

## Ordinance No. 787

AN ORDINANCE to amend and reordain sections 20, 23, 24, 28, 29, and 30 of Title II, sections 31, 35, 38, and 40 of Title III, section 41 of Title IV, sections 47, 50, 55, 60, 65, 68, 71, and 77 of Title V, Sections 91, and 100 of Title VII, section 103 of Title VIII, and section 112 of Title IX and to amend Title III, Title V, Title VII, and Title VIII, and to amend Article I, all of which said sections, titles and articles are portions of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinances No. 671, 693, 697, 713 and 730, which said section 20 relates to DUTY OF TRAFFIC DIVISION, which said section 23 relates to TRAFFIC ACCIDENT STUDIES, which said section 24 relates to TRAFFIC ACCIDENT REPORTS, which said section 28 relates to CITY TRAFFIC ENGINEER, which said section 29 relates to EMERGENCY AND EXPERIMENTAL REGULATIONS, which said section 30 relates to TRAFFIC BOARD, ITS POWERS AND DUTIES, which said section 31 relates to AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES, which said section 35 relates to SIGNALS BY LIGHT OR SEMAPHORES, which said section 38 relates to AUTHORITY TO ESTABLISH PLAY STREETS, which said section 40 relates to CITY TRAFFIC ENGINEER TO DESIGNATE CROSSWALKS, ESTABLISH SAFETY ZONES, MARK TRAFFIC LANES, which said section 41 relates to SPEED LIMITS, which said section 47 relates to SPECIAL REGULATIONS APPLICABLE ON STREETS AND HIGHWAYS LANED FOR TRAFFIC, which said section 50 relates to WHEN OVERTAKING VEHICLES MAY PASS ON RIGHT, which said section 55 relates to TURNING AT INTERSECTIONS, which said section 60 relates to RIGHT OF WAY; GENERAL RULE which said section 65 relates to MAKING LEFT TURNS, which said section 68 relates to RECKLESS DRIVING, which said section 71 relates to DRIVING AUTOMOBILES, ENGINES, ETC., WHILE INTOXICATED, which said section 77 relates to DRIVING WHILE LICENSE SUSPENDED, which said section 91 relates to GENERAL RULE, which said section 100 relates to DISCHARGE OF PASSENGERS OR CARGO, which said section 103 relates to PREVENTION OF NOISE, MUFFLERS, which said section 112 relates to PENALTIES, which said Title II relates to TRAFFIC ADMINISTRATION, which said Title III relates to TRAFFIC CONTROL DEVICES, which said Title IV relates to SPEED REGULATIONS, which said Title V relates to TRAFFIC REGULATIONS, RULES OF THE ROAD, RECKLESS DRIV-

ING, ETC., which said Title VII relates to PARKING AND STOPPING ON HIGHWAYS, which said Title VIII relates to MISCELLANEOUS, which said Title IX relates to ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS, AND PENALTIES, which said Article I, relates to TRAFFIC GENERALLY, and which said Chapter XI relates to TRAFFIC.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article I, of Chapter XI of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new Title I-A, to read as follows:

**TITLE I-A. HOW DESIGNATED AND CITED**

This chapter shall be designated and cited as the "Traffic Code of the City of Alexandria," and its provisions shall be applicable within the corporate limits of said City.

Section 2. That section 20, Title II, Article I, of Chapter XI of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended and re-ordained to read as follows:

Sec. 20. **DUTY OF TRAFFIC DIVISION.** It shall be the duty of the traffic division with such aid as may be rendered by other members of the police department to enforce the street traffic regulations of this city and all of the State vehicle laws applicable to street traffic in this city, to make arrests for traffic violations, to investigate accidents and to cooperate with the Director of Traffic and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said division by this chapter and the traffic ordinances of this city.

Section 3. That section 23, Title II, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended and re-ordained to read as follows:

Sec. 23. **TRAFFIC ACCIDENT STUDIES.** Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the Director of Traffic and the traffic board in conducting studies of such accidents and determining remedial measures.

Section 4. That section 24, Title II, Article I, of Chapter XI of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended and re-ordained to read as follows:

Sec. 24. **TRAFFIC ACCIDENT REPORTS.** (a) The traffic

division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the city Director of Traffic.

(b) The traffic division shall receive and properly file all accident reports made to it under State law or under any ordinance of this city, but all such accident reports made by drivers shall be for the confidential use of the police department and the traffic division and the Director of Traffic, and no report shall be admissible in any civil or criminal proceeding except that upon demand of any person who has or claims to have made such report or upon demand of any court, a certificate showing that a specified accident report has or has not been made shall be furnished, solely to prove compliance or noncompliance with the requirement that the report be made.

Section 5. That section 28, Title II, Article I, of Chapter XI of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and reordained to read as follows:

Sec. 28. **DIRECTOR OF TRAFFIC.** (a) The office of Director of Traffic is hereby established. The Director of Traffic shall be appointed by the City Manager and he shall exercise the powers and duties as provided in this chapter and in the traffic ordinances of this City.

(b) It shall be the general duty of the Director of Traffic to determine the installation and proper timing and maintainance of traffic-control devices, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions and to carry out the additional powers and duties imposed by ordinances of this City.

Section 6. That section 29, Title II, Article I, of Chapter XI of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended and reordained to read as follows:

Sec. 29. **EMERGENCY AND EXPERIMENTAL REGULATIONS.** (a) The superintendent of police by and with the approval of the Director of Traffic is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days.

(b) The Director of Traffic may test traffic-control devices under actual conditions of traffic.

Section 7. That section 30, Title II, Article I, of Chapter XI of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by

Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 30. TRAFFIC BOARD, ITS POWERS AND DUTIES.**

(a) There is hereby established a traffic board to serve without compensation, consisting of the Director of Traffic, the superintendent of police or in his discretion as his representative the chief of the traffic division, the City Manager, the City Attorney, or in his discretion as his representative a lawyer from his office, the mayor or a member of the city council designated by him, and such other city officers and representatives of unofficial bodies not exceeding two in number as may be appointed by the mayor. The chairman of the board shall be appointed by the mayor and may be removed by him.

(b) It shall be the duty of the traffic board, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, to make regulations and issue instructions necessary to make effective the provisions of this chapter and the traffic ordinances of the city, and to recommend to the city council and to the Director of Traffic, the chief of the traffic division, and other city officials ways and means for improving traffic conditions.

(c) The traffic board shall meet at least once each month and all matters concerning traffic shall be presented to the board prior to presentation to the city council.

Section 8. That section 31, Title III, Article I, of Chapter XI of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 31. AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES.** The Director of Traffic shall place and maintain traffic-control signs, signals and devices when and as required under the traffic ordinances of this city to make effective the provisions of said ordinances, and may place and maintain such additional traffic-control devices as the city council or traffic board may deem necessary to regulate traffic under the traffic ordinances of this city or under State law, or to guide or warn traffic.

Section 9. That section 35, Title III, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 35. Signals by Light or Semaphores.**

Signals by lights or semaphores shall be as follows:

Red indicates that traffic then moving shall stop and remain stopped as long as the red signal is shown, except in the direction indicated by a lighted green arrow. Green indicates that the traffic shall then move in the direction of

the signal and remain in motion as long as the green signal is given.

Amber indicates that a change is about to be made in the direction of the moving traffic. When the amber signal is shown, traffic which has not already entered the intersection, including the cross-walks, shall stop, but that which has entered the intersection shall continue to move until the intersection has been entirely cleared.

When semaphores are not in operation, the use of amber light indicates need for caution, and the use of a flashing red light indicates that traffic shall stop before entering the intersection.

Section 10. That section 38, Title III, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 38. AUTHORITY TO ESTABLISH PLAY STREETS.**  
The city council shall have authority to declare any street or part thereof a play street and authorize the Director of Traffic to place appropriate signs or devices in the roadway indicating and helping to protect the same.

Section 11. That section 40, Title III, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 40. DIRECTOR OF TRAFFIC TO DESIGNATE CROSS-WALKS, ESTABLISH SAFETY ZONES, MARK TRAFFIC LANES.** The Director of Traffic is hereby authorized:

(1) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

(2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

(3) To mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the traffic ordinances of this city.

Section 12. That Title III, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new section designated Sec. 40.1, to read as follows:

**Sec. 40.1. DESIGNATION OF ENTRANCES AND EXITS.**  
The Director of Traffic shall also have the authority to designate private driveways as either "entrances" or "exits," and

when the property owner or lessee is notified in writing of such designation, such owner or lessee shall install appropriate signs in accordance with specifications drawn by the Director of Traffic, and the drivers of all vehicles entering or leaving such private driveways from or onto public streets and roadways of the City shall obey such signs.

Section 13. That section 41, Title IV, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

Sec. 41. **SPEED LIMITS.** Any person who shall:

(1) Drive any vehicle upon a highway in this city at such speed as unnecessarily to block, hinder, or retard the orderly and safe use of the highway, or to cause congestion on the highway;

(2) Drive upon any highway any motor vehicle at a speed in excess of:

(a) Fifteen miles an hour when passing a school during recess or while children are going to or leaving school, provided the markers be placed on or along side of the highways so as to indicate the location of such school;

(b) Twenty-five miles an hour in a business district;

(c) Twenty-five miles an hour in a residential district;

(d) Such increased or decreased speed as shall be determined by the City authorities for any business or residential districts, notwithstanding subsections (b) and (c) immediately precedent to this subsection, provided such areas or points are clearly indicated by markers or signs and speed limits are based upon engineering and traffic investigations;

(e) Such speed as shall be fixed by the City authorities for congested areas or curves, right angle turns, or other dangerous points on the highway when such areas or points are clearly indicated by markers or signs;

(3) Drive anywhere else upon any highway in the City any school bus carrying school children to or from school at a speed in excess of thirty-five miles per hour, or any other passenger carrying bus at a speed in excess of fifty-five miles per hour, or any passenger motor vehicle or motorcycle at a speed in excess of fifty-five miles per hour, or any truck at a speed in excess of forty-five miles per hour, or any other motor vehicle at a speed in excess of fifty-five miles per hour;

(4) Drive any vehicle or combination of vehicles which is operating under a special permit issued by the Department of Highways in accordance with sections 46-328 and 46-339 of the Code of Virginia, (1950), as amended, or by

the City of Alexandria in accordance with section 107.1 of this Article, at a speed greater than thirty-five miles per hour.

(5) Drive any motor vehicle, trailer, or semi-trailer upon any public bridge, causeway, or viaduct at a speed exceeding that indicated as a maximum by signs posted thereon or at its approach, by or upon the authority of the State Highway Commission;

Shall upon conviction be punished in accordance with the provisions of Section 112 of this Chapter.

Section 14. That section 47, Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 47. SPECIAL REGULATIONS APPLICABLE ON STREETS AND HIGHWAYS LANED FOR TRAFFIC.** Whenever any highway has been divided into clearly marked lanes for traffic, drivers of vehicles shall obey the following regulations:

(1) A vehicle shall normally be driven in the lane nearest the right hand edge or curb of the highway when such lane is available for travel except when over-taking another vehicle or in preparation for a left turn or as permitted in paragraph (4) of this SECTION;

(2) A vehicle shall be driven as nearly as is practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(3) Upon a highway which is divided into three lanes, a vehicle shall not be driven in the center lane except when over-taking and passing another vehicle or in preparation for a left turn or unless such center lane is at the time allotted exclusively to traffic moving in the direction the vehicle is proceeding and is signposted or marked to give notice of such allocation;

(4) The State Highway Commission, or the City, with respect to highways under their jurisdiction, may designate righthanded lanes for slow moving traffic and when such lanes are signposted or marked to give notice of such designation a vehicle may be driven in any lane allocated to traffic moving in the direction such vehicle is proceeding, but when traveling within such inside lanes vehicles shall be driven at approximately the speed authorized in such lanes and speed shall not unnecessarily be decreased so as to block, hinder or retard traffic;

(5) Wherever a highway is marked with double traffic lines consisting of a solid line immediately adjacent to a broken line, no vehicle shall be driven to the left of such line if the solid line is on the right of the broken line, except that it shall be lawful to make a left turn for the

purpose of entering or leaving a public, private or commercial road or entrance;

(6) Wherever a highway is marked with double traffic lines consisting of two immediately adjacent solid lines, no vehicles shall be driven to the left of such lines, except that it shall be lawful to make a left turn for the purpose of entering or leaving a public, private or commercial road or entrance.

Section 15. That section 50, Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 50. When Overtaking Vehicles May Pass on Right.**

(1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn, and the driver of such vehicle has given a signal as required;

(b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles, of sufficient width for two or more lines of moving vehicles in each direction;

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

(2) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-travelled portion of the roadway.

Section 16. That section 55, Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 55. TURNING AT INTERSECTIONS.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

(1) Right turn: Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.

(2) Left turns on two-way roadways: At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof, and by pass-

ing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(3) Left turns on other than two-way roadways: At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection as nearly as practicable, in the left lane lawfully available to traffic moving in such direction upon the roadway being entered.

Section 17. That section 60, Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 60. RIGHT OF WAY: GENERAL RULE.** When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left, shall yield the right of way to the vehicle on the right, except as otherwise provided in Section 62 of this Chapter. At traffic circles, vehicles already in the circle shall have the right of way over vehicles approaching or entering the circle. The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

Section 18. That section 65, Title V, Article I, Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 65. MAKING LEFT TURNS.** It shall be unlawful for the driver of any vehicle to make a left turn without passing to the right of the center of the intersection, whether marked or not, except as otherwise provided.

Section 19. That section 68, Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

**Sec. 68. RECKLESS DRIVING.**

(a) Irrespective of the maximum speeds herein provided, any person who drives a vehicle upon a highway recklessly or at a speed or in a manner so as to endanger life, limb, or property of any person, shall be guilty of reckless driving; provided that the driving of a motor vehicle in violation of any speed limit provision of section 41, (1), (2),

(3), shall not of itself constitute ground for prosecution for reckless driving under this section.

(b) A person shall be guilty of reckless driving who shall:

(1) Drive a vehicle when not under proper control or with inadequate or improperly adjusted brakes upon any highway.

(2) While driving a vehicle, overtake and pass another vehicle proceeding in the same direction, upon or approaching the crest of a grade or upon or approaching a curve in the highway, where the driver's view along the highway is obstructed, except where the overtaking vehicle is being operated on a highway having two or more designated lanes of roadway for each direction of travel or on a designated one-way street or highway;

(3) Pass or attempt to pass two other vehicles abreast, moving in the same direction, except on highways having separate roadways of three or more lanes for each direction of travel, or on designated one-way streets or highways;

(4) Overtake or pass any other vehicle proceeding in the same direction at any steam, diesel, or electric railway grade crossing or at any intersection of highways unless such vehicles are being operated on a highway having two or more designated lanes of roadway for each direction of travel or on a designated one-way street or highway, or while pedestrians are passing or about to pass in front of either of such vehicles, unless permitted so to do by a traffic light or police officer.

(5) Fail to stop at a school bus while taking on or discharging school children, whether going in the same or the opposite direction and to remain stopped until all school children are clear of the highway.

(6) Fail to give adequate and timely signals of intention to turn, partly turn, slow down, or stop, as required by sections 57, 58, or 59.

(7) Exceed a reasonable speed under the circumstances and traffic conditions existing at the time; or

(8) Fail to bring his vehicle to a stop immediately before entering a highway from a side road when there is traffic approaching upon such highway within five hundred feet of such point of entrance.

Section 20. That section 71, Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

Sec. 71. DRIVING AUTOMOBILES, ENGINES, ETC., WHILE INTOXICATED...a) No person shall steer, drive or

operate any automobile or other motor vehicle, car, truck, engine or train in the city while under the influence of alcohol, brandy, rum, whiskey, gin, wine, beer, lager beer, ale, porter, stout, or any other liquid beverage or article containing alcohol or while under the influence of any narcotic drug or any other self-administered intoxicant or drug of whatsoever nature.

(b) PENALTY: any person violating any provision of this section shall be guilty of a misdemeanor punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) or imprisonment for not less than one (1) month nor more than six (6) months, either or both in the discretion of the court or jury trying the same, for a first offense, and the court may, in its discretion, suspend the sentence during the good behavior of the person convicted. Any person convicted of a second or other subsequent offense under such section shall be punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) and by imprisonment for not less than one (1) month nor more than one (1) year.

(c) SAME: FORFEITURE OF DRIVER'S LICENSE, SUSPENSION OF SENTENCE. The judgment of conviction if for a first offense under section (a) hereof, shall of itself operate to deprive the person convicted of the right to drive or operate any such vehicle, conveyance, engine or train in this city for a period of one (1) year from the date of such judgment, and if for a second or other subsequent offense within ten years thereof for a period of three (3) years from the date of the judgment of conviction thereof. If any person has heretofore been convicted of violating any similar act of this state or ordinance of the city, such conviction shall for the purpose of section 71 (a) be a subsequent offense and shall be punished accordingly; and the court may, in its discretion, suspend the sentence during the good behavior of the person convicted.

(d) DRIVING AFTER FORFEITURE OF LICENSE. If any person so convicted shall, during the time for which he is deprived of his right so to do, drive or operate any such vehicle, conveyance, engine or train in the City, he shall be confined in jail not less than ten (10) days nor more than six (6) months, and may in addition be fined not exceeding five hundred dollars (\$500.00).

(e) REPORT OF CONVICTION TO DIVISION OF MOTOR VEHICLES. The clerk of the court shall within thirty (30) days after final conviction of any person in his court under section 71, report the fact thereof and the name, postoffice, address and street address of such person, together with the license plate number on the vehicle operated by such person, to the Director of the Division of Motor Vehicles who shall preserve a record thereof in his office.

Section 21. That Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new section, designated Sec. 72.1 to read as follows:

Sec. 72.1. **DRIVING UPON SIDEWALK.** No person shall drive any vehicle upon any sidewalk except while actually crossing such sidewalk at a permanent or temporary driveway.

Section 22. That Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new section, designated Sec. 72.2 to read as follows:

Sec. 72.2. **DRIVING OVER FIRE HOSE.** No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street or private driveway, to be used at any fire or alarm of fire, without the consent of a policeman or of an employee or agent of the fire department.

Section 23. That Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new section, designated Sec. 75.1, to read as follows:

Sec. 75.1. **DRIVERS VIEW AND CONTROL.** No person shall drive a vehicle when it is so loaded, or when there are in the front seat such numbers of persons as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

Section 24. That Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new section, designated Sec. 75.2 to read as follows:

Sec. 75.2. **RIDING ON MOTORCYCLES.** A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person, nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat of designed for two persons, or upon another seat firmly attached to the rear or side of the operator.

Section 25. That section 77, Title V, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

Sec. 77. **REQUIREMENT OF LICENSE.** (a) **DRIVING WHILE LICENSE SUSPENDED OR REVOKED.** No person whose operator's or chauffeur's license has been suspended or revoked by any court or by the Commission of the Department of Motor Vehicles shall thereafter drive any motor vehicle in the City unless and until such suspension or revocation shall have terminated. Any person violating the provisions of this subsection (a) shall for the first offense be confined in jail not less than five (5) days nor more than three (3) months, and for the second or any subsequent offense be confined in jail not less than thirty

(30) days nor more than six (6) months; and may in addition be punished by a fine of not less than Fifty (\$50.00) nor more than Five Hundred (\$500.00) Dollars.

(b) DRIVING BEFORE SUSPENDED OR REVOKED LICENSE HAS BEEN REINSTATED OR NEW LICENSE ISSUED Notwithstanding any other provisions of law, no person whose operator's or chauffeur's license has been suspended or revoked by any court or by the Commissioner of the Department of Motor Vehicles shall, after such suspension or revocation shall have terminated, drive any motor vehicle in this City unless and until such license has been reinstated or a new license issued in accordance with law.

Any person violating the provisions of this section shall upon conviction be punished by a fine not exceeding \$100.00 or by imprisonment not exceeding 30 days, or both in the discretion of the court.

Section 26. That section 91, Title VII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

Sec. 91. GENERAL RULE. No vehicle shall be stopped in such a manner as to impede or render dangerous the use of the highway by others, except in the case of an emergency as the result of an accident or mechanical breakdown, in which case the vehicle shall be removed from the highway as soon as possible; and such removal may be ordered by a police officer at the expense of the owner if the disabled vehicle creates a traffic hazard.

No vehicle shall be stopped except close to and parallel to the right-hand edge of the curb or highway, except that a vehicle may be stopped close to and parallel to the left-hand curb or edge of the highway on one-way streets, other than dual lane, divided highways, or may be parked at an angle where permitted.

Section 27. That Title VII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as amended by Ordinance No. 671, Ordinance No. 691 and Ordinance No. 713, be and the same hereby is amended by the addition of a new section, designated Sec. 91.1, to read as follows:

Sec. 91.1. RIGHT TO PARKING SPACE. Whenever a driver of a vehicle pulls up parallel with a parked vehicle for the purpose of backing into the parking space behind such parked vehicle, he shall have the first privilege of using such parking space, and no driver of any other vehicle shall drive his vehicle into such space or stop immediately behind the first vehicle in such a way as to block access to the parking space.

Section 28. That section 100, Title VII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 be and the same hereby is amended and re-ordained to read as follows:

Sec. 100. **DISCHARGE OF PASSENGERS OR CARGO.** No truck or bus or part thereof, other than a school bus transporting school children, when discharging children who must cross the highway shall be stopped on the traveled portion of any highway for the purpose of taking on or discharging passengers or cargo unless the operator cannot leave the traveled portion of the highway with safety. A school bus stopping on the highway shall be stopped at a point where it can be clearly seen from both directions.

It shall be unlawful to park any truck beside a railroad car parked on any public right-of-way without a special permit from the Director of Traffic which shall be issued only in cases of extreme hardship and physical necessity for the purpose of loading or unloading.

Section 29. That Title VII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new section designated Sec. 101.2, to read as follows:

Sec. 101.2. **RESTRICTED USE OF LOADING ZONES.** No person shall stop or park a vehicle in a loading zone except for the immediate and continuous unloading and delivery or pick-up and loading of materials from or to a truck or of passengers from or to a passenger vehicle during hours when such zones are restricted to parking for loading purposes.

Section 30. That Title VII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended by the addition of a new section, designated Sec. 102.1 to read as follows:

Sec. 102.1. **PREEMPTION IN REFERENCE TO ILLEGAL PARKING.** In any prosecution charging a violation of any regulation of the City of Alexandria governing the standing or parking of a vehicle, proof that the particular vehicle involved in such stated offense was parked in violation of such regulations, together with proof that the defendant named in the summons or warrant was, at the time of such standing or parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the said registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Section 31. That section 103, Title VIII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended and reordained to read as follows:

Sec. 103. **PREVENTION OF NOISE, MUFFLERS.** (a) No person shall drive a motor vehicle upon a highway unless such motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise, annoying smoke and escape of excessive gas, steam or oil. All exhaust pipes carrying exhaust gases from the motor shall be directed parallel with the ground or upward.

(b) Muffler Cutout, etc., Illegal. It shall be unlawful for any motor vehicle to be equipped with, or for any person to use a "guttled muffler," "muffler cutout," or "straight exhaust" while such motor vehicle is being operated upon a highway.

Section 32. That Title VIII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 and Ordinance No. 693, be and the same hereby is amended by the addition of a new section, designated Sec. 107.1, to read as follows:

**Sec. 107.1. PERMITS FOR EXCESSIVE SIZE AND WEIGHTS.** The Director of Traffic may, in his discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle upon the highway of a size and weight exceeding the maximum specified by law. Every such permit may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by him. Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any officer, and any person who violates any of the terms or conditions of such special permit shall be punished in accordance with section 112 of this Article.

Section 33. That Title VIII, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671 and Ordinance No. 693, be and the same hereby is amended by the addition of a new section, designated Sec. 107.2, to read as follows:

**Sec. 107.2. RADIOS TUNABLE TO EMERGENCY FREQUENCIES.** The owner of every vehicle in which a radio, portable or otherwise, capable of being tuned to the Alexandria police or other emergency frequencies designated by the Chief of Police is installed for operation shall file a written report with the Chief of Police giving the name and address of such owner, and the motor and license number of such vehicle.

Section 34. That section 112, Title IX, Article I, of Chapter XI, of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940, and made effective August 5, 1940, as amended by Ordinance No. 671, be and the same hereby is amended and reordained to read as follows:

**Sec. 112. PENALTIES.** (a) Every person convicted of a violation of any of the provisions of this chapter, for which no other penalty is provided shall, for a first conviction thereof, be punished by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), or by imprisonment in jail for not less than one (1) nor more than ten (10) days, or by both such fine and imprisonment; for a second such conviction within one (1) year such person shall be punished by a

fine of not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00) or by imprisonment in jail for not less than one (1) nor more than twenty (20) days, or by both such fine and imprisonment; for a third or subsequent conviction within one (1) year such person shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) or by imprisonment in jail for not less than ten (10) days nor more than six (6) months or by both such fine and imprisonment.

(b) Any violation of any effective regulation of the traffic board or superintendent of police shall be punishable by a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each separate offense, but such violation shall not be punishable unless the regulation is clearly indicated by a signal, sign, marker or other device.

Section 35. That this ordinance shall be published in a newspaper of general circulation 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 Clerk of the Council 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.

Marshall J. Beverley,  
Mayor.

Published: April 17, 1953  
Final Passage: April 28, 1953