

1 (1012) *Residential district.* An area in which 75 percent of the buildings contained therein are
2 used for residential purposes and containing no fewer than 400 on-street parking spaces,
3 designating 20 linear feet per parking space; provided, however, that an area containing
4 fewer than 400 on-street parking spaces may be deemed to be a residential district if the city
5 council finds that to require the area to contain 400 on-street parking spaces would be
6 impractical or impose an undue hardship or if district is created by the process outlined in
7 Section 5-8-73(b).

8 (13) *Residential property.* Property used for residential purposes.

9 (1214) *Visitor.* A person who is entertained at a ~~residence~~ residential property for
10 a period of more than 24 hours.

11 ~~*Special parking district area.* The area bounded on the north by the north side of Princess~~
12 ~~Street, on the west by the east side of Washington Street, on the south by the south side of~~
13 ~~Wolfe Street and on the east by the Potomac River.~~

Commented [M05]: This allows for smaller districts to be created through the alternate process outlined in this section.

Commented [M06]: Staff recommends using the proposed language and definition throughout the Article to be clear and consistent about how we refer to residential properties.

Commented [M07]: Staff found that code language specific to the Special Parking District was confusing and redundant to existing processes for RPP blocks elsewhere in the City. Staff recommends eliminating code language specific to this area.

1 **Sec. 5-8-71A — Permit parking district map; establishment and modification of districts;**
2 **permit parking district signs.**

3 (a) ~~Permit parking district map.~~ The boundaries of the city's permit parking districts and the
4 block faces within each such district which are posted with permit parking district signs are
5 and shall continue to be shown on a map, designated "Residential Permit Parking District
6 Map," which is maintained by and kept on file in the department of transportation and
7 environmental services. The map dated April 18, 1989, including as it may be amended over
8 time pursuant to actions authorized by this article, is hereby incorporated into and made a
9 part of this article as if the information contained therein were fully set forth herein.

10 (b) ~~Establishment of new, and expansion of existing, permit parking districts.~~ After April 25,
11 1989, new residential permit parking districts shall be established pursuant to section 5-8-73
12 or section 5-8-76, and existing districts shall be expanded pursuant to section 5-8-75.

13 (c) ~~Posting of new, and modification of existing, permit parking district signs.~~ Blocks faces in
14 a permit parking district which lack any permit parking district signs may be posted and
15 signs pursuant to section 5-8-77(b). Signs posted on block faces in a permit parking district
16 may be modified pursuant to section 5-8-72(b) and may be removed pursuant to section 5-
17 77(a).

18 **Sec. 5-8-72 - Parking in permit parking districts.**

19 (a) *Prohibited parking.* It shall be unlawful for any person to park a motor vehicle within any
20 block which is posted with one or more residential permit parking district signs contrary to
21 any of the conditions set forth on the sign, unless the vehicle displays a permit.

22 (b) *Parking restrictions in districts; ~~modifications of restrictions.~~*

23 (1) Permit parking district signs shall restrict parking by motor vehicles lacking a permit to no
24 more than two or three consecutive hours on a block during specific periods:

25 (i) 8:00 a.m. to 5:00 p.m. or 11:00 p.m. (or 2:00 a.m. of the following day if the director of
26 transportation and environmental services deems appropriate) on either Monday through
27 Friday or Saturday, excluding legal holidays, and/or

28 (ii) 11:00 a.m. to 11:00 p.m. (or 2:00 a.m. of the following day if the director of
29 transportation and environmental services deems appropriate) on Sunday.

30 (2) Motor vehicles lacking a permit cannot park on the same block after two consecutive hours
31 during the specified periods.

32 8:00 a.m. to 5:00 p.m., 8:00 a.m. to 9:00 p.m., 8:00 a.m. to 11:00 p.m. or 8:00 a.m. to 2:00 a.m.
33 of the following day, on either Monday through Friday or Monday through Saturday,
34 excluding legal holidays, and/or 11:00 a.m. to 11:00 p.m., or 11:00 a.m. to 2:00 a.m. of the
35 following day, on Sunday. Signs in all permit parking districts shall prohibit the parking of
36 vehicles which lack a permit for more than three consecutive hours between the hours of
37 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays, unless city
38 council, or the city manager pursuant to subsection (b)(2), determines that the signs to be
39 posted in a district or portion thereof shall contain another combination of the restrictions set
40 out in the previous sentence.

Commented [M08]: The items covered in this section are redundant to other sections. The permit parking district map is defined in Sec 5-8-71, establishment and modification of districts is covered in Sec 5-8-73 and 5-8-74, and permit parking district signs are covered in Sec 5-8-72. Staff recommends removing this section to reduce redundancy and eliminate confusion.

Commented [M09]: Staff recommends eliminating the 9:00 p.m. end time in order to reduce the restriction options, and to only allow the 2:00 a.m. end time if deemed appropriate by the Director of T&ES. An example of this would be if a block is within a quarter of a land use that may generate late night parking.

Commented [M10]: Currently, code does not specify what action must be taken after a vehicle has been parked for the posted time limit. Staff recommends this language to clarify what action must be taken to be clearer to Parking Enforcement, Parking Adjudication, and parkers.

Commented [M11]: Staff recommend eliminating this language as the resident petition process for posting or modifying and removing signs are covered in proposed Sec 5-8-75 and Sec 5-8-76, respectively.

1 ~~(2) (i) Following receipt of a petition signed by more than 50 percent of the residents abutting~~
2 ~~a block face in any permit parking district, except the special parking district area, which~~
3 ~~requests that the hours and days of restricted parking on their block face be changed and~~
4 ~~which specifies the combination of hours and days, described in subsection (1), that the~~
5 ~~residents are seeking, the traffic and parking board of the city shall, after a public hearing,~~
6 ~~make a recommendation on the petition to the city manager. Following receipt of the board's~~
7 ~~recommendation, the manager shall decide the petition and thereafter cause her decision to~~
8 ~~be implemented; provided, that, in the event the manager decides not to adopt the~~
9 ~~recommendation of the board or, whether or not in accord with the recommendation of the~~
10 ~~board, decides to deny the petition, in whole or in part, she shall forward the petition, along~~
11 ~~with the board's recommendation and the reasons for her decision, to city council which~~
12 ~~shall make the final decision on the petition.~~

13 ~~(ii) Following receipt of a petition signed by the owner or non-owner occupants of more than~~
14 ~~50 percent of the properties abutting a block in the special parking district area which~~
15 ~~requests that the hours and days of restricted parking on the block be changed and which~~
16 ~~specifies the combination of hours and days that are requested, the traffic and parking board~~
17 ~~of the city shall, after a public hearing, make a recommendation on the petition to the city~~
18 ~~manager; provided, however, that any petition filed under this subsection may only~~
19 ~~seek a change to one of the following combinations of hours and days: 8:00 a.m. to 5:00~~
20 ~~p.m. Monday through Friday, two hour limit; or 8:00 a.m. to 5:00 p.m. Monday through~~
21 ~~Friday, three hour limit. Following receipt of the board's recommendation, the manager shall~~
22 ~~decide the petition and thereafter cause her decision to be implemented; provided, that, in~~
23 ~~the event the manager decides not to adopt the recommendation of the board or, whether or~~
24 ~~not in accord with the recommendation of the board, decides to deny the petition, in whole~~
25 ~~or in part, she shall forward the petition, along with the board's recommendation and the~~
26 ~~reasons for her decision, to city council which shall make the final decision on the petition.~~
27 ~~In the event a petition filed under this subsection is filed, no further petition relating~~
28 ~~to the same block may be filed for a period of 24 months after the filing of the first petition.~~

29 ~~(c) Chalk marks. It shall be unlawful to erase, remove or cover up any chalk mark placed for~~
30 ~~identification purposes upon any vehicle by any parking enforcement officer enforcing the~~
31 ~~provisions of this article unless the vehicle is removed from the block in which it was parked~~
32 ~~at the time the chalk mark was placed.~~

33 **Sec. 5-8-73 - Designation of permit parking districts; notice of designation.**

34 (a) (i) Upon submission of a petition for the designation of a residential district as a permit
35 parking district, if the petition has been signed by an occupant of more than 50 percent of
36 the residential properties residents abutting each block face in the residential district
37 designated in the petition, which, for purposes of calculating the 50 percent requirement,
38 shall include the residents abutting each block face directly adjacent to the proposed permit
39 parking district, the city manager shall cause to be conducted an occupancy engineering
40 survey to determine whether the residential district is qualified as hereinafter described to be
41 designated a permit parking district. The survey of the district shall be taken on a day other
42 than Saturday or Sunday. If, at the time of the survey, more than 75 percent of the on-street
43 parking spaces in the district are occupied by vehicles, no further survey shall be made. If
44 less than 75 percent of the on-street parking spaces in the district are occupied by vehicles,
45 additional surveys may be made at other times during that day.

Commented [MO12]: As stated above, staff found that code language specific to the Special Parking District was confusing and redundant to existing processes for RPP blocks elsewhere in the City. One distinction of the Special Parking District was that restrictions were considered by block, rather than by block face. Staff is recommending considering restrictions by block throughout the residential permit program, so that no longer needs to be specific to this area. Additionally, some of the language regarding the Special Parking District was inconsistent with existing conditions, such as which combinations of hours and days are allowed for restrictions in this area. Staff recommend eliminating code language specific to this area and these provisions regarding different allowable hours or petition process within this area.

Commented [MO13]: Staff recommend removing this language as chalk marks are covered in City Code in Title 10 – Motor Vehicles and Traffic.

Commented [MO14]: This language is proposed to clarify the signature requirement for an eligible petition, as staff do not have a means to verify the number of individual residents living on a block. This is consistent with how staff currently reviews petitions for residential parking districts and restrictions and was amended in the Residential Pay by Phone code earlier this year in response to comments heard at the public hearings. This update has been proposed throughout this Article in language related to petition signatures.

Commented [MO15]: Staff propose that both sides have consistent restrictions and therefore petition as block rather than a block face. Parking restrictions on either side of a block generally impact residents of both sides of the street. Additionally, this would make parking restrictions more consistent and easier to understand. Parking Enforcement indicated this would also make restrictions easier to enforce using license plate reader technology. This recommendation is made throughout the document in reference to block restrictions and block petitions for adding, amending, or removing restrictions.

1 (ii) If 75 percent or more of the on-street parking spaces in the district are found to be
2 occupied by vehicles by any survey, a study shall be made to determine if the number of
3 vehicles parked in the district at the time of the survey and owned by nonresidents of the
4 district exceeds 25 percent of the total number of vehicles parked in the district at that time,
5 in which case the district shall be deemed to qualify as a permit parking district and the city
6 manager shall certify this fact to the traffic and parking board of the city.

7 (b) The city manager may recommend up to two new locations in a calendar year be
8 designated as a permit parking district of a residential district that i) are located within one
9 mile of an existing or proposed transit station or ii) have parking issues identified through a
10 parking study conducted by the city. Upon the city manager's recommendation, the director
11 of transportation and environmental services shall mail a ballot to all residential properties
12 within the proposed permit parking district. If more than 50 percent of ballots are returned
13 and more than 60 percent of ballots returned indicate support for creating a permit parking
14 district, the district shall be deemed to qualify as a permit parking district and the city
15 manager shall certify this fact to the traffic and parking board.

16 (c) Following receipt of a certification by the city manager that a residential district is deemed to
17 qualify as a permit parking district, the traffic and parking board shall, review the matter at
18 after a public hearing, and make a recommendations to the city council concerning the
19 designation of the qualifying residential district as a permit parking district. In making its
20 recommendations to the city council the The traffic and parking board shall consider the
21 availability of an alternate means of transportation to and from the residential district and the
22 existence or approval of a traffic generator that may encourage non-residents to park in the
23 district in making its recommendation to the city council. air pollution caused by automobile
24 traffic within the district and the environmental impact of automobile use in the district.

25 (de) Following receipt of the recommendations of the traffic and parking board concerning the
26 designation of a qualifying residential district as a permit parking district, the city council
27 may designate the district as a permit parking district. If such a designation is made, city
28 council shall determine whether permit parking district signs are immediately to be posted
29 throughout or in a portion of the district, or whether signs are only to be posted following
30 action on petitions filed by residents of blocks faces within the district in accordance with
31 section 5-8-767(a). If city council determines that signs should immediately be posted, it
32 shall identify the blocks faces within the district along which signs are to be posted, and
33 shall specify which of the parking restrictions described in section 5-8-72(b) are to be
34 imposed by such signs. Following the designation by city council of a permit parking
35 district, the director of transportation and environmental services shall assign a number to
36 the newly designated district, and update cause the permit parking district map to be
37 modified to include the new district.

38 (ed) Upon the designation of the permit parking district by the city council, the city manager
39 shall cause permit parking district signs to be posted on each block face, or portion thereof,
40 which city council specifies for immediate posting. Such signs shall provide the following
41 information in a format chosen by the director of transportation and environmental services:

Commented [MO16]: This language is proposed as a tool for proactive parking management in residential areas by allowing City staff to propose new residential parking districts in areas that have exhibited parking issues through a parking study, or which have anticipated parking issues due to nearby transit. An example of where this could be used is to create a new district in Potomac Yard near the metro station. Staff recommend the proposed ballot process to allow staff to gage resident support without requiring residents to collect signatures from occupants of each block in the proposed area. If the ballot process shows an adequate level of support, staff recommend the proposed district be considered for recommendation by the Traffic and Parking Board at a public hearing. The hearing would give residents another opportunity for residents to give input.

Commented [MO17]: The proposed amendments to this subsection are intended to make the code easier to understand and better reflect the considerations of the Traffic and Parking Board in reviewing parking districts.

1 Three (or Two) Hour Parking

2 8 a.m. to 5 p.m. (or to 9 p.m., 11 p.m. or 2:00 a.m. of the following day) Monday
3 through Friday (or through Saturday)

4 11 a.m. to 11 p.m. (or to 2:00 a.m. of the following day) Sunday (if applicable)

5 Except Holders of District _____ Permits
6 (or comparable language)

7 In addition to this language, there

8 There shall be affixed to each sign following the word "District" the number assigned to the
9 permit parking district in which the sign is located.

10 (f) The director of transportation and environmental services may designate blocks which abut
11 two residential permit parking districts with parking restrictions as areas where holders of
12 either abutting district permits are exempt from the parking restrictions.

13 (e) No citation for a violation of section 5-8-72 of this article shall be issued in any permit
14 parking district until the signs required by subsection (d) of this section shall have been
15 posted in the district. No citation for a violation of section 5-8-72 shall be valid if the owner
16 of the vehicle receiving the citation within 15 days of the date of adoption of the resolution
17 designating the permit parking district in which the motor vehicle was parked when cited,
18 obtains a permit authorizing the parking of the vehicle in the district. No citation for a
19 violation of section 5-8-72 shall be valid if, less than 31 days before the date of the citation,
20 the owner of the cited vehicle first become a resident of the permit parking district in which
21 the vehicle was parked when cited and, within 30 days of becoming a resident of the district,
22 the owner obtained a permit authorizing the parking of the cited vehicle within the district.

23 Sec. 5-8-74 - Changes in permit parking district boundaries.

24 (a) Occupants of residential properties abutting a block which is adjacent to a permit parking
25 district, who wish to have their block included in the district, shall submit to the city manager
26 a petition signed by an occupant of more than 50 percent of the residential properties abutting
27 the block, so long as at least 75 percent of the parcels abutting the block, or the designated
28 portion, are used for residential purposes and the block meets the requirements for a permit
29 parking district in section 5-8-73. The city manager shall submit the petition to the traffic and
30 parking board for its review and recommendation. Following review by the board, the
31 director of transportation and environmental services may grant the petition and expand the
32 boundaries of the district to include the block identified in the petition, or a designated
33 portion thereof.

34 (b) (i) The director may recommend changes to update the permit parking district map if not
35 removing any residential properties to:

36 (A) adjust boundaries of existing permit parking district boundaries to clarify boundary lines'
37 effect on a parcel;

38 (B) resolve administrative irregularities; or

39 (C) remove non-residential properties with no residential uses from existing permit parking
40 district boundaries.

Commented [MO18]: As the restriction options are already listed in Sec 5-8-72, staff propose removing this language for clarity and to limit redundancy.

Commented [MO19]: The proposed language would allow streets where two residential permit parking districts abut to be posted to allow permit holders from either abutting district to be eligible to park beyond the posted time limit.

Commented [MO20]: Parking Enforcement gives citations for vehicles that are not in compliance with posted signage. The language indicating that citations shall not be given until signs have been posted is redundant and therefore unnecessary. The remaining language in this section creates administrative challenges for both Parking Enforcement and Parking Adjudication. Additionally, staff sends notices to all residents in areas impacted by new residential permit parking signs in advance of posting signage to allow them adequate time to obtain permits. Staff recommends removing this subsection.

Commented [MO21]: Changes in permit parking district boundaries is currently covered in Sec 5-8-75. Staff proposes this section be Sec 5-8-74 in order to follow language regarding designation of a district, so that the sections related to district boundaries are adjacent in the code.

Commented [MO22]: Currently, the City Council grants petitions after the Traffic and Parking Board hearing. This adds an additional step and wait time for residents requesting changes. Allowing this to be granted by the director of Transportation and Environmental Services after a public hearing at the Board would streamline the process of implementing changes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(ii) The director shall forward the recommendation to the traffic and parking board for its review and recommendation. Following review by the board, the director of transportation and environmental services may adjust the boundary of the district as identified in the board's recommendation and update the permit parking district map.

Sec. 5-8-75 – Posting of new or amended permit parking district signs within an existing district.

- (a) Occupants of residential properties abutting a block within a permit parking district who wish to have permit parking district signs posted or amend parking district signs that are currently posted on their block, or a portion thereof, shall submit to the city manager a petition signed by an occupant of more than 50 percent of the residential properties abutting the block, or the portion thereof identified in the petition. The petition shall specify the combination of hours and days, described in section 5-8-72(b)(1), during which the residents seek to have permit parking restrictions in effect on their block.
- (b) In the event that a portion of the block is abutted by a property owned by a homeowner's association or condominium association, a letter of endorsement by the association's board of directors or other governing body may be submitted or the governing body may sign a petition in lieu of the occupants of the residential property.
- (c) For the purposes of this section, the owner or managing agent of a residential property that is an apartment building may sign a petition in lieu of the occupants of the apartment building.
- (d) The city manager shall forward the petition to the traffic and parking board for its review and recommendation. Following receipt of the board's recommendation, the director of transportation and environmental services shall grant the petition if he or she finds that at least 75 percent of the parcels of real estate on the block, or the portion thereof identified in the petition, are used for residential purposes; provided, that, in the event the director decides not to adopt the recommendation of the board or he or she decides to deny the petition, in whole or in part, he or she shall notify the board pursuant to section 5-8-5.

Commented [MO23]: This language is proposed to allow the City to address issues with the residential permit parking boundaries in order to have boundaries that allow the residential permit parking program to be straightforward to administer and enforce, and to reduce contention over residential permit eligibility for certain parcels or for properties redeveloped into residential areas. Any recommended changes to the boundaries would be reviewed by the Traffic and Parking Board at a public hearing to allow community input.

Commented [MO24]: Posting of new or amended permit parking district signs is currently covered in Sec 5-8-77 with removal of permit parking district signs. This has been separated from removal of permit parking district signs to be clearer about what is required for each process. The proposed language eliminates the need for an occupancy survey and requirement for blocks adding new RPP signage that are already within a district, making it a consistent process with requesting amendments to existing posted restrictions.

Commented [MO25]: This proposed language would provide the option for homeowners' associations or condominium associations to give support for posting residential permit parking signs for communal residential property in lieu of signatures of each residential property or for property which is communally owned and does not have an occupant.

Commented [MO26]: This proposed language would provide the option to allow an owner or manager of apartment buildings to sign for the building. Receiving signatures from more than 50% of the occupants of the residential properties on the block including all apartment units would still be another option for an eligible petition, but this would allow a second option that is potentially less burdensome for residents. This language has been added to sections throughout the document to allow this option for various residential permit parking related petition processes.

Commented [MO27]: Currently, the City Manager grants petitions after the Traffic and Parking Board hearing. This adds an additional step and wait time for residents requesting the changes. Allowing this to be granted by the director of Transportation and Environmental Services would streamline the process of implementing changes.

1 **Sec. 5-8-76 - Removal of existing permit parking district signs within an existing district.**

- 2 (a) Occupants of residential properties abutting a block within a permit parking district who wish
3 to have permit parking district signs removed from their block, or a portion thereof, shall
4 submit to the city manager a petition signed by an occupant of more than 50 percent of the
5 residential properties abutting the block or the portion thereof identified in the petition. The
6 city manager shall forward the petition to the traffic and parking board for its review and
7 recommendation. Following receipt of the board's recommendation, the director of
8 transportation and environmental services shall grant the petition unless he or she finds that
9 removal of the signs would have a significant adverse effect upon residents abutting nearby
10 blocks within the district; provided, that, in the event the director decides not to adopt the
11 recommendation of the board or he or she decides to deny the petition, he or she shall notify
12 the board pursuant to section 5-8-5.
- 13 (b) For the purposes of this section, the owner of a residential property that is an apartment
14 building may sign a petition in lieu of the occupants of the apartment building.
- 15 (c) In the event that a portion of the block is abutted by a property owned by a homeowner's
16 association or condominium association, a letter of endorsement by the association's board of
17 directors or other governing body may sign a petition in lieu of the occupants of the
18 residential property.

19 **Sec. 5-8-77 4 - Parking permits; issuance.**

20 (a) ~~Except as provided in subsection (6), the~~ The city manager shall, upon payment of the fee
21 provided for by this article, issue permits: ~~to natural, but not corporate, persons who reside in~~
22 ~~a dwelling located within the boundaries of a permit parking district authorizing the parking~~
23 ~~of motor vehicles in such district for more than the consecutive hour limitation in effect in~~
24 ~~the district, as follows:~~

25 (1) to persons who reside in a permit parking district or to persons who both reside in a
26 residential property dwelling located on a block adjacent to an existing permit parking
27 district where parking on said block is controlled by time limits set by official signs or
28 metered parking and lack adequate alternative nearby parking facilities available to them, as
29 determined by the city manager or the manager's designee. The following shall apply:

30 (i) one permit for each vehicle belonging to such persons for which the persons have paid all
31 personal property taxes imposed thereon by the city and which displays a valid license
32 windshield tag issued pursuant to the provisions of section 3-2-321 et seq. of this code. Such
33 permits shall be valid from July 1 or, if later, the date of issuance through November 15 of
34 the following year. Applicants for permits issued pursuant to this subsection shall provide
35 proof of residence and, for each vehicle for which a permit is sought, a motor vehicle
36 registration card issued by the division of motor vehicles and proof of payment of all
37 personal property taxes and license taxes imposed thereon by the city.

38 For permits issued to a person or renewed pursuant to paragraph (i) of this subsection, there
39 shall be imposed a fee of \$40 for the first vehicle, \$50 for the second vehicle, and \$150 for
40 each additional vehicle. A replacement permit for use on another vehicle registered in such
41 person's name may be obtained upon application on forms furnished by the city manager and
42 presentation of the registration card for the vehicle for which the replacement permit is

Commented [MO28]: Removal of permit parking district signs is currently covered in Sec 5-8-77 with posting of new permit parking district signs. This has been separated from removal of permit parking district signs to be clearer about what is required for each process.

Commented [MO29]: Staff propose deleting language in this subsection for clarity and conciseness.

Commented [MO30]: Staff propose deleting language as windshield decals are no longer issued for vehicles in the City.

1 ~~sought and pieces of the previously issued permit as proof that it was removed from the~~
2 ~~vehicle for which the fee was previously paid, accompanied by a fee of \$1; and~~

3 (ii) ~~one permit per residential property residence for a health care provider providing health~~
4 ~~care services at the residential property residence. Permits issued under this paragraph (b)~~
5 ~~are not vehicle specific and may be transferred to different vehicles, but the use of such~~
6 ~~permits other than by persons providing health care services at the residential property~~
7 ~~residence or other than during such times as they are providing health care services at the~~
8 ~~residential property residence (or are in the immediate process of coming or going from the~~
9 ~~residential property residence in connection with providing health care services at the~~
10 ~~residential property residence) is prohibited. Such permits shall be valid for up to one year~~
11 ~~and will expire on October 5, annually. Applicants for permits issued pursuant to this~~
12 ~~paragraph (b) shall provide proof of residence, a notarized certification that a permanent~~
13 ~~occupant of the residential property residence is receiving health care services at the~~
14 ~~residential property residence, and a written statement from a licensed medical professional~~
15 ~~that a permanent occupant of the residential property residence is receiving health care~~
16 ~~services at the residential property residence. For permits issued to a person or renewed~~
17 ~~pursuant to paragraph (ii) of this subsection, there shall be imposed a fee of \$50 per permit.~~

18 (iii) ~~For permits issued to a person or renewed pursuant to paragraph (ia) of this subsection, there~~
19 ~~shall be imposed a fee of \$40 for the first vehicle, \$50 for the second vehicle, and \$150 for~~
20 ~~each additional vehicle.~~

21 (iv) ~~Any person who has been issued a permit for a vehicle pursuant to paragraph (ia) of this~~
22 ~~subsection may obtain a replacement permit for use on another vehicle registered in such~~
23 ~~person's name, upon application on forms furnished by the city manager and presentation of~~
24 ~~the registration card for the vehicle for which the replacement permit is sought and pieces of~~
25 ~~the previously issued permit as proof that it was removed from the vehicle for which the fee~~
26 ~~was previously paid, accompanied by a fee of \$1.~~

27 (v) ~~For permits issued to a person or renewed pursuant to paragraph (b) of this subsection, there~~
28 ~~shall be imposed a fee of \$50 per permit.~~

29 (2) ~~to persons who are visitors at a residential property residence within a permit parking~~
30 ~~district on the application of the resident, one permit for any vehicle used by such person~~
31 ~~during the visit, which permit shall be valid for a maximum of 30 days but shall not be~~
32 ~~renewed; provided, that permits may be issued to no more than two visitors to the same~~
33 ~~residential property residence at the same time. A \$5 fee shall be charged for any permit~~
34 ~~issued pursuant to this subsection for a period of more than seven days.~~

35 (3) ~~to persons who are guests at a residential property residence in a permit parking district on~~
36 ~~the application of the resident, one permit for any vehicle used by such person while a guest~~
37 ~~at the residential property residence, which permit shall be valid for a date certain or portion~~
38 ~~thereof, provided that the number of permits issued under this subsection shall not at any~~
39 ~~time exceed 50 percent of the number of parking spaces in which they are valid; provided~~
40 ~~further, that no permit shall be issued under this subsection except upon a showing by the~~
41 ~~resident making application therefor that during the hours for which the permit is to be~~
42 ~~issued this residence will be used and occupied in a manner which is both lawful and not~~
43 ~~inconsistent with the residential character of the permit parking district in which it is located,~~
44 ~~and unless it shall be found that the issuance of the permit or permits will not unduly impair~~

Commented [MO31]: Staff propose moving the references to permit prices to follow the language regarding issuing those permits for clarity and better flow of the document.

1 traffic safety during the time of their validity; provided further, that, notwithstanding any
2 provision of this subsection to the contrary, up to 10 self-validating guest permits or online,
3 date-specific guest permits shall be issued in any calendar month for the guests of any
4 residential property residence located in a permit parking district upon the application of a
5 person residing in the residential property residence. Any permit issued pursuant to this
6 subsection may be limited to certain streets or portions thereof in the permit parking district
7 for which the permit is issued.

Commented [MO32]: Staff do not track the number of guest permits issued as a percentage of parking spaces in a district and have not observed or heard of issues with excess guest permits being granted and therefore recommend removing this language.

8 (4) to persons doing business with an occupant of the residential property resident or a
9 nonresident property owner of a property located within a permit parking district on the
10 application of the occupant of the residential property resident or nonresident property
11 owner, one permit for the vehicle used while doing business in the permit parking district;
12 provided, that such permits may be issued to no more than three persons doing business at
13 the same residential property residence at the same time. No permit shall be issued pursuant
14 to this subsection for a period longer than the time estimated by the occupant of the
15 residential property resident or nonresident property owner to be required for completing the
16 business transaction for which the permit is sought, and in no event shall any permit be valid
17 for more than 30 days.

18 (b) (5) Whenever a holder of a permit issued under this section is no longer qualified to
19 possess the permit, the permit shall be invalid and shall be returned to the director of finance.

20 (c) (6) Permits shall not be issued to persons who reside in a residential development which is
21 subject to a special use permit, to the extent the residents, visitors, guests or business-invitees
22 within such development are excluded by the special use permit from eligibility for one or
23 more of the permits described above in subsections (1), (2), (3) or (4).

24 **~~Sec. 5 8 75 – Changes in permit parking district boundaries.~~**

25 Residents abutting a block face within a city block which is adjacent to a permit parking
26 district, who wish to have their block face included in the district, shall submit to the city
27 manager a petition signed by at least 50 percent of the block face residents. The manager shall
28 submit the petition to the traffic and parking board for its review and recommendation.
29 Following review by the board, city council may grant the petition and expand the boundaries of
30 the district to include the block face identified in the petition, or a designated portion thereof, so
31 long as at least 75 percent of the parcels of real estate abutting the block face, or the designated
32 portion, are used for residential purposes and the block face meets the requirements for a permit
33 parking district in section 5 8 73. (Code 1963, Sec. 22 121.17; Ord. No. 3215, 5/26/87, Sec. 6;
34 Ord. No. 3372, 4/25/89, Sec. 5)

Commented [MO33]: Staff propose moving language on changes in permit parking district boundaries to Sec 5-8-74, so that it follows the language regarding establishing a permit parking district.

35 **~~Sec. 5 8 76 – Establishment of trial permit parking district.~~**

36 Notwithstanding any other provision of this article, the city council may establish a permit
37 parking district or districts on a trial basis, for a period not to exceed 90 days, during which
38 period no other petitions for establishment of such district shall be acted on by the city council.
39 Any permit parking district established on a trial basis pursuant to this section shall, at the
40 expiration of the trial period established by the city council for that district, continue to be a
41 permit parking district as established by this article unless and until it shall be otherwise declared
42 by the city council. The provisions of subsections (c) and (d) of section 5 8 73 shall apply to the
43 establishment of a permit parking district under this section. (Ord. No. 3372, 4/25/89, Sec. 6)

Commented [MO34]: Staff are unaware of an instance of this provision to allow trial permit parking districts being used in recent decades. Proposed deletion would remove unnecessary language.

1 **Sec. 5-8-77 - Removal of existing, the posting of new, permit parking district signs.**

2 (a) ~~Residents abutting a block face within a permit parking district who wish to have permit~~
3 ~~parking district signs removed from their block face, or a portion thereof, shall submit to the~~
4 ~~city manager a petition signed by at least 50 percent of the residents of the block face or the~~
5 ~~portion thereof identified in the petition. The manager shall forward the petition to the traffic~~
6 ~~and parking board for its review and recommendation. Following receipt of the board's~~
7 ~~recommendation, the manager shall grant the petition unless she finds that removal of the~~
8 ~~signs would have a significant adverse effect upon residents abutting nearby block faces~~
9 ~~within the district; provided, that, in the event the manager decides not to adopt the~~
10 ~~recommendation of the board or she decides to deny the petition, she shall forward the~~
11 ~~petition, along with the board's recommendation and the reasons for her decision, to council~~
12 ~~which shall make the final decision on the petition.~~

13 (b) ~~Residents abutting a block face within a permit parking district who wish to have permit~~
14 ~~parking district signs posted on their block face, or a portion thereof, shall submit to the city~~
15 ~~manager a petition signed by at least 50 percent of the residents of the block face, or the~~
16 ~~portion thereof identified in the petition. The petition shall specify the combination of hours~~
17 ~~and days, described in section 5-8-72(b)(1), during which the residents seek to have permit~~
18 ~~parking restrictions in effect on their block face. The manager shall forward the petition to~~
19 ~~the traffic and parking board for its review and recommendation. Following receipt of the~~
20 ~~board's recommendation, the manager shall grant the petition if she finds that at least 75~~
21 ~~percent of the parcels of real estate on the block face, or the portion thereof identified in the~~
22 ~~petition, are used for residential purposes and that the block face, or the identified portion~~
23 ~~thereof, meets the requirements for a permit parking district in section 5-8-73; provided,~~
24 ~~that, in the event the manager decides not to adopt the recommendation of the board or she~~
25 ~~decides to deny the petition, in whole or in part, she shall forward the petition, along with~~
26 ~~the board's recommendation and the reasons for her decision, to city council which shall~~
27 ~~make the final decision on the petition. (Code 1963, Ch. 22; Ord. No. 2414, 11/27/79, Sec.~~
28 ~~2; Ord. No. 3215, 5/26/87, Sec. 7; Ord. No. 3372, 4/25/89, Sec. 7)~~

29 **Sec. 5-8-79 - Enforcement and administration of article.**

- 30 (a) The police department of the city shall be responsible for the enforcement of this article.
- 31 (b) The director of finance shall be responsible for the administration of this article. This
32 responsibility shall include the following duties:
- 33 (1) Upon determining that a permit issued pursuant to section 5-8-774 has been obtained
34 through a misrepresentation made in violation of section 5-8-80(a), the director of finance
35 shall notify the permit holder that the permit is invalid and must be returned to the director.
- 36 (2) Upon determining that a permit issued pursuant to section 5-8-774 is being misused, which
37 includes, but is not limited to, display (for example, by being displayed on a vehicle other
38 than the vehicle for which the permit was issued,) or that the person holding the permit no
39 longer meets the requirements for obtaining the permit, the director of finance shall notify
40 the permit holder that the permit is invalid and must be returned to the director.

41 **Sec. 5-8-80 - Permit violations and penalty.**

Commented [M035]: Staff propose moving this language to Sec 5-8-75 and Sec 5-8-76 for better flow of the code sections.

Commented [M036]: The amendments proposed in this section clarify the existing enforcement and administration of the residential permit parking program.

- 1 (a) In addition to any other prohibition or restriction imposed by this article, the following acts
2 are prohibited:
- 3 (1) It shall be unlawful for any person to make a false representation of any material fact when
4 applying for or seeking to renew a permit under this article.
- 5 (2) It shall be unlawful for any person to display on a motor vehicle a permit issued pursuant
6 to this article when the requirements for obtaining the permit are no longer satisfied or when
7 the vehicle is not the vehicle for which the permit was issued.
- 8 (b) The penalty for a violation of subsection (a)(1) or (a)(2) shall be a fine of \$250.
- 9 (c) Any permit held by a person who has violated subsection (a)(1) or (A)(2) shall, at the time
10 of the violation, become and thereafter remain invalid.

11 **Sec. 5-8-81 – ~~Reserved. Federal courthouse parking zone.~~**

- 12 ~~(a) The director of transportation and environmental services is authorized to establish a
13 permit parking zone for jurors and witnesses attending the United States Courthouse located
14 in the city.~~
- 15 ~~(b) Such zone shall consist of not more than 50 parking spaces on Elizabeth Lane and Mill
16 Road, the location of which shall be determined by the director.~~
- 17 ~~(c) Parking permits for witnesses and jurors attending the United States Courthouse shall be
18 issued by the Clerk of the United States District Court for the Eastern District of Virginia,
19 and the Office of the United States Attorney, and the form thereof shall be approved by the
20 director.~~
- 21 ~~(d) Any limitations on the hours during which vehicles may park on streets within the parking
22 zone established pursuant to subsection (a) shall not apply to vehicles parked in the zone and
23 displaying in their windshield a permit issued under subsection (c). The director shall post
24 signs regulating parking in such spaces, which provide that the limitations as to hours of
25 parking shall not apply to vehicles displaying a permit.~~
- 26 ~~(e) This section shall expire on January 22, 2003.~~

27 **Sec. 5-8-82 - Restricted overnight parking districts.**

- 28 (a) *Prohibited parking.* It shall be unlawful for any person to park a motor vehicle within any
29 block face which is posted with one or more restricted overnight parking district signs
30 contrary to any of the conditions set forth on the sign, unless the vehicle is registered with
31 the city City of Alexandria pursuant to section 3-2-229 of this code, or the vehicle has been
32 issued a guest or visitor permit pursuant to this section.
- 33 (b) *Parking restrictions.* Restricted overnight parking district signs shall prohibit parking by
34 motor vehicles which are not registered with the city City of Alexandria pursuant to section
35 3-2-229 of this code, ~~or unless~~ the vehicle has been issued a guest or visitor permit pursuant
36 to this section, during the posted overnight hours between 12 midnight and 6:00 a.m. the
37 following morning. As used in this section, parking means the stopping or standing of a
38 motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and
39 while actually engaged in loading or unloading of the vehicle.

Commented [MO37]: The language in this section expired in 2003 and is no longer applicable.

- 1 (c) *Establishment of district.* A restricted overnight parking district may be established in
2 accordance with the following criteria and procedures:
- 3 (1) All property within the district must be zoned for residential use.
- 4 (2) No district shall include property which is included within a residential permit parking
5 district established pursuant to this article F.
- 6 (3) The district must include a minimum of 200 on-street parking spaces.
- 7 (4) A petition requesting the establishment of a restricted overnight parking district, describing
8 the area proposed to be designated, and signed by an occupant of not less than 66 and two-
9 thirds percent of the an occupant of residential properties abutting each block face in the
10 proposed district, shall be filed with the city manager. For the purposes of this section, the
11 owner or managing agent of a residential property that is an apartment building may sign a
12 petition in lieu of the occupants of the apartment building. In the event that a portion of the
13 block is abutted by a property owned by a homeowner's association or condominium
14 association, a letter of endorsement by the association's board of directors or other
15 governing body may sign a petition in lieu of the occupants of the residential property.
- 16 (5) Upon receipt of a petition which meets the minimum criteria, the city manager shall
17 conduct one or more surveys of the on-street parking spaces within the proposed district
18 during the restricted parking hours, on an evening other than a Friday, Saturday or Sunday
19 evening. If the surveys reasonably demonstrate to the satisfaction of the city manager that at
20 least 25 percent of the vehicles parked within the proposed district are not registered with
21 the city City of Alexandria pursuant to section 3-2-229 of this code, the city manager shall
22 refer the petition to the traffic and parking board. If the surveys do not so demonstrate, the
23 petition shall be deemed denied.
- 24 (6) The traffic and parking board shall conduct a public hearing and make a recommendation
25 to the city ~~manager council~~ concerning the establishment of the district.
- 26 (7) Upon receipt of the recommendation of the traffic and parking board, the city ~~manager~~
27 ~~council~~ shall determine whether or not to establish the restricted overnight parking district.
28 ~~Prior to making its decision, the city council may elect to hold a public hearing on the~~
29 ~~proposed designation.~~
- 30 (8) The board and city ~~manager council~~ shall consider the following factors: the availability of
31 off street parking in the district, the degree of congestion or utilization of on-street parking
32 typical in the district during the restricted hours, such geographic features of the area as may
33 impact access to, or availability of, parking during the restricted hours, the likely effect of
34 establishment of the district on surrounding areas within the city, and such additional factors
35 as the board or city ~~manager council~~ reasonably determine are relevant to its consideration
36 of the matter.
- 37 (9) If the city ~~manager-council~~ approves the establishment of the district, the director of
38 transportation and environmental services shall forthwith post the signs described in
39 subsection (b) within the district and record the district on the permit parking district map.
- 40 (d) The city manager shall provide for the convenient issuance of guest and visitor permits, as
41 provided in section 5-8-774, for use within a restricted overnight parking district.

Commented [MO38]: City council currently considers requests for restricted overnight districts after they are considered by the Traffic and Parking Board. Staff recommend allowing the Traffic and Parking Board to make the recommendation to the City Manager in order to streamline that process and reduce the amount of time required by residents and staff to implement changes.

1 (e) All relevant provisions of this code, including without limitation the provisions of this
2 article F, which are not in conflict with the provisions of this section, shall apply to the
3 establishment, procedures, penalties and enforcement of a restricted overnight parking
4 district established pursuant to this section.

5 **Sec. 5-8-83 - Restricted daytime parking district.**

6 (a) *Prohibited parking.* It shall be unlawful for any person to park a motor vehicle within any
7 block face which is posted with one or more restricted daytime parking district signs
8 contrary to any of the conditions set forth on the sign, unless the vehicle is registered with
9 the City of Alexandria pursuant to section 3-2-229 of this code, or the vehicle has been
10 issued a guest or visitor permit pursuant to this section.

11 (b) *Parking restrictions.* Restricted daytime parking district signs shall prohibit parking by
12 motor vehicles which are not registered with the City of Alexandria pursuant to section 3-2-
13 229 of this code, ~~or~~ unless the vehicle has been issued a guest or visitor pass pursuant to this
14 section, during the posted daytime hours between 8:00 a.m. and 5:00 p.m., Monday through
15 Friday, excluding holidays. As used in this section, parking means the stopping or standing
16 of a motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of
17 and while actually engaged in loading or unloading of the vehicle.

18 (c) *Establishment of district.* The restricted daytime parking district may be established for any
19 block face or adjoining group of block faces within the boundaries set forth in the daytime
20 parking district map approved by the city council upon passage of the ordinance creating
21 and authorizing this code section. City council may amend the daytime parking district map
22 by resolution. Residents within the district may request that restricted daytime parking
23 district signs be posted on block faces within the district pursuant to the following criteria
24 and procedures:

25 (1) A petition requesting the establishment of a placement of restricted daytime parking
26 district signs, describing the area proposed to be designated, and signed by an occupant of
27 not less than 50 percent of the residential properties abutting each block face in the proposed
28 area, shall be filed with the city manager. For the purposes of this section, the owner or
29 managing agent of a residential property that is an apartment building may sign a petition in
30 lieu of the occupants of the apartment building. In the event that a portion of the block is
31 abutted by a property owned by a homeowner's association or condominium association, a
32 letter of endorsement by the association's board of directors or other governing body may
33 sign a petition in lieu of the occupants of the residential property.

34 (2) Upon receipt of a petition which meets the minimum criteria, the director of transportation
35 and environmental services shall forthwith post the signs described in subsection (b) within
36 the proposed area and record the area on the daytime permit parking district map.

37 (d) Guest/visitor passes. The city manager shall provide for the issuance of one guest/visitor
38 pass for each residential property residence with any approved area within the restricted
39 daytime parking district at no cost. Such passes shall be transferable to subsequent
40 occupants of the residential property residence without action by the city. If any issued
41 guest/visitor pass is lost or stolen, the requesting occupant resident may obtain a
42 replacement from the city at a cost of \$100.

1 (e) All relevant provisions of this code, including without limitation the provisions of this
2 article F, which are not in conflict with the provisions of this section, shall apply to the
3 establishment, procedures, penalties and enforcement of a restricted daytime parking district
4 established pursuant to this section.

5 **Sec. 5-8-84 - Pay by phone parking fee within a residential permit parking district.**

6 (a) *Purpose.* On residential blocks adjacent to metered areas, which are often occupied by
7 vehicles belonging to non-residents of the district, a pay by phone parking fee may be
8 implemented that requires non-residents of the district to pay to park on the block during the
9 posted times.

10 (b) *Parking restrictions.* Residential blocks with a pay by phone parking fee shall prohibit
11 parking in designated areas by motor vehicles which do not display a valid parking permit
12 for that district or have not submitted appropriate payment through either the pay by phone
13 application referenced on the posted signage, a city parking meter, or other authorized
14 payment method.

15 (1) The hourly parking fee shall be consistent with the cost of a meter as established in Section
16 5-8-93.

17 (2) The hours during which a parking fee is applicable shall be consistent with the existing
18 posted hours of restriction. Changes to the posted hours shall be reviewed by the traffic and
19 parking board pursuant to section 5-8-72(b).

20 (c) *Establishment.* A pay by phone parking fee may be added to certain designated residential
21 permit parking district blocks in accordance with the following criteria and procedures:

22 (1) The area subject to parking fee must be on a block with existing metered spaces, adjacent
23 to an existing metered block, or adjacent to a block where a residential pay by phone parking
24 fee has also been approved. For the purposes of this subsection (1), an area that consists of
25 multiple adjacent blocks may be considered simultaneously, so long as one block meets this
26 locational requirement, and provided that all other requirements of this section are met for
27 each individual block.

28 (2) The block must be located within the area bounded on the north by the north side of
29 Princess Street, on the west by the east side of Washington Street, on the south by the south
30 side of Wolfe Street and on the east by the Potomac River. Special Parking District Area.

31 (3) The area subject to parking fee must already be posted with residential parking restrictions.

32 (4) The request to add a pay by phone parking fee must be initiated by the residents of the
33 block through a petition signed by an occupant of more than 50 percent of the residential
34 properties abutting the block and submitted to the city manager. For the purposes of this
35 section, the owner or managing agent of a residential property that is an apartment building
36 may sign a petition in lieu of the occupants of the apartment building. In the event that a
37 portion of the block is abutted by a property owned by a homeowner's association or
38 condominium association, a letter of endorsement by the association's board of directors or
39 other governing body may sign a petition in lieu of the occupants of the residential property.

40 (5) Upon receipt of a petition for a block meeting the criteria established above, the director of
41 transportation and environmental services ~~city manager~~ shall direct staff to conduct a survey
42 of the parking conditions on the block. The survey shall be taken during the hours of the

Commented [MO39]: As staff are proposing to eliminate references to the Special Parking District throughout this Article, it is recommended that the boundary of the Pay by Phone area be described by streets rather than by that term.

1 existing residential parking restrictions. If staff observes that 75 percent or more of the
2 available parking spaces on the block are occupied, the ~~director city manager~~ shall forward
3 the request to the traffic and parking board for its review and recommendation at a public
4 hearing.

5 (6) If less than 75 percent of the available spaces are occupied, additional surveys may be
6 made at other times of the day. If the surveys do not so demonstrate, the petition shall be
7 deemed denied and no further action will be taken.

8 (7) Following the board's recommendation, the director of transportation and environmental
9 services manager shall decide the petition and cause his or her decision to be implemented;
10 provided that in the event the director manager decides not to adopt the recommendation of
11 the board or, whether or not in accord with the recommendation of the board, decides to
12 deny the petition, he or she shall notify the board pursuant to section 5-8-5. forward the
13 petition, along with the board's recommendation and the reasons for his decision to city
14 council which shall make the final decision on the petition.

15 (8) Parking restrictions may be removed from a block face in accordance with section 5-8-76
16 77(a).

17 **Secs. 5-8-85 through 5-8-90 - reserved.**