



# Alexandria Police Department

## Directive 11.16



# PARKING ENFORCEMENT

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<b>11.16.01</b>	<b>PURPOSE AND POLICY</b>	<b>[61.1.13]</b>
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The purpose of this directive is to set forth standards for the enforcement of parking violations, including guidelines for the booting of vehicles, the use of vehicle check notices, and guidance for handling contested parking citations.

It is the policy of this Department to accurately account for all parking citations and to provide a method for reviewing and administratively handling contested citations, invalid citations, and citations issued in error.

<b>11.16.02</b>	<b>AUTHORITY</b>
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The authority to enforce parking violations is provided by law in the Alexandria City Code:

- Title 10, Chapter 4 governs parking violations.
- Title 3, Chapter 2, Article S sets forth payment, contesting and enforcement of parking citations.
- Title 5, Chapter 8, Article C provides for disposition of abandoned vehicles.
- Title 13, Chapter 1, Section 19 addresses the unauthorized removal of a boot from a vehicle.

**11.16.03 RESPONSIBILITIES****[61.1.13]****A. Police Department Responsibilities:****1. Officer Responsibilities:**

- a. When working and available, Parking Enforcement Officers (PEOs) have the primary responsibility of enforcing all parking violations throughout the city. Police officers have the primary responsibility of enforcing parking violations when PEOs are not working or are not available.
- b. Officers/PEOs will ensure that all Parking Citations are filled out completely and legibly.
  - i. PEOs using automated ticketing devices will take photos of each violation, license plate of the violator vehicle and any other applicable photos for evidentiary purposes.
  - ii. Officers/PEOs will make "Officer's notes" about the violator's actions for use as evidence of the violation.
  - iii. Officers/PEOs should refer to the state or city code for elements of an offense.
- c. Completed hand written paper Parking Citations will be turned over to a supervisor for review and approval, and will be turned in to the lower level mailbox marked "Parking Tickets" prior to the end of the officer's shift.

**2. Supervisor Responsibilities:**

A supervisor will review each citation. If approved, they will legibly note their initials and serial number in the upper right hand corner of each citation prior to it being placed into the lower level mailbox marked "Parking Tickets".

3. Nothing in this order prohibits PEOs or police officers from taking enforcement action when necessary, including when assigned by the Department of Emergency Communications (DEC) or when citizens advise of violations.

B. The Finance Department is responsible for handling all fees associated with parking citations. The Impound Lot business hours for vehicles that are immobilized and/or impounded is Monday thru Friday, 8:00 A.M. to 6:45 P.M. and can be reached at 703-746-4664.

C. Duncan Solutions is the city's contractor responsible for handling the Department's citation management system.

**11.16.04 PROCEDURES****[61.1.13]**

- A. Routinely PEOs and police officers will issue a citation upon observation of a vehicle parked and/or unattended in violation of law. This is not intended to infringe on the normal discretion that such employees have in application of their duties, however employees should be prepared to articulate their reasons for the use of discretion, if needed.
- B. Immobilization (Booting) of Illegally Parked Vehicles:
1. Only PEOs will boot vehicles. Booting will be done in accordance with the Parking Enforcement SOP on vehicle immobilization.
  2. For the general information of other employees, a summary of vehicle booting procedures is below. For complete booting procedures see the Parking Enforcement SOP on vehicle immobilization.
    - a. Vehicles may be booted when there are at least three outstanding parking citations over 30 days old. The PEO will verify the vehicle is bootable through the use of the MDB's Duncan Autoprocess program; otherwise they will contact the Parking Unit office.
    - b. If the vehicle qualifies for booting, the PEO will mark out on the MDB or advise the dispatcher of their location and then apply the boot.
    - c. If the operator of the vehicle returns and a problem arises, the PEO may request a police officer and/or supervisor for assistance.
    - d. After the boot is applied, the PEO will complete an Immobilization Notice (APD-200 form) and place the original on the driver's side of the windshield. The PEO will mark themselves available on the MDB or advise the dispatcher.
    - e. The PEO will immediately record the status of the booted vehicle in the Duncan program via the MDB. If the MDB is inoperable the PEO will advise the Parking Enforcement office that the vehicle was booted, the location of the vehicle and the boot number so it can be entered into the Duncan Solutions computer program.
      - i. If a vehicle is booted after hours and the MDB is inoperable it is the booting officer's responsibility to ensure the information is entered in a timely manner by responding to the Parking Enforcement office to enter the necessary information in the Duncan program.
      - ii. It is important to do this before the vehicle owner/operator responds to the city's Finance Department to pay the citations.
    - f. If a booted vehicle is located within a restricted location (i.e.; HOV) the vehicle will be booted until it is relocated then re-booted following guidelines stipulated in Police Directive 11.22, Impounding/Removing Vehicles. The vehicle may be impounded after 24 hours if the outstanding citations are not paid.

- g. If the vehicle qualifies to be booted, the vehicle may be impounded instead of booted if at least one of the following conditions apply:
  - i. The total amount of fines due is \$300 or more;
  - ii. The tires of the vehicle are too big to boot; and/or
  - iii. The vehicle may be damaged if the boot is applied.
- h. Vehicles shown in the Duncan Solutions computer as “escaped from boot” may be impounded.
  - i. After 24 hours, if the citations remain unpaid the vehicle will be impounded (see Police Directive 11.22, Impounding/Removing Vehicles). The boot will not be removed until the wrecker has arrived on the scene.
  - j. Once the boot is removed, either after the citations are paid or the vehicle is impounded, the PEO will immediately record the change in vehicle status through the MDB’s Duncan Autoprocess program, otherwise advise the Parking Enforcement office so the Duncan computer program can be updated.
  - k. It is the Parking Enforcement Officer’s responsibility to record the booted status of a vehicle on the boot scratch sheet form located in the Parking Unit office (for entry into the boot scratch database).

### C. Seventy-Two Hour Checks of Vehicles

1. Employees initiating a seventy-two hour check, whether due to a citizen complaint or personal observation, will conduct a wanted check of the vehicle (both VIN and license plate number) prior to issuing the Vehicle Check Notice (APD-52C). If the wanted check is negative, an APD-52C will be issued. The yellow copy will be placed on the vehicle.
2. On the white original and gold copy, the employee will make notes sufficient to establish at a later time whether the vehicle has been moved since the APD-52C was issued. An example includes drawing the front and rear tires of the curb-side of the vehicle and indicating where the air valve stems are located on each tire. If using this method of “marking” the vehicle’s location, do not put that information on the pink or yellow copies of the APD-52C. The employee will keep the original (white) APD-52C.
3. The employee will make a reasonable effort to locate the owner at the time the APD-52C is placed. This may be done by leaving the pink copy at the address of the registered owner, if the address is within the city limits and if personal contact is not practical. If the registered owner is local but outside the city limits, a reasonable effort will be made by the officer to notify the owner by phone of the seventy-two hour check.
4. The gold copy will be forwarded to DEC and will be kept on file for seven days. After seven days, the gold copies of the APD-52Cs will be sent to the issuing employee for follow up.
5. It is the issuing employee’s responsibility to follow up on APD-52Cs.

6. Upon observation by a PEO or police officer, or after receiving a citizen complaint with employee confirmation, a vehicle having an expired APD-52C will be cited for the violation and may be impounded following established impound procedures (see Police Directive 11.22, Impounding/Removing Vehicles). The officer will notify DEC of the impound. The employee impounding the vehicle will attach the APD-52C (original or DEC copy) to the Towed Vehicle Report (APD-52) and file it with the other impound paperwork.

#### D. Abandoned Vehicles

1. Alexandria City Code §5-8-21 defines an abandoned vehicle as a motor vehicle, trailer or semi-trailer, or any part thereof that:
  - a. Is left unattended on public property for a period of more than 48 hours in violation of the Code of Virginia (1950), as amended, or this code; or,
  - b. Is left unattended on the shoulder of a primary highway.
2. Alexandria City Code §5-8-22 only gives the authority to impound abandoned, unattended and immobile vehicles. Under this section a citation is not applicable. The officer need only place a 48-hour check (Abandoned Vehicle Check Notice - APD-52D) as appropriate.
3. Distribute the original and copies of the APD-52D in the same manner as the APD-52C (listed above in 11.16.04. C).
4. Also see City Code §§5-8-61(2) and 5-8-21(2)(a) for further information.

E. Vehicles displaying United States diplomatic license plates will not be cited for failing to display a city tag or state inspection sticker.

#### F. Accountability of the Parking Citation and Copies:

1. Officers will sign out Parking Citation books from the Property Section during regular business hours. When Property is closed Officers will sign out Parking Citation books from the Information Services Section (ISS). Property and/or ISS personnel will forward the completed sign out sheet (APD-0226) to the Parking Unit so it can be logged in the automated tracking program.
2. A parking citation that is begun but not completed must be voided (by a supervisor legibly noting their initials and serial number and writing VOID across it) and turned in to the lower level mailbox marked "Parking Tickets" prior to the end of the officer's shift.
3. The loss of a parking citation will be reported to the officer's immediate supervisor and email notification forwarded to the Parking Sergeant (for entry in the automated tracking program).
4. The top copy of the parking citation is given to the violator or placed on the windshield of the violator vehicle. The second copy is turned in to the officer's supervisor for approval prior to the end of the officer's shift. The approved copy is turned in to the lower level mailbox marked "Parking Tickets".

**11.16.05 CONTESTED CITATIONS**

A. **If the ticket is valid on its face or validity is unknown, regardless of whether it has been entered into the Duncan Solutions Computer**, citizens should be advised to follow the instructions on the back of the citation for contesting the citation.

1. Complaints received by police employees regarding parking citations, parking issues or parking staff will be referred to the Parking Unit Supervisors.

a. Complaints received by telephone or in person: Regardless of the source of the complaint, the employee should listen to complaining persons to allow them to have an opportunity to express themselves.

i. If complaining parties are still unsatisfied and wish to speak to the issuing employee's supervisor, they should be afforded the opportunity to do so. However, unless the supervisor discovers some mistake in the citation, the supervisor will again advise the person to follow the instructions on the back of the citation to contest it.

ii. Reminder: do not become involved in arguments or discussions on the merits of the citation, and courteously give any information requested as to the procedure for handling the citation (see Police Directive 2.2, Rules of Conduct).

b. Complaints received by email, letter or fax: Any written complaint about a parking citation will be brought to the attention of the citation writer's supervisor or commander and will be responded to in writing, either by email, through the mail or by return fax.

i. Commanders will create acceptable written responses for use within their command.

ii. If a parking citation was received with the original correspondence, it will be returned with the response.

B. **If the ticket is invalid and NOT yet entered into the Duncan Solutions Computer:** If a supervisor determines that a citation is invalid on its face, or that good cause exists for the citation to be retracted, that supervisor may void the citation.

1. Examples of citations that may qualify for voiding:

- a. Officer error
- b. Equipment malfunction
- c. Other extenuating circumstances.

2. Handwritten paper Parking Citations may be voided by recovering both copies and writing VOID on the bureau copy, after which both will be submitted as usual after review by a supervisor.

- C. **Appeals:** Parking citations are contested in the Alexandria General District Court. Appeals of the decision of the General District Court must be made within ten (10) days to the Circuit Court, through the General District Court clerk's office. The General District Court clerk's office automatically schedules the hearing date upon receiving notice of the appeal. The appeal paperwork is also automatically forwarded to the Commonwealth's Attorney's Office, for the hearing which occurs in the Circuit Court. Once the Commonwealth's Attorney's Office receives notice of the appeal, a subpoena is sent to the involved Officer/PEO. The Commonwealth's Attorney Office will contact the Officer/PEO prior to the hearing if more information is needed.
- D. Commanders should share information about parking issues that come to their attention with the Parking Unit.

**BY AUTHORITY OF:**

**Earl L. Cook**  
**Chief of Police**