

ORDINANCE NO. 3933

AN ORDINANCE to add a new Section 10-3-1240 (DEFINITIONS), Section 10-3-1242 (PARKING IN SPACES RESERVED FOR PERSONS WITH A DISABILITY), Section 10-3-1247 (COUNTERFEITING DISABLED PARKING LICENSE PLATES OR PLACARDS), Section 10-3-1248 (USE OF COUNTERFEIT DISABLED PARKING LICENSE PLATES OR PLACARDS) Section 10-3-1249 (ALTERATION OF DISABLED PARKING LICENSE PLATES OR PLACARDS), Section 10-3-1250 (UNAUTHORIZED USE OF DISABLED PARKING LICENSE PLATES OR PLACARDS), Section 10-3-1251 (FRAUDULENTLY OBTAINING DISABLED PARKING LICENSE PLATE OR PLACARD), Section 10-3-1252 (SELLING OR EXCHANGING A DISABLED PARKING LICENSE PLATE OR PLACARD) and Section 10-3-1253 (PROVIDING A DISABLED PARKING LICENSE PLATE OR PLACARD), to Article B (RECKLESS DRIVING, SPEEDING, ETC.), Chapter 3 (OPERATION OF VEHICLES), and to repeal Section 10-4-19 (PARKING IN SPACES RESERVED FOR HANDICAPPED PERSONS) of Chapter 4 (STOPPING, STANDING AND PARKING), Title 10 (MOTOR VEHICLES AND TRAFFIC), and to amend and reordain subsection (a)(19) of Section 3-2-354 (PENALTIES FOR UNCONTESTED CITATIONS) of Article S (PAYMENT, CONTEST AND ENFORCEMENT OF PARKING CITATIONS), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT), all of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1240 to read as follows:

Sec. 10-3-1240 Definitions.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1240 of the Virginia Code, as amended, which sets out the definitions to be used in conjunction with statutes and ordinances affecting parking for persons with disabilities, is hereby adopted and incorporated in its entirety into this chapter as if it were fully set forth herein.

Section 2. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1242 to read as follows:

Sec. 10-3-1242 Parking in spaces reserved for persons with a disability.

(a) It shall be unlawful:

(1) for any person to park a vehicle that does not display disabled parking license plates, or an organizational, permanent or temporary removable windshield placard, issued by the department of motor vehicles, or by another state or country, for the purpose of identifying vehicles permitted to use parking spaces reserved for persons with a disability, in a parking space reserved for persons with a disability; or

(2) for any person who is not limited or impaired in his ability to walk to park a vehicle that displays disabled parking license plates, or an organizational, permanent or temporary removable windshield placard, issued by the department of motor vehicles, or by another state or country, for the purpose of identifying vehicles permitted to use parking spaces reserved for persons with a disability, in a parking space that is reserved for persons with a disability, except when transporting a person with such a disability in the vehicle.

(b) In any prosecution charging a violation of this section, proof that the vehicle described in the parking ticket, citation or summons was parked in violation of the section, together with proof of the registered owner of the vehicle at the time of the violation, shall constitute prima facie evidence that the registered owner of the vehicle was the person who committed the violation.

(c) The penalty for the violation of this section shall be a fine of not less than \$100 nor more than \$500.

(d) Parking spaces reserved for persons with a disability shall be identified by above-grade signs meeting the requirements of section 36-99.11 of the Code of Virginia (1950), as amended; provided, that no violation of this section shall be dismissed because of a property owner's failure to comply strictly with those requirements, so long as the parking space in question is clearly distinguishable as a space reserved for persons with a disability.

Section 3. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1247 to read as follows:

Sec. 10-3-1247 Counterfeiting disabled parking license plates or placards.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1247 of the Virginia Code, as amended, which relates to the counterfeiting of disabled parking license plates or placards, is hereby adopted and incorporated in its entirety, including its penalty provision, into this chapter as if it were fully set forth herein.

Section 4. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1248 to read as follows:

Sec. 10-3-1248 Use of counterfeit disabled parking license plates or placards.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1248 of the Virginia Code, as amended, which relates to use of counterfeit disabled parking license plates or placards, is hereby adopted and incorporated in its entirety, including its penalty provision, into this chapter as if it were fully set forth herein.

Section 5. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and

the same is hereby, amended by adding a new section 10-3-1249 to read as follows:

Sec. 10-3-1249 Alteration of disabled parking license plates or placards.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1249 of the Virginia Code, as amended, which relates to the alteration of disabled parking license plates or placards, is hereby adopted and incorporated in its entirety, including its penalty provision, into this chapter as if it were fully set forth herein.

Section 6. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1250 to read as follows:

Sec. 10-3-1250 Unauthorized use of disabled parking license plates or placards.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1250 of the Virginia Code, as amended, which relates to the unauthorized use of disabled parking license plates or placards, is hereby adopted and incorporated in its entirety, including its penalty provision, into this chapter as if it were fully set forth herein.

Section 7. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1251 to read as follows:

Sec. 10-3-1251 Fraudulently obtaining disabled parking license plate or placard.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1251 of the Virginia Code, as amended, which relates to the making of a false statement to obtain, or assist a person in obtaining, a disabled parking license plate or placard, is hereby adopted and incorporated in its entirety, including its penalty provision, into this chapter as if it were fully set forth herein.

Section 8. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1252 to read as follows:

Sec. 10-3-1252 Selling or exchanging a disabled parking license plate or placard.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1252 of the Virginia Code, as amended, which relates to the sale or exchange for consideration of a valid, altered or counterfeit disabled parking license plate or placard, is hereby adopted and incorporated in its entirety, including its penalty provision, into this chapter as if it were fully set forth herein.

Section 9. That Article B of Chapter 3, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same is hereby, amended by adding a new section 10-3-1253 to read as follows:

Sec. 10-3-1253 Providing a disabled parking license plate or placard.

Pursuant to the authority granted by section 46.2-1313 of the Code of Virginia (1950), as amended, section 46.2-1253 of the Virginia Code, as amended, which relates to knowingly providing to another person, without sale or exchange for consideration, a valid, altered or counterfeit disabled parking license plate or placard, is hereby adopted and incorporated in its entirety, including its penalty provision, into this chapter as if it were fully set forth herein.

Section 10. That Section 10-4-19 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, repealed.

Section 11. That subsection (a)(19) of 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:

(a) (19) \$125 for a violation of subsection (a) of section 10-4-1242, "Parking in spaces reserved for persons with a disability";

Section 12. That section 1-1-10 of The Code of the City of Alexandria, Virginia, 1981, as amended, shall apply to this ordinance.

Section 13. That this ordinance shall become effective on July 1, 1997.

KERRY J. DONLEY  
Mayor

Introduction: 6/10/97  
First Reading: 6/10/97  
Publication: 6/11/97; 6/12/97  
Public Hearing: 6/14/97  
Second Reading: 6/14/97  
Final Passage: 6/14/97