ORDINANCE NO. 5257

AN ORDINANCE TO AMEND AND REORDAIN ARTICLE F (PERMIT PARKING DISTRICTS) of Chapter 8 (PARKING AND TRAFFIC REGULATIONS) 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 F of Chapter 8 of Title 5 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 as follows:

ARTICLE F - Permit Parking Districts

Sec. 5-8-71 - Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) *Block.* That portion of a city street between two intersecting streets or, in the case of a deadend street, between the street's end and an intersecting street.

(2) *Block face.* The portion of a block running from its centerline to its curb line.

(3) *City manager.* The city manager of Alexandria or his or her designee.

(4) *Guest.* A person who is entertained at a ~~residence~~ residential property for a period of less than 24 hours.

(~~4.1~~5) *Legal holiday.* A holiday recognized by the federal government.

(6) *Occupant.* An adult person living in a residence or using premises, as a tenant or owner, for residential purposes.

(~~5~~7) *Permit.* A permit issued under this article. ~~and a license plate, decal or permit described in section 10-4-19 of this code.~~

(~~6~~8) *Permit holder.* An individual who displays a permit on his or her motor vehicle.

(~~7~~9) *Permit parking district.* Any area so designated pursuant to ~~section 5-8-73 or section 5-8-76 of~~ this article.

(~~8~~10) *Permit parking district map.* A map, prepared and maintained by the department of transportation and environmental services, showing the city's permit parking districts ~~and the block faces within such districts along which permit parking district signs have been placed~~.

(~~9~~11) *Permit parking district sign.* A sign, posted along a block or block face in a permit parking district, which imposes parking restrictions on individuals who lack a permit.

(~~10~~12) *Residential district.* An area in which 75 percent of the buildings contained therein are used for residential purposes and containing no fewer than 400 on-street parking spaces,

designating 20 linear feet per parking space; provided, however, that an area containing fewer than 400 on-street parking spaces may be deemed to be a residential district if the city council finds that to require the area to contain 400 on-street parking spaces would be impractical or impose an undue hardship or if district is created by the process outlined in Section 5-8-73(b).

(13) *Residential property*. Property used for residential purposes.

(~~12~~14) *Visitor.* A person who is entertained at a ~~residence~~ residential property for a period of more than 24 hours.

~~*Special parking district area.* The area bounded on the north by the north side of Princess Street, on the west by the east side of Washington Street, on the south by the south side of Wolfe Street and on the east by the Potomac River.~~

~~**Sec. 5-8-71A - Permit parking district map; establishment and modification of districts; permit parking district signs.**~~

~~(a) *Permit parking district map.* The boundaries of the city's permit parking districts and the block faces within each such district which are posted with permit parking district signs are and shall continue to be shown on a map, designated "Residential Permit Parking District Map," which is maintained by and kept on file in the department of transportation and environmental services. The map dated April 18, 1989, including as it may be amended over time pursuant to actions authorized by this article, is hereby incorporated into and made a part of this article as if the information contained therein were fully set forth herein.~~

~~(b) *Establishment of new, and expansion of existing, permit parking districts.* After April 25, 1989, new residential permit parking districts shall be established pursuant to section 5-8-73 or section 5-8-76, and existing districts shall be expanded pursuant to section 5-8-75.~~

~~(c) *Posting of new, and modification of existing, permit parking district signs.* Blocks faces in a permit parking district which lack any permit parking district signs may be posted and signs pursuant to section 5-8-77(b). Signs posted on block faces in a permit parking district may be modified pursuant to section 5-8-72(b) and may be removed pursuant to section 5-8-77(a).~~

Sec. 5-8-72 - Parking in permit parking districts.

(a) *Prohibited parking.* It shall be unlawful for any person to park a motor vehicle within any block which is posted with one or more residential permit parking district signs contrary to any of the conditions set forth on the sign, unless the vehicle displays a permit.

(b) *Parking restrictions in districts;* ~~*modifications of restrictions.*~~

(1) Permit parking district signs shall restrict parking by motor vehicles lacking a permit to no more than two or three consecutive hours on a block during specific periods:

(i) 8:00 a.m. to 5:00 p.m. or 11:00 p.m. (or 2:00 a.m. of the following day if the director of transportation and environmental services deems appropriate) on either Monday through Friday or Saturday, excluding legal holidays, and/or

(ii) 11:00 a.m. to 11:00 p.m. (or 2:00 a.m. of the following day if the director of transportation and environmental services deems appropriate) on Sunday.

(2) Motor vehicles lacking a permit cannot park on the same block after two consecutive hours during the specified periods.

~~8:00 a.m. to 5:00 p.m., 8:00 a.m. to 9:00 p.m., 8:00 a.m. to 11:00 p.m. or 8:00 a.m. to 2:00 a.m. of the following day, on either Monday through Friday or Monday through Saturday, excluding legal holidays, and/or 11:00 a.m. to 11:00 p.m., or 11:00 a.m. to 2:00 a.m. of the following day, on Sunday. Signs in all permit parking districts shall prohibit the parking of vehicles which lack a permit for more than three consecutive hours between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays, unless city council, or the city manager pursuant to subsection (b)(2), determines that the signs to be posted in a district or portion thereof shall contain another combination of the restrictions set out in the previous sentence.~~

~~(2) (i) Following receipt of a petition signed by more than 50 percent of the residents abutting a block face in any permit parking district, except the special parking district area, which requests that the hours and days of restricted parking on their block face be changed and which specifies the combination of hours and days, described in subsubsection (1), that the residents are seeking, the traffic and parking board of the city shall, after a public hearing, make a recommendation on the petition to the city manager. Following receipt of the board's recommendation, the manager shall decide the petition and thereafter cause her decision to be implemented; provided, that, in the event the manager decides not to adopt the recommendation of the board or, whether or not in accord with the recommendation of the board, decides to deny the petition, in whole or in part, she shall forward the petition, along with the board's recommendation and the reasons for her decision, to city council which shall make the final decision on the petition.~~

~~(ii) Following receipt of a petition signed by the owner or non-owner occupants of more than 50 percent of the properties abutting a block in the special parking district area which requests that the hours and days of restricted parking on the block be changed and which specifies the combination of hours and days that are requested, the traffic and parking board of the city shall, after a public hearing, make a recommendation on the petition to the city manager; provided, however, that any petition filed under this subsubsubsection may only seek a change to one of the following combinations of hours and days: 8:00 a.m. to 5:00 p.m. Monday through Friday, two-hour limit; or 8:00 a.m. to 5:00 p.m. Monday through Friday, three-hour limit. Following receipt of the board's recommendation, the manager shall decide the petition and thereafter cause her decision to be implemented; provided, that, in the event the manager decides not to adopt the recommendation of the board or, whether or not in accord with the recommendation of the board, decides to deny the petition, in whole or in part, she shall forward the petition, along with the board's recommendation and the reasons for her decision, to city council which shall make the final decision on the petition. In the event a petition filed under this subsubsubsection is filed, no further petition relating to the same block may be filed for a period of 24 months after the filing of the first petition.~~

~~(c) *Chalk marks.* It shall be unlawful to erase, remove or cover up any chalk mark placed for identification purposes upon any vehicle by any parking enforcement officer enforcing the provisions of this article unless the vehicle is removed from the block in which it was parked at the time the chalk mark was placed.~~

Sec. 5-8-73 - Designation of permit parking districts; notice of designation.

(a) (i) Upon submission of a petition for the designation of a residential district as a permit parking district, if the petition has been signed by an occupant of more than 50 percent of the residential properties ~~residents~~ abutting each block ~~face~~ in the residential district designated in the petition, ~~which, for purposes of calculating the 50-percent requirement, shall include the residents abutting each block face directly adjacent to the proposed permit parking district,~~ the city manager shall cause to be conducted an occupancy ~~engineering~~ survey to determine whether the residential district is qualified ~~as hereinafter described~~ to be designated a permit parking district. The survey of the district shall be taken on a day other than Saturday or Sunday. If, at the time of the survey, more than 75 percent of the on-street parking spaces in the district are occupied by vehicles, no further survey shall be made. If less than 75 percent of the on-street parking spaces in the district are occupied by vehicles, additional surveys may be made at other times during that day.

(ii) If 75 percent or more of the on-street parking spaces in the district are found to be occupied by vehicles by any survey, a study shall be made to determine if the number of vehicles parked in the district at the time of the survey and owned by nonresidents of the district exceeds 25 percent of the total number of vehicles parked in the district at that time, in which case the district shall be deemed to qualify as a permit parking district and the city manager shall certify this fact to the traffic and parking board ~~of the city~~.

(b) The city manager may recommend up to two new locations in a calendar year be designated as a permit parking district of a residential district that i) are located within one mile of an existing or proposed transit station or ii) have parking issues identified through a parking study conducted by the city. Upon the city manager's recommendation, the director of transportation and environmental services shall mail a ballot to all residential properties within the proposed permit parking district. If more than 50 percent of ballots are returned and more than 60 percent of ballots returned indicate support for creating a permit parking district, the district shall be deemed to qualify as a permit parking district and the city manager shall certify this fact to the traffic and parking board.

(c) Following receipt of a certification by the city manager that a residential district is deemed to qualify as a permit parking district, the traffic and parking board shall~~,~~ review the matter at ~~after~~ a public hearing~~.~~ and make a recommendation~~s~~ to the city council concerning the designation of the qualifying residential district as a permit parking district. ~~In making its recommendations to the city council the~~ The traffic and parking board shall consider the availability of an alternate means of transportation to and from the residential district and the existence or approval of a traffic generator that may encourage non-residents to park in the district in making its recommendation to the city council. ~~air pollution caused by automobile traffic within the district and the environmental impact of automobile use in the district.~~

(d~~e~~) Following receipt of the recommendations of the traffic and parking board ~~concerning the designation of a qualifying residential district as a permit parking district~~, the city council may designate the district as a permit parking district. If such a designation is made, city council shall determine whether permit parking district signs are immediately to be posted throughout or in a portion of the district, or whether signs are only to be posted following

action on petitions filed by residents of blocks ~~faces~~ within the district in accordance with section 5-8-76~~7(a)~~. If city council determines that signs should immediately be posted, it shall identify the blocks ~~faces~~ within the district along which signs are to be posted, and shall specify which of the parking restrictions described in section 5-8-72(b) are to be imposed by such signs. Following the designation by city council of a permit parking district, the director of transportation and environmental services shall assign a number to the newly designated district, and update ~~cause~~ the permit parking district map ~~to be modified to include the new district~~.

(e~~d~~) Upon the designation of the permit parking district by the city council, the city manager shall cause permit parking district signs to be posted on each block face, or portion thereof, which city council specifies for immediate posting. ~~Such signs shall provide the following information in a format chosen by the director of transportation and environmental services:~~

~~Three (or Two) Hour Parking~~

~~8 a.m. to 5 p.m. (or to 9 p.m., 11 p.m. or 2:00 a.m. of the following day) Monday through Friday (or through Saturday)~~

~~11 a.m. to 11 p.m. (or to 2:00 a.m. of the following day) Sunday (if applicable)~~

~~Except Holders of District Permits (or comparable language)~~

~~In addition to this language, there~~

There shall be affixed to each sign following the word "District" the number assigned to the permit parking district in which the sign is located.

(f) The director of transportation and environmental services may designate blocks which abut two residential permit parking districts with parking restrictions as areas where holders of either abutting district permits are exempt from the parking restrictions.

~~(e) No citation for a violation of section 5-8-72 of this article shall be issued in any permit parking district until the signs required by subsection (d) of this section shall have been posted in the district. No citation for a violation of section 5-8-72 shall be valid if the owner of the vehicle receiving the citation within 15 days of the date of adoption of the resolution designating the permit parking district in which the motor vehicle was parked when cited, obtains a permit authorizing the parking of the vehicle in the district. No citation for a violation of section 5-8-72 shall be valid if, less than 31 days before the date of the citation, the owner of the cited vehicle first become a resident of the permit parking district in which the vehicle was parked when cited and, within 30 days of becoming a resident of the district, the owner obtained a permit authorizing the parking of the cited vehicle within the district.~~

Sec. 5-8-74 - Changes in permit parking district boundaries.

(a) Occupants of residential properties abutting a block which is adjacent to a permit parking district, who wish to have their block included in the district, shall submit to the city manager a petition signed by an occupant of more than 50 percent of the residential properties abutting the block, so long as at least 75 percent of the parcels abutting the block, or the designated portion, are used for residential purposes and the block meets the requirements for a permit parking district in section 5-8-73. The city manager shall submit the petition to the traffic and

parking board for its review and recommendation. Following review by the board, the director of transportation and environmental services may grant the petition and expand the boundaries of the district to include the block identified in the petition, or a designated portion thereof.

(b) (i) The director may recommend changes to update the permit parking district map if not removing any residential properties to:

(A) adjust boundaries of existing permit parking district boundaries to clarify boundary lines' effect on a parcel;

(B) resolve administrative irregularities; or

(C) remove non-residential properties with no residential uses from existing permit parking district boundaries.

(ii) The director shall forward the recommendation to the traffic and parking board for its review and recommendation. Following review by the board, the director of transportation and environmental services may adjust the boundary of the district as identified in the board's recommendation and update the permit parking district map.

Sec. 5-8-75 – Posting of new or amended permit parking district signs within an existing district.

(a) Occupants of residential properties abutting a block within a permit parking district who wish to have permit parking district signs posted or amend parking district signs that are currently posted on their block, or a portion thereof, shall submit to the city manager a petition signed by an occupant of more than 50 percent of the residential properties abutting the block, or the portion thereof identified in the petition. The petition shall specify the combination of hours and days, described in section 5-8-72(b)(1), during which the residents seek to have permit parking restrictions in effect on their block.

(b) In the event that a portion of the block is abutted by a property owned by a homeowner's association or condominium association, a letter of endorsement by the association's board of directors or other governing body may be submitted or the governing body may sign a petition in lieu of the occupants of the residential property.

(c) For the purposes of this section, the owner or managing agent of a residential property that is an apartment building may sign a petition in lieu of the occupants of the apartment building.

(d) The city manager shall forward the petition to the traffic and parking board for its review and recommendation. Following receipt of the board's recommendation, the director of transportation and environmental services shall grant the petition if he or she finds that at least 75 percent of the parcels of real estate on the block, or the portion thereof identified in the petition, are used for residential purposes; provided, that, in the event the director decides not to adopt the recommendation of the board or he or she decides to deny the petition, in whole or in part, he or she shall notify the board pursuant to section 5-8-5.

Sec. 5-8-76 - Removal of existing permit parking district signs within an existing district.

(a) Occupants of residential properties abutting a block within a permit parking district who wish to have permit parking district signs removed from their block, or a portion thereof, shall

submit to the city manager a petition signed by an occupant of more than 50 percent of the residential properties abutting the block or the portion thereof identified in the petition. The city manager shall forward the petition to the traffic and parking board for its review and recommendation. Following receipt of the board's recommendation, the director of transportation and environmental services shall grant the petition unless he or she finds that removal of the signs would have a significant adverse effect upon residents abutting nearby blocks within the district; provided, that, in the event the director decides not to adopt the recommendation of the board or he or she decides to deny the petition, he or she shall notify the board pursuant to section 5-8-5.

(b) For the purposes of this section, the owner of a residential property that is an apartment building may sign a petition in lieu of the occupants of the apartment building.

(c) In the event that a portion of the block is abutted by a property owned by a homeowner's association or condominium association, a letter of endorsement by the association's board of directors or other governing body may be submitted or the governing body may sign a petition in lieu of the occupants of the residential property.

Sec. 5-8-77 4 - Parking permits; issuance.

(a) ~~Except as provided in subsection (6), the~~ The city manager shall, upon payment of the fee provided for by this article, issue permits: ~~to natural, but not corporate, persons who reside in a dwelling located within the boundaries of a permit parking district authorizing the parking of motor vehicles in such district for more than the consecutive hour limitation in effect in the district, as follows~~:

(1) to persons who reside in a permit parking district or to persons who both reside in a residential property ~~dwelling~~ located on a block adjacent to an existing permit parking district where parking on said block is controlled by time limits set by official signs or metered parking and lack adequate alternative nearby parking facilities available to them, as determined by the city manager or the manager's designee. The following shall apply:

(i) one permit for each vehicle belonging to such persons for which the persons have paid all personal property taxes imposed thereon by the city ~~and which displays a valid license windshield tag issued pursuant to the provisions of section 3-2-321 et seq. of this code. Such permits shall be valid from July 1 or, if later, the date of issuance through November 15 of the following year~~. Applicants for permits issued pursuant to this subsection shall provide proof of residence and, for each vehicle for which a permit is sought, a motor vehicle registration card issued by the division of motor vehicles and proof of payment of all personal property taxes and license taxes imposed thereon by the city.

For permits issued to a person or renewed pursuant to paragraph (i) of this subsection, there shall be imposed a fee of $40 for the first vehicle, $50 for the second vehicle, and $150 for each additional vehicle. A replacement permit for use on another vehicle registered in such person's name may be obtained upon application on forms furnished by the city manager and presentation of the registration card for the vehicle for which the replacement permit is sought and pieces of the previously issued permit as proof that it was removed from the vehicle for which the fee was previously paid, accompanied by a fee of $1; and

(ii) one permit per residential property ~~residence~~ for a health care provider providing health care services at the residential property ~~residence~~. Permits issued under this paragraph (b)

are not vehicle specific and may be transferred to different vehicles, but the use of such permits other than by persons providing health care services at the residential property ~~residence~~ or other than during such times as they are providing health care services at the residential property ~~residence~~ (or are in the immediate process of coming or going from the residential property ~~residence~~ in connection with providing health care services at the residential property ~~residence~~) is prohibited. Such permits shall be valid for up to one year and will expire on October 5, annually. Applicants for permits issued pursuant to this paragraph (b) shall provide proof of residence, a notarized certification that a permanent occupant of the residential property ~~resident~~ is receiving health care services at the residential property ~~residence~~, and a written statement from a licensed medical professional that a permanent occupant of the residential property ~~resident~~ is receiving health care services at the residential property ~~residence~~. For permits issued to a person or renewed pursuant to paragraph (ii) of this subsection, there shall be imposed a fee of $50 per permit.

~~(iii) For permits issued to a person or renewed pursuant to paragraph (ia) of this subsection, there shall be imposed a fee of $40 for the first vehicle, $50 for the second vehicle, and $150 for each additional vehicle.~~

~~(iv) Any person who has been issued a permit for a vehicle pursuant to paragraph (ia) of this subsection may obtain a replacement permit for use on another vehicle registered in such person's name, upon application on forms furnished by the city manager and presentation of the registration card for the vehicle for which the replacement permit is sought and pieces of the previously issued permit as proof that it was removed from the vehicle for which the fee was previously paid, accompanied by a fee of $1.~~

~~(v) For permits issued to a person or renewed pursuant to paragraph (b) of this subsection, there shall be imposed a fee of $50 per permit.~~

(2) to persons who are visitors at a residential property ~~residence~~ within a permit parking district on the application of the resident, one permit for any vehicle used by such person during the visit, which permit shall be valid for a maximum of 30 days but shall not be renewed; provided, that permits may be issued to no more than two visitors to the same residential property ~~residence~~ at the same time. A $5 fee shall be charged for any permit issued pursuant to this subsection for a period of more than seven days.

(3) to persons who are guests at a residential property ~~residence~~ in a permit parking district on the application of the resident, one permit for any vehicle used by such person while a guest at the residential property ~~residence~~, which permit shall be valid for a date certain or portion thereof., ~~provided that the number of permits issued under this subsection shall not at any time exceed 50 percent of the number of parking spaces in which they are valid; provided further, that no permit shall be issued under this subsection except upon a showing by the resident making application therefor that during the hours for which the permit is to be issued this residence will be used and occupied in a manner which is both lawful and not inconsistent with the residential character of the permit parking district in which it is located, and unless it shall be found that the issuance of the permit or permits will not unduly impair traffic safety during the time of their validity; provided further, that, notwithstanding any provision of this subsection to the contrary, up to 10~~ ~~s~~Self-validating guest permits or online, date-specific guest permits shall be issued ~~in any calendar month~~ for the guests of any residential property ~~residence~~ located in a permit parking district upon the application of a

person residing in the residential property ~~residence~~. ~~Any permit issued pursuant to this subsection may be limited to certain streets or portions thereof in the permit parking district for which the permit is issued.~~

(4) to persons doing business with an occupant of the residential property ~~resident~~ or a nonresident property owner of a property located within a permit parking district on the application of the occupant of the residential property ~~resident~~ or nonresident property owner, one permit for the vehicle used while doing business in the permit parking district; provided, that such permits may be issued to no more than three persons doing business at the same residential property ~~residence~~ at the same time. No permit shall be issued pursuant to this subsection for a period longer than the time estimated by the occupant of the residential property ~~resident~~ or nonresident property owner to be required for completing the business transaction for which the permit is sought, and in no event shall any permit be valid for more than 30 days.

(b) ~~(5)~~ Whenever a holder of a permit issued under this section is no longer qualified to possess the permit, the permit shall be invalid and shall be returned to the director of finance.

(c) ~~(6)~~ Permits shall not be issued to persons who reside in a residential development which is subject to a special use permit, to the extent the residents, visitors, guests or business-invitees within such development are excluded by the special use permit from eligibility for one or more of the permits described above in subsections (1), (2), (3) or (4).

(d) No citation for a violation of section 5-8-72 of this article shall be issued in any permit parking district until the signs required by subsection (d) of this section shall have been posted in the district. No citation for a violation of section 5-8-72 shall be valid if the owner of the vehicle receiving the citation within 15 days of the date of adoption of the resolution designating the permit parking district in which the motor vehicle was parked when cited, obtains a permit authorizing the parking of the vehicle in the district. No citation for a violation of section 5-8-72 shall be valid if, less than 31 days before the date of the citation, the owner of the cited vehicle first become a resident of the permit parking district in which the vehicle was parked when cited and, within 30 days of becoming a resident of the district, the owner obtained a permit authorizing the parking of the cited vehicle within the district.

~~Sec. 5-8-75 - Changes in permit parking district boundaries.~~

~~Residents abutting a block face within a city block which is adjacent to a permit parking district, who wish to have their block face included in the district, shall submit to the city manager a petition signed by at least 50 percent of the block face residents. The manager shall submit the petition to the traffic and parking board for its review and recommendation. Following review by the board, city council may grant the petition and expand the boundaries of the district to include the block face identified in the petition, or a designated portion thereof, so long as at least 75 percent of the parcels of real estate abutting the block face, or the designated portion, are used or residential purposes and the block face meets the requirements for a permit parking district in section 5-8-73. (Code 1963, Sec. 22-121.17; Ord. No. 3215, 5/26/87, Sec. 6; Ord. No. 3372, 4/25/89, Sec. 5)~~

~~Sec. 5-8-76 - Establishment of trial permit parking district.~~

~~Notwithstanding any other provision of this article, the city council may establish a permit parking district or districts on a trial basis, for a period not to exceed 90 days, during which~~

~~period no other petitions for establishment of such district shall be acted on by the city council. Any permit parking district established on a trial basis pursuant to this section shall, at the expiration of the trial period established by the city council for that district, continue to be a permit parking district as established by this article unless and until it shall be otherwise declared by the city council. The provisions of subsections (c) and (d) of section 5-8-73 shall apply to the establishment of a permit parking district under this section. (Ord. No. 3372, 4/25/89, Sec. 6)~~

~~Sec. 5-8-77 - Removal of existing, the posting of new, permit parking district signs.~~

~~(a) Residents abutting a block face within a permit parking district who wish to have permit parking district signs removed from their block face, or a portion thereof, shall submit to the city manager a petition signed by at least 50 percent of the residents of the block face or the portion thereof identified in the petition. The manager shall forward the petition to the traffic and parking board for its review and recommendation. Following receipt of the board's recommendation, the manager shall grant the petition unless she finds that removal of the signs would have a significant adverse effect upon residents abutting nearby block faces within the district; provided, that, in the event the manager decides not to adopt the recommendation of the board or she decides to deny the petition, she shall forward the petition, along with the board's recommendation and the reasons for her decision, to council which shall make the final decision on the petition.~~

~~(b) Residents abutting a block face within a permit parking district who wish to have permit parking district signs posted on their block face, or a portion thereof, shall submit to the city manager a petition signed by at least 50 percent of the residents of the block face, or the portion thereof identified in the petition. The petition shall specify the combination of hours and days, described in section 5-8-72(b)(1), during which the residents seek to have permit parking restrictions in effect on their block face. The manager shall forward the petition to the traffic and parking board for its review and recommendation. Following receipt of the board's recommendation, the manager shall grant the petition if she finds that at least 75 percent of the parcels of real estate on the block face, or the portion thereof identified in the petition, are used for residential purposes and that the block face, or the identified portion thereof, meets the requirements for a permit parking district in section 5-8-73; provided, that, in the event the manager decides not to adopt the recommendation of the board or she decides to deny the petition, in whole or in part, she shall forward the petition, along with the board's recommendation and the reasons for her decision, to city council which shall make the final decision on the petition. (Code 1963, Ch. 22; Ord. No. 2414, 11/27/79, Sec. 2; Ord. No. 3215, 5/26/87, Sec. 7; Ord. No. 3372, 4/25/89, Sec. 7)~~

Sec. 5-8-79 - Enforcement and administration of article.

(a) The police department of the city shall be responsible for the enforcement of this article.

(b) The director of finance shall be responsible for the administration of this article. This responsibility shall include the following duties:

(1) Upon determining that a permit issued pursuant to section 5-8-7~~7~~4 has been obtained through a misrepresentation made in violation of section 5-8-80(a), the director of finance shall notify the permit holder that the permit is invalid and must be returned to the director.

(2) Upon determining that a permit issued pursuant to section 5-8-7~~7~~4 is being misused, which includes, but is not limited to, display ~~(for example, by being displayed~~ on a vehicle other

than the vehicle for which the permit was issued,~~)~~ or that the person holding the permit no longer meets the requirements for obtaining the permit, the director of finance shall notify the permit holder that the permit is invalid and must be returned to the director.

Sec. 5-8-80 - Permit violations and penalty.

(a) In addition to any other prohibition or restriction imposed by this article, the following acts are prohibited:

(1) It shall be unlawful for any person to make a false representation of any material fact when applying for or seeking to renew a permit under this article.

(2) It shall be unlawful for any person to display on a motor vehicle a permit issued pursuant to this article when the requirements for obtaining the permit are no longer satisfied or when the vehicle is not the vehicle for which the permit was issued.

(b) The penalty for a violation of subsection (a)(1) or (a)(2) shall be a fine of $250.

(c) Any permit held by a person who has violated subsection (a)(1) or (A)(2) shall, at the time of the violation, become and thereafter remain invalid.

Sec. 5-8-81 – *Reserved*. ~~Federal courthouse parking zone.~~

~~(a) The director of transportation and environmental services is authorized to establish a permit parking zone for jurors and witnesses attending the United States Courthouse located in the city.~~

~~(b) Such zone shall consist of not more than 50 parking spaces on Elizabeth Lane and Mill Road, the location of which shall be determined by the director.~~

~~(c) Parking permits for witnesses and jurors attending the United States Courthouse shall be issued by the Clerk of the United States District Court for the Eastern District of Virginia, and the Office of the United States Attorney, and the form thereof shall be approved by the director.~~

~~(d) Any limitations on the hours during which vehicles may park on streets within the parking zone established pursuant to subsection (a) shall not apply to vehicles parked in the zone and displaying in their windshield a permit issued under subsection (c). The director shall post signs regulating parking in such spaces, which provide that the limitations as to hours of parking shall not apply to vehicles displaying a permit.~~

~~(e) This section shall expire on January 22, 2003.~~

Sec. 5-8-82 - Restricted overnight parking districts.

(a) *Prohibited parking.* It shall be unlawful for any person to park a motor vehicle within any block face which is posted with one or more restricted overnight parking district signs contrary to any of the conditions set forth on the sign, unless the vehicle is registered with the city ~~City of Alexandria~~ pursuant to section 3-2-229 of this code, or the vehicle has been issued a guest or visitor permit pursuant to this section.

(b) *Parking restrictions.* Restricted overnight parking district signs shall prohibit parking by motor vehicles which are not registered with the city ~~City of Alexandria~~ pursuant to section 3-2-229 of this code, ~~or~~ unless the vehicle has been issued a guest or visitor permit pursuant

to this section, during the posted overnight hours between 12 midnight and 6:00 a.m. the following morning. As used in this section, parking means the stopping or standing of a motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of the vehicle.

(c) *Establishment of district.* A restricted overnight parking district may be established in accordance with the following criteria and procedures:

(1) All property within the district must be zoned for residential use.

(2) No district shall include property which is included within a residential permit parking district established pursuant to this article F.

(3) The district must include a minimum of 200 on-street parking spaces.

(e) (4) A petition requesting the establishment of a restricted overnight parking district, describing the area proposed to be designated, and signed by an occupant of not less than 66 and two-thirds percent of the residential properties abutting each block face in the proposed district, shall be filed with the city manager. For the purposes of this section, the owner or managing agent of a residential property that is an apartment building may sign a petition in lieu of the occupants of the apartment building. In the event that a portion of the block is abutted by a property owned by a homeowner's association or condominium association, a letter of endorsement by the association's board of directors or other governing body may be submitted or the governing body may sign a petition in lieu of the occupants of the residential property.

(5) Upon receipt of a petition which meets the minimum criteria, the city manager shall conduct one or more surveys of the on-street parking spaces within the proposed district during the restricted parking hours, on an evening other than a Friday, Saturday or Sunday evening. If the surveys reasonably demonstrate to the satisfaction of the city manager that at least 25 percent of the vehicles parked within the proposed district are not registered with the city ~~City of Alexandria~~ pursuant to section 3-2-229 of this code, the city manager shall refer the petition to the traffic and parking board. If the surveys do not so demonstrate, the petition shall be deemed denied.

(6) The traffic and parking board shall conduct a public hearing and make a recommendation to the city manager ~~council~~ concerning the establishment of the district.

(7) Upon receipt of the recommendation of the traffic and parking board, the city manager ~~council~~ shall determine whether or not to establish the restricted overnight parking district. ~~Prior to making its decision, the city council may elect to hold a public hearing on the proposed designation.~~

(8) The board and city manager ~~council~~ shall consider the following factors: the availability of off street parking in the district, the degree of congestion or utilization of on-street parking typical in the district during the restricted hours, such geographic features of the area as may impact access to, or availability of, parking during the restricted hours, the likely effect of establishment of the district on surrounding areas within the city, and such additional factors as the board or city manager ~~council~~ reasonably determine are relevant to its consideration of the matter.

(9) If the city manager ~~council~~ approves the establishment of the district, the director of transportation and environmental services shall forthwith post the signs described in subsection (b) within the district and record the district on the permit parking district map.

(d) The city manager shall provide for the convenient issuance of guest and visitor permits, as provided in section 5-8-774, for use within a restricted overnight parking district.

(e) All relevant provisions of this code, including without limitation the provisions of this article F, which are not in conflict with the provisions of this section, shall apply to the establishment, procedures, penalties and enforcement of a restricted overnight parking district established pursuant to this section.

Sec. 5-8-83 - Restricted daytime parking district.

(a) *Prohibited parking.* It shall be unlawful for any person to park a motor vehicle within any block face which is posted with one or more restricted daytime parking district signs contrary to any of the conditions set forth on the sign, unless the vehicle is registered with the City of Alexandria pursuant to section 3-2-229 of this code, or the vehicle has been issued a guest or visitor permit pursuant to this section.

(b) *Parking restrictions.* Restricted daytime parking district signs shall prohibit parking by motor vehicles which are not registered with the City of Alexandria pursuant to section 3-2-229 of this code, ~~or~~ unless the vehicle has been issued a guest or visitor pass pursuant to this section, during the posted daytime hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays. As used in this section, parking means the stopping or standing of a motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of the vehicle.

(c) *Establishment of district.* The restricted daytime parking district may be established for any block face or adjoining group of block faces within the boundaries set forth in the daytime parking district map approved by the city council upon passage of the ordinance creating and authorizing this code section. City council may amend the daytime parking district map by resolution. Residents within the district may request that restricted daytime parking district signs be posted on block faces within the district pursuant to the following criteria and procedures:

(f) (1) A petition requesting the establishment of a placement of restricted daytime parking district signs, describing the area proposed to be designated, and signed by an occupant of not less than 50 percent of the residential properties abutting each block face in the proposed area, shall be filed with the city manager. For the purposes of this section, the owner or managing agent of a residential property that is an apartment building may sign a petition in lieu of the occupants of the apartment building. In the event that a portion of the block is abutted by a property owned by a homeowner's association or condominium association, a letter of endorsement by the association's board of directors or other governing body may be submitted or the governing body may sign a petition in lieu of the occupants of the residential property.

(2) Upon receipt of a petition which meets the minimum criteria, the director of transportation and environmental services shall forthwith post the signs described in subsection (b) within the proposed area and record the area on the daytime permit parking district map.

(d) Guest/visitor passes. The city manager shall provide for the issuance of one guest/visitor pass for each residential property ~~residence~~ with any approved area within the restricted daytime parking district at no cost. Such passes shall be transferable to subsequent occupants of the residential property ~~residence~~ without action by the city. If any issued guest/visitor pass is lost or stolen, the requesting occupant ~~resident~~ may obtain a replacement from the city at a cost of $100.

(e) All relevant provisions of this code, including without limitation the provisions of this article F, which are not in conflict with the provisions of this section, shall apply to the establishment, procedures, penalties and enforcement of a restricted daytime parking district established pursuant to this section.

Sec. 5-8-84 - Pay by phone parking fee within a residential permit parking district.

(a) *Purpose.* On residential blocks adjacent to metered areas, which are often occupied by vehicles belonging to non-residents of the district, a pay by phone parking fee may be implemented that requires non-residents of the district to pay to park on the block during the posted times.

(b) *Parking restrictions.* Residential blocks with a pay by phone parking fee shall prohibit parking in designated areas by motor vehicles which do not display a valid parking permit for that district or have not submitted appropriate payment through either the pay by phone application referenced on the posted signage, a city parking meter, or other authorized payment method.

(1) The hourly parking fee shall be consistent with the cost of a meter as established in Section 5-8-93.

(2) The hours during which a parking fee is applicable shall be consistent with the existing posted hours of restriction. Changes to the posted hours shall be reviewed by the traffic and parking board pursuant to section 5-8-72(b).

(c) *Establishment.* A pay by phone parking fee may be added to certain designated residential permit parking district blocks in accordance with the following criteria and procedures:

(1) The area subject to parking fee must be on a block with existing metered spaces, adjacent to an existing metered block, or adjacent to a block where a residential pay by phone parking fee has also been approved. For the purposes of this subsection (1), an area that consists of multiple adjacent blocks may be considered simultaneously, so long as one block meets this locational requirement, and provided that all other requirements of this section are met for each individual block.

(2) The block must be located within the area bounded on the north by the north side of Princess Street, on the west by the east side of Washington Street, on the south by the south side of Wolfe Street and on the east by the Potomac River. ~~Special Parking District Area.~~

(3) The area subject to parking fee must already be posted with residential parking restrictions.

(g) (4) The request to add a pay by phone parking fee must be initiated by the residents of the block through a petition signed by an occupant of more than 50 percent of the residential properties abutting the block and submitted to the city manager. For the purposes of this section, the owner or managing agent of a residential property that is an apartment building may sign a petition in lieu of the occupants of the apartment building. In the event that a

portion of the block is abutted by a property owned by a homeowner's association or condominium association, a letter of endorsement by the association's board of directors or other governing body may be submitted or the governing body may sign a petition in lieu of the occupants of the residential property.

(5) Upon receipt of a petition for a block meeting the criteria established above, the director of transportation and environmental services ~~city manager~~ shall direct staff to conduct a survey of the parking conditions on the block. The survey shall be taken during the hours of the existing residential parking restrictions. If staff observes that 75 percent or more of the available parking spaces on the block are occupied, the director ~~city manager~~ shall forward the request to the traffic and parking board for its review and recommendation at a public hearing.

(6) If less than 75 percent of the available spaces are occupied, additional surveys may be made at other times of the day. If the surveys do not so demonstrate, the petition shall be deemed denied and no further action will be taken.

(7) Following the board's recommendation, the director of transportation and environmental services ~~manager~~ shall decide the petition and cause his or her decision to be implemented; provided that in the event the director ~~manager~~ decides not to adopt the recommendation of the board or, whether or not in accord with the recommendation of the board, decides to deny the petition, he or she shall notify the board pursuant to section 5-8-5. ~~forward the petition, along with the board's recommendation and the reasons for his decision to city council which shall make the final decision on the petition.~~

(8) Parking restrictions may be removed from a block face in accordance with section 5-8-76 ~~77(a)~~.

Secs. 5-8-85 through 5-8-90 - reserved.

Section 2. That Article F of Chapter 8 of Title 5 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

JUSTIN M. WILSON
Mayor

ATTEST:

Gloria A. Sitton, CMC City Clerk

Final Passage: December 14, 2019