

ORDINANCE NO. 2286

AN ORDINANCE to amend Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended, by adding thereto a new Article numbered IV-A; which Chapter 22 relates to MOTOR VEHICLES AND TRAFFIC and which new Article IV-A relates to PERMIT PARKING DISTRICTS.

WHEREAS, the parking of motor vehicles in residential areas by persons for the purpose of commuting to commercial or industrial areas contributes to hazardous traffic conditions, air pollution, excessive noise and the accumulation of trash and refuse in such areas; and

WHEREAS, unreasonable burdens are thereby placed upon the residents of those areas in gaining access to their residences; and

WHEREAS, the city council believes it to be beneficial to the peace, good order, comfort, convenience and welfare of the inhabitants of the city to alleviate such conditions, to promote efficiency in the maintenance of its streets in a clean and safe condition, to preserve the value of property in residential areas, and to protect the safety of children and other pedestrians; now, therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 22 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new Article IV-A to read as follows:

Article IV-A. Permit Parking Districts.

Sec. 22-121.13. Definitions.

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

Block. That portion of a city street abutted by parcels of real estate bearing the same block numbers on the tax assessment maps of the city.

Permit parking district. Any area so designated pursuant to the provisions of section 22-121.15 of this article.

Residential districts. An area in which seventy-five percent (75%) of the buildings contained therein are used for residential purposes and containing no fewer than four hundred (400) on-street parking spaces, designating twenty (20) linear feet per parking space; provided, however, that an area containing fewer than four hundred (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 four hundred (400) on-street parking spaces would be impractical or impose an undue hardship.

Sec. 22-121.14. Parking in permit parking district.

No person shall park a vehicle on any street except for any block abutted solely by non-residential property and any portion of a street in which parking is regulated by parking meters or within a permit parking district for more than three (3) consecutive hours during the hours of 8:00 A. M. through 5:00 P.M., Monday through Friday unless the vehicle displays a permit issued for such vehicle as provided by this article.

Sec. 22-121.15. Designation of permit parking districts; notice of

(a) Upon submission to him of a petition for the designation of a residential district as a permit parking district, if the petition has been signed by more than fifty percent (50%) of the residents of each block in the residential district designated in the petition, the city manager shall cause to be conducted an 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 seventy-five percent (75%) of the on-street parking spaces in the district are occupied by vehicles, then no further survey shall be made. If less than seventy-five percent (75%) of the on-street parking spaces in the district are not occupied by vehicles at the time of the survey, then additional surveys may be made at other times during that day. If seventy-five percent (75%) of the on-street parking spaces in the district are found to be occupied by vehicles by any such survey, a study shall be made to determine if the number of vehicles parked in the district at the time of such survey and owned by non-residents of the district exceeds twenty-five percent (25%) 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 such fact to the Traffic and Parking Board of the city.

(b) 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, after a public hearing, make recommendations 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 Traffic and Parking Board shall consider the availability of an alternate means of transportation to and from the residential district, air pollution caused by automobile traffic within the district and the environmental impact of automobile use in the district.

(c) Upon 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 by resolution designate the district as a permit parking district.

(d) Upon the designation of a permit parking district by the city council, the city manager shall assign a number to that district and shall cause to be posted in each block, or portion thereof in which the provisions of section 22-121.14 are applicable, within the district appropriate signs which shall state thereon the following:

Three Hour Parking
8 A.M. through 5 P.M.
Monday through Friday
Except Holders of District _____ Permits

In addition to the language hereinabove set forth, there shall be affixed to each such sign following the word "District" the number assigned by the city manager to the permit parking district in which such sign is located.

(e) No citation for a violation of Section 22-121.14 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 such district. No citation for a violation of section 22-121.14 of this article shall be valid if the owner of the vehicle receiving the citation has, within fifteen (15) days of the date of adoption of the resolution designating the permit parking district in which the motor vehicle was parked when it received the citation, obtained a permit issued pursuant to section 22-121.17 of this article authorizing the parking of the vehicle for which the citation was issued in the permit parking district in which it was issued.

Sec. 22-121.16. Parking permits--Issuance.

The city manager shall upon payment of the fee provided for same by this article, issue permits for the parking of motor vehicles in permit parking districts for more than three (3) consecutive hours as follows:

(a) To persons who reside in a permit parking district, one (1) permit for each vehicle belonging to such person for which the person has paid all personal property taxes imposed thereon by the city and which displays a valid license windshield tag issued pursuant to the provisions of Article XII of Chapter 22 of the City Code. Such permits shall be valid for one (1) year and shall be renewable. 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 fees imposed thereon by the city. For each permit issued pursuant to this section, there shall be imposed a fee of two dollars (\$2.00) for up to two (2) vehicles, and for over two vehicles the fee shall be ten dollars (\$10.00).

(b) To persons who are visitors at a residence within a permit parking district on the application of the resident, one (1) permit for any vehicle used by such person during the visit, which permit shall be valid for thirty (30) days, provided that such permits may be issued to no more than two (2) visitors to the same residence at the same time. No fee shall be charged for any permit issued pursuant to this subsection.

(c) To persons who are guests at a residence in a permit parking district on the application of the resident, one (1) permit for any vehicle used by such person while a guest at the residence, which permit shall be valid for one (1) day or portion thereof, provided that the number of permits issued to such persons shall not at any time exceed fifty percent (50%) of the number of parking spaces in which they are valid. Provided, further, that no such permit shall be issued except upon a showing by the resident making application therefor that during the hours for which the permit is to be issued his 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. 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.

(d) To persons doing business with a resident of a permit parking district on the application of such resident, one (1) permit for the vehicle used while doing business in the permit parking district. No permit shall be issued pursuant to this subsection for a period longer than the time estimated by the applicant to be required for completing the business transaction for which the permit is sought, and in no event shall any such permit be valid for more than thirty (30) days.

(e) Whenever the holder of a permit issued pursuant to this section would no longer be qualified to obtain such permit, the permit shall no longer be valid. Whenever any permit becomes invalid prior to its expiration date, the holder of the permit shall surrender it to the city manager or his authorized representative.

(f) It shall be unlawful for any person to represent that he is entitled to a permit pursuant to this article when he is not so entitled or to fail to surrender a permit to which he is no longer entitled. It shall be unlawful for any person to park a vehicle displaying a permit issued pursuant to this section at any time when the holder of the permit is not entitled to hold it.

Sec. 22-121.17. Changes in permit parking district boundaries.

Following the designation of a permit parking district the city council, upon receipt of a petition signed by over fifty percent (50%) of the residents of a block contiguous to the district, provided such block qualifies to be a permit parking district as provided in section 22-121.15 of this article and seventy-five percent (75%) of the buildings on the abutting parcels of real estate are used for residential purposes, may by resolution alter the boundaries of the district to include within it any such block.

Sec. 22-121.18. Establishment of trial permit parking district.

Notwithstanding any other provision of this article, the city council may by resolution establish a permit parking district or districts on a trial basis, for a period not to exceed ninety (90) days, during which period no other petitions for establishment of such districts 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.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
MAYOR

FINAL PASSAGE: OCTOBER 10, 1978