

INTRODUCED: December 12, 2016

AN ORDINANCE No. 2016-304

To amend ch. 27, art. VI of the City Code by adding therein a new div. 2.1, consisting of new sections 27-261—27-266, concerning the temporary restriction of access to metered parking.

Patron – Mayor Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 9 2017 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 27, Article VI of the Code of the City of Richmond be and is hereby amended and reordained **by adding therein a new** Division 2.1, consisting of sections numbered 27-261 through 27-266, as follows:

DIVISION 2.1

TEMPORARY RESTRICTION OF ACCESS TO METERED PARKING

Sec. 27-261. Definitions.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 13 2017 REJECTED: _____ STRICKEN: _____

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“*Cover*” means any bag, sack, or other material placed on or over a meter that purports to restrict or has the effect of restricting access to the meter or use of a parking space that the meter regulates.

“*Director*” means the Director of Public Works or a subordinate thereof designated in writing by the Director of Public Works.

“*Event*” means an entertainment, film production, governmental, or recreational activity.

“*Meter*” means any parking meter or pay station installed in the right-of-way by the City.

“*Person*” has the meaning ascribed to that word by section 1-2.

Sec. 27-262. Implementation.

The director may establish and, from time to time, modify rules, regulations, policies, and procedures to implement this division, provided such rules, regulations, policies, and procedures are consistent with this Code and any other applicable law.

Sec. 27-263. Prohibition.

It shall be unlawful for any person to place a cover on or over any meter without a permit obtained pursuant to this division.

Sec. 27-264. Permit.

Any person may apply for a permit by submitting a completed application form prescribed by the director. At the time the person submits the application form, the person shall pay a fee equal to 50 percent of the daily meter for each parking space included in the permit multiplied by the number of days for which the permit is sought. The permit will authorize such person to place

a cover on or over a meter and to use a parking space regulated by that meter. A permit may include multiple meters and parking spaces. A permit provides no property interest in any parking space or any other part of the right-of-way.

Sec. 27-265. Same—issuance.

- (a) The director shall issue the permit only if the director determines that:
 - (1) The person’s application is complete and materially truthful.
 - (2) The person applying for the permit will use the parking space for an approved use as set forth in subsection (b).
 - (3) The proposed use of the parking spaces for which the person seeks the permit will not inconvenience the public in its use of the right-of-way.
- (b) The following are approved uses:
 - (1) The person is engaged in construction, maintenance, repair, or utility work on property within one block of the parking space for which the permit is sought.
 - (2) The person is engaged in moving personal property from or to a property located on the block on which the parking space for which the permit is sought is situated.
 - (3) The person is organizing or controls an event occurring on property within one block of the parking space for which the permit is sought.

Sec. 27-265. Same—revocation.

The director may revoke the permit upon written notice to the person who holds the permit if the director determines any of the following:

- (1) The permit was issued in error.
- (2) The person’s use of the permit is having unanticipated adverse effects on pedestrian or vehicular traffic.

(3) The person has allowed the parking of vehicles unrelated to the approved use for which the permit was issued in the parking spaces to which the permit applies.

In the case of a revocation pursuant to subsections (1) and (2) above, the City shall refund the portion of the fees paid for the permit attributable to the number of days for which the permit could not be used due to the revocation. In the case of a revocation pursuant to subsection (3), the City shall not refund any fees paid for the permit.

Sec. 27-266. Hearing.

A person who applied for or holds a permit and who is aggrieved by the decision of the City, its officers, or its employees with respect to a permit application, revocation, or other action under this division shall, upon written request, be entitled to a hearing to be conducted by the Chief Administrative Officer, who shall establish rules for hearings. The decision of the Chief Administrative Officer shall be final.

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



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

OCT 12 2016
4-5766
Chief Administration Office
City of Richmond

O&R REQUEST

DATE: October 5, 2016 EDITION: 1
TO: The Honorable Members of City Council
THROUGH: Dwight C. Jones, Mayor
THROUGH: Selena Cuffee Glenn, Chief Administrative Officer
THROUGH: Lenora Reid, DCAO of Finance and Administration
THROUGH: John Buturla, DCAO of Operations
FROM: Dr. Emmanuel O. Adediran, Director of Public Works
RE: Authority to revise code to create a Meter Bagging Regulation and Fee Structure

RECEIVED
OCT 26 2016
OFFICE OF CITY ATTORNEY

ORD. OR RES. No.

PURPOSE: To amend ch. 102, art. VI, div 2 of the City Code by adding a new section to authorize the Chief Administrative Officer (CAO), on behalf of the City of Richmond, to establish a procedure for the City's Traffic Engineer and Parking Administrator to create "Temporary Restricted Parking Areas" and to issue parking permits within on-street metered parking areas through the creation of a Meter Bagging Regulation and Fee Schedule. To enable the implementation of a Parking Meter Bagging Fee, in order to recover lost revenue resulting from the bagging of parking meters.

REASON: To enable the Department of Public Works to regulate meter bagging and create standard operating procedures.

RECOMMENDATION: The adoption of this ordinance is recommended by the Department of Public Works and will allow the Director of Public Works or designee to regulate meter bagging in the City and recover lost revenue.

BACKGROUND: Due to the increased development in the City, there has been a demand for the use of regulated parking spaces for construction or special events. Currently, the City does not have a written policy to accommodate these requests. DPW will issue meter bagging permits

to accommodate special events, utility companies, film crews, construction and election workers etc.

DPW may provide for the temporary removal of parking meters/and or pay stations to accommodate construction and for other limited needs. No person, company or entity, may engage in the business of bagging meters, removing meters, pay stations or restricting parking within the City without obtaining a permit from the Department of Public Works.

Currently a number of localities utilize a meter bagging fee, such as Norfolk, VA, Baltimore, MD and Philadelphia, PA.

Meter bags and temporary permits are available to be rented by companies while engaged in a business activity or special event in the downtown area. Allowed activities include those that involve film crews, government entity, repair work, maintenance, construction, utility work, special events or moving. Vehicles parked at a bagged meter must be for a specific project or activity and have commercial plates or signage indicating that the vehicle is used for commercial or special event purposes.

Permits must be event specific and the time of the permit must relate to the time of a special event. The permit cannot be used for personal vehicles in area designated for special event parking restrictions. The permit can be revoked if not used for purposes specified in the permit and no refund will be issued. Permits will be issued by the Division of Parking for a fee equivalent to fifty per cent (50%) of the daily on-street meter rate per space.

Meters/pay stations can only be leased on a monthly basis by a government entity, contractor or special event. Monthly fee: 50% of daily rate per space.

Non-compliance Fee: \$100 per occurrence.

FISCAL IMPACT/ COST: No additional cost to the City.

FISCAL IMPLICATIONS: None

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: Nominal

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: November 14, 2016

CITY COUNCIL PUBLIC HEARING DATE: December 12, 2016

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Finance and Economic Development (November 17, 2016)

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: None

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: None

STAFF:

Michael Sawyer, City Transportation Engineer (646-3435)

Lynne Lancaster, DPW (646-6006)

Steven Bergin, DPW (646-3724)