

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 3, 2011

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER *J*

SUBJECT: CONSIDERATION OF MODIFICATIONS TO THE CITY'S PARKING POLICY FOR PERSONS WITH DISABILITIES

ISSUE: Consideration of modifications to the City's parking policy for persons with disabilities.

RECOMMENDATION: That City Council:

1. Continue the City's existing policy of following the Code of Virginia to regulate parking for vehicles displaying handicapped license plates or placards; and
2. Direct staff to draft an ordinance for future Council consideration to establish and implement a two-year pilot program to provide a permit to allow free parking of up to 12 hours in metered zones for persons with disabilities who are employed within the City and do not have available accessible off-street parking at their place of employment.

DISCUSSION: In the City of Alexandria, vehicles displaying handicapped license plates or placards have been exempted from parking fees pursuant to the Code of Virginia § 46.2-1245. The Code establishes a uniform Statewide exemption for vehicles displaying handicapped license plates or placards of: (1) up to four hours in time-restricted parking zones or metered spaces; and (2) from payment of parking meter fees. However, the Code of Virginia also permits local jurisdictions to set aside these exemptions by ordinance. Alexandria currently has three established parking meter zones that are affected by this Code. Parking meter zones one and two are located in the Old Town area of the City east of Washington Street, and parking meter zone three is located in Carlyle.

During deliberations on the FY 2011 budget, City Council voted to accept a change to the proposed General Fund operating budget based on implementation of an "All May Park, All Must Pay" policy, similar to the one adopted by Arlington County in 1998. Implementation of the proposed policy was discussed during meetings of the Old Town Area Parking Study Work Group, a City Manager-appointed Work Group established by City Council to address recommendations in the Old Town Area Parking Study. This Work Group included a representative from the Alexandria Commission on Persons with Disabilities (ACPD) to provide expertise and input from the disabled community. This item was presented at the Traffic &

Parking Board Public Hearing on May 24, 2010. The main concerns that were presented at the public hearing were fiscal impacts on the disabled due to adoption of the policy, the availability of designated disabled parking spaces, and the need for extended time limits at meters due to disabilities. ACPD representatives did not speak at this public hearing. The Traffic and Parking Board approved the recommendation of adoption of the policy with a four to two vote.

The Work Group made several recommendations regarding the implementation of the policy to ensure minimal negative impact on the disabled community and address the concerns that had been presented through public outreach during discussion of the policy. The Work Group recommendations on the implementation of the "All May Park, All Must Pay" policy were presented to Council at a Council Work Session on October 12, 2010. On October 15, 2010, the ACPD submitted a letter to City Council asking that the parking policy for persons with disabilities not be modified from that set forth in the State Code.

At the November 9, 2010, legislative session staff recommended that Council adopt the proposed policy, which would require holders of handicapped license plates or placards to pay for parking in metered zones, with the recommended implementation measures included in the November 1, 2010 Memorandum for Docket Item #21(Attachment 1). Council deferred this item and directed staff to further explore the proposed policy with the ACPD. In December and January, staff met with the ACPD Ad Hoc Parking Committee to discuss modifications to the parking policy for persons with disabilities. On January 24, 2011, the ACPD submitted a letter (Attachment 2) to oppose any modifications to the Code of Virginia regarding parking for persons with disabilities. The letter also asked Council to authorize a special permit for up to 12 hours per day of free parking for persons with disabilities who are gainfully employed in the City and do not have access to reasonably close, safe, and/or barrier-free parking.

Staff believes that increasing the enforcement priority of the current parking policy for persons with disabilities and the establishment of the proposed permit program to allow longer-term parking would discourage abusers of the policy, but not penalize persons with disabilities, and enable the better management of parking throughout the City. Abusers currently take advantage of the policy to park in the metered zones without payment by using handicapped placards or license plates registered to others. This potential misuse of handicapped placards and license plates results in a large percentage of vehicles parked in the most convenient and desirable parking spaces without payment of the meters, which hinders proper parking management. Due to their location, these spaces are also the most needed by persons with mobility impairments, especially those employed within the City who do not have accessible parking available through their employer. The continued use of the current state policy will not deter visitors with disabilities, nor create financial hardships on those with disabilities who choose to shop, eat, or play within the metered areas of Alexandria. The establishment of the permit program will enable persons with disabilities employed within the City to have barrier-free access to their workplace.

Staff recommends that the proposed pilot permit program be established for a two-year period. The permit would be available for a nominal annual fee, which should cover the cost of administering the program. To be eligible for the permit, a person would have to show proof that he or she is the registered holder of a valid handicapped placard or license plate, is gainfully employed within the City, and can provide verification from the place of employment that no off-street barrier-free parking space is available to the employee. The permit and all necessary registration and employment verification documents would have to be renewed annually. After a period of two years, it is recommended that the metered zones be reassessed for compliance with the disabled parking policy and, if the proposed permit program has not improved parking management in the metered zones, implementation of an "All May Park, All Must Pay" policy should be reconsidered. If Council concurs with this proposed direction, staff will craft an ordinance and bring it back for subsequent Council consideration.

FISCAL IMPACT: The implementation of an "All May Park, All Must Pay" policy was estimated to generate approximately \$133,000 per year based on the meter rates reverting to \$1.75 per hour after multi-space meters are installed throughout Old Town. This projected revenue was included in the Fiscal Year 2011 budget. All of this revenue would not be available in future years if the "All May Park, All Must Pay" policy is not adopted. The proposed permit program would fund itself through the charged annual fee for the cost of the permits, and to the degree that it encourages better compliance, meter revenues will increase to some degree.

ATTACHMENTS:

- Attachment 1: November 1, 2010 Memorandum for Docket Item #21 at the November 9, 2010 City Council Legislative Meeting
- Attachment 2: January 24, 2011 ACPD Letter addressing Recommendations on the Disabled Parking Policy

STAFF:

- Mark Jinks, Deputy City Manager
- Michele Evans, Deputy City Manager
- Bruce Johnson, Chief Financial Officer
- Richard J. Baier, P.E., LEED AP, Director, T&ES
- Abi Lerner, P.E., Deputy Director, T&ES
- Bob Garbacz, P.E., Transportation Division Chief, T&ES
- Antonio J. Baxter, Division Chief of Administration, T&ES
- Mike Hatfield, Disabilities Resources Coordinator, DCHS
- Andrea Wilkinson, Principal Parking Planner, T&ES

EXHIBIT NO. 121
11-9-10

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 1, 2010

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER *J*

SUBJECT: AN ORDINANCE TO REQUIRE HOLDERS OF HANDICAPPED LICENSE PLATES OR PLACARDS TO PAY FOR PARKING IN METERED ZONES

ISSUE: Consideration of a proposed ordinance to implement an "All May Park, All Must Pay" policy that would require holders of handicapped license plates or placards to pay for parking in metered zones for up to four hours.

RECOMMENDATION: That City Council introduce the ordinance, pass it on first reading and schedule it for public hearing, second reading and final passage on Saturday, November 13 (Attachment 3) to become effective May 1, 2011.

DISCUSSION: In the City of Alexandria, vehicles displaying handicapped license plates or placards have been exempted from parking fees pursuant to the Code of Virginia § 46.2-1245. The Code establishes a uniform statewide exemption for vehicles displaying handicapped license plates or placards of (1) up to four hours in time-restricted parking zones or metered spaces, and (2) from payment of parking meter fees. However, the Code of Virginia also permits local jurisdictions to set aside these exemptions by ordinance. Alexandria has three established parking meter zones that are affected by this Code. Parking meter zones one and two are located in the Old Town area of the City, and parking meter zone three is located in the Carlyle section of the City.

In 1998, Arlington County adopted an "All May Park, All Must Pay" policy. Under this policy, the same hourly rate is charged to all customers of all income levels, including vehicles displaying handicapped license plates or placards. Consideration of adopting a similar "All May Park, All Must Pay" policy was recommended in the Old Town Area Parking Study, which Council received in April. This policy is proposed as part of a broader strategy to properly manage on-street parking and reduce the potential for abuse by holders of handicapped permits.

There are 14 designated handicapped parking spaces in parking meter zones one and two. Two of these spaces are located in a parking lane on southbound Washington Street and are unavailable on weekdays between 4:00 pm and 6:00 pm when the parking lane operates as a travel lane. Three additional handicapped spaces are designated within the metered area of Old Town, but are restricted only on Sundays. The 14 permanently designated handicapped spaces represent about 1.4% of the approximately 1,000 metered spaces in the Old Town area. An occupancy study was conducted at 4:00 pm on Friday, October 8. Of the 12 usable handicapped spaces at that time, seven were found to be occupied by vehicles with handicapped placards or license plates and five were vacant. The locations of the five vacant spaces were distributed throughout the Old Town area (Attachment 1).

Beginning on June 1, the Alexandria Police Department began heightened enforcement of handicapped parking spaces. During the summer, the Police staked out parked vehicles with handicapped placards or license plates in locations throughout the City. When the occupants returned to the vehicles, Police checked that the person to whom the placard or plate was issued was among the occupants of the vehicle, as mandated by law. Police stated that approximately 90% of the placards and license plates checked were being used illegally. This is a very labor intensive enforcement process. There have also been anecdotal statements about the ease of legally obtaining handicapped placards, which may contribute to the abuse of handicapped parking privileges.

During deliberations on the FY 2011 budget, Council requested a memo (Attachment 2) on the fiscal impact of implementing an "All May Park, All Must Pay" policy. This memo estimated that implementation of such a policy would generate approximately \$133,000 in additional revenue in FY 2011 and subsequent fiscal years. The memo also restated findings from 2009 field observations in parking meter zone three (Carlyle) when staff found a relatively high proportion of vehicles with portable handicapped placards, indicating potential abuse. City Council voted on Monday, May 3, 2010 during the budget adoption meeting to accept a change to the proposed General Fund operating budget based on implementation of an "All May Park, All Must Pay" policy.

Implementation of the proposed policy was discussed during meetings of the Old Town Area Parking Study Work Group- a City Manager-appointed work group established by City Council to review recommendations in the Old Town Area Parking Study. This Work Group included a representative from the Alexandria Commission on Persons with Disabilities to provide expertise and input from the disabled community. The Department of Transportation and Environmental Services (T&ES) staff has also coordinated with the Alexandria Commission on Persons with Disabilities (ACPD) Transportation Sub-Committee on this issue. This item was presented at the Traffic & Parking Board Public Hearing on May 24, 2010. The main concerns that were presented at the public hearing were fiscal impacts on the disabled due to adoption of the policy, the availability of designated disabled parking spaces, and the need for extended time limits at meters due to disabilities. The Traffic and Parking Board approved the recommendation of adoption of the policy with a four-to-two vote.

The Old Town Area Parking Study Work Group recommendations on the implementation of the "All May Park, All Must Pay" policy were presented to Council at a Work Session on October 12. The Work Group made several recommendations regarding the implementation of the policy to ensure minimal negative impact on the disabled community and to address the concerns presented through public outreach during policy discussion. A request was made by a Work Group member for the Work Group to advise against policy implementation, but the recommendation for implementation was approved ten-to-one by the Work Group members present at the final meeting.

To address the concerns regarding the location and number of designated disabled spaces, the group incorporated percentages from the Americans with Disabilities Act (ADA) guidelines. The Work Group also heard from the public that the two-hour time limits on meters did not provide disabled persons ample time to conduct business, and meters located at a distance from the parking space and would present difficulties for the mobility impaired. Both of these concerns could be addressed through installation of a four-hour single-space meter at each of the handicapped spaces. Another concern was that the existing single-space meters need too many coins, especially for a four-hour period. This concern could be addressed through installation of meters that accept credit cards and through other payment methods, such as in-vehicle payment devices and pay-by-phone technologies. A final concern was that meter fees are prohibitive for some disabled persons. The group discussed the establishment of a waiver program, similar to that used in the City's Real Estate Tax Relief and Assistance Program for Elderly and Disabled Persons, to issue waivers to residents that meet a set income criteria.

The Work Group's final recommendation was to adopt the policy after implementing the proper parking meter infrastructure that supports the following measures:

1. Two percent of metered spaces throughout the Old Town area shall be designated as disabled only parking;
2. Four-hour single-space meters shall be installed at designated handicapped spaces;
3. Options to allow four hours of parking for the disabled shall be available at general use spaces;
4. Multiple payment options shall be available at designated handicapped spaces;
5. Options such as in-vehicle payment devices and pay-by-phone shall be explored; and
6. A waiver program for low income disabled residents shall be implemented.

Staff agrees with the Work Group recommendations that have been proposed for the "All May Park, All Must Pay" policy as listed above in numbered lines 1 to 6. Staff proposes to implement the policy in its three parking meter zones by installing single-space meters that take credit cards at existing designated handicapped spaces that would allow holders of handicapped license plates or placards to park for up to four hours at the same hourly rate paid by the general public. The City will maintain existing handicapped parking spaces in all metered zones, designate additional handicapped spaces throughout the meter zones to establish the two percent ADA recommended amount, and install new handicapped spaces above the two percent ADA recommended number on an as-needed basis. This will

provide an appropriate amount of handicapped spaces throughout the three meter zones and allow an adequate amount of time for use by disabled persons. Staff will work with vendors to explore in-vehicle payment devices, pay-by-phone technology, and time limit and payment options in the general use parking spaces. Finally, staff recommends the implementation of a waiver program for low income disabled residents. If Council is interested in a low-income waiver program for disabled parkers, staff will design a program and bring it back for Council action prior to May 1. For other disabled persons, the hourly meter rates will be consistent with the meter rates for general use parking spaces to discourage abuse of handicapped placards and license plates for the purpose of paying reduced price parking fees.

Implementation of the technologies to achieve the above recommendations will require several months. The recommendations also require the complete installation of multi-space meters throughout the meter zones. As the installation of multi-space meters is estimated for completion in April 2011, staff recommends that the "All May Park, All Must Pay" policy become effective on May 1, 2011. The T&ES and Police Departments will develop an outreach program in conjunction with the Office of Communications to inform users of the change in law.

FISCAL IMPACT: Staff estimates that implementation of an "All May Park, All Must Pay" policy will generate approximately \$22,200 in additional General Fund revenue from May 1 to the end of FY 2011. In future years, the implementation of "All May Park, All Must Pay" policy will generate approximately \$133,000 per year based on the meter rates reverting to \$1.75 per hour after multi-space meters are installed throughout Old Town.

ATTACHMENTS:

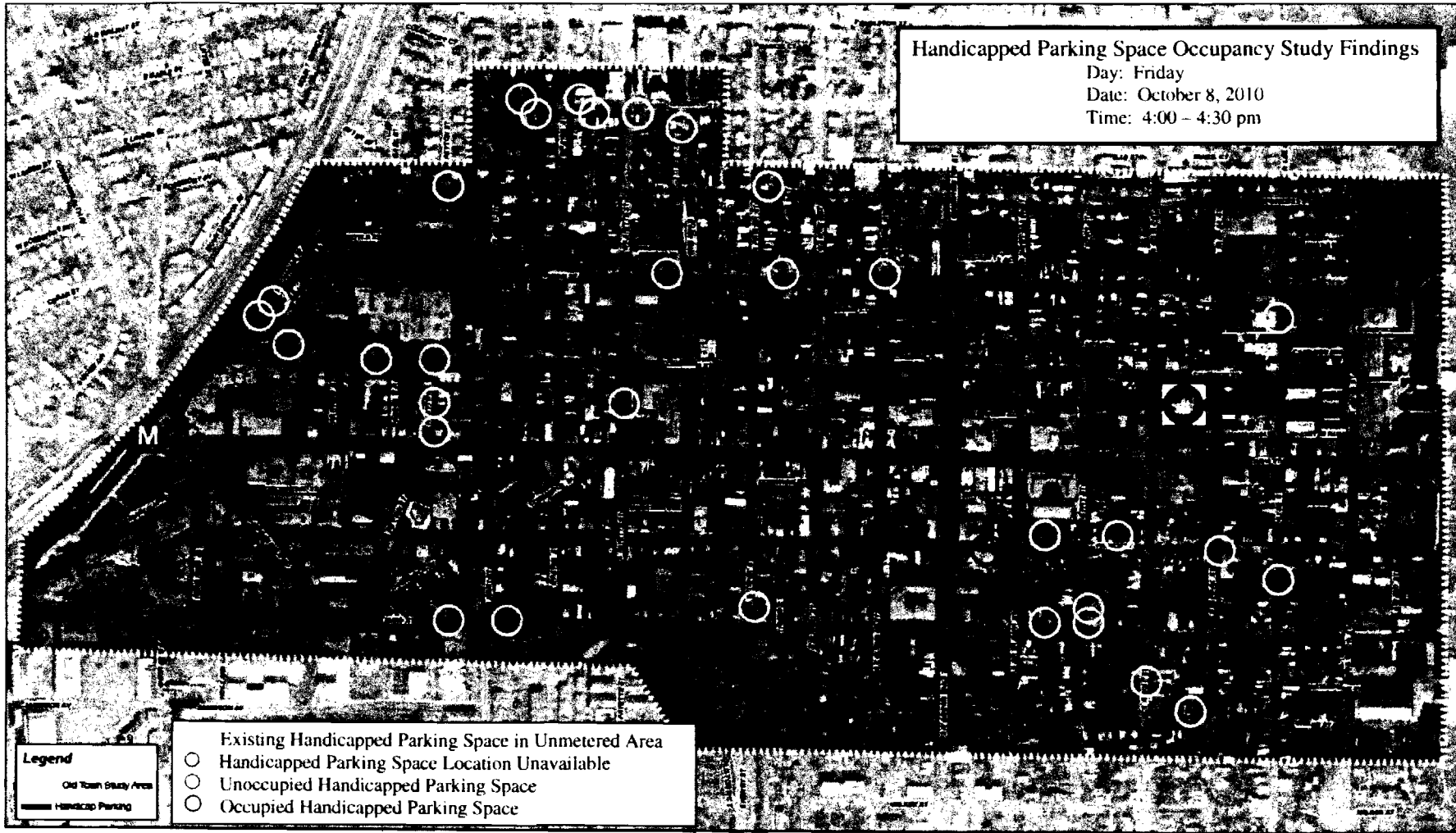
- Attachment 1: October 8 Handicapped Parking Space Occupancy Study
- Attachment 2: Budget Memorandum #75
- Attachment 3: Proposed Ordinance

STAFF:

- Mark Jinks, Deputy City Manager
- Bruce Johnson, Chief Financial Officer
- Morgan Routt, Assistant Director, OMB
- Richard J. Baier, P.E., LEED AP, Director, T&ES
- Abi Lerner, P.E., Deputy Director of Transportation, T&ES
- Bob Garbacz, P.E., Transportation Division Chief, T&ES
- Antonio J. Baxter, Division Chief of Administration, T&ES
- Mike Hatfield, Disabilities Resources Coordinator, DCHS
- Andrea Wilkinson, Principal Parking Planner, T&ES

Handicapped Parking Space Occupancy Study Findings

Day: Friday
Date: October 8, 2010
Time: 4:00 - 4:30 pm



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Legend
Old Town Study Area
Handicap Parking

- Existing Handicapped Parking Space in Unmetered Area
- Handicapped Parking Space Location Unavailable
- Unoccupied Handicapped Parking Space
- Occupied Handicapped Parking Space



Figure 2-1:
On-Street Parking Locations



REC'D
2-1

City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 16, 2010

TO: THE HONORABLE MAYOR AND MEMBERS OF COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER *J*

SUBJECT: BUDGET MEMO # 75 : FISCAL IMPACT OF "ALL MAY PARK, ALL MUST PAY"

This memorandum is in response to Councilman Krupicka's request for information on the fiscal impact of pursuing an 'All may park, All must pay' policy citywide. A similar memo was presented as FY 2010 Budget Memo #87 on April 8, 2009 (attached). Staff estimates the implementation of such a policy would generate an additional \$95,000 in annual revenues based on FY 2011 proposed rates. The increase would be \$114,000 if meter rates are increased to \$1.50 and \$133,000 if meter rates are increased to \$1.75.

This memo reviews policies and practices relating to handicap parking in metered spaces, specifically on waivers of parking fees and maximum time limits for vehicles displaying handicap license plates or placards. This memorandum also summarizes applicable law and current area practices, and initial findings of staff field observations.

Applicable State Law

The Code of Virginia § 46.2-1245 establishes a uniform statewide exemption for vehicles displaying handicap license plates or placards of (1) up four hours in time-restricted parking zones or metered spaces, and (2) from payment of parking meter fees, but permits local jurisdictions to set aside these exemptions by ordinance.

§ 46.2-1245. Four hours free parking in time-restricted or metered spaces: local option.

A. The disabled person, vehicle owner, or volunteer for an institution or organization to which disabled parking license plates, organizational removable windshield placards, permanent windshield placards, or temporary removable windshield placards are issued or any person to whom disabled parking license plates have been issued under subsection B of § 46.2-739 shall be allowed to park the vehicle on which such license plates or placards are displayed for up to four hours in metered or unmetered parking zones restricted as to length of parking time permitted and shall be exempted from paying parking meter fees of any county, city, or town.

This area currently contains 261 metered parking spaces. Between March 9-12, 2009, staff observed the total number of metered spaces that were occupied and the number that were occupied by vehicles displaying handicap license plates or placards. These surveys were conducted during the week between the hours of 9:00 and 11:00 AM, and 2:00 and 4:00 PM in order to reflect typical weekday conditions in the Carlyle area.

The findings of this survey are summarized below.

- ✓ Percent of parking spaces occupied.....66% to 100%, Average 87%
- ✓ Percent of spaces occupied by vehicles with handicap license plates or placards.....16% to 22%, Average 18%
- ✓ Handicap vehicle parking turnover.....38% short term, 62% long term
- ✓ Distribution of handicap permits.....
 - 69% Maryland
 - 21% Virginia
 - 8% District of Columbia
 - 2% Other states

During this survey, it was found that only two of the 55 handicap vehicles that were identified in the survey displayed handicap license plates, the remaining 53 displayed portable handicap placards. The relatively high proportion of handicap placards could indicate an abuse of handicap parking accommodations in this area. It should be noted that the genesis of Arlington County's initially controversial "All May Park, All Must Pay" was the perceived abuse of portable handicapped placards.

Based on these initial observations and current parking meter rates, the fiscal impact of Alexandria's current policy for handicap parking in metered spaces is an annual revenue loss of approximately \$75,000 in the Carlyle parking district (District 3).

Based on data gathered in the 2009-10 Old Town Area Parking Study, there are approximately 55 handicap spaces in the 85-block study area which includes portions of Residential Districts 1-5. There are less than 10 existing handicapped spaces in currently metered areas of King Street and/or blocks immediately adjacent. Based on utilization figures of handicap parking in the Old Town Parking Study, the fiscal impact of Alexandria's current policy for handicap parking in metered spaces is an annual revenue loss of approximately \$20,000.

by signs or other reasonable notice that the provisions of this section do not apply in such county, city, or town.

Area Practices

In Alexandria, vehicles displaying handicap license plates or placards are exempted from parking fees and meter time limits.

In 1998, Arlington County adopted an "All may park, All must pay" policy. Under this policy, the same hourly rate is charged to all customers, including vehicles displaying handicap license plates or placards. By using iPark devices (personal electronic prepaid parking meters that can be used in lieu of depositing payments directly into parking meters), handicap parkers may park for twice as long at a meter than the general public.

The District of Columbia allows vehicles displaying District-issued handicap license plates or placards to park in metered spaces for double the meter time limit at no charge (i.e. at a meter with a 2-hour time limit, may park free for four hours). No exemptions are provided for vehicles displaying handicap license plates or placards that are not issued by the District of Columbia (i.e., Virginia and Maryland residents).

In Montgomery County, vehicles displaying handicap license plates or placards may park in metered spaces for double the meter time limit or four hours, whichever is less, without payment.

In Baltimore, vehicles displaying handicap license plates or placards may park in metered spaces for double the meter time limit or four hours, whichever is less, without payment. Baltimore also offers an EZPark meter, similar in function to Arlington's iPark device.

Fairfax County and the Cities of Fairfax and Falls Church do not have metered on-street parking.

Findings of Initial Field Observations

To estimate the fiscal impact of Alexandria's free handicap parking policy, field surveys were conducted in the Carlyle parking meter district (District 3), specifically on Jamieson Avenue between Holland Lane and Courthouse Square, on Ballenger Street between Holland Lane and Courthouse Square, on John Carlyle between Eisenhower Avenue and Duke Street, and on Dulany Street between Duke Street and the James Madison Building. This area currently contains 261 metered parking spaces. Between March 9th and 12th, staff observed the total number of metered spaces that were occupied and the number that were occupied by vehicles displaying handicap license plates or placards. These surveys were conducted during the week between the hours of 9:00 and 11:00 AM, and 2:00 and 4:00 PM in order to reflect typical weekday conditions in the Carlyle area.

Introduction and first reading: 11/9/10
Public hearing: 11/13/10
Second reading and enactment: 11/13/10

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Division 1 (PARKING METER ZONES), Article G (PARKING METERS), Chapter 8 (PARKING AND TRAFFIC REGULATIONS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance returns the parking rate to \$1.25 per hour except in those areas covered by multi-space meters as of November 1, 2010 (Carlyle). Thereafter, when multi-space metes are installed elsewhere in the City, the ordinance permits the rates to be raised up to a maximum of \$1.75 per hour by resolution of Council. Finally, the ordinance implements "All May Park – All Must Pay" by applying all such rates to all parkers, including disabled persons.

Sponsor

Richard J. Baier, Director, T&ES

Staff

Richard J. Baier, Director, T&ES
Andrea Wilkinson, Principal Parking Planner
James L. Banks, Jr. City Attorney
Christopher P. Spera, Deputy City Attorney

Authority

§2.04(d) and (g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Division 1 (PARKING METER ZONES), Article G (PARKING METERS), Chapter 8 (PARKING AND TRAFFIC REGULATIONS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Division 1, Article G, Chapter 8 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Sections 5-8-93 to read as follows:

Sec. 5-8-93 Parking meters; hours and days of operation; maximum time limits; rates.

(a) (1) The parking meters in zones 1 and 2, established by section 5-8-92 of this code, shall be operated every day of the week except Sundays and legal state holidays, and the daily hours of operation of the meters shall be determined by resolution of the city council; provided, that, within the area bounded on the north by the north side of Princess Street, on the west by a line 10 feet to the east of and running parallel to the east side of Washington Street, on the south by the south side of Wolfe Street and on the east by the Potomac River, meters which permit a maximum of two hours of parking shall be in operation from 8:00 a.m. until 7:00 p.m.

(2) The parking meters in zone 3 established by section 5-8-92 of this code shall be operated every day of the week except Saturdays, Sundays and state legal holidays, and the daily hours of operation of the meters shall be determined by resolution of the city council.

(b) The maximum time limit for parking in any space in parking meter zones 1, 2 and 3 shall be set forth on the meter for that space, and shall be 20 minutes, two hours or, in zones 1 and 3 only, four hours.

(c) In all parking meter zones, the rate shall be ~~\$1.75~~ \$1.25 per hour at those meters that are coin only operated until such time as multi-space meters are installed. In all parking meter zones, the rate shall be \$1.75 per hour at those spaces served by multi-space meters installed before November 1, 2010. Thereafter, when multi-space meters are installed elsewhere in all parking meters zones, the rate may increase up to \$1.75 per hour at those spaces. Any such increase up to \$1.75 per hour shall be implemented by resolution of City Council. In all parking meter zones, the applicable rate shall be payable in such increments as provided at the applicable meter or pay station. The rates established herein fully apply to all persons, including disabled persons, vehicle owners, or volunteers for an institution or organization to which disabled parking license plates, organizational removable windshield placards, permanent windshield placards, or temporary removable windshield placards are issued or any persons to whom disabled parking license plates have been issued under Va. Code § 46.2739 (B). By this ordinance, the provisions of Va. Code § 46.2-1245 shall not apply within the boundaries of the City of Alexandria.

1 (d) As used in this article, the phrase parking meter shall be deemed to include a
2 parking pay station for multiple parking spaces, and all provisions applicable to parking meters
3 shall apply to parking pay stations, mutatis mutandis.
4

5 Section 2. That this ordinance shall become effective upon the date and at the time of
6 its final passage.
7

8 WILLIAM D. EUILLE
9 Mayor

10
11 Introduction: 11/9/10
12 First Reading: 11/9/10
13 Publication:
14 Public Hearing:
15 Second Reading:
16 Final Passage:
17



21
11-09-10

Docket Item #21

“All May Park, All Must Pay”

City Council Meeting
November 9, 2010

15

Current Regulations

For vehicles with disabled placards or license plates, the Code of Virginia:

- Allows no charge for up to 4 hours
- Local jurisdictions may exempt by ordinance

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Proposed Ordinance

- All users pay same rate
- Disabled persons allowed 4 hours
- Arlington County adopted policy in 1998

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Background

- Council included revenue in FY11 budget
- Public Hearing held at Traffic & Parking Board in May 2010
- Collaboration with Alexandria Commission on Persons with Disabilities (ACPD)
- Recommended by Old Town Area Parking Study Work Group

81

Concerns

- Number and location of disabled spaces
- Difficulty for the mobility impaired
- Time limit
- Number of coins
- Cost

19

Staff Recommendations

- Implement policy after:
 - Multi-space meters are installed
 - 2% designated handicapped spaces
 - 4 hour single-space meter
 - 4 hours at general use spaces
 - Multiple payment options
 - Waivers for low-income disabled residents
- Continued enforcement

20

Fiscal Impact

- Recommended enactment date is May 1, 2011
- \$22,000 in FY11 revenue
- \$133,000 in full fiscal year revenue

10

ACPD Recommendation

- 2% designated handicapped spaces
- No charge at designated handicapped spaces
- 4-hour parking at handicapped spaces
- No operational differences at general use spaces for disabled persons

22

Enforcement of Handicapped Spaces

- 90% of approached parkers were misusing placards or plates
- Tickets issued for illegal handicapped parking:
 - FY2010: 633
 - FY2011 (YTD): 253
- FY2011 (YTD): 7 summonses issued

23

Enforcement

- No additional impact on enforcement:
 - “All May Park, All Must Pay” policy
 - 4-hr parking for disabled users
 - ACPD recommendation

h2

Thank you!

Questions?

25

City of Alexandria, Virginia

20 + 21

11-9-10

MEMORANDUM

DATE: NOVEMBER 9, 2010
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: JAMES K. HARTMANN, CITY MANAGER *JKH*
SUBJECT: PARKING ENFORCEMENT

This is in follow up to a recent Council discussion on parking issues, to report the status of parking enforcement operations in the City and to provide information on the enforcement of multi-space parking meters.

The Police Department is currently authorized to maintain a staff of 24 (23 plus one overhire) Parking Enforcement Officers (PEOs). As of today, the Police Department is staffed with 22 PEOs and is actively working to fill the remaining two vacancies. In general, PEOs are deployed using geographic beat assignments, as well as by hours of shift, and day of week assignments. There are up to 12 PEOs handling enforcement at any given time during a normal work day. There are three PEO beats that include parking meters.

ENFORCEMENT DATA

In FY 2010, the Police Department issued 75,467 parking tickets for all violations throughout the City. Of the 75,467 tickets issued, 15,612 were for meter violations. This reflects the focus of PEOs on residential area parking issues, targeted enforcement and response to complaints.

Since July 1, Police Department personnel have issued 27,414 parking tickets for all violations throughout the City. Of the 27,414 tickets issued, 5,652 were for meter violations. While this total includes parking tickets written by PEOs and uniformed police officers, the overwhelming majority of parking tickets (approximately 98%) are issued by PEOs. The current level of productivity is approximately 5% below last year's level. This reduction is due to the loss of one PEO through his temporary re-assignment within the Police Department and the suspension of meter enforcement for one week while meters were being recalibrated to the new rates last July.

HANDICAPPED PLACARD ENFORCEMENT

During FY 2010, the Police Department issued 633 parking tickets to vehicles illegally parked in spaces reserved for handicapped persons.

The Police Department is currently engaged in an initiative to identify drivers who illegally use the handicapped parking placard of another person to park in spaces reserved for disabled drivers or passengers. Enforcement is conducted by monitoring high traffic locations, such as shopping centers and densely populated residential areas, and confronting drivers who do not appear to be parking within the limitations of the Code. This type of enforcement is very labor intensive, particularly in office areas where the car is parked in the handicapped space early in the day, left in that space all day with the driver returning to the car at the end of the day. This compares to enforcing in shopping centers where the turnover of parking occurs quickly.

Virginia Code Section 46.2-1250 prohibits the use of a handicapped parking placard or license plate that has been issued to anyone other than the driver unless the vehicle is also transporting a disabled person. The Code also grants police officers the authority to demand photo identification of a driver to ensure handicapped placards and license plates are being used only by authorized persons and the power to seize any placards found to be used in violation of the law. Drivers found violating the Code are issued a Virginia Uniformed Summons and may appeal their case through the courts. Seized placards are then returned to the rightful owner or returned to DMV, depending on the outcome of the case in court. In an enforcement effort earlier this year in the Carlyle area, over 90% of persons who did not have clearly visible disabilities and who had handicapped parking placards were determined by the Police as to be illegally using the placards to avoid paying for parking, as the driver was not the person the placard had been issued to.

MULTI-SPACED METER ENFORCEMENT

Police Department staff is aware that the enforcement of multi-space parking meters requires a different approach from those traditionally used to enforce single-space meters.

To enforce parking laws in the City in areas where single-space meters are placed, PEOs will generally drive through an entire block, visually inspecting each meter as they drive and noting which ones are expired. The PEO can then park and walk directly to those expired meters, issue tickets, and move onto the next block.

In areas with multi-space parking meters, the PEO must park his or her vehicle, walk to the windshield of each parked car, and visually inspect the parking meter receipt that is to be placed on the car's dashboard. A number of factors further slow this process including the frequent improper placement of the receipt, weather or other conditions obstructing the PEO's view through the windshield, and negotiating pedestrian traffic.

The net effect of the difference in the two enforcement methods is that a PEO will need more time to enforce an area controlled by multi-space parking meters than he would to enforce an area controlled by single-space parking meters. Such a difference in the time needed to enforce multi-space meters will likely result in a clear decrease in the total number of parking tickets issued by a PEO enforcing meter violations. However, the introduction of multi-space meters in all of Old Town will trigger the Police Department re-looking at how it deploys PEOs. The Police regularly review their enforcement methodology and modify it as necessary. For

example, now a PEO has a significant geographic area to cover. That area may or may not include meters, and is covered with a PEO in a vehicle. Police will be reviewing alternatives, such as having walking PEOs assigned to enforcement King Street and adjacent meter areas only. Police, OMB, and T&ES will be working on these issues as part of the FY 2012 budget process.

Another factor impacting the City's ability to enforce multi-space meters is the occasional failure of the automated credit card link to the meters. PEOs report that this failure is an occasional problem requiring them to suspend enforcement and sometimes void tickets that were already written as the result of a driver's inability to pay the parking fee with a credit card. However, this is a trade-off in reliability, as single space meters have more mechanical issues than multi-space meters which are largely electronic. If a multi-space meter is inoperable, a parker can use another multi-space meter to purchase a ticket, whereas that option does not exist for a single space meter.

cc: Mark Jinks, Deputy City Manager
Michele Evans, Deputy City Manager
Blaine Corle, Deputy Chief of Police
Rich Baier, Director, T&ES
Andrea Wilkinson, Parking Planner, T&ES

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11-09-10



Fw: Emails rec'd from Chet Avery and Chuck Benaugh ACPD Chair

Jackie Henderson To: Gloria Sitton

11/09/2010 01:37 PM

----- Forwarded by Jackie Henderson/Alex on 11/09/2010 01:37 PM -----

From: Rich Baier/Alex
To: william.euille@alexandriava.gov, frank.fannon@alexandriava.gov, kerry.donley@alexandriava.gov, alicia.hughes@alexandriava.gov, delpepper@aol.com, paulcsmedberg@aol.com, rose.boyd@alexandriava.gov, jackie.henderson@alexandriava.gov, elaine.scott@alexandriava.gov, rob.krupicka@alexandriava.gov, Jim Hartmann/Alex@Alex, Mark Jinks/Alex@Alex, Andrea Wilkinson/Alex@ALEX, Abi Lerner/Alex@ALEX, Blaine Corle/Alex@Alex
Date: 11/09/2010 01:35 PM
Subject: Emails rec'd from Chet Avery and Chuck Benaugh ACPD Chair

Mr. Mayor and City Council....Pls. find the email below that I had received from Chet and Chuck relating to the parking items that will be discussed tonight and Saturday. As this email came in to me and will likely come up, I wanted to share this with you all. Staff is evaluating the pros and cons and any unintended consequences. Andrea and I will be touching on this tonight. I have no further information other than the email text attached immediately below. Rich

Alternate Parking Proposal for Consideration by ACPD at its Nov. 10 meeting

An Ordinance to require holders of accessible license plates or placards to pay for parking in metered spaces ("All May Park, All Must Pay") is being considered by City Council. As part of the policy, the City states that two percent (2%) of the metered spaces throughout Old Town will be designated as accessible only parking with four-hour single space meters installed at these individual spaces.

The Alexandria Commission on Persons with Disabilities (ACPD) opposes that policy and offers the following as an alternate proposal.

The ACPD recommends that all of the 2% designated accessible only parking spaces throughout Alexandria be free for up to four hours for vehicles displaying and legally using an accessible plate or placard and that the four-hour free limit will continue to be in effect in otherwise non-metered, restricted areas. It is expected that at all non-designated accessible parking spaces (i.e., standard parking spaces), all will pay for parking.

In addition, as the City looks at strategies to enforce the new accessible parking provision, the City should consider increasing the penalties for illegal use of accessible placards or plates to a maximum of \$1000 plus up to six months in jail, as allowed under State law. This would be accompanied by a highly publicized crackdown on violators.

Richard J. Baier, P.E. LEED AP
Director

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Transportation and Environmental Services

City of Alexandria

301 King Street

Alexandria, VA 22314

(703) 746.4025

FAX (703)519.3356

CITY OF ALEXANDRIA-- DESIGNATED AS AN ECO CITY



Alexandria Commission on Persons with Disabilities

Chuck Benagh, Chair
703.746.3148 Voice

Office of Human Rights
421 King Street, Suite 400
Alexandria, VA 22314

Virginia Relay 711
703.838.4976 Fax

January 24, 2011

Dear Mayor Euille and Members of City Council,

The Alexandria Commission on Persons with Disabilities has met in sub-committee and as a whole to review its position on accessible parking, as stated on October 15, 2010, and to conduct research leading to the additional recommendations. Please see the attached research. As a result of that work, the Commission:

1. reaffirms its opposition to the proposal to revoke the right given by the Commonwealth of Virginia to all persons with disabilities displaying a valid accessible parking placard or plate to park in any legal parking space for up to four hours without cost or other restriction. (See letter to Council of October 15, 2010).
2. advises that the Council authorize the issuance of a special permit for persons holding a handicapped placard or license plate who are gainfully employed in Alexandria or Alexandria residents who must use public transportation to get to work. The permit would allow them to park in any space for up to twelve hours per day without charge. Criteria for receiving such a permit would be that there is no other reasonably close, safe, and/or accessible parking offered by the employer or near the public transportation utilized by the resident. This permit may cost a small annual fee, such as \$20, and must be renewed annually.

In the future, the ACPD will continue to work with Council to achieve the following three objectives:

1. Increase the minimum fine to \$500 plus two (2) days in jail for those parking in spaces designated for the handicapped without the proper placard or plate and/or for those who misuse the placard or plate..
2. Enable parking enforcement officers to ticket abusers of spaces designated for handicapped persons.

3. Increase the number of parking spaces designated for persons holding handicapped placards or license plates up to a minimum of four (4) percent of total spaces.

Sincerely,

All Members of the Alexandria Commission on Persons with Disabilities

Chuck Benagh, Chair
Joe Delfico
Doug Goist
Beverly Hoffmann
Jon Mahalingappa
Adam Osterman
Mike Purkey
Ruth Soto

Mollie Danforth
Kent Fee
Akberet Habte
Tom Lantz, Vice Chair
Petra Osborne
Mary Hamil Parker, Ph.D.
Tom Sachs
Nick Veloz



Alexandria Commission on Persons with Disabilities

Chuck Benagh, Chair
703.746.3148 Voice

Office of Human Rights
421 King Street, Suite 400
Alexandria, VA 22314

Virginia Relay 711
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October 15, 2010

Dear Mayor Euille and Members of City Council,

Thank you, Mayor Euille, for meeting with our Chair, Chuck Benagh, to express on behalf of the Commission on Persons with Disabilities, our unanimous and strongest opposition to the proposal being considered to revoke the right given by the Commonwealth of Virginia to all persons with disabilities displaying a valid accessible parking placard or plate to park in any legal parking space for up to four hours without cost or other restriction.

As Chair Benagh related, there are a number of reasons why this proposal merits swift and decisive rejection by the City Council.

This option, which was suggested by a non-resident consultant group (who likely did not consider the historical community ethos in their deliberations), runs counter to our self-description as "A Caring Community." By becoming only the second jurisdiction in all of Virginia to revoke this privilege granted to its most vulnerable population, this would suggest that Alexandria has relinquished any intention to maintain this attribution. The only other jurisdiction, Arlington, revoked the right several years ago, a response precipitated by rampant illegal use of placards by commuters, particularly near Metro stops.

The last three years that the National Organization on Disability has named a Most Accessible American City, it has recognized Alexandria as a finalist. The goal stated by our Commission in our last report to Council has been for Alexandria to become THE Most Accessible City in America by 2012. The economic value of the attainment of this goal to our City would continue to accrue for years as our society ages, not to diminish the human reasons for reaching this aspiration. It would be difficult to assert any such claim with integrity if this proposed parking policy were put in place.

Turning our current public relations positive into a negative would ill-serve Alexandria. The potential for extensive bad publicity is strong and might be enduring. Moreover, reversing course at a later date might prove difficult if the Council decided it wanted to go back to the *status quo ante*. Residue of the bad publicity would likely remain.

For many in the disabled community this policy would be an economic hardship. We have attached a Social Security Administration study showing family and individual income comparisons of permanently disabled American workers and those with no disabilities (see page 6 of the section titled Income and Poverty -- page 12 of the PDF). Our Commission had worked productively with Rich Baier and T&ES staff on agreeing to an increase in paratransit (DOT) consumer co-pays to ameliorate cost

increases. However, that coupled with this proposal, many have regarded the two as a *de facto* transportation tax on persons with disabilities.

Variances in physical capabilities of those with disabilities will make it difficult for City staff tasked by Council to find a method by which this policy could be user-friendly and ADA compliant. Any solution suggested by staff still might result in ADA litigation, whether merited or not, resulting in attendant legal costs and adverse publicity. For example, alternative payment methods cannot result in charges not also applied to those without disabilities. Clear unrestricted access to *all* parking spaces with accessible routes and accessible means of payment options would be required under the ADA.

These variances in disabilities make it difficult to find a single solution fitting all circumstances. Examples of these variations include someone's grandmother using a cane in the winter, a veteran who lost an arm in battle, someone temporarily disabled with a broken leg, and a severely disabled child in a wheelchair. These examples exemplify some different physical difficulties complying with "All May Park, All Must Pay," and also illustrate why these individuals and caregivers may need the extra time to carry out normal activities of daily living.

The suggestion that dedicated disabled parking spaces be increased from 1.5 percent to two percent hardly fully compensates for revoking this privilege. The only other jurisdiction to have rescinded this right has dedicated four percent, twice what is recommended for Alexandria, yet still not matching the seven percent of our citizenry who have permanent sensory or physical disabilities plus others who may have temporary or other disabilities.

Staff mentioned during the work session on October 12 that some decisions to recommend no changes on certain policies were predicated on the recognition that "*visitors permits are difficult for residents to obtain.*" Presumably obtaining waivers/fee reductions for residents and disabled qualified non-residents would be at least equally difficult to obtain.

As mentioned, the Commonwealth legislation applies to all jurisdictions, except Arlington, and all residents and visitors with disabilities. Mention by staff of rejection of some measures to overcome expected confusion to residents and guests would seem to apply equally here, as well. Signage required to indicate that this right is not applicable in Alexandria will result in the same kind of visual eyesores rejected by the staff in other cases as detracting from the historical ambience of Old Town.

We recognize that the abuse of placards by non-authorized users can present an economic hardship to the City and be an irritant to those who are subsidizing these scofflaws or inconvenienced by parking shortages. This illegal use of placards and plates directly impacts those of us who have authorized, legitimate use. We encourage the City to aggressively pursue those who are breaking this law and would support a well-publicized crackdown. We suggest that as abuse by Maryland and District of Columbia commuters were among the reasons that we have heard for considering this revocation, perhaps Federal authorities might be invited to explore whether any Federal laws might be broken. We offer any assistance our Commission can provide to aid in any effort.

Penalizing the aging and those with disabilities in response to a problem caused by

those pretending to be disabled seems counter-intuitive and arbitrary. To our Commission this proposed policy appears mean-spirited, petty, and below the dignity of our City, Alexandria, a *caring community*.

Mr. Mayor, we very much appreciate your stated willingness during your meeting with our Chair to consider our objections in your deliberations. And thank you again for your time and interest.

Sincerely,

All Members of the Alexandria Commission on Persons with Disabilities

Tom Babinszki
Mollie Danforth
Kent Fee
Beverly Hoffmann
James Lewis
Petra Osborne
Mary Hamil Parker, Ph.D.
Tom Sachs
Pat Troy

Chuck Benagh, Chair
Joe Delfico
Doug Goist
Tom Lantz, Vice Chair
Jon Mahalingappa
Adam Osterman
Mike Purkey
Ruth Soto

Carlyle Area Parking Surveys

General	Total	% of Total Availabl e	% of Total Occupie d
Total number of spaces available:	305		
Total number of spaces reserved for persons with disabilities:	7	2.30%	
Number of reserved spaces required by Virginia USBC - 2009 ¹	8	2.62%	
Number of reserved spaces required by ADAAG - 2010 ¹	8	2.62%	

¹ Number of reserved spaces required when more than 300 and fewer than 401 spaces are provided

Survey Results

Number of Occupied Spaces

Sunday, November 21, 2010	254	83.28%	
Monday, January 10, 2011	213	69.84%	
Wednesday, January 19, 2011	220	72.13%	
Average	229.00	75.08%	

Number Spaces Occupied by Cars with Placard or License Plate

Sunday, November 21, 2010	3	0.98%	1.18%
Monday, January 10, 2011	33	10.82%	15.49%
Wednesday, January 19, 2011	34	11.15%	15.45%
Average	23.33	7.65%	10.71%

Number of Reserved Spaces Occupied by Cars Without Placard or License Plate

Sunday, November 21, 2010	2	28.57%	
Monday, January 10, 2011	1	14.29%	
Wednesday, January 19, 2011	0	0.00%	
Average	1.00	14.29%	

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Survey Area	Metered Spaces	Un-metered Spaces	Total Spaces	Reserved Spaces	Reserved Spaces as % of Total
Dulaney Street: Duke Street to Emerson Avenue	33	2	35	4	11.43%
Jamieson Avenue: Holland Lane to Courthouse Road	61	0	61	0	0.00%
Englehardt Lane: North of Jamieson Avenue	5	0	5	0	0.00%
John Carlyle Street: Duke Street to Eisenhower Avenue	88	0	88	1	1.14%
Emerson Avenue: John Carlyle Street to Holland Lane	33	0	33	0	0.00%
Ballenger Avenue: Holland Lane to Courthouse Road	73	0	73	0	0.00%
Elizabeth Lane: Courthouse Road to Eisenhower Avenue	10	0	10	2	20.00%
Total	303	2	305	7	2.30%

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