

*City of Alexandria, Virginia*

MEMORANDUM

DATE: JUNE 4, 2008  
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
FROM: JAMES K. HARTMANN, CITY MANAGER   
SUBJECT: CONSIDERATION OF AN ORDINANCE TO INCREASE FINES FOR PARKING VIOLATIONS

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**ISSUE:** Consideration of an ordinance to increase the fine for parking meter violations.

**RECOMMENDATION:** That City Council adopt the ordinance on first reading, and schedule it for public hearing, second reading and final passage on Saturday, June 14, 2008.

**DISCUSSION:** The Code of Virginia authorizes the governing body of any county, city or town to provide by ordinance for the regulation of parking, stopping and standing of vehicles within its limits, and to establish the penalties for parking violations.

The City's parking fines were last increased in January 2007, when the fines for several violations were raised to be comparable with Fairfax and Arlington Counties. From 2005 through 2007, the greatest number of Alexandria's parking violations occurred in two areas:

- Parking contrary to the direction of an official sign (current fine is \$40); and
- Parking violations related to meters, including exceeding the time limit of the meter (current fines are \$25).

In a continuing effort to encourage motorists to use parking garages and to turn over on-street parking spaces more frequently, staff recommended an increase in meter violation fines, from \$25 to \$35, during the FY 2009 budget process. No fine increase was proposed for parking contrary to an official sign. City Council approved the meter violation fine increases in the FY 2009 budget.

The next step in the approval process is to adopt the ordinance and to schedule it for public hearing, second reading and final passage. This ordinance, if adopted by City Council on June 14th, would become effective on July 1, 2008.

**FISCAL IMPACT:** From 2005 through most of 2007, an average of \$350,000 per year was collected for parking meter violations. Assuming that issuance and collection rates remain

constant, staff estimates that raising the fines for meter violations to \$35 will generate an additional \$141,000 annually. The FY 2009 final budget add/delete list approved by Council included a \$141,000 revenue increase from this source.

Most parking citations are issued by Parking Enforcement Officers using electronic hand-held devices that can be reprogrammed with the new fines immediately. In the relatively few cases where Police and Fire Department officers issue tickets from paper ticket books, the changes can be written on the citations. No new paper tickets will be required. This ordinance affects six specific violations (Section 10-4-22 through 10-4-27). In some areas, signs will need to be updated to reflect the new fines for meter violations.

**ATTACHMENT:** Ordinance

**STAFF:**

Mark Jinks, Deputy City Manager

David Baker, Chief of Police

Lieutenant James Bartlett, Police Department, Parking Enforcement

Amy Flenniken, Division Chief, Police Finance and Fleet Management

1 Introduction and first reading: 6/10/2008  
2 Public hearing: 6/14/2008  
3 Second reading and enactment: 6/14/2008  
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6 INFORMATION ON PROPOSED ORDINANCE  
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8 Title  
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10 AN ORDINANCE to amend and reordain Section 3-2-354(PENALTIES FOR  
11 UNCONTESTED CITATIONS) of Article S (PAYMENT, CONTEST AND  
12 ENFORCEMENT OF PARKING CITATIONS), Chapter 2 (TAXATION), Title  
13 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of  
14 Alexandria, Virginia, 1981, as amended.  
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16 Summary  
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18 The proposed ordinance would increase the fines for parking meter violations from  
19 \$25 to \$35.  
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21 Sponsor  
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25 Staff  
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27 Laura B. Triggs, Director of Finance  
28 Ignacio B. Pessoa, City Attorney  
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30 Authority  
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32 Alexandria City Charter § 2.03(x)  
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34 Estimated Costs of Implementation  
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38 Attachments in Addition to Proposed Ordinance and its Attachments (if any)  
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40 None  
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ORDINANCE NO. \_\_\_\_\_

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AN ORDINANCE to amend and reordain 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) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That 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:

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) \$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;"

- 1 (19) The amount set by order of the Supreme Court of Virginia, pursuant to section 16.1-
- 2 69.40:1 of the Code of Virginia, as amended, for a violation of subsection (a) of section
- 3 10-3-1242, "Parking in spaces reserved for persons with a disability;"
- 4 (20) ~~\$25~~ \$35 for a violation of section 10-4-22, "How meter and space to be used;"
- 5 (21) ~~\$25~~ \$35 for a violation of section 10-4-23, "Overtime parking;"
- 6 (22) ~~\$25~~ \$35 for a violation of section 10-4-24, "Depositing coin in meter for purpose of
- 7 extending time;"
- 8 (23) ~~\$25~~ \$35 for a violation of section 10-4-25, "Permitting vehicle to remain parked at meter
- 9 after expiration of time limit;"
- 10 (24) \$40 for a violation of section 10-4-28, "Parking across lines designated parking space;"
- 11 (25) \$40 for a violation of section 10-4-30, "Interfering with enforcement of chapter;"
- 12 (26) \$40 for a violation of section 10-4-33, "Use of metered parking lots by vehicles other
- 13 than private passenger automobiles;"
- 14 (27) \$40 for a violation of section 10-4-34, "Parking illegally in permit parking districts;"
- 15 (28) \$40 for a violation of section 5-8-114, "Designation of parking spaces; parking across
- 16 lines;"
- 17 (29) \$40 for a violation of section 10-4-40, "Location of parked vehicles;"
- 18 (30) \$40 for a violation of section 10-4-37, "Failure to procure and display city license plate,
- 19 windshield tag or decal;"
- 20 (30A) \$40 for a violation of section 10-4-37.1, "Enforcement of the Northern Virginia Local
- 21 Motor Vehicle License Compact;"
- 22 (31) \$40 for a violation of section 10-4-38, "Parking without display of current state
- 23 inspection sticker or current state license plate;"
- 24 (32) \$40 for a violation of section 10-4-39, "Temporary parking prohibited;"
- 25 (33) \$40 for a violation of section 9-12-162, "Use of locations other than designated parking
- 26 spaces by sight-seeing buses;"
- 27 (34) \$40 for a violation of section 9-12-163, "Use of parking spaces designated for use by
- 28 sight-seeing buses by other vehicles;"
- 29 (35) \$40 for a violation of section 9-12-164, "Use of designated spaces by sight-seeing buses;"
- 30 (36) The amount set by order of the Supreme Court of Virginia, pursuant to section 16.1-
- 31 69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-41, "Parking
- 32 prohibited at certain locations;"
- 33 (37) The amount set by order of the Supreme Court of Virginia, pursuant to section 16.1-
- 34 69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-42, "Parking
- 35 prohibited near fire hydrant, etc.;"
- 36 (38) \$40 for a violation of section 10-4-35, "Parking in two-hour parking zones in the central
- 37 business district;"
- 38 (39) \$40 for a violation of section 10-4-36, "Removal of chalk marks placed for enforcement
- 39 purposes;"
- 40 (40) \$40 for a violation of section 3-2-336, "Offenses relating to city license plate, windshield
- 41 and decal."
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- 43 (b) If payment is not tendered to the director of finance with 30 calendar days of the date the
- 44 citation is issued, a penalty of \$25 in addition to the penalty imposed by subsection (a) for the
- 45 violation for which the citation was issued; provided, that, in the event the 30th calendar day
- 46 from the date the citation is issued is a Saturday, Sunday or legal holiday, such additional penalty

1 shall not be imposed if payment is tendered in the amount required by subsection (a) on the next  
2 succeeding business day; provided further, that if payment is remitted to the director of finance  
3 in a sealed envelope bearing a postmark on or before midnight of the 30th calendar day from the  
4 date the citation is issued, no such additional penalty shall be imposed; and provided further, that  
5 the director of finance may waive such additional penalty, even though payment has not been  
6 tendered or mailed within 30 calendar days of the date the citation was issued, whenever the  
7 owner of the vehicle identified in the citation establishes any of the following to the satisfaction  
8 of the director:

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- 10 (i) that the owner did not find the citation at the time of its issuance on the owner's  
11 vehicle and only learned of the citation after the day on which it was issued, and has tendered the  
12 required payment with 30 days of first learning of the citation;
  - 13 (ii) that, within 30 days after the issuance of the citation or, if later, after first learning  
14 of the citation, the owner has made a written request to the director for information concerning  
15 the citation, and has tendered the required payment within 30 days of the director's response; or
  - 16 (iii) that the owner was medically incapable of making the required payment within 30  
17 calendar days of the date the citation was issued.

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19 Section 2. That this ordinance shall become effective on July 1, 2008.

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22 WILLIAM D. EUILLE  
23 Mayor

24 Introduction: 6/10/08  
25 First Reading: 6/10/08  
26 Publication:  
27 Public Hearing:  
28 Second Reading:  
29 Final Passage:

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