailer and semitrailer which is normally garaged, stored or parked within the city, ~~and a license tax is imposed each year on every such motor vehicle, trailer and semitrailer~~ for the period from October 5 to the following October 4. Such ~~license tax~~ Local Registration Fee shall be at the rate set forth in sections 3-2-327 through 3-2-331, and shall be for the purpose of providing revenue for the general fund of the city except such portions thereof as are required by section 46.2-753 of the Code of Virginia (1950), as amended, to be allocated to the Northern Virginia Transportation Commission. Nothing in this section shall be construed as imposing a ~~license tax~~ Local Registration Fee on any vehicle not required to be licensed by section 46.2-663 et seq., Code of Virginia (1950), as amended, or any vehicle exempted by section 46.2-755, Code of Virginia (1950), as amended, or any vehicle exempted by the Servicemembers Civil Relief Act of 2003, 50 U.S.C. App. section 501 et seq., or the Military Spouses Residency Relief Act, 50 U.S.C. App. section 571. Nothing in this section shall be construed to require the display on any vehicle of a windshield decal or other representation of the Local Registration fee so paid. The ~~license tax~~ Local Registration Fee imposed herein will be billed to taxpayers at the same time as the personal property tax on motor vehicles, imposed pursuant to section 3-2-221 et seq. of this code, and the two ~~taxes~~ amounts will be imposed in a single combined bill. If any portion of the combined bill is not paid timely, late payment penalty and interest charges shall apply to the balance. (Code 1963, Sec. 22-234; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4642, 1/23/10, Sec. 1)

Section 2. That Section 3-2-322 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. 3-2-322 - Exempt vehicles ~~to obtain license.~~

Any motor vehicle, trailer or semitrailer exempted from taxation solely by reason of the Servicemembers Civil Relief Act of 2003, 50 U.S.C. App. section 501 et seq., or the Military Spouses Residency Relief Act, 50 U.S.C. App. section 571 shall ~~be issued a license~~ register such vehicle, trailer or semitrailer with the department of finance in the same manner as if it were not so exempt. ~~Application for the license~~ Registration shall be made in the manner prescribed by section 3-2-323 of this code. There shall be no charge for ~~the issuance of any such license a~~ Local Registration Fee. (Code 1963, Sec. 22-234.1; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4642, 1/23/10, Sec. 2)

Section 3. That Section 3-2-323 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. 3-2-323 - ~~Application for and issuance of license~~ Local Registration; when ~~tax~~ fee payable.

- (a) ~~Application for the license prescribed by this article shall be made each year not later than October 5 on forms prepared by the director. The license tax~~ Local Registration Fee covered by section 3-2-321 of this code shall be due and payable to the director not later than October 5 of each license tax year. ~~Upon payment of the license tax, the director of finance shall issue to the applicant an appropriate license plate or license windshield tag for such vehicle; except that decals made of reflective, waterproof material shall be issued for motorcycles, trailers and semitrailers; provided, however, that the director may issue to an applicant, whose prior year license tax and personal property tax have been paid on all vehicles owned by such applicant and subject to such license tax and personal property tax in the city, the appropriate license plate or license windshield tag, and bill the applicant for the current year license tax. The license plate, tag or decal shall remain valid until November 15 of the following calendar year.~~
- (b) At the time of ~~application for the initial city licensing~~ local registration of a motor vehicle, trailer or semitrailer, the ~~applicant~~ owner shall present ~~his~~ their state registration or other proof of ownership. Such initial ~~application~~ local registration and payment of the appropriate ~~license tax~~ Local Registration Fee shall be made:
- (1) upon registering and licensing any motor vehicle, trailer or semitrailer with the Virginia Division of Motor Vehicles when the registration of such a vehicle shows an address in the city;
 - (2) upon commencement of operation upon the streets of the city of any motor vehicle, trailer or semitrailer which has been in the city for a period of at least 30 days and which is registered and licensed by another state or by the Virginia Division of Motor Vehicles whose records show as an address elsewhere in Virginia; or
 - (3) upon commencement of operation upon the streets of the city of a motor vehicle, trailer or semitrailer from a place of business within the city, which vehicle is used in the conduct of any business or occupation within the city. (Code 1963, Sec. 22-235, as amended by Ord.

No. 2396, 10/13/79, Sec. 6; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4332, 1/24/04, Sec. 1; Ord. No. 4479, 5/12/07, Sec. 1)

(c) The director of finance, or designee, may waive the annual local registration fee due October 5th of the tax year, if the applicable vehicle is sold, disposed of, or moved from the City of Alexandria prior to October 5 of the tax year, and the fee is not otherwise transferred to a replacement vehicle pursuant to Section 3-2-332(a).

Section 4. That Section 3-2-324 of the Code of the City of Alexandria, Virginia, 1981, as amended be, and the same hereby, is repealed as follows:

~~Sec. 3-2-324—License period; use of license plates, windshield tags or decals before license period.~~

~~The period during which a license plate, windshield tag or decal issued under this article is valid shall run from October 5 of a calendar year through November 15 of the subsequent calendar year. In no event shall any license plate, windshield tag or decal be used beyond November 15 of the license period for which is it issued. (Code 1963, Sec. 22-353.2, as amended by Ord. No. 2396, 10/13/79, Sec. 7; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4332, 1/24/04, Sec. 2)~~

Section 5. That Section 3-2-325 of the Code of the City of Alexandria, Virginia, 1981, as amended be, and the same hereby, is repealed as follows:

~~Sec. 3-2-325—Payment of personal property taxes prior to issuance.~~

- ~~(a) No license plate or windshield tag shall be issued under this article for any motor vehicle, trailer or semitrailer unless and until the applicant for such license shall have produced satisfactory evidence that all prior year license tax and personal property tax upon all motor vehicles, trailers or semitrailers owned by the applicant have been paid which have been properly assessed or are assessable against the applicant.~~
- ~~(b) A license plate or windshield tag may be issued to an applicant before payment of the current year personal property tax on the vehicle for which application is made, provided that all prior year license tax and personal property tax have been paid on all vehicles owned by such applicant and subject to such license tax and personal property tax in the city. (Code 1963, Sec. 22-236, as amended by Ord. No. 2396, 10/13/79, Sec. 8; Ord. No. 2397, 10/13/79, Sec. 1; Ord. No. 4332, 1/24/04, Sec. 3; Ord. No. 4479, 5/12/07, Sec. 2)~~

Section 6. That Section 3-2-326 of the Code of the City of Alexandria, Virginia, 1981, as amended be, and the same hereby, is repealed as follows:

~~Sec. 3-2-326—Display of license plate, windshield tag and decal.~~

~~Each license plate issued under this article shall be attached to the front or rear state license tag and kept in full view at all times. Each license windshield tag issued under this article shall be affixed on the inside of the windshield of the vehicle. It shall be placed adjacent to the state inspection sticker and not more than three inches from the bottom of the windshield. Each decal issued under this article shall be affixed to motorcycles on the front fork adjacent to the state safety inspection sticker. Each decal issued under this article shall be affixed to trailers and semitrailers on the front side of the vehicle body adjacent to the state safety inspection sticker. (Code 1963, Sec. 22-237, as amended by Ord. No. 2396, 10/13/79, Sec. 9)~~

Section 7. That Section 3-2-327 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. 3-2-327 – ~~Tax~~ Local Registration Fee on vehicles used for transportation of passengers.

(a) The annual ~~license-tax~~ Local Registration Fee on motor vehicles, trailers and semitrailers designed and used for the transportation of passengers shall be as follows:

- (1) \$33 for a passenger car or motor home if such passenger car or motor home is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire.
- (2) \$0.30 per 100 pounds of weight or major fraction thereof for a private motor vehicle with a normal seating capacity of more than 10 adult persons, including the driver, if such private vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire; provided, that in no case shall the ~~tax~~ fee be less than \$23.
- (3) \$0.30 per 100 pounds of weight or major fraction thereof for a private school bus; provided, that in no case shall the ~~tax~~ fee be less than \$23.
- (4) \$23 for a trailer or semitrailer designed for use as living quarters for human beings.
- (5) \$23 for a taxicab and any other vehicle kept for rent or hire and operated with a chauffeur for the transportation of passengers, which operates or should operate under permits issued by the state corporation commission as required by law, and \$28 for any such vehicle that weighs in excess of 4,000 pounds. This subsection does not apply to vehicles used as common carriers.
- (6) \$21 for a motorcycle with or without a sidecar.
- (7) \$23 for a bus used exclusively for transportation to and from Sunday school or church for the purpose of religious worship, and \$28 for any such bus which, when empty, weighs in excess of 4,000 pounds.
- (8) \$13 in addition to \$0.70 per 100 pounds of weight or major fraction thereof for other passenger-carrying vehicles.

(b) The ~~license-tax~~ Local Registration Fee for passenger vehicles owned by members of the Virginia National Guard shall be one-half of the ~~license-tax~~ fee prescribed in this section, upon presentation of evidence by the registered owners that special Virginia National Guard license plates have been issued to the vehicles as provided in section 46.2-744 of the Code of Virginia (1950), as amended. (Code 1963, Sec. 22-238; Ord. No. 2667, 3/13/82, Sec. 1; Ord. No. 2715, 9/18/82, Sec. 1; Ord. No. 2735, 11/13/82, Sec. 1; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4488, 6/16/07, Sec. 1)

Sec. 3-2-328 - reserved.

Editorial Note: Ord. No. 3871, § 3, adopted June 15, 1996, repealed § 3-2-328, which pertained to tax on vehicles used for transportation of passengers—small rented vehicles jointly owned. See the Code Comparative Table.

Section 8. That Section 3-2-329 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. 3-2-329 - ~~Tax~~ Local Registration Fee on vehicles not designed or used for transportation of passengers.

- (a) The annual ~~license-tax~~ Local Registration Fee on all motor vehicles, trailers and semitrailers not designed and used for the transportation of passengers shall be determined by the gross weight of the vehicle or combination of vehicles of which it is a part, when loaded to maximum capacity for which it is registered and licensed, according to the following schedule:

Gross Weight Groups

(Pounds)	Tax	<u>Fee</u>
4,000 or less	\$33.00
4,001—10,000	38.00
10,001—12,000	43.00
12,001—15,000	48.00
15,001—18,000	53.00
18,001—20,000	58.00
20,001—22,000	63.00
22,001—24,000	68.00
24,001—26,000	73.00
26,001—40,000	83.00
40,001 and up	98.00

- (b) The ~~license-tax~~ Local Registration Fee for pickup trucks and panel trucks owned by members of the Virginia National Guard shall be one-half of the ~~license-tax~~ fee prescribed in this section, upon presentation of evidence by registered owners that special Virginia National Guard license plates have been issued to the vehicles as provided in section 46.2-744 of the Code of Virginia (1950), as amended. (Code 1963, Sec. 22-240; Ord. No. 2667, 3/13/82, Sec. 2; Ord. No. 2715, 9/18/82, Sec. 3; Ord. No. 2735, 11/13/82, Sec. 2; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 3907, 1/25/97, Sec. 1; Ord. No. 4488, 6/16/07, Sec. 1)

Section 9. That Section 3-2-330 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. 3-2-330 - ~~Tax~~ Fee on certain trailers.

The annual ~~license-tax~~ fee on a one or two wheel trailer of a cradle, flat bed or open pickup type, with a body length of not more than nine feet and a width not greater than the width of the

motor vehicle to which it is attached at any time of operation, which is to be attached to the owner's own motor vehicle and used only for carrying property belonging to the owner of such trailer, which is pulled or towed by a passenger car or station wagon, or a pickup or panel truck having an actual gross vehicle weight not exceeding 5,000 pounds, and which is used for carrying property not exceeding 1,000 pounds at any time, and the annual license fee on a trailer having a body length of not more than 16 feet which is designed and used exclusively for carrying boats, shall be \$14.50. Nothing herein shall be construed as applying to the ~~license taxes~~ fee for trailers or semitrailers designed for use as living quarters for human beings or to those trailers or semitrailers operated under lease or rental agreement or operated for compensation. (Code 1963, Sec. 22-241; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4488, 6/16/07, Sec. 1)

Section 10. That Section 3-2-331 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. 3-2-331 - Combination of tractor-trucks and semitrailers.

- (a) In the case of a combination of a tractor-truck and a semitrailer, each vehicle constituting a part of such combination shall be registered as a separate vehicle, ~~and separate vehicle license plates shall be issued therefor,~~ but, for the purpose of determining the gross weight group into which any such vehicle constitutes a part, shall be considered a unit, and the aggregate gross weight of the entire combination shall determine such gross weight group. The ~~tax fee~~ for license plates for a semitrailer constituting a part of such combination shall be \$18 for a vehicle weighing less than 1,501 pounds, \$28.50 for a vehicle weighing at least 1,501 pounds but less than 4,001 pounds, and \$40.00 for a vehicle weighing at least 4,001 pounds.
- (b) In determining the ~~tax fee~~ to be paid for the license plates for a tractor-truck constituting a part of such combination the ~~tax fee~~ shall be assessed at the total weight and the ~~tax fee~~ per 1,000 pounds applicable to the gross weight of the combination when loaded to the maximum capacity for which it is registered and licensed. However, there shall be no deduction from this ~~tax fee~~ for the tax fee of the semitrailer in combination. (Code 1963, Sec. 22-242; Ord. No. 2715, 9/18/82, Sec. 4; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4488, 6/16/07, Sec. 1)

Section 11. That Section 3-2-332 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. 3-2-332 – Local Registration Fee ~~Transfers of plates and replacement of windshield tag or decal.~~

- (a) Any owner who has paid a ~~license tax~~ Local Registration Fee required under this article for any motor vehicle, trailer or semitrailer ~~for which a license plate was issued~~ may transfer the ~~license plate~~ current fee to ~~another~~ a replacement motor vehicle, trailer or semitrailer registered in such owner's name, provided the vehicle to which the ~~license plate fee~~ is transferred is a like vehicle and category as specified in this article and requires an identical ~~license tax fee~~, upon ~~application~~ local registration on forms furnished by the director of finance or presentation of the registration card for the motor vehicle, trailer or semitrailer to which the ~~license plate fee~~ is being transferred, ~~accompanied by a fee of \$1;~~ provided, that if such other motor vehicle, trailer or semitrailer requires a greater ~~license tax fee~~ than that for

~~which the license plate was issued~~ *the original fee*, the amount of the difference in license taxes the *Local Registration Fee* shall also be paid.

~~(b) Any owner who has paid a license tax required under this article for any motor vehicle, trailer or semitrailer for which a windshield tag or decal was issued may obtain a replacement windshield tag or decal for use on another vehicle registered in such owner's name, upon application on forms furnished by the director of finance and presentation of the registration card for the vehicle for which the replacement windshield tag or decal is sought and pieces of the previously issued license windshield tag or decal as proof that it was removed from the vehicle for which the license tax was previously paid, accompanied by a fee of \$1; provided, that if such other motor vehicle, trailer or semitrailer requires a greater license tax than that for which the license windshield tag or decal was issued, the amount of the difference in license taxes shall also be paid. (Code 1963, Sec. 22-243, as amended by Ord. No. 2396, 1/13/79, Sec. 10)~~

Section 12. That Section 3-2-333 of the Code of the City of Alexandria, Virginia, 1981, as amended be, and the same hereby, is repealed as follows:

~~Sec. 3-2-333—Replacement of lost plates, tags and decals.~~

~~Any person losing his original license plate, license windshield tag or decal issued as provided in section 3-2-325 of this article may secure a new license plate, license windshield tag or decal by making affidavit to the director of finance that the original license plate, license windshield tag or decal has been lost and by paying a fee of \$1 to the director of finance. (Code 1963, Sec. 22-244, as amended by Ord. No. 2396, 1/13/79, Sec. 11; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 4332, 1/24/04, Sec. 4)~~

Section 13. That Section 3-2-334 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. 3-2-334 - ~~Vehicle decal~~ *Local Registration Fee* reciprocity.

~~Notwithstanding any provisions of this article to the contrary, if a license tax has been paid for a license period to the county of Arlington, Fairfax or Loudoun or the city of Fairfax or Falls Church, or the town of Herndon, jurisdictions which are participating in the Northern Virginia Local Motor Vehicle License Compact, and the vehicle relocates to the city during the period, the owner may obtain a city decal for the current license period by upon proof of payment to the other locality completing the forms prescribed by the director of finance and presenting the state vehicle registration and pieces of the previously issued license decal, accompanied by a fee of \$5. (Code 1963, Sec. 22-2345, as amended by Ord. No. 2396, 10/13/79, Sec. 12; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 3954, 10/25/97, Sec. 1; Ord. No. 4332, 1/24/04, Sec. 5)~~ *Pursuant to Section 46.2-752(H) of the Code of Virginia (1950), as amended no person who has paid a 12-month Local Registration Fee for a vehicle in one county, city, or town in the Commonwealth and then moves to and garages the same vehicle in the City of Alexandria shall be required to pay a Local Registration Fee for the same period until the expiration of the current Local Registration Fee from the locality from which the vehicle moved.*

Sec. 3-2-335 - reserved.

Editorial Note: Ord. No. 3871, § 3, adopted June 15, 1996, repealed § 3-2-335, which pertained to refund for unused portion of fee paid. See the Code Comparative Table.

Section 14. That Section 3-2-336 of the Code of the City of Alexandria, Virginia, 1981, as amended be, and the same hereby, is repealed as follows:

~~Sec. 3-2-336—Offenses relating to license plate, windshield tag and decal.~~

~~(a) No person shall:~~

- ~~(1) operate or permit a motor vehicle, trailer or semitrailer, controlled by him and subject to this article, to be operated or parked at any location in the city without first procuring and displaying the required city license plate or license windshield tag or decal or, if applicable, the license plate or license windshield tag or decal required by the county of Fairfax, Arlington or Loudoun, the city of Fairfax or Falls Church, or the town of Herndon, pursuant to the Northern Virginia Local Motor Vehicle License Compact and section 10-4-37.1 of this code;~~
 - ~~(2) display, cause or permit to be displayed, or have in his possession any license receipt or city license plate or license windshield tag or decal, knowing the same to be fictitious or to have been altered;~~
 - ~~(3) remove any city license plate or license windshield tag or decal from the custody of any person to whom the same has been issued by or under the authority of the director of finance;~~
 - ~~(4) lend or knowingly permit the use, by one not entitled thereto, of any city license plate or license windshield tag or decal;~~
 - ~~(5) use a false or fictitious name or address on any application for a city license plate or license windshield tag or decal, or knowingly make a false statement of a material fact, conceal a material fact or otherwise commit a fraud in any such application;~~
 - ~~(6) use any city license plate or license windshield tag or decal issued under this article on any vehicle other than the vehicle for which such license plate or license windshield tag or decal was issued or to which such license plate or license windshield tag or decal was transferred by the director of finance;~~
 - ~~(7) fail to carry the license receipt for the vehicle which he operates; or~~
 - ~~(8) display any city license plate or license windshield tag or decal after the expiration date of such license plate or license windshield tag or decal.~~
- ~~(b) Upon conviction of a violation of subsection (a)(1), (a)(2), (a)(4), (a)(5), (a)(6) or (a)(8) of this section, a person shall be punished by a fine not exceeding \$35; provided, that a violation of subsection (a)(1), (a)(2), (a)(6) or (a)(8), or of sections 10-4-37 and 10-4-37.1 of this code, shall not be discharged unless payment of the requisite fine is accompanied by satisfactory evidence that the required city license plate or windshield tag or decal has been obtained. Upon conviction of a violation of subsection (a)(3), a person shall be guilty of a class 1 misdemeanor. Upon conviction of a violation of subsection (a)(7), a person shall be punished by a fine of not less than \$1 and not more than \$10; provided, that if a person charged with such a violation presents to the department of finance or to the court to which~~

~~the person has been summoned a proper license receipt, the person shall be deemed to have complied with subsection (a)(7).~~

~~(c) Subsection (a) of this section may be enforced through the issuance of citations, summonses, parking tickets or uniform traffic summonses. (Code 1963, Sec. 22-247, as amended by Ord. No. 2396, 10/13/79, Sec. 14; Ord. No. 2968, 9/15/84, Sec. 1; Ord. No. 3376, 5/13/89, Sec. 1; Ord. No. 3573, 5/16/92, Sec. 1; Ord. No. 3574, 5/16/92, Sec. 1; Ord. No. 3721, 5/14/94, Sec. 1; Ord. No. 3871, 6/15/96, Sec. 4; Ord. No. 3954, 10/25/97, Sec. 2; Ord. No. 4005, 6/13/98, Sec. 3)~~

Section 15. That Section 3-2-337 of the Code of the City of Alexandria, Virginia, 1981, as amended be, and the same hereby, is repealed as follows:

~~Sec. 3-2-337 – Presumption of operation on city streets.~~

~~In any prosecution of a violation of any provision of this article requiring a license, proof that the motor vehicle, trailer or semitrailer was located in the city and was displaying a current license plate of any state shall constitute in evidence a prima facie presumption that such motor vehicle, trailer or semitrailer was operated on the public streets of the city. (Code 1963, Sec. 22-248)~~

Secs. 3-2-338 through 3-2-350 - reserved.

ARTICLE S – Payment, Contest and Enforcement of Parking Citations.

Section 16. That Section 3-2-354 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. 3-2-354 - Penalties for uncontested citations.

Any other provisions of this code to the contrary notwithstanding, the penalty for any of the following violations of this code shall, when the citation which was issued for the violation is uncontested, be as follows:

- (a) If a payment is tendered to the director of finance within 30 calendar days from the date the citation was issued:
 - (1) \$40 for a violation of section 10-4-1, "Stopping contrary to directions of police officers;"
 - (2) \$40 for a violation of section 10-4-2, "Permitting vehicle to remain parked contrary to the directions of an official sign;"
 - (3) \$40 for a violation of section 10-4-3, "Right to parking space;"
 - (4) \$40 for a violation of section 10-4-4, "Stopping so as to obstruct traffic or on crossing;"
 - (5) \$40 for a violation of section 10-4-5, "Double parking;"

- (6) \$40 for a violation of section 10-4-6, "Parking trucks or commercial vehicles in residential districts;"
- (7) \$40 for a violation of section 10-4-7, "Parking of vehicles by businesses on streets;"
- (8) \$25 for a violation of section 10-4-8, "Parking for more than 72 continuous hours;"
- (9) \$40 for a violation of section 10-4-9, "Parking trailers or recreational vehicles in residential districts;"
- (10) \$40 for a violation of section 10-4-10, "Parking on sidewalk;"
- (11) \$40 for a violation of section 10-4-11, "Parking in alleys or courts;"
- (12) \$40 for a violation of section 10-4-12, "Parking of vehicles on private property;"
- (13) \$40 for a violation of section 10-4-13, "Stopping for purpose of sale, repairs, etc.;"
- (14) \$40 for a violation of section 10-4-14, "Use of bus stops;"
- (15) \$40 for a violation of section 10-4-15, "Stopping for loading or unloading passengers or cargo generally;"
- (16) \$40 for a violation for section 10-4-16, "Permit for parking truck beside railroad car on public right-of-way;"
- (17) \$40 for a violation of section 10-4-17, "Angle parking for loading and unloading;"
- (18) \$40 for a violation of section 10-4-18, "Use of loading zones;"
- (19) The amount set by order of the Supreme Court of Virginia, pursuant to Section 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of subsection (a) of section 10-3-1242, "Parking in spaces reserved for persons with a disability;"
- (20) \$40 for a violation of section 10-4-22, "How meter and space to be used; how pay station and space to be used;"
- (21) \$40 for a violation of section 10-4-23, "Overtime parking;"
- (22) \$40 for a violation of section 10-4-24, "Depositing coin or payment in meter or station for purpose of extending time;"
- (23) \$40 for a violation of section 10-4-25, "Permitting vehicle to remain parked at meter after expiration of time limit; permitting vehicle to remain parked in block with pay station after expiration of time limit;"
- (24) \$40 for a violation of section 10-4-28, "Parking across lines designated parking space;"
- (25) \$40 for a violation of section 10-4-30, "Interfering with enforcement of chapter;"
- (26) \$40 for a violation of section 10-4-33, "Use of metered parking lots by vehicles other than private passenger automobiles;"

- (27) \$40 for a violation of section 10-4-34, "Parking illegally in permit parking districts;"
 - (28) \$40 for a violation of section 5-8-114, "Designation of parking spaces; parking across lines;"
 - (29) \$40 for a violation of section 10-4-40, "Location of parked vehicles;"
 - (30) ~~\$40 for a violation of section 10-4-37, "Failure to procure and display city license plate, windshield tag or decal;"~~ Reserved.
 - (30A) \$40 for a violation of section 10-4-37.1, "Enforcement of the Northern Virginia Local Motor Vehicle License Compact;"
 - (31) \$40 for a violation of section 10-4-38, "Parking without display of current state inspection sticker or current state license plate;"
 - (32) \$40 for a violation of section 10-4-39, "Temporary parking prohibited;"
 - (33) \$40 for a violation of section 9-12-162, "Use of locations other than designated parking spaces by sight-seeing buses;"
 - (34) \$40 for a violation of section 9-12-163, "Use of parking spaces designated for use by sight-seeing buses by other vehicles;"
 - (35) \$40 for a violation of section 9-12-164, "Use of designated spaces by sight-seeing buses;"
 - (36) The amount set by order of the Supreme Court of Virginia, pursuant to Section 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-41, "Parking prohibited at certain locations;"
 - (37) The amount set by order of the Supreme Court of Virginia, pursuant to Section 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-42, "Parking prohibited near fire hydrant, etc.;"
 - (38) \$40 for a violation of section 10-4-35, "Parking in two-hour parking zones in the central business district;"
 - (39) \$40 for a violation of section 10-4-36, "Removal of chalk marks placed for enforcement purposes;"
 - ~~(40) \$40 for a violation of section 3-2-336, "Offenses relating to city license plate, windshield and decal."~~
- (b) If payment is not tendered to the director of finance with 30 calendar days of the date the citation is issued, a penalty of \$25 in addition to the penalty imposed by subsection (a) for the violation for which the citation was issued; provided, that, in the event the 30th calendar day from the date the citation is issued is a Saturday, Sunday or legal holiday, such additional penalty shall not be imposed if payment is tendered in the amount required by subsection (a) on the next succeeding business day; provided further, that if payment is remitted to the director of finance in a sealed envelope bearing a postmark on or before midnight of the 30th calendar day from the date the citation is issued, no such additional penalty shall be imposed; and provided further, that the director of finance may waive such additional penalty, even though payment

has not been tendered or mailed within 30 calendar days of the date the citation was issued, whenever the owner of the vehicle identified in the citation establishes any of the following to the satisfaction of the director:

- (i) that the owner did not find the citation at the time of its issuance on the owner's vehicle and only learned of the citation after the day on which it was issued, and has tendered the required payment within 30 days of first learning of the citation;
 - (ii) that, within 30 days after the issuance of the citation or, if later, after first learning of the citation, the owner has made a written request to the director for information concerning the citation, and has tendered the required payment within 30 days of the director's response; or
 - (iii) that the owner was medically incapable of making the required payment within 30 calendar days of the date the citation was issued.
- (c) In addition to the fees and charges imposed pursuant to subsections (a) and (b) hereof, upon collection the director of finance shall impose on each person chargeable with a delinquent parking citation fees to cover the administrative costs and reasonable attorney's or collection agency fees actually contracted for. The attorney's or collection agency's fees shall not exceed 20 percent of charges collected. The administrative costs shall not exceed \$30 for any amount collected subsequent to 30 days or more after notice of a delinquent parking citation is provided by the director of finance but prior to taking judgment and shall not exceed \$35 for any amount collected subsequent to judgment. (Code 1963, Sec. 22-152.6; Ord. No. 2596, 6/13/81, Secs. 1, 2; Ord. No. 2712, 9/14/82, Sec. 1; Ord. No. 2720, 10/16/82, Sec. 1; Ord. No. 2968, 9/15/84, Sec. 2; Ord. No. 3073, 9/14/85, Sec. 2; Ord. No. 3141, 6/14/86, Secs. 1—4; Ord. No. 3188, 3/21/87, Sec. 1; Ord. No. 3297, 6/18/88, Sec. 1; Ord. No. 3345, 11/22/88, Sec. 7; Ord. No. 3403, 9/16/89, Secs. 1, 2; Ord. No. 3509, 4/13/91; Ord. No. 3573, 5/16/92, Sec. 3; Ord. No. 3574, 5/16/92, Sec. 1; Ord. No. 3600, 11/14/92, Sec. 1; Ord. No. 3731, 6/18/94, Sec. 1; Ord. No. 3871, 6/15/96, Sec. 5; Ord. No. 3933, 6/14/97, Sec. 11; Ord. No. 4006, 6/13/98, Sec. 1; Ord. No. 4474, 1/20/07, Sec. 1; Ord. No. 4548, 6/14/08, Sec. 1; Ord. No. 4590, 5/16/09, Sec. 2; Ord. No. 4739, 10/15/11, Sec. 2; Ord. No. 4772, 6/26/12, Sec. 1)

Section 17. That Section 3-2-355 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. 3-2-355 – Removal or immobilization of motor vehicles against which there are outstanding parking citations.

- (a) Whenever there is found a motor vehicle parked anywhere within the city, other than on property owned or occupied as a single-family residence, which has three or more outstanding or otherwise unsettled parking citations issued for a violation of any provision of title 10, chapter 4, or title 5, chapter 8, article C through G, of this code, such vehicle may, by towing or otherwise, be removed to another place for temporary storage and safekeeping by an officer or employee of the police department, or by another person acting under the direction of such an officer or employee, or such vehicle may be immobilized by an officer or employee of the police department, or by another person

acting under the direction of such an officer or employee, or by an employee or agent of the director of finance, in such manner as to prevent its removal or operation; provided, that no such vehicle when parked on private property shall be removed or immobilized unless written authorization to enforce this section has been given by the property owner or, when the property is held in common by an association of owners established pursuant to sections 55-79.1 through 55-79.38 or sections 55-79.39 through 55-79.103 of the Code of Virginia, by such association, and the city has agreed in writing that it will hold the property owner harmless from all loss, damage or expense, including costs and attorney's fees, that the owner may incur as a result of actions taken by the city pursuant to this section.

- (b) It shall be the duty of any police officer removing or immobilizing a motor vehicle or under whose direction such vehicle is removed or immobilized, to inform as soon as practicable the owner of the removed or immobilized vehicle of the nature and circumstances of the prior unsettled parking violation notices for which or on account of which such vehicle was removed or immobilized. Any employee or agent of the department of finance who immobilizes a vehicle pursuant to this section shall have the same owner notification requirement. In any case involving immobilization of a vehicle pursuant to this section, there shall be placed on such vehicle, in a conspicuous manner, a notice warning that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage thereto.
- (c) The owner of an immobilized vehicle, or other duly authorized person, shall be allowed not less than 24 hours from the time of immobilization to repossess or secure the release of the vehicle, following which such vehicle may be removed to a storage area for safekeeping under the direction of a police officer.
- (d) The owner of such removed or immobilized motor vehicle, or other duly authorized person, may repossess or secure the release of the vehicle by payment of outstanding parking violation notices for which the vehicle was removed or immobilized and by payment of all reasonable costs incidental to the immobilization, removal and storage of the vehicle, and the efforts to locate the owner of the vehicle. Should such owner fail or refuse to pay such fines and costs, or should ~~be~~ the identity or whereabouts of such owner be unknown and unascertainable, such vehicle may be sold as provided by section 5-8-46 of this code. (Code 1963, Sec. 22-152.7; Ord. No. 3459, 6/16/90, Sec. 1)

Section 18. That Section 10-4-37 of the Code of the City of Alexandria, Virginia, 1981, as amended be, and the same hereby, is repealed as follows:

~~Sec. 10-4-37—Failure to procure and display city license plate, windshield tag or decal.~~

~~It shall be unlawful for any person required to procure and display a city license plate, windshield tag or decal upon a motor vehicle, trailer or semitrailer, as specified in article R, chapter 2, title 3 of this code, to operate or park said vehicle, trailer or semitrailer, or to permit or cause said vehicle, trailer or semitrailer to be operated or parked, at any location in the city, without having procured and displayed the required plate, tag or decal upon the vehicle, trailer or~~

~~semitrailer. This section may be enforced through the issuance of citations, summonses, parking tickets or uniform traffic summonses. A violation of this section shall not be discharged unless payment of the requisite fine is accompanied by satisfactory evidence that the required license plate, windshield tag or decal has been obtained. (Ord. No. 2967, 9/15/84, Sec. 1; Ord. No. 3679, 11/13/93, Sec. 1; Ord. No. 3721, 5/14/94, Sec. 1)~~

Section 19. That this ordinance shall become effective upon adoption.

JUSTIN M. WILSON
Mayor

Final Passage: March 16, 2019