

EXHIBIT NO. 1

23
5-12-01

City of Alexandria, Virginia

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~~5-8-01~~

MEMORANDUM

DATE: MAY 4, 2001

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER ^{PS}

SUBJECT: PROPOSED ORDINANCE INCREASING THE PENALTY FOR PARKING IN A HIGH OCCUPANCY VEHICLE (HOV) LANE

ISSUE: Consideration of an ordinance to increase the penalty for parking in an HOV lane during the periods when use of the lane is reserved for high occupancy vehicles.

RECOMMENDATION: That Council pass the proposed ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, May 12.

DISCUSSION: Under current law, parking in an HOV lane during the periods when the use of the lane is reserved for high occupancy vehicles is a parking violation, punishable by a \$35 fine, as "parking contrary to the directions of an official sign." A vehicle parked in the HOV lane during such periods is also subject to immediate towing.

Councilman Speck requested that the fine be increased, since parking in an HOV lane during the time when the HOV restrictions are in effect is particularly disruptive to peak period traffic flow, and reduces the traffic carrying capacity of the affected street. Accordingly, the Department of Transportation and Environmental Services, and the Police Department, have recommended, and I concur, that the fine for parking in an HOV lane during the time when the HOV restrictions are in effect be increased to \$50. This enhanced fine will serve as an additional deterrent to, as well as provide for a more severe penalty for violations of the HOV requirements.

The proposed ordinance establishes parking in an HOV lane, on the days and during the hours when the lane is reserved for the exclusive use of high occupancy vehicles, as a separate parking violation, and increases the fine for parking in an HOV lane during the times reserved for such exclusive use from \$35 to \$50. In addition, the proposed ordinance provides that the payment, contest and enforcement of parking citations for this violation be handled as for other parking violations. Thus, if the citation is uncontested and payment is not made within 30 days, an additional penalty of \$25 is assessed. A citation for this violation may be contested before the Parking Adjudication Office.

STAFF: Richard Baier, Director, T&ES
Charles E. Samarra, Chief of Police

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Introduction and first reading:	5/08/01
Public hearing:	5/12/01
Second reading and enactment:	5/12/01

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend Chapter 4 (STOPPING, STANDING AND PARKING) of Title 10 (MOTOR VEHICLES AND TRAFFIC), of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 10-4-44 (PARKING PROHIBITED IN HOV LANE).

Summary

The proposed ordinance establishes parking in an HOV lane, on the days and during the hours when the lane is reserved for the exclusive use of high occupancy vehicles, as a separate parking violation, and increases the fine for parking in an HOV lane during the times reserved for such exclusive use from \$35.00 to \$50.00.

Sponsor

Staff

Richard J. Baier, Director, Department
of Transportation and Environmental Services
Charles E. Samarra, Chief of Police
Ignacio B. Pessoa, City Attorney

Authority

§ 2.04(g), Alexandria City Charter

Estimated Costs of Implementation

None

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

None

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ORDINANCE NO. _____

AN ORDINANCE to amend Chapter 4 (STOPPING, STANDING AND PARKING) of Title 10 (MOTOR VEHICLES AND TRAFFIC), of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 10-4-44 (PARKING PROHIBITED IN HOV LANE).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 4 of Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new Section 10-4-44 to read as follows:

[The following is all new language.]

Sec. 10-4-44 Parking prohibited in HOV lane.

(a) It shall be unlawful for the operator of any vehicle, or for any person in whose name a vehicle is registered, to cause, allow, permit or suffer a vehicle to park, stop or stand in a commuter lane designated for the exclusive use of busses and high occupancy vehicles pursuant to section 10-3-2 of this code, on the days and during the hours specified in section 10-3-2 or in the resolution designating the commuter lane, as the case may be, for the exclusive use of such lane by busses and high occupancy vehicles.

(b) The provisions of Article S of Chapter 2, Title 3 of this code shall be applicable to the payment, contest and enforcement of parking citations issued for violation of this section; provided, however, that the penalty for the violation of this section, when the citation which was issued for the violation is uncontested, and payment is tendered to the director of finance within 30 calendar days from the date the citation was issued, shall be \$50.00.

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

KERRY J. DONLEY
Mayor

Introduction: 5/8/01
First Reading: 5/8/01
Publication: 5/10/01
Public Hearing: 5/12/01
Second Reading:
Final Passage:

ORDINANCE NO. 4201

AN ORDINANCE to amend Chapter 4 (STOPPING, STANDING AND PARKING) of Title 10 (MOTOR VEHICLES AND TRAFFIC), of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 10-4-44 (PARKING PROHIBITED IN HOV LANE).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 4 of Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new Section 10-4-44 to read as follows:

Sec. 10-4-44 Parking prohibited in HOV lane.

(a) It shall be unlawful for the operator of any vehicle, or for any person in whose name a vehicle is registered, to cause, allow, permit or suffer a vehicle to park, stop or stand in a commuter lane designated for the exclusive use of busses and high occupancy vehicles pursuant to section 10-3-2 of this code, on the days and during the hours specified in section 10-3-2 or in the resolution designating the commuter lane, as the case may be, for the exclusive use of such lane by busses and high occupancy vehicles.

(b) The provisions of Article S of Chapter 2, Title 3 of this code shall be applicable to the payment, contest and enforcement of parking citations issued for violation of this section; provided, however, that the penalty for the violation of this section, when the citation which was issued for the violation is uncontested, and payment is tendered to the director of finance within 30 calendar days from the date the citation was issued, shall be \$50.00.

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

KERRY J. DONLEY
Mayor

Final Passage: May 12, 2001