

INTRODUCED: November 12, 2019

AN ORDINANCE No. 2019-315

To amend City Code §§ 27-197, concerning parking prohibitions in specified places, and 27-219, concerning parking violations, written notices, issuance of warrants or summons, and penalty for noncompliance, for the purpose of adding therein a new prohibition against parking within a bicycle lane and prescribing a fine for the violation of such prohibition.

Patron – Mr. Addison

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 9 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

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

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

(a) No person shall park a vehicle, except as may be permitted in accordance with Chapter 24, Article II, Division 4.1 or 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.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 09 2019 REJECTED: _____ STRICKEN: _____

- (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) 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) Within a bicycle lane. For purposes of this subdivision, the term “bicycle lane” has the meaning ascribed to that term in Code of Virginia, §46.2-100.

(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 \$25.00.*

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 on-street 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 section 27-197, to include the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within 15 feet of a fire hydrant.
4. Within 20 feet of a crosswalk at an intersection.
5. Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.
6. 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.
7. Within 50 feet of the nearest rail of a railroad grade crossing.
8. 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.
9. Alongside or opposite any street excavation or obstruction where such parking would obstruct traffic.
10. On the roadway side of any vehicle parked at the edge or curb of a street.
11. At any place where official signs prohibit parking, or during street cleaning.
12. At any place where an order, rule, or regulation issued under section 2-428 prohibits or restricts parking.
13. On a curb, or with any wheels off of the roadway and on the far side of the curb from the roadway.

14. On a median.

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 \$55.00* . 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.

c. Parking in a crosswalk.

d. Parking in an intersection.

e. Parking in a bicycle lane, in violation of section 27-197.

(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.

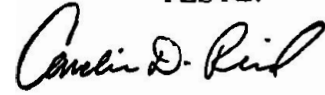
(e) If any person receives a notice of parking violation and neither submits timely payment of the specified fine in the manner set forth in subsection (a) of this section nor exercises in a timely manner the right to appear and to be formally tried in the manner set forth in subsection (d) of this section, 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.

A TRUE COPY:

TESTE:

A handwritten signature in black ink that reads "Carlin D. Reed". The signature is written in a cursive style with a large initial 'C'.

City Clerk



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Allen Jackson, Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Meghan K. Brown *MKB*
Interim Council Chief of Staff

FROM William E. Echelberger, Jr, Council Budget Analyst *WE*

COPY Andreas D. Addison, 2nd District Representative
Haskell Brown, Deputy City Attorney
Daniel Wagner, 2nd District Council Liaison

DATE October 14, 2019

PAGE/s 1 of 3

TITLE RVA Streets for All Initiative – Implementing Ordinances

RECEIVED

OCT 14 2019

OFFICE OF THE CITY ATTORNEY

This is a request for the drafting of an Ordinance Resolution

REQUESTING COUNCILMEMBER/PATRON

Andreas D. Addison, 2nd District Representative

SUGGESTED STANDING COMMITTEE

Land Use, Housing, and Transportation

ORDINANCE/RESOLUTION SUMMARY

The patron requests the following 7 ordinances to implement the RVA Streets for All Initiative:

- A. Making the following changes to the City's built environment:
 - 1. Establish a new All-Way Stop eligibility policy¹ by assigning points to an intersection based on safety factors. If an intersection meets, or exceeds a predetermined threshold of points, it will be eligible for an All-Way Stop. Points will be assigned based on the following factors:
 - a. Number of collisions;
 - b. Pedestrian volumes;
 - c. Automobile traffic volumes;
 - d. Traffic volume difference between intersecting streets;
 - e. The point requirement may be waived, and an all-way stop justified under one or more special provisions:
 - 1) Five or more crashes susceptible to correction by all-way stops occurring within a 12-month period;
 - 2) A traffic signal is warranted and is not yet able to be installed;

- 3) The intersection has a combination of atypical conditions that could be aided by the inclusion of an all-way stop, including the proximity to a school or other public attraction, to a fire station, to a park/playground, or is on a bus route, on a steep hill, or having extremely low visibility;
2. Establish standards and penalties for contractors regarding crosswalks and bike lanes
 - a. Penalize contractors and utilities that fail to replace crosswalks and bike lanes within 72 hours of completing work (or within a reasonable time frame due to the nature of the work) i.e., to their pre-construction condition, with an appropriately set fine structure or to discourage violation of this standard, and
 - b. Require that contractors create temporary protected walkways, bikeways, trails, and/or shared use paths if construction impedes a pedestrian walkway, bike lane, trail and/or shared use path—violation of this requirement would result in a revocation of the permit applicable to the development;
 - 4) Appropriate fine structure for primary offense
 - 5) Revocation of permit for secondary offense
- B. Changes to the rules of the road to prioritize safety and inclusivity over traffic flow:
3. Ban turns-on-red in City streets;
 4. Prohibit parking in a bicycle lane with a fine structure appropriately set to discourage parking;
 5. Ban the use of autonomous vehicles in the city.
 6. Allow cyclists to treat a Stop sign as a Yield sign, and red light traffic signals as Stop signs;
- C. Sustained learning and data collection to inform future policy and investment:
7. Require the Administration to submit a brief cross-departmental (DPW, RPD, RAA, and PDR) road safety audit to Council and present findings to the Committee on Public Safety if a collision in City streets causes a death or life-threatening injury;

BACKGROUND

Summary:

- The requested ordinances are intended to:
 - Support and extend the City's Vision Zero program, as set out in Resolutions 2016-R011 and 2017-R093,
 - Create and facilitate an inclusive streetscape that may be used safely and comfortably by all,
 - Encourage adoption of policies and procedures that encourage multi-modal transportation use over personal vehicle use, and
 - Re-assert the importance of pedestrian primacy in responsible urban growth.
- The patron believes that, through cross-departmental partnerships, empowerment of multi-modal community members, and a commitment to transparency and accountability, the City of Richmond will be able to improve safety, quality of life, and long term environmental sustainability for its residents.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact

An expenditure of resources, including staff time, will be required. The costs cannot be estimated at this time.

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 10.5.2012 /srs