

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 16, 2015

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: MARK JINKS, CITY MANAGER 

FROM: YON LAMBERT, AICP, DIRECTOR, TRANSPORTATION AND ENVIRONMENTAL SERVICES

SUBJECT: "72 HOUR RULE" REFORM

The purpose of this memorandum is to provide an initial review of the City's "72 Hour Rule." This memorandum also responds to Councilman Wilson's request for staff review of the City's "72 Hour Rule" (Attachment 1). A staff interdepartmental group convened on July 15, 2015 to review the rule and has met intermittently since to plan for this request. Below is a summary of preliminary information gathered and a proposed work program.

Background

City of Alexandria City Code Section 10-4-8 reads: "Unless otherwise controlled by an official sign, the parking of any vehicle in the same place on the streets of the city for more than 72 hours is prohibited; provided that this provision shall not apply to the parking of a vehicle in the same place on the streets of the city on Saturday, Sunday and holidays."

The City Attorney's office, T&ES staff, and the police believe that the ordinance was originally created to address abandoned vehicles on City streets, however, at this time, the code is more often used to facilitate parking turnover. It is primarily enforced by parking enforcement officers in response to citizen calls for service. Upon receiving such a call, the officer will locate the vehicle that has been reported to be in violation, check its condition, and determine the owner information. Then the officer will complete a 72-hour notice form, noting the location of tire valve stems, and attempt to serve the notice to the owner of the vehicle. If the owner cannot be located, the notice will be left on the vehicle. The officer will follow up after 72 hours to determine if the vehicle has been moved. If the vehicle had not been moved, as evidenced by the location of the valve stems, the officer will cite the vehicle, and the vehicle may be impounded depending on the circumstances.

Police Department records show that over the last three years there have been approximately 1,200 calls for service each year for vehicles in violation of this ordinance. Approximately 400 of those calls resulted in citations being issued. The Police Department staff has received only a few complaints from citizens who believe this provision is unfair or improperly enforced. The concerns include harassment as a result of neighborhood disputes and inflexibility for residents who must travel for work-related matters.

Following the June 23, 2015 request for staff to review the rule, staff has received a number of written comments from citizens regarding the rule. Three responses were against reform of the rule, four were in favor of reform of the rule, and one was in favor of modifying the rule only for residents of Alexandria. A non-random poll with 72 votes conducted by the Alexandria Times in the August 13, 2015 edition reported that 47 percent of those polled would like to extend the limit or offer permits for long parking stays, 33 percent would like to take away the rule, and 20 percent would like to keep the rule in place.

Restrictions in Neighboring Jurisdictions

Neighboring jurisdictions are less restrictive than Alexandria. In Fairfax County, “unattended” vehicles cannot be in the same parking space for more than 10 days, but the code does not define “unattended.” As a result, Fairfax County staff has indicated that the County Police Department is clarifying this definition, and exploring shortening the 10-day period. In Arlington County vehicles cannot be parked for more than 10 days in the same location. Once a complaint has been received, County police follow a process similar to City police by taking 10 additional days to confirm that vehicle is in violation as evidenced by the location of the valve stems. The 10-day period does not apply for notification of construction and maintenance work. In that case, Arlington County posts notification 48 hours in advance of work.

The District of Columbia does not have any restrictions on how long a vehicle can be parked. However, every year between March and October, the DC Department of Public Works (DPW) uses mechanical street sweepers along residential streets where signs are posted restricting parking during weekly street sweeping hours. A \$45 ticket may be issued for violating these restrictions, and this process serves to encourage parking turnover in these locations. In DC, larger sweepers are also used along freeways and main arterials, which are swept year-round, at night, depending on temperature and precipitation. Sweepers in DC are also equipped with License Plate Recognition Systems (Sweepcam) which is a photo enforcement system that increases the effectiveness of DPW’s street sweeping program. The sweepers use this system to capture the image of vehicles parked in the sweeping (curb) lane during restricted hours. Because every illegally parked vehicle means three spaces cannot be swept, DPW uses the sweeping regulations to raise compliance and ensure the sweepers can reach the curb lane to remove debris and pollutants. As noted, the system also works to encourage parking turnover.

Next Steps

If Council authorizes proceedings, staff recommends conducting further public outreach to get input on potential rule reform. Because the rule change would be citywide, staff proposes conducting a citywide survey, soliciting public input in other ways, and then convening a subcommittee of members of the Traffic and Parking Board to review survey results and options, before proposing a preferred option to the full Traffic and Parking Board with a public hearing, and then City Council for consideration. As a part of this process, other Boards and Commissions, such as the Transportation Commission and the Planning Commission, would be briefed on any potential changes and would be involved in the review process for changes. In addition, one to two public citywide meetings may be necessary if changes to the rule are proposed. Staff anticipates a total of 8 evening meetings to conduct public outreach, and a similar number of internal, interdepartmental meetings with the Planning and Zoning Department, the City Attorney’s office, and the Police Department.

In terms of data collection and analysis, it will be important for staff to carefully assess how a potential rule change may affect parking turnover in areas of the City where on-street parking occupancy is high, or exceeds 85 percent occupancy. In addition, a more detailed analysis of options for modifying the rule, with pros and cons of each option, will need to be determined, as well as any fiscal implications associated with modifying the rule. For example, if an option similar to the District of Columbia procedure is proposed (where there is no limit on how long a vehicle can be parked, but there is street sweeping on more densely populated residential streets) the operations and scope of the street sweeping program for the City of Alexandria would need to be re-examined, with fiscal impacts identified.

Data collection and analysis would also be necessary for an option proposing to extend the duration of the rule from three days to 10 days, as is the law in Arlington County. Additional consideration would be needed to consider how this change could delay planned utility or street maintenance activities. If a 10-day notice were required before non-emergency work would need to occur, this change could have ripple effects on the schedule and efficiency for such maintenance or construction.

Given that the amount of staff work to take this concept of amending or eliminating the 72 Hour Rule further, which derives from an individual Council member, would exceed 8 hours, proceeding further with this proposed initiative of amending or eliminating the 72 Hour parking rule will need a majority vote of Council to direct staff to proceed. This is consistent with a long standing City practice of an 8 hour staff work limit for individual Council requests dating back to at least Vola Lawson's administration. The intent of this practice is to establish a threshold of staff resource utilization that any single member of Council can trigger.

Finally, because this project was not included in the multi-year Citywide Parking Work Plan (Attachment 2), and because the City currently has only one full-time parking planner, if Council authorizes staff could, launch this project in about the October – December 2016 timeframe. While initial background work can begin, based on existing staff resources the 72 Hour Rule reform implementation unless otherwise directed by Council would not likely commence until after implementation of the Del Ray Parking Study and the Motorcoach Study. However, additional parking planning staff support is being considered as part of the FY 2017 budget preparation. If additional staff resources are added then various parking studies and implementation might be able to be accelerated.

Attachment 1: Request to Review “72 Hour Rule”

Attachment 2: Citywide Parking Work Plan

cc: Emily Baker, Deputy City Manager
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