

EXHIBIT NO. 1

20
11-13-10


~~16~~
~~11-9-10~~

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 3, 2010

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: AN ORDINANCE TO AMEND THE CITY CODE SECTION ON EMERGENCY PLANS, SNOW EMERGENCY ROUTES, PARKING AND TRAFFIC AND VARIOUS VEHICLE CHANGES

ISSUE: Consideration of an ordinance to amend the City Code sections on emergency plans generally, snow emergency routes, parking during a snow emergency, impeding traffic during snow emergency and removal of stalled, stuck, parked or abandoned vehicles and charges for removal and storage.

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 1).

DISCUSSION: On June 22, City Council received the City Manager's after-action review of the 2009-10 snow emergencies. Also provided at the meeting was a proposed Snow Emergency Implementation Plan for Winter Preparedness, developed to address deficiencies identified in the after-action review. Council requested that staff docket for Council consideration, those changes to City Code necessary to implement the revised plan, improve public understanding of snow emergency routes and increase awareness of parking restrictions during weather related emergencies.

Current City Code §5-8-131, "Emergency plans generally," provides the City Manager authority to prepare snow and weather emergency plans for use within the City and inform the public about the plans. Staff proposes that Council amend this section to include a winter weather classification system that designates the severity of snow emergency ranging from Level 1 (least severe) to Level 3 (most severe). The system will be publicized on the City website and other means if adopted.

City Code §5-8-132, "Snow emergency routes" specifies that certain City streets (or portions of streets) are designated as snow emergency routes. Snow emergency routes are designated by prominent red and white signs posted every other block that read "SNOW EMERGENCY ROUTE: TOWING ENFORCED." During a designated snow emergency, and according to §5-8-133, the city manager or his representative may declare and invoke a snow parking emergency

during which no person may park or permit any vehicle to remain parked on any street or portion thereof designated as a snow emergency route. Current City Code §5-8-132, "Snow emergency routes," was last updated in 1980. The 1980 Code revision designates 28 streets (or portions of streets) as snow emergency routes. Staff proposes section §5-8-132 of the City Code now be amended to reduce the number of emergency routes to only those streets on which parking or other physical limitations impact the flow of traffic in a way that is of material concern for public safety. The streets proposed as snow emergency routes are:

- King Street from Union Street to the western City limit;
- Washington Street from City limit to City limit;
- Duke Street from South Washington Street to the western City limit;
- U.S. Route No. 1 from City limit to City limit;
- North Howard Street from West Braddock Road to North Jordan Street;
- North Jordan Street from Duke Street to North Howard Street; and
- Braddock Road from West Street to North Beauregard Street
- Eisenhower Avenue from Holland Lane to South Van Dorn Street.

Current City Code §5-8-133, "Snow emergency plan No. 4, parking" states that whenever there is a firm forecast of snow, sleet, hail or freezing rain from the United States Weather Bureau (now the National Weather Service) or whenever snow, sleet, hail or ice or a combination thereof reaches an accumulation of at least two inches, the City Manager or his designee may declare and invoke a snow parking emergency. This is to ensure that there is proper public notification of parking restrictions in the event of a forecasted snow emergency.

In the proposed amendment, if the City Manager declares a snow emergency of any level (1-3) then parking restrictions will be enforced on the revised snow emergency routes. This ties the sidewalk snow removal standard and the snow related parking restrictions to the same snow emergency declaration.

Related amendments to §5-8-134 and §5-8-135 are also proposed. An amendment to City Code §5-8-134 would ensure that vehicles do not obstruct or interfere with City sponsored snow removal or treatment operations.

City Code amendment §5-8-135 would allow the City to remove or relocate any vehicle from any street (not limited to snow emergency routes) in the City if the vehicle is found stalled, stuck, parked or abandoned in such a manner as to impede traffic or hinder snow removal or de-icing operations when a snow emergency has been declared by the City Manager or his designee. The amended ordinance also proposes to amend the fee for storage of impounded vehicles to \$30 per day which is the current cost recovery rate.

FISCAL IMPACT: None.

ATTACHMENTS:
Proposed Ordinances

STAFF:

Mark Jinks, Deputy City Manager

Tom Gates, Assistant City Manager

Richard J. Baier, P.E., LEED, AP Director, T&ES

Blaine Corle, Deputy Chief, Alexandria Police Department

Chris Spera, Deputy City Attorney

Yon Lambert, Deputy Director, T&ES

Mark Penn, Emergency Management Coordinator, Alexandria Fire Department

David Ray, Captain, Alexandria Police Department

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 Article H (SNOW AND BAD WEATHER REGULATIONS), 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 amends the City's implementation of snow and bad weather emergency plans as requested by City Council.

Sponsor

N/A

Staff

- Mark Jinks, Deputy City Manager
- Tom Gates, Assistant City Manager
- Richard J. Baier, P.E., LEED, AP Director, T&ES
- Blaine Corle, Deputy Chief, Alexandria Police Department
- Christopher P. Spera, Deputy City Attorney
- Yon Lambert, Deputy Director, T&ES
- Bob Garbacz, Transportation Division Chief, T&ES
- David Ray, Captain, Alexandria Police Department

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

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ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Article H (SNOW AND BAD WEATHER REGULATIONS), 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 Article H, 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 5-8-131 through -135 to read as follows:

(New language is underscored; deleted material is ~~stricken~~)

Sec. 5-8-131 Emergency plans generally.

The city manager shall prepare snow and weather emergency plans for use within the city and inform the public of the details of the plans. The plans may include but shall not be limited to provisions for warning motorists and pedestrians, prohibiting parking on designated streets, requiring chains or snow tires on vehicles operating on designated streets, removing and storing vehicles that are stalled, stuck, parked or abandoned on designated streets, early dismissal of city employees or excusing city employees from reporting to duty, posting guidance and warning signs and markings on designated streets, sanding and chemical treatment of streets, and removal of snow, sleet, hail and ice. The plans, where practicable, shall be similar to and shall be invoked simultaneously with snow and weather emergency plans for the District of Columbia and neighboring jurisdictions. The plans shall include a classification system based on type and accumulation of precipitation to be determined by the City Manager with a designation of snow emergency severity ranging from Level 1 (least severe) to Level 3 (most severe), such levels to relate to the various aspects and degrees of response set forth in the City manager's snow emergency plans.

Sec. 5-8-132 Snow emergency routes.

The following city streets or portions thereof are designated as snow emergency routes and shall be posted as such:

- ~~(1) Prince Street from Fairfax Street to Daingerfield Road.~~
- ~~(2)~~(1) King Street from Union Street to the western city limit.
- ~~(3) Cameron Street from Firehouse No. 5 to Commonwealth Avenue.~~
- ~~(4)~~(2) Washington Street from city limit to city limit.
- ~~(5)~~(3) Duke Street from Washington Street to the western city limit.
- ~~(6) Mount Vernon Avenue from Braddock Road to the northern city limit.~~

- 1 ~~(7) Fern Street from Quaker Lane to Kenwood Avenue.~~
- 2 ~~(8)(4) U.S. Route No. 1 from city limit to city limit.~~
- 3 ~~(9) Powhatan Street from Washington Street to Slater's Lane.~~
- 4 ~~(10) Monroe Avenue from Powhatan Street to Russell Road.~~
- 5 ~~(11) Russell Road from King Street to Mount Vernon Avenue.~~
- 6 ~~(12)(5) Braddock Road from West Street to Beaugard Street.~~
- 7 ~~(13) Daingerfield from Duke Street to King Street.~~
- 8 ~~(14) Montgomery Street from Fairfax Street to Henry Street.~~
- 9 ~~(15) Janney's Lane from King Street to Quaker Lane.~~
- 10 ~~(16) Seminary Road from Quaker Lane to the western city limit.~~
- 11 ~~(17)(6) Howard Street from Braddock Road to Jordan Street.~~
- 12 ~~(18)(7) Jordan Street from Duke Street to Howard Street.~~
- 13 ~~(19) Beaugard Street from city limit to city limit.~~
- 14 ~~(20) Van Dorn Street from the southern city limit to Menokin Drive.~~
- 15 ~~(21) Menokin Drive from Van Dorn to King Street.~~
- 16 ~~(22) Quaker Lane from King Street to Duke Street.~~
- 17 ~~(23) North Paxton Street from Duke Street to Holmes Run.~~
- 18 ~~(24) Edsall Road from the western city limit to Van Dorn Street.~~
- 19 ~~(25) Franklin Street from Patrick Street to Washington Street.~~
- 20 ~~(26) Callahan Drive from King Street to Duke Street.~~
- 21 ~~(27) South Pickett Street from South Van Dorn Street to Duke Street.~~
- 22 ~~(28) Telegraph Road.~~
- 23 (8) Eisenhower Avenue from Holland Lane to Van Dorn Street.

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25 Sec. 5-8-133 Snow emergency plan No. 4 parking. Parking During a Snow Emergency.

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27 (a) ~~Whenever there is a firm forecast of snow, sleet, hail or freezing rain from the~~
 28 ~~United States Weather Bureau or whenever snow, sleet, hail or ice or a combination thereof~~
 29 ~~reaches an accumulation of at least two (2) inches on one (1) or more of the streets in the city~~
 30 ~~designated as snow emergency routes, the city manager or his duly authorized representative may~~
 31 ~~declares a snow emergency of any level, and invoke a snow parking emergency to be known as~~
 32 ~~"snow emergency plan No. 4." The city manager or his representative shall make announcement~~
 33 ~~thereof through the press if possible, but in any event through not less than two (2) radio or~~
 34 ~~television stations with a normal operating range covering the city.~~

35 (b) ~~Snow emergency plan No. 4 shall become effective at the following times if the above-~~
 36 ~~mentioned announcement is made:~~

37 ANNOUNCEMENT MADE

38 ~~Between 7:00 a.m. and 12:00 Midnight~~

39 ~~Between Midnight and 7:00 a.m.~~

40 EFFECTIVE DATE

41 ~~Two hours after announcement~~

42 ~~9:00 a.m.~~

43 A parking restrictions on any street or portion thereof designated a snow emergency route shall
 44 go into effect two (2) hours after such announcement. Notwithstanding the foregoing, no vehicle
 45 parked in a designated snow emergency route shall be impounded earlier than 7:00 a.m. on any
 46 day when the snow emergency declaration was made later than midnight. However, such

1 vehicles may be relocated to a nearby parking space not within a designated snow emergency
2 route. All designated snow emergency routes shall be marked by special red and white signs not
3 less than 18 inches wide reading "SNOW EMERGENCY ROUTE; TOWING ENFORCED."
4 There shall be at least one (1) sign posted in every other block in each direction. No person shall,
5 while a snow emergency declaration, regardless of level ~~plan No. 4~~ is in effect, park or permit
6 any vehicle to remain parked on any such street or portion thereof. The parking prohibition shall
7 remain in effect until the snow emergency declaration ~~plan No. 4~~ has been terminated by the city
8 manager or his authorized representative.

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10 Sec. 5-8-134 ~~Snow emergency plan No. 1, impeding traffic.~~ Impeding Traffic During Snow
11 Emergency

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13 Whenever the city manager or his duly authorized representative has declared a snow
14 emergency, regardless of level, is of the opinion that snow, sleet, hail or freezing rain is causing
15 slippery or hazardous conditions which may lead to serious congestion on the streets of the city,
16 the city manager or his representative may declare and invoke a snow traffic emergency to be
17 known as "snow emergency plan No. 1", and, until he has declared the emergency terminated , it
18 shall be unlawful for any person to obstruct or impede traffic on any street or to obstruct or
19 interfere with City sponsored snow removal or treatment designated and posted as a snow
20 emergency route by reason of his failure to have the vehicle operated by him equipped with snow
21 tires or chains. The city manager or his representative shall make announcement of snow
22 emergency plan No. 1 through the press, if possible, but in any event through not less than two
23 (2) radio or television stations with a normal operating range covering the city. Snow emergency
24 plan No. 1 shall become effective upon announcement. reasonably equipped to operate in the
25 existing street and weather conditions.

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27 Sec. 5-8-135 Removal and storage of stalled, stuck, parked or abandoned vehicles and charges
28 for removal and storage.

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30 (a) Whenever any vehicle shall be found stalled, stuck, parked or abandoned on any
31 city street ~~designated and posted as a snow emergency route~~ in such a manner as to obstruct or
32 impede traffic or hinder City sponsored snow removal or ~~sanding~~ treatment operations when a
33 either snow emergency declaration, regardless of level, has been made by the city manager or his
34 designee, plan No. 4 or snow emergency plan No. 1 or both are in effect, the vehicle may be
35 removed to a nearby place or removed to a yard designated by the city manager or his authorized
36 representative and stored.

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38 (b) These vehicles may be removed only by persons authorized by the city manager or
39 his representative. It shall be the duty of the person removing or directing the removal of any
40 vehicle to immediately make a report thereof to the director of transportation and environmental
41 services and the chief of police, giving the type of vehicle, the license tag numbers on the vehicle,
42 the place of removal, the time of removal, the cause of removal, the place to which the vehicle
43 was moved and such other information as the person making the report may have concerning the
44 vehicle or its owner.

1 (c) The owner of any vehicle removed and stored in a city yard pursuant to this
2 section or other duly authorized person shall be permitted to obtain the vehicle by paying the
3 removal cost plus a storage charge at the rate of ~~five~~ thirty dollars (\$~~5~~ 30.00) per day. The
4 payment of removal and storage charges shall not operate to relieve any person from liability for
5 a fine or penalty.
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7 (d) It shall be the duty of the police chief to attempt to notify the owner of any such
8 vehicle as soon as reasonably possible of the removal and the location of the vehicle.
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10 (Subsequent sections unchanged)
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12 Section 2. That this ordinance shall become effective upon the date and at the
13 time of its final passage.
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15
16 WILLIAM D. EUILLE
17 Mayor
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19 Introduction: 11/9/10
20 | First Reading: 11/9/10
21 Publication:
22 Public Hearing:
23 Second Reading:
24 Final Passage:

ORDINANCE NO. 4690

AN ORDINANCE to amend and reordain Article H (SNOW AND BAD WEATHER REGULATIONS), Chapter 8 (PARKING AND TRAFFIC REGULATIONS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended.

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- ~~(4)~~(2) Washington Street from city limit to city limit.
- ~~(5)~~(3) Duke Street from Washington Street to the western city limit.
- ~~(6) Mount Vernon Avenue from Braddock Road to the northern city limit.~~

- ~~(7) — Fern Street from Quaker Lane to Kenwood Avenue.~~
- ~~(8)(4) U.S. Route No. 1 from city limit to city limit.~~
- ~~(9) — Powhatan Street from Washington Street to Slater's Lane.~~
- ~~(10) — Monroe Avenue from Powhatan Street to Russell Road.~~
- ~~(11) — Russell Road from King Street to Mount Vernon Avenue.~~
- ~~(12)(5) Braddock Road from North West Street to Beauregard Street.~~
- ~~(13) — Daingerfield from Duke Street to King Street.~~
- ~~(14) — Montgomery Street from Fairfax Street to Henry Street.~~
- ~~(15) — Janney's Lane from King Street to Quaker Lane.~~
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- ~~(22) — Quaker Lane from King Street to Duke Street.~~
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- ~~(24) — Edsall Road from the western city limit to Van Dorn Street.~~
- ~~(25) — Franklin Street from Patriek Street to Washington Street.~~
- ~~(26) — Callahan Drive from King Street to Duke Street.~~
- ~~(27) — South Pickett Street from South Van Dorn Street to Duke Street.~~
- ~~(28) — Telegraph Road.~~
- (8) — Eisenhower Avenue from Holland Lane to Van Dorn Street.

Sec. 5-8-133 ~~Snow emergency plan No. 4 parking.~~ Parking During a Snow Emergency.

~~(a) Whenever there is a firm forecast of snow, sleet, hail or freezing rain from the United States Weather Bureau or whenever snow, sleet, hail or ice or a combination thereof reaches an accumulation of at least two (2) inches on one (1) or more of the streets in the city designated as snow emergency routes, the city manager or his duly authorized representative may declare a snow emergency of any level, and invoke a snow parking emergency to be known as "snow emergency plan No. 4." The city manager or his representative shall make announcement thereof through the press if possible, but in any event through not less than two (2) radio or television stations with a normal operating range covering the city.~~

~~(b) — Snow emergency plan No. 4 shall become effective at the following times if the above-mentioned announcement is made:~~

~~ANNOUNCEMENT MADE~~

~~Between 7:00 a.m. and 12:00 Midnight~~

~~Between Midnight and 7:00 a.m.~~

~~EFFECTIVE DATE~~

~~Two hours after announcement~~

~~9:00 a.m.~~

A parking restrictions on any street or portion thereof designated a snow emergency route shall go into effect two (2) hours after such announcement. Notwithstanding the foregoing, no vehicle parked in a designated snow emergency route shall be impounded earlier than 7:00 a.m. on any day when the snow emergency declaration was made later than midnight. However, such

vehicles may be relocated to a nearby parking space not within a designated snow emergency route. All designated snow emergency routes shall be marked by special red and white signs not less than 18 inches wide reading "SNOW EMERGENCY ROUTE; TOWING ENFORCED." There shall be at least one (1) sign posted in every other block in each direction. No person shall, while a snow emergency declaration, regardless of level ~~plan No. 4~~ is in effect, park or permit any vehicle to remain parked on any such street or portion thereof. The parking prohibition shall remain in effect until the snow emergency declaration ~~plan No. 4~~ has been terminated by the city manager or his authorized representative.

Sec. 5-8-134 ~~Snow emergency plan No. 1, impeding traffic.~~ Impeding Traffic During Snow Emergency

~~Whenever the city manager or his duly authorized representative has declared a snow emergency, regardless of level, is of the opinion that snow, sleet, hail or freezing rain is causing slippery or hazardous conditions which may lead to serious congestion on the streets of the city, the city manager or his representative may declare and invoke a snow traffic emergency to be known as "snow emergency plan No. 1", and, until he has declared the emergency terminated, it shall be unlawful for any person to obstruct or impede traffic on any street or to obstruct or interfere with City sponsored snow removal or treatment designated and posted as a snow emergency route by reason of his failure to have the vehicle operated by him equipped with snow tires or chains. The city manager or his representative shall make announcement of snow emergency plan No. 1 through the press, if possible, but in any event through not less than two (2) radio or television stations with a normal operating range covering the city. Snow emergency plan No. 1 shall become effective upon announcement. reasonably equipped to operate in the existing street and weather conditions.~~

Sec. 5-8-135 Removal and storage of stalled, stuck, parked or abandoned vehicles and charges for removal and storage.

(a) ~~Whenever any vehicle shall be found stalled, stuck, parked or abandoned on any city street designated and posted as a snow emergency route in such a manner as to obstruct or impede traffic or hinder City sponsored snow removal or sanding treatment operations when a either snow emergency declaration, regardless of level, has been made by the city manager or his designee, plan No. 4 or snow emergency plan No. 1 or both are in effect, the vehicle may be removed to a nearby place or removed to a yard designated by the city manager or his authorized representative and stored.~~

(b) These vehicles may be removed only by persons authorized by the city manager or his representative. It shall be the duty of the person removing or directing the removal of any vehicle to immediately make a report thereof to the director of transportation and environmental services and the chief of police, giving the type of vehicle, the license tag numbers on the vehicle, the place of removal, the time of removal, the cause of removal, the place to which the vehicle was moved and such other information as the person making the report may have concerning the vehicle or its owner.

(c) The owner of any vehicle removed and stored in a city yard pursuant to this section or other duly authorized person shall be permitted to obtain the vehicle by paying the removal cost plus a storage charge at the rate of ~~five~~ thirty dollars (\$~~5~~ 30.00) per day. The payment of removal and storage charges shall not operate to relieve any person from liability for a fine or penalty.

(d) It shall be the duty of the police chief to attempt to notify the owner of any such vehicle as soon as reasonably possible of the removal and the location of the vehicle.

(Subsequent sections unchanged)

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

WILLIAM D. EUILLE
Mayor

Final Passage: November 13, 2010