



Albemarle County

Legislation Details (With Text)

File #: 19-586 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 11/25/2019 **In control:** Board of Supervisors
On agenda: 12/18/2019 **Final action:**
Title: Ordinance to Amend County Code Chapter 9, Motor Vehicles (Residential Parking). To receive comments on its intent to adopt an ordinance to amend Albemarle County Code Chapter 9, Motor Vehicles, Section 9-102, General prohibitions, and Section 9-118, Removal or immobilization of vehicles with outstanding parking violations-enforcement of parking regulations; notice of violations; waiver of trial; contesting charges; penalties. The proposed ordinance would prohibit commercial vehicles from being parked on, and storage containers and dumpsters from being placed on, secondary streets in areas zones for residential use in the County, impose a fine for the violation of these regulations, provide definitions for "commercial vehicles" and "areas zoned for residential use," and clarify the fine payment process.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Att.A - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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AGENDA DATE: 12/18/2019

TITLE:

Ordinance to Amend County Code Chapter 9, Motor Vehicles

SUBJECT/PROPOSAL/REQUEST: Public hearing to consider the adoption of an Ordinance to amend County Code Chapter 9, Motor Vehicles, to revise the provisions regulating parking on secondary highways in residential areas

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Walker, Kamptner, DeLoria, Lantz, Stoddard

PRESENTER (S): Greg Kamptner

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: In 2018, the General Assembly added Albemarle County to the list of localities in Virginia Code § 46.2-1222 enabled to regulate on-street parking on public streets in the State's secondary system of highways ("secondary streets"). Section 46.2-1222 enables the Board of Supervisors to adopt an ordinance that: (1) restricts or prohibits parking on any secondary streets in the County; (2) creates vehicle classifications that would or would not be subject to these restrictions and prohibitions; and (3) provides that the violation of the ordinance would be a traffic infraction and prescribe penalties. The proposed ordinance is intended to

allow the County to address on-street parking of commercial vehicles in the County's residential neighborhoods, an issue that has generated complaints from residents.

A team that included representatives from the Police Department, the Department of Community Development, and the County Attorney's Office met during the summer to develop a draft ordinance that would implement Virginia Code § 46.2-1222.

STRATEGIC PLAN: Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: The attached proposed ordinance (Attachment A) would amend County Code § 9-102 to add regulations prohibiting commercial vehicles from being parked on secondary streets in areas zoned for residential use in the County. The proposed ordinance also would prohibit storage containers and dumpsters from being placed on those same secondary streets. A violation of these regulations would be subject to a fine pursuant to County Code § 9-118. The terms "commercial vehicle" and "areas zoned for residential use" are defined in the ordinance.

The Police Department proposes to enforce the ordinance by first educating the residents about the parking restrictions and giving the violator a warning. Subsequent violations by the same vehicle owner could be enforced by issuing a notice of violation.

BUDGET IMPACT: The budget impact on the Police Department will depend on whether the ordinance is enforced on a complaint basis or proactively. If it is enforced on a complaint basis, staff has not identified a need for additional staffing at this point. Proactive enforcement may necessitate creating a parking enforcement unit within the Police Department, which would likely be three to five years out. An increase in the number of parking tickets would also have an impact on the Department of Finance, which processes fine payments.

RECOMMENDATION:

Staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

ATTACHMENTS:

A - Proposed Ordinance