

AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 14.2 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF ARLINGTON COUNTY, VIRGINIA TO ADD ARTICLE VIII. RESIDENTIAL PERMIT PARKING PROGRAM TO CHAPTER 14.2, MOTOR VEHICLES AND TRAFFIC, ESTABLISHING THE RESIDENTIAL PERMIT PARKING PROGRAM.

BE IT ORDAINED THAT Chapter 14.2, Motor Vehicles and Traffic be hereby amended, reenacted and recodified in order to permit the addition of Article VIII Residential Permit Parking Program to Chapter 14.2, Motor Vehicles and Traffic in order to establish the Countywide Residential Parking Permit Program to promote the health, safety and welfare of residents of the County by reducing unnecessary personal motor vehicle travel, noise, pollution, litter, crime and other adverse environmental impacts; promote improvements in air quality; reduce congestion and/or hazardous traffic conditions in the neighborhood; increase the use of public mass transit; protect residents from unreasonable burdens in gaining access to their property; preserve neighborhood living within an urban environment; maintain the convenience and attractiveness of urban residential living; preserve the residential character of the neighborhood and the property values therein; and safeguard the peace and tranquility of the neighborhood.

ARTICLE VIII.

RESIDENTIAL PERMIT PARKING PROGRAM

§ 14.2-98. Purpose and Intent: The creation of residential parking zones is intended to: promote the health, safety and welfare of residents of the County by reducing unnecessary personal motor vehicle travel, noise, pollution, litter, crime and other adverse environmental impacts; promote improvements in air quality; reduce congestion and/or hazardous traffic conditions in the neighborhood; increase the use of public mass transit; protect residents from unreasonable burdens in gaining access to their property; preserve neighborhood living within an urban environment; maintain the convenience and attractiveness of urban residential living; preserve the residential character of the neighborhood and the property values therein; and safeguard the peace and tranquility of the neighborhood.

§ 14.2-99. To those ends, whenever the county manager or his designee shall determine that the streets of a particular district or discrete portion of a district in which residential uses are permitted and commercial and industrial uses are not permitted, except transitional uses or by conditional use permit, are being used for parking by the operators of vehicles while the operators of those vehicles are using (1) districts in which commercial or industrial uses are permitted, or (2) portions of districts in which conditional special uses have been permitted under Section 3, subsections A.10.a. through A.10.c., of the zoning ordinance, (3) public mass transportation or (4) other residential districts and the average number of vehicles parking in such a manner is in excess of twenty-five (25) percent of the number of parking spaces on such streets and the total number of spaces actually occupied by any vehicles exceeds seventy-five (75) percent of the number of spaces on such streets, as disclosed by an engineering study, the county manager or his designee shall prohibit parking during the hours when such use has been found on those streets of those districts or portions of districts found by the survey to have been so affected.

§ 14.2-100. In determining the boundaries of particular zones and portions thereof, the county manager or his designee should use the following factors: limiting size of zones to avoid cross commuting within zones; consideration of zoning designations and land use characteristics; location of major and minor arterials, natural boundaries, traffic generators, and civic association boundaries; consideration of driving patterns within a neighborhood, the parking capacity of the street, the existence of driveways and dedicated parking; and other such neighborhood characteristics that the County Manager or his designee may determine to be relevant in carrying out the purposes of this chapter.

§ 14.2-101. In such cases the county manager shall cause appropriate signs giving notice of the prohibition to be posted on those streets restricting all parking except parking by the holders of permits granted only under the following conditions:

- a. To persons who are residents of any particular area in which parking is so restricted, to be limited to that particular area in which parking is so restricted for a limited number, determined by the county manager or his designee, of vehicles owned by those persons and registered in the county and the county manager may charge a fee for such permits not to exceed \$20 for the first permit, \$20 for the second permit, \$50 for the third permit, and \$250 for each permit thereafter;
- b. To persons who are visitors of or persons who do business with any residents of any particular area in which parking is so restricted, to be limited to that particular area in which the visited residence is located where parking is so restricted, to be valid for a stated period and the county manager may charge a fee for any such visitor passes created, not to exceed \$0.25; and
- c. The parking prohibitions of Article VIII shall not apply to service or delivery vehicles which are being used to provide services or make deliveries to dwellings.

§ 14.2-102. Any such person shall show to the county manager or his authorized representative satisfactory evidence that he fulfills all the conditions for such a permit. Whenever the conditions no longer exist, the person holding such a permit issued under subparagraph 1.a. or 1.c. shall surrender it to the county manager or his authorized representative. It shall be unlawful for any person to represent that he is entitled to such a permit when he is not so entitled, or to park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it. No permit issued hereunder shall be valid for more than one (1) year.

§ 14.2-103. The signs placed in such areas shall be of such character as to inform readily an ordinarily observant person of the existence of the rules and regulations imposing the foregoing restrictions. It shall be unlawful for any person to violate such rules and regulations.

§ 14.2-104. Wherever metered or other paid parking restrictions are in effect in any portion of a district that becomes subject to the restrictions of Article VIII, the parking spaces so restricted may be used by permit holders with properly displayed permits for that zone and are not required to pay for that parking. However, vehicles without properly displayed permits for that zone may park in the restricted spaces and must pay.

§ 14.2-105. On any block of any street where the conditions of paragraph 14.2-99 above calling for restricted parking exist, the County Manager may reduce the restriction under the following conditions. If a hardship exists for visitors to park because of the unavailability of off-street or other unrestricted parking or other conditions not generally prevailing on the residential streets of the county, the county manager may conduct an engineering study to determine the conditions on the block or blocks in question. If the study shows that less than fifty (50) percent of the dwelling units abutting on the street have off-street parking for at least one (1) vehicle and there is no other reasonable alternative parking available, the restriction may be reduced to allow parking for no more than two (2) hours with permit holders exempted from that restriction.

§ 14.2-106. Enforcement and Penalties. It shall be unlawful for any person to park a motor vehicle in violation of the provisions of the Subsection.

- a. It shall be unlawful to improperly display Residential Parking Zone decals/passes. Failure to properly display decals/passes shall be punishable by a fine of Forty Dollars (\$40.00).
- b. Enforcement of Residential Parking Zone regulations shall be under the jurisdiction of the Arlington County Police Department, which shall issue citations against those persons who violate the provisions of this Subsection.
- c. Vehicles parked in violation of these provisions may be towed at the owner's expense.
- d. The Arlington County Treasurer shall collect and account for all uncontested payments of parking citations under this Article; and any contest by any person of any parking citation shall be certified by the said Treasurer, in writing, on an appropriate form, to the Arlington County General District Court.
- e. The Arlington County Treasurer shall enforce payment of delinquent parking citations.