

ORDINANCE NO. _____

AN ORDINANCE to amend Chapter 4 (STOPPING, STANDING AND PARKING) of Title 10 (MOTOR VEHICLES AND TRAFFIC) and Article S (PAYMENT, CONTEST AND ENFORCEMENT OF 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.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 4 of Title 10 and Article S of Chapter 2 of Title 3 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined :

Sec. 3-2-351 - Payment of uncontested citations.

(a)

(1) For any parking citation issued pursuant to the provisions of section 5-8-72, ~~5-8-114, or 9-12-162 through 9-12-164, 10-4-1 through 10-4-19, 10-4-22 through 10-4-25, 10-4-28, 10-4-30, 10-4-33 through 10-4-43~~ of this code, and for any citation issued pursuant to section ~~3-2-336~~, the amount of the penalty established by section 3-2-354 for the violation for which the citation was issued, when the citation is uncontested, may be paid to the director of finance in lieu of a trial on the charge.

(2) For any parking citation issued pursuant to the provisions of Title 10, Chapter 4, the amount of the penalty established by section 10-4-47 for the violation for which the citation was issued, when the citation is uncontested, may be paid to the director of finance in lieu of a trial on the charge.

(b) The registered owner of any motor vehicle receiving such a citation shall execute on an appropriate form a waiver of his right to contest the citation and enter his plea of guilty to the charge for which the citation was issued before payment tendered by him for the same may be accepted by the director of finance.

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) Penalties for violations of Title 10, Chapter 4 shall be as stated in section 10-4-47.

- ~~(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;"~~
- (2) ~~(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) — 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;"~~
- (3) ~~(33)~~ \$40 for a violation of section 9-12-162, "Use of locations other than designated parking spaces by sight-seeing buses;"
- (4) ~~(34)~~ \$40 for a violation of section 9-12-163, "Use of parking spaces designated for use by sight-seeing buses by other vehicles;
- (5) ~~(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."~~

(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 with 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.

Sec. 10-4-12 - Parking on private property.

No person shall park a motor vehicle, trailer or semitrailer, or any part thereof, upon the private property of any other person without the express or implied consent of the owner of the property. ~~Any person violating this section shall be guilty of a traffic infraction and shall be punished by a fine of not more than \$100.~~

Sec. 10-4-13 - Stopping for purpose of repairs, etc.

~~(a)~~ Except as necessitated by an emergency, no person shall perform any repair or maintenance work, including the removal or addition of any fluids, upon a motor vehicle that is stopped or

1 parked on any street, whether public or private, or within any public park, wildlife sanctuary or
2 city-owned parking lot.

3 ~~(b) A person violating any provision of this section shall be guilty of a traffic infraction and shall~~
4 ~~be punished by a fine of not more than \$100.~~

5 **Sec. 10-4-35 - Parking in two-hour parking zones in the central business district.**

6 No person shall park a vehicle during the hours of 8:00 a.m. through 5:00 p.m., Monday through
7 Friday, within any block for more than two consecutive hours in blocks which have two-hour
8 parking limits designated by official signs posted on that block or a portion thereof within the
9 central business district described in section 8-300 of the Zoning Ordinance ~~7-6-74 of this code.~~

10 **Sec. 10-4-46 – Parking heavy vehicles in commercial business areas.**

11 (a) Vehicles with gross weights in excess of 12,000 pounds or lengths of 30 feet or more
12 may not park for more than two hours on streets adjacent to commercial business areas unless
13 such vehicles are actively engaged in loading or unloading operations or waiting to be loaded or
14 unloaded or are engaged in or preparing to engage in utility or similar service work.

15 (b) Notwithstanding any other definition in this code, for purposes of this section the
16 following words and phrases shall have the meanings respectively ascribed to them as follows:

17 (1) Commercial business areas.

18 a. Commercial business areas shall include:

19 i. Any mixed-use or any type of commercial zones which shall
20 include, but not be limited to, the following zones as defined in Article IV
21 and Article V of the Zoning Ordinance,

22 (a) CRMU-L;

23 (b) CRMU-M;

24 (c) CRMU-H;

25 (d) CRMU-X;

26 (e) W-1;

27 (f) CDD;

28 (g) CL;

29 (h) CC;

30 (i) CSL;

31 (j) CG;

32 (k) CD;

33 (l) CD-X;

34 (m) OC;

(n) OCM;

(o) OCM(100);

(p) OCH;

(q) NR

ii. Property located in an industrial zone that has a commercial land use.

b. Commercial land uses shall include, but not be limited to, retail, restaurant, day care center, or office uses.

10-4-47 – Penalties for violations of this chapter.

The penalty for violation of provisions regarding parking, standing, or stopping of vehicle in this chapter that are not contested and tendered to the director of finance within 30 days from the date the citation was issued shall be \$40 unless otherwise provided by this section, the City Code, state law, or other provisions of law.

The penalties for the below violations that are not contested and tendered to the director of finance within 30 days from the date the citation was issued shall be as follows:

(1) 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;"

(2) 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.;"

(3) \$200 for violations of Section 10-4-44, "Parking prohibited in HOV lane."

Section 2. That Chapter 4 of Title 10 and Article S of Chapter 2 of Title 3 is 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 immediately.

Justin M. Wilson
Mayor

Introduction: March 9, 2021
First Reading: March 9, 2021
Publication:

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| 1 | Public Hearing: | March 13, 2021 |
| 2 | Second Reading: | March 13, 2021 |
| 3 | Final Passage: | March 13, 2021 |