

INTRODUCED: April 11, 2016

AN ORDINANCE No. 2016-125

As Amended

To amend City Code §§ 27-197, concerning prohibitions on parking in specified places, and 27-219, concerning fines for parking violations, for the purpose of prohibiting parking on curbs[~~7~~] and on medians[~~and in bicycle lanes~~].

\_\_\_\_\_  
Patron – Mr. Agelasto

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: MAY 9 2016 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 27-197 and 27-219 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

**Sec. 27-197. Parking prohibited in specified places.**

(a) No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.

AYES: 9 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: MAY 23 2016 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

- (3) Within an intersection.
- (4) Within 15 feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within 20 feet of a crosswalk at an intersection.
- (7) In front of a ramp leading to the crosswalk at an intersection or located at any other point along a curb, constructed for use of persons with disabilities.
- (8) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.
- (9) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by official signs or markings.
- (10) Within 50 feet of the nearest rail of a railroad grade crossing.
- (11) Within 15 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted.
- (12) Alongside or opposite any street excavation or obstruction where such parking would obstruct traffic.
- (13) On the roadway side of any vehicle parked at the edge or curb of a street.
- (14) At any place where official signs prohibit parking or during street cleaning.
- (15) At any place where an order, rule, or regulation issued under section 2-428 prohibits or restricts parking.

(16) On a curb, or with any wheels off of the roadway and on the far side of the curb from the roadway.

(17) On a median.

~~[(18) In a lane marked as a bicycle lane.]~~

(b) No person other than a police officer shall move a vehicle into any such prohibited area or away from a curb such distance as is unlawful; start or cause to be started the motor of any motor vehicle; or shift, change or move the levers, brake, starting device, gears or other mechanism of a parked motor vehicle to a position other than that in which it was left by the owner or driver thereof or attempt to do so.

**Sec. 27-219. Parking violations; written notices; issuance of warrant or summons; penalty for noncompliance.**

(a) Every person receiving written notice of a parking violation, issued by a duly authorized law enforcement officer or agent of the City, may waive the right to appear and to be formally tried for the offense charged in the notice, upon payment of the fine set forth in subsection (b) of this section and specified in the notice. Payment shall be by check, draft or money order, and payment shall be made either:

(1) By presenting the notice and payment in person to the cashier, Parking Violations Section of the Department of Finance, within 15 days after the date on which the notice of a parking violation was issued; or

(2) By placing the notice and payment in the reply envelope to be provided with the notice, and mailing it to the cashier, Parking Violations Section of the Department of Finance.

If the notice and payment are mailed, the reply envelope must be postmarked within 15 days after the date on which the notice of a parking violation was issued.

(b) The following fines shall be imposed for parking violations when a person voluntarily waives the right to appear and be formally tried for the offense charged:

(1) *Fine of \$20.00.*

a. Exceeding the time limit designated on signs, in violation of section 27-196 or 27-244.

b. Violation of parking meter provisions, in violation of section 27-245.

c. Parking improperly in a metered onstreet parking space, in violation of section 27-245(c).

d. Parking improperly in a metered off-street parking area, in violation of section 27-245(d).

e. Parking oversized vehicles improperly in metered spaces, in violation of section 27-245(e).

f. Parking in a metered or nonmetered parking space, in violation of section 27-245(f).

g. Parking or stopping on the wrong side of the street, in violation of Code of Virginia, § 46.2-889.

h. Parking more than 18 inches from a curb, in violation of section 27-222.

(2) *Fine of \$40.00.*

a. Parking in any location in violation of [~~2-197~~] 27-197, to include the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within 15 feet of a fire hydrant.
5. On a crosswalk.
6. Within 20 feet of a crosswalk at an intersection.
7. Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.
8. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by official signs or markings.
9. Within 50 feet of the nearest rail of a railroad grade crossing.
10. Within 15 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted.
11. Alongside or opposite any street excavation or obstruction where such parking would obstruct traffic.
12. On the roadway side of any vehicle parked at the edge or curb of a street.
13. At any place where official signs prohibit parking, or during street cleaning.

14. At any place where an order, rule, or regulation issued under section 2-428 prohibits or restricts parking.

15. On a curb, or with any wheels off of the roadway and on the far side of the curb from the roadway.

16. On a median.

~~[17. In a lane marked as a bicycle lane.]~~

b. Parking in any lane marked and designated as a “fire lane,” within or adjacent to a parking area or parking lot that is open to the public and which is designed to accommodate 50 or more vehicles, in violation of section 27-199.

c. Parking so as to block an alley or to block a driveway into an alley, in violation of section 27-202.

(3) *Fine of \$50.00.* Parking in excess of the time limit designated on signs in a restricted parking district established pursuant to section 27-279 without a valid parking decal, temporary parking pass or visitor’s parking pass for that restricted parking district issued pursuant to section 27-280.

(4) *Fine of \$60.00.*

a. Parking in a tow-away zone.

b. Parking in a bus zone or taxicab stand, in violation of section 27-216.

(5) *Fine of \$120.00.* Parking in violation of section 27-203.

(6) *Fine of \$200.00.*

a. Parking in handicap zone, in violation of section 27-200.

b. Parking in front of a ramp constructed for use of handicapped persons, in violation of section 27-197(a)(7).

(c) Whenever a reply envelope is used for transmitting any notice and payment by mail to the cashier, Parking Violations Section of the Department of Finance, the responsibility for ensuring receipt of the envelope by the cashier shall be that of the person who received the notice of a parking violation.

(d) Any person who receives a notice of parking violation and elects not to waive the right to appear and to be formally tried for the offense charged in the notice shall, within 15 days after the notice was issued, appear before the Clerk of the General District Court, Traffic Division, in order to have such person's case certified for trial. Upon trial and conviction of the offense charged in the notice, such person shall be fined the amount set forth in subsection (b) of this section and specified in the notice.

(e) If any person receives a notice of parking violation and neither submits timely payment of the specified fine in the manner set forth in subsection (a) of this section nor exercises in a timely manner the right to appear and to be formally tried in the manner set forth in subsection (d) of this section, on the 16th day after the date on which the notice of a parking violation was issued, such person shall be liable for the amount of the fine set forth in subsection (b) of this section plus a penalty in the amount of \$10.00. Such person shall also pay an additional \$10.00

penalty for each 30-day period thereafter until the amount of the fine and all penalties are paid in full. However, for any outstanding parking violation, regardless of when it was issued, the total amount of penalties shall not exceed the amount of the original fine. If the fine and penalty are not paid, the collector of city taxes or a duly designated representative may cause a summons to be issued or pursue any other collection action authorized by law.

(f) Any person who has received a notice of parking violation and who has failed to submit payment in a timely manner under subsection (a) or (e) of this section or who has failed in a timely manner to exercise the right provided under subsection (d) of this section shall, upon conviction, be subject to the penalties provided under law for a traffic infraction.

§ 2. This ordinance shall be in force and effect upon adoption.





# Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

## Ordinance/Resolution Request

**TO** Allen Jackson, City Attorney

**THROUGH** Lou Ali, Council Chief of Staff *LA*

**FROM** Steven Taylor, Council Policy Analyst *ST*

**COPY** Parker Agelasto, 5th District Council Member  
 Ida Jones, 5th District Liaison  
 Haskell Brown, Deputy City Attorney  
 Vincent Jones, Council Deputy Chief of Staff

RECEIVED

APR 01 2016

OFFICE OF CITY ATTORNEY

**DATE** March 17, 2016

**PAGE/s** 1 of 2

**TITLE** Prohibition on Parking Vehicles on Curbs, in Bicycle Lanes, and on Medians

This is a request for the drafting of an **Ordinance**  **Resolution**

**REQUESTING COUNCILMEMBER/PATRON**

P. Agelasto

**SUGGESTED STANDING COMMITTEE**

Public Safety

**ORDINANCE/RESOLUTION SUMMARY**

The patron requests that an ordinance(s) be drafted for City Council's consideration that prohibits parking motor vehicles on curbs, prohibits parking in bicycle lanes, and prohibits parking in medians.

**BACKGROUND**

The City Code currently prohibits parking on sidewalks (Section 27-197), requires parking parallel to a curb (Section 27-222), and describes proper parking near meters(Section 27-197) but no ordinance prohibits parking on curbs.

Recently a number of vehicles have been parked on curbs in the City. Other drivers have parked in bicycle lanes and on parking medians. The purpose of this paper is provide for orderly parking of vehicles along City streets while preventing damage to curbs, obstructions to pedestrian traffic, obstruction of bicycle lanes, and preventing obstructions of traffic on roadways.

**FISCAL IMPACT STATEMENT**

Fiscal Impact Yes  No

Budget Amendment Required Yes  No

Estimated Cost or Revenue Impact \$ N/A

There may be nominal revenue from traffic tickets issued pursuant to this proposal. It is not possible to estimate that revenue amount at this time because it is not known how many tickets will be issued. Fines collected from traffic tickets go to the City's General Revenue Fund.

Attachment/s Yes  No