



Legislation Text

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City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 1, 2022

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES F. PARAJON, CITY MANAGER /s/

DOCKET TITLE:

Public Hearing, Second Reading and Final Passage of an Ordinance Approving Escalated Fines for Heavy Vehicles in Commercial Business Areas with Citations. [ROLL-CALL VOTE]

ISSUE: Consideration of an ordinance to increase fines for heavy vehicles parked in commercial business areas with multiple citations.

RECOMMENDATION: That City Council hold the public hearing on the ordinance and adopt the ordinance (Attachment 2) on second reading and final passage on Saturday, March 12, 2022.

BACKGROUND: In March 2021, the City Council amended the City Code to penalize vehicles in excess of 12,000 pounds or lengths of 30 feet for parking more than two hours on public streets adjacent to commercial business areas unless such vehicles are actively engaged in loading or unloading operations. These infractions were added to discourage drivers of heavy vehicles from storing such vehicles on public streets which could lead to blocked sightlines and other related traffic issues.

Since adoption of the ordinance, APD have issued 626 citations for violations of City Code Section 10-4-46. However, nearby residents still cite frequent violations and have indicated to staff the current enforcement regime is not deterring truck parking.

During their January 11 meeting, City Council requested that staff develop enforcement options and consider increased fines for violations of the ordinance.

DISCUSSION: The proposed amendment to City Code Section 10-4-47 includes escalating fines for violations of the ordinance. For violations of section 10-4-46, "Parking heavy vehicles in commercial business areas," City staff propose applying the following penalties:

- \$100 for the first violation,
- \$175 for the second violation,
- \$250 for the third and any subsequent violation, and

- Removal or immobilization of the vehicle for the fourth and any subsequent violation, in accordance with the process set forth in 3-2-255.

Escalating fines for outstanding citations is meant to address the frequent repeat violations of the ordinance. Staff recommends limiting the violations to \$250 to be in relative alignment with other parking fines. Most parking violations include \$40 fines; the highest parking fine is \$200 for parking in violation of High Occupancy Vehicle lanes.

Further, staff is recommending that upon a fourth violation of Section 10-4-46 that the City can tow or boot vehicles in accordance with established City processes.

Additionally, the ordinance proposes an amendment to City Code Section 3-2-255 to be consistent with changes to the law and amends City Code Section 5-8-22 to add illegal parking as a permissible reason for removing a vehicle.

To date, APD has not immobilized violators with overdue citations due to a lack of equipment appropriate for larger vehicles. The fiscal impact section notes that, if the ordinance is approved, citation revenue can cover the costs of larger, heavy vehicle-sized immobilizing devices.

Both T&ES staff and APD support the proposed change. Increasing fines for repeat offenders will discourage drivers from parking heavy vehicles on public streets and encourage parking in off-street private facilities.

The Traffic and Parking Board endorsed the proposed ordinance at their public hearing on February 28, 2022

If approved, APD will need to modify the parking citation software to enable the escalating fines. APD will begin by notifying offenders with a warning of the escalating fines. T&ES will also post temporary signs in areas with frequent violations to inform truckers of the change in fines. After that notification period, APD will begin active enforcement.

FISCAL IMPACT: If the ordinance is approved, staff does not anticipate a negative fiscal impact on the City. Citations will generate revenue, however, the ordinance is intended to be a parking management and enforcement tool rather than a source of revenue. Existing Parking Enforcement Officers will enforce this ordinance, and no additional officers will be required. Should APD need to purchase larger heavy vehicle-sized immobilizing devices, staff anticipate citation revenue should cover those costs.

ATTACHMENTS:

Attachment 1: Ordinance Cover

Attachment 2: Ordinance

STAFF:

Emily A. Baker, Deputy City Manager

Joanna Anderson, City Attorney

Christina Zechman Brown, Deputy City Attorney

Don Hayes, Acting Chief of Police

Jamie Bridgeman, Captain, APD

Jason North, Lieutenant, Traffic Safety & Parking, APD

Dan Schultz, Sergeant, Parking Enforcement, APD

Yon Lambert, Director, T&ES

Hillary Orr, Deputy Director, T&ES, Transportation

Katye North, Division Chief, T&ES, Mobility Services

Alex Block, Principal Planner, T&ES, Mobility Services

Max Devilliers, Urban Planner II, T&ES, Mobility Services