


City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 4, 2007

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: CONSIDERATION OF AN ORDINANCE TO INCREASE THE FINES FOR PARKING AND CITY TAG VIOLATIONS

ISSUE: Consideration of an ordinance to increase the fines for parking and City tag violations.

RECOMMENDATION: That City Council adopt the ordinance on first reading, and schedule it for public hearing, second reading and final passage on Saturday, January 20, 2007.

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 primary goal of parking enforcement is to promote public safety by effectively controlling traffic. We often receive communications from residents and businesses about the lack of compliance with parking and City tag regulations. The Police Department received 4,588 such complaints in calendar year 2006. Parking complaints rank in the top three calls for police service virtually every month of the year. This volume does not include the many complaints that are also made directly to the Police Department's Traffic Section, through the City's web page, or to Council.

Fines for violations are meant to discourage motorists from parking illegally. Unfortunately, the current fines are low enough that many employees, visitors and residents treat the fines as fees that they are willing to risk paying. Thus they often park in the limited number of on-street parking spaces for hours in excess of the posted time limitations. The goal for increasing the fines is to modify behavior, thereby turning over the on-street parking spaces more frequently. This change in parking behavior should facilitate greater business activity for the City's merchants by encouraging motorists to use parking garages.

The proposal to increase fines for parking and City tag violations was first presented during the FY 2007 Budget Process, and the first step in the approval process was for Council to include the new fines as part of the approved budget. The City's parking fines generally have not increased

since 1992, and are consistently lower than the fines charged by Arlington, Fairfax and Montgomery Counties, as shown by the comparison presented in Attachment 1. Although every violation is not specifically identified in each jurisdiction's code, the comparison shows that fines in Alexandria are \$20 for meter violations and between \$25 and \$35 for most remaining violations; fines in Fairfax County (generally a suburban area where there are few parking meters) are \$20 for meter violations and \$40 for most remaining violations; fines in Arlington County are \$25 for meter violations and \$40 for most remaining violations; and fines in Montgomery County are \$35 for meter violations and \$50 for most remaining violations.

Staff proposes raising the City's fine for meter violations to \$25 and the fines for most remaining violations to \$40. This will make most of the City's parking fines consistent with those charged in Arlington and Fairfax Counties. For the majority of citations issued in Alexandria, the ordinance will increase the respective fines assessed by \$5.

The fine for "parking in spaces reserved for persons with a disability" is set at between \$100 and \$500, but if the parking fine is prepaid, the fine plus processing charges is now set by the City at \$178 (\$150 fine plus \$28 as a processing fee). In recent years, the Supreme Court of Virginia, which sets the maximum prepaid fine and processing charges, has allowed the processing charges to be raised to \$51, thereby making the total prepayment amount \$201. We propose to increase the total prepayment amount for this type of violation to \$201. This would equal the maximum allowed prepayment that can be charged by other Virginia jurisdictions.

The proposed increase in fines was included in the FY 2007 proposed budget, and therefore was public and was subject to public input at that time. Also, in December the City staff wrote the Chamber of Commerce to give them additional notification that this issue was coming before Council for final action.

This ordinance, if adopted by Council on January 20, would become effective on February 1, 2007.

FISCAL IMPACT: During FY 2006, the City issued 82,090 parking citations and collected \$2.6 million in parking fines. Assuming that issuance and collection rates remain constant, staff estimates that raising the fine for meter violations to \$25 and the fines for most remaining violations to \$40 will generate an additional \$300,000 annually.

Most parking citations are issued by Parking Enforcement Officers using electronic hand-held ticket writers that can be reprogrammed with the new fines immediately by the City's parking ticket processor at no cost. However, a number of Police and Fire Department Officers still issue manual tickets from paper ticket books that will need to be reprinted with the new parking fines for a one-time expenditure of \$40,000.

ATTACHMENTS:

- Attachment 1. Comparison of City's Current and Proposed Parking Fines with Fines Assessed by Arlington, Fairfax and Montgomery Counties
- Attachment 2. Ordinance

STAFF:

Mark Jinks, Deputy City Manager

Laura B. Triggs, Acting Director, Finance

Captain Timothy Dickinson, Police Department, Special Operations

Lt. Paul Story, Police Department, Parking Enforcement

**Comparison of City's Current and Proposed Parking Fines with Fines Assessed by
Arlington, Fairfax and Montgomery Counties**

Violation/Code Section	City of Alexandria		Arlington County	Fairfax County	Montgomery County
	Current	Proposed			
Stopping contrary to directions of police officers (10-4-1)	\$25	\$40			
Parking contrary to official sign (10-4-2)	\$35	\$40	\$40	\$40	\$50
Right to parking space (10-4-3)	\$25	\$40			
Stopping on crossing or obstructing traffic (10-4-4)	\$25	\$40	\$40	\$40	\$50
Double parking (10-4-5)	\$35	\$40	\$40	\$40	\$50
Parking trucks or commercial vehicles in residential districts (10-4-6)	\$35	\$40	\$40	\$40	
Parking business vehicles on streets (10-4-7)	\$25	\$40			\$50
Parking more than 72 continuous hours (10-4-8)	\$25	\$40	\$40		\$50
Parking trailers or recreational vehicles in residential districts (10-4-9)	\$25	\$40			
Parking on sidewalk (10-4-10)	\$25	\$40		\$40	\$50
Parking in alleys or courts (10-4-11)	\$25	\$40			
Parking vehicles on private property (10-4-12)	\$35	\$40	\$40	\$40	
Stopping for sale or repairs (10-4-13)	\$25	\$40	\$40	\$40	\$50
Use of bus stops (10-4-14)	\$25	\$40		\$40	\$50
Stopping for loading or unloading passengers or cargo (10-4-15)	\$25	\$40		\$20	
Permit for parking truck beside railroad car on public right-of-way (10-4-16)	\$25	\$40		\$40	
Angle parking for loading and unloading (10-4-17)	\$25	\$40		\$40	
Use of loading zones (10-4-18)	\$35	\$40		\$40	
Parking in spaces reserved for persons with a disability (10-3-1242) (uncontested)	\$178	\$201	\$500	\$201	\$201
How meter and space to be used (10-4-22)	\$25	\$25			
Overtime parking (10-4-23)	\$25	\$25			\$40

Violation/Code Section	City of Alexandria		Arlington County	Fairfax County	Montgomery County
	Current	Proposed			
Depositing coin in meter for extending time (10-4-24)	\$25	\$25			
Permitting vehicle to remain at meter after expiration of time limit (10-4-25)	\$20	\$25	\$25	\$20	\$35
Parking across lines designated parking space (10-4-28)	\$35	\$40	\$40		\$50
Interfering with parking enforcement (10-4-30)	\$25	\$40		\$40	
Use of metered parking lots by vehicles other than private passenger automobiles (10-4-33)	\$25	\$40			
Parking illegally in permit parking districts (10-4-34)	\$35	\$40	\$40	\$40	\$40
Designation of parking spaces; parking across lines (5-8-114)	\$35	\$40			
Location of parked vehicles (10-4-40)	\$35	\$40	\$40		\$50
Failure to procure and display city license plate, windshield tag or decal (10-4-37)	\$35	\$40	\$40	\$40	
Enforcement of the Northern Virginia Local Motor Vehicle License Compact (10-4-37.1)	\$35	\$40	\$40	\$40	
Parking without display of current state inspection sticker or current state license plate (10-4-38)	\$35	\$40	\$40	\$40	\$50
Temporary parking prohibited (10-4-39)	\$35	\$40	\$40		\$50
Use of locations other than designated parking spaces by sight-seeing buses (9-12-162)	\$25	\$40			
Use of parking spaces designated for use by sight-seeing buses by other vehicles (9-12-163)	\$25	\$40			
Use of designated spaces by sight-seeing buses (9-12-164)	\$25	\$40			
Parking prohibited at certain locations (10-4-41)	\$48	\$48			
Parking prohibited near fire hydrant (10-4-42)	\$48	\$48	\$40	\$40	\$50
Parking prohibited in HOV (10-4-44)	\$50	\$50			\$50
Parking in two-hour parking zones in central business district (10-4-35)	\$25	\$40			

Violation/Code Section	City of Alexandria		Arlington County	Fairfax County	Montgomery County
	Current	Proposed			
Removal of chalk marks for enforcement purposes (10-4-36)	\$25	\$40			
Offenses relating to city license plate, windshield and decal (3-2-336)	\$35	\$40	\$40	\$40	
Nonmoving violation not specifically provided in chapter			\$40		
Late payment penalty	\$25	\$25	\$25	\$20	\$25 if not paid in 15 days. Additional \$25 if not paid in 45 days.

1 Introduction and first reading: 01/09/2007
2 Public hearing: 01/20/2007
3 Second reading and enactment: 01/20/2007
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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 of Article S (PAYMENT,
11 CONTEST AND ENFORCEMENT OF PARKING CITATIONS) of Chapter 2
12 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the
13 Code of the City of Alexandria, Virginia, 1981, as amended
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15 Summary
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17 The proposed ordinance would increase the fines for violations of certain City
18 ordinances governing the stopping, standing, and parking of motor vehicles. The
19 proposed ordinance would also make a technical change to a portion of the ordinance
20 concerning waivers of penalties by the director of finance.
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22 Sponsor
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26 Staff
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28 Laura B. Triggs, Acting Director of Finance
29 Roderick B. Williams, Assistant City Attorney
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31 Authority
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33 Virginia Code § 46.2-1220
34 Alexandria City Charter § 2.04(g)
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36 Estimated Costs of Implementation
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40 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
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ORDINANCE NO. _____

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AN ORDINANCE to amend and reordain Section 3-2-354 of Article S (PAYMENT, CONTEST AND ENFORCEMENT OF PARKING CITATIONS) of Chapter 2 (TAXATION) of 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 Article S (Payment, Contest and Enforcement of Parking Citations) of Chapter 2 (Taxation) of Title 3 (Finance, Taxation and Procurement) of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by enacting an amended Section 3-2-354, 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) ~~\$25~~ \$40 for a violation of section 10-4-1, "Stopping contrary to directions of police officers;"
- (2) ~~\$35~~ \$40 for a violation of section 10-4-2, "Permitting vehicle to remain parked contrary to the directions of an official sign;"
- (3) ~~\$25~~ \$40 for a violation of section 10-4-3, "Right to parking space;"
- (4) ~~\$25~~ \$40 for a violation of section 10-4-4, "Stopping so as to obstruct traffic or on crossing;"
- (5) ~~\$35~~ \$40 for a violation of section 10-4-5, "Double parking;"
- (6) ~~\$35~~ \$40 for a violation of section 10-4-6, "Parking trucks or commercial vehicles in residential districts;"
- (7) ~~\$25~~ \$40 for a violation of section 10-4-7, "Parking of vehicles by businesses on streets;"
- (8) ~~\$25~~ \$40 for a violation of section 10-4-8, "Parking for more than 72 continuous hours;"
- (9) ~~\$25~~ \$40 for a violation of section 10-4-9, "Parking trailers or recreational vehicles in residential districts;"
- (10) ~~\$25~~ \$40 for a violation of section 10-4-10, "Parking on sidewalk;"
- (11) ~~\$25~~ \$40 for a violation of section 10-4-11, "Parking in alleys or courts;"
- (12) ~~\$35~~ \$40 for a violation of section 10-4-12, "Parking of vehicles on private property;"
- (13) ~~\$25~~ \$40 for a violation of section 10-4-13, "Stopping for purpose of sale, repairs, etc.;"
- (14) ~~\$25~~ \$40 for a violation of section 10-4-14, "Use of bus stops;"

- 1 (15) ~~\$25~~ \$40 for a violation of section 10-4-15, "Stopping for loading or unloading
- 2 passengers or cargo generally;"
- 3 (16) ~~\$25~~ \$40 for a violation for section 10-4-16, "Permit for parking truck beside
- 4 railroad car on public right-of-way;"
- 5 (17) ~~\$25~~ \$40 for a violation of section 10-4-17, "Angle parking for loading and
- 6 unloading;"
- 7 (18) ~~\$35~~ \$40 for a violation of section 10-4-18, "Use of loading zones;"
- 8 (19) The amount set by order of the Supreme Court of Virginia, pursuant to section
- 9 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of subsection (a) of
- 10 section 10-3-1242, "Parking in spaces reserved for persons with a disability;"
- 11 (20) \$25 for a violation of section 10-4-22, "How meter and space to be used;"
- 12 (21) \$25 for a violation of section 10-4-23, "Overtime parking;"
- 13 (22) \$25 for a violation of section 10-4-24, "Depositing coin in meter for purpose of
- 14 extending time;"
- 15 (23) ~~\$20~~ \$25 for a violation of section 10-4-25, "Permitting vehicle to remain parked
- 16 at meter after expiration of time limit;"
- 17 (24) ~~\$35~~ \$40 for a violation of section 10-4-28, "Parking across lines designated
- 18 parking space;"
- 19 (25) ~~\$25~~ \$40 for a violation of section 10-4-30, "Interfering with enforcement of
- 20 chapter;"
- 21 (26) ~~\$25~~ \$40 for a violation of section 10-4-33, "Use of metered parking lots by
- 22 vehicles other than private passenger automobiles;"
- 23 (27) ~~\$35~~ \$40 for a violation of section 10-4-34, "Parking illegally in permit parking
- 24 districts;"
- 25 (28) ~~\$35~~ \$40 for a violation of section 5-8-114, "Designation of parking spaces;
- 26 parking across lines;"
- 27 (29) ~~\$35~~ \$40 for a violation of section 10-4-40, "Location of parked vehicles;"
- 28 (30) ~~\$35~~ \$40 for a violation of section 10-4-37, "Failure to procure and display city
- 29 license plate, windshield tag or decal;"
- 30 (30A) ~~\$35~~ \$40 for a violation of section 10-4-37.1, "Enforcement of the Northern
- 31 Virginia Local Motor Vehicle License Compact;"
- 32 (31) ~~\$35~~ \$40 for a violation of section 10-4-38, "Parking without display of current
- 33 state inspection sticker or current state license plate;"
- 34 (32) ~~\$35~~ \$40 for a violation of section 10-4-39, "Temporary parking prohibited;"
- 35 (33) ~~\$25~~ \$40 for a violation of section 9-12-162, "Use of locations other than
- 36 designated parking spaces by sight-seeing buses;"
- 37 (34) ~~\$25~~ \$40 for a violation of section 9-12-163, "Use of parking spaces designated for
- 38 use by sight-seeing buses by other vehicles;
- 39 (35) ~~\$25~~ \$40 for a violation of section 9-12-164, "Use of designated spaces by sight-
- 40 seeing buses;"
- 41 (36) The amount set by order of the Supreme Court of Virginia, pursuant to section
- 42 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-41,
- 43 "Parking prohibited at certain locations;"
- 44 (37) The amount set by order of the Supreme Court of Virginia, pursuant to section
- 45 16.1-69.40:1 of the Code of Virginia, as amended, for a violation of section 10-4-42,
- 46 "Parking prohibited near fire hydrant, etc.;"

- 1 (38) ~~\$25-\$40~~ for a violation of section 10-4-35, "Parking in two-hour parking zones in
2 the central business district;"
3 (39) ~~\$25-\$40~~ for a violation of section 10-4-36, "Removal of chalk marks placed for
4 enforcement purposes;"
5 (40) ~~\$35-\$40~~ for a violation of section 3-2-336, "Offenses relating to city license plate,
6 windshield and decal."
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8 (b) If payment is not tendered to the director of finance with 30 calendar days of the
9 date the citation is issued, a penalty of \$25 in addition to the penalty imposed by
10 subsection (a) for the violation for which the citation was issued; provided, that, in the
11 event the 30th calendar day from the date the citation is issued is a Saturday, Sunday or
12 legal holiday, such additional penalty shall not be imposed if payment is tendered in the
13 amount required by subsection (a) on the next succeeding business day; provided further,
14 that if payment is remitted to the director of finance in a sealed envelope bearing a
15 postmark on or before midnight of the 30th calendar day from the date the citation is
16 issued, no such additional penalty shall be imposed; and provided further, that the
17 director of finance may waive such additional penalty, even though payment has not been
18 tendered or mailed within 30 calendar days of the date the citation was issued, whenever
19 the owner of the vehicle identified in the citation establishes any of the following to the
20 satisfaction of the director:

- 21
22 (i) that the owner did not find the citation at the time of its issuance on the owner's
23 vehicle and only learned of the citation after the day on which it was issued, and has
24 tendered the required payment with 30 days of first learning of the citation;
25 (ii) that, within 30 days after the issuance of the citation or, if later, after first learning
26 of the citation, the owner has made a written request to the director for information
27 concerning the citation, and has tendered the required payment within 30 days of the
28 director's response; or
29 (iii) that the owner was medically incapable of making the required payment within 30
30 calendar days of the date the citation was issued.
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32 Section 2. That this ordinance shall become effective on February 1, 2007.
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34 WILLIAM D. EUILLE
35 Mayor
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37 Introduction: 01/09/2007
38 First Reading: 01/09/2007
39 Publication:
40 Public Hearing:
41 Second Reading:
42 Final Passage: