ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of April 24, 2010

DATE: April 1, 2010

SUBJECT: Adopt an ordinance to amend Section 14.2-7.1(a), Chapter 14.2, Division 1, Article I (Motor Vehicles and Traffic), of the Arlington County Code to increase the fines for certain parking and nonmoving violations, to be effective on July 1, 2010.

C. M. RECOMMENDATION:

Adopt an ordinance to amend Section 14.2-7.1(a), Chapter 14.2, Division 1, Article I (Motor Vehicles and Traffic), of the Arlington County Code to increase the fines for certain parking and nonmoving violations, to be effective on July 1, 2010, as shown in **Attachment I**.

ISSUES: Should parking ticket and other fines for nonmoving violations be increased by $10 per infraction?

SUMMARY: Under § 14.2-7.1(a) of the Arlington County Code, parking ticket fines are generally $40 per infraction. One notable exception is the $25 fine for exceeding the time limit on parking meters. This type of infraction represents over half of all tickets written in the County. With limited exceptions, there have been no increases to parking ticket fines in over a decade. Because of miscellaneous non-personnel expenses associated with increasing parking ticket fines, such as design and printing costs for new tickets and IT system modifications, it is also proposed that the Board appropriate $20,000 for additional non-personnel expenses. A public hearing on this item was held and completed on March 25, 2010.

BACKGROUND: The Arlington County Police Department issues tickets for a variety of parking and other nonmoving infractions. The table on the following page outlines the existing fines for the various parking infractions codified in § 14.2-7.1(a). In FY 2009, roughly 228,700 tickets, including warnings, were issued, generating nearly $7.4 million in revenue. With limited exceptions, fines for parking and nonmoving violations have generally not been increased in over a decade.

County Manager: BMD/MJS

County Attorney: AX/ SAM

Staff: Jon Altshul, DMF

37. M.

Arlington County Parking Ticket Fines, by Infraction, FY 2009

Infraction	Existing Fine	Percentage of total tickets
Exceeding time limit on meter	$25	54.0%
Parking in restricted zones*	$40/$50	9.1%
Parking on wrong side of a two-way street	$40	0.9%
Vehicle abandonment	$40	0.1%
Parking a commercial vehicle in a residential zone	$40	0.2%
Parking outside designated space	$40	0.6%
Parking within 20 feet of a corner	$40	0.3%
Parking within 15 feet of a fire hydrant	$40	0.6%
Obstructing traffic/parking in a no parking zone	$40	1.5%
Leaving running vehicle unattended	$40	0.1%
Expired or invalid tag	$40	9.6%
Failure to display County decal	$40	6.6%
Failure to display inspection sticker	$40	8.5%
Parking in a fire lane	$40	0.3%
Double parking	$40	0.1%
Parking in a disabled space	$500	0.4%
Parking in a residential restricted zone	$40	6.1%
Placing vehicle in a street, alley or parkway in order to sell or rent the vehicle	$40	0.0%
Other nonmoving violation**	$40	1.0%
Total		**100%**

* A $50 fine is levied on unlawful parking on a weather emergency street.
** Other non-moving violations may include bus idling and parking in a fire lane. The fine for bus idling is $50. However, it is not codified in § 14.2-7.1(a) and is capped by State law at $50 per violation.

In addition, the Metropolitan Washington Airport Authority Police Department issues parking tickets at Washington Reagan National Airport based on a rate schedule approved by the County Board. Parking fines are generally higher at the airport than they are in the rest of the County. For example, the fine for exceeding the time limit on meters is $30 per infraction, or $5 more than the fine in the rest of the County.

DISCUSSION: Arlington currently has approximately 4,400 metered parking spaces, including spaces in multi-space metered lots. By contrast, Alexandria City has roughly 1,000 metered spaces and Washington D.C. has 17,000. Like Arlington, Alexandria's parking tickets are generally $40 per infraction, except for exceeding the time limit on a meter, for which the City charges $35 per infraction, or $10 more than what the County currently charges. Fines for nonmoving violations in the District of Columbia range from $20 to $100 per violation. Meanwhile, Fairfax County, which does not directly operate any parking meters, generally charges $50 per parking violation. **Attachment II** compares fines for nonmoving violations in Arlington with those in the City of Alexandria, the District of Columbia and Fairfax County.

It is expected that if parking ticket fines are increased, ticket design, printing and handheld device modification costs will be required. Accordingly, it is recommended that $20,000 in one-time funds be appropriated to the Police Department for these related non-personnel expenses. These additional expenses are included in the FY 2011 budget and are being appropriated as part of the budget resolution.

It is recommended that no changes be made to the parking ticket fines at Washington Reagan National Airport, given the attendant implementation costs that a fine increase would impose on another entity: the Metropolitan Washington Airport Authority.

FISCAL IMPACT: The proposed increase to the various parking ticket fines generate $1,520,000 in revenue and is offset by $20,000 in non-personnel costs. Both the revenue and expenses are included in the FY 2011 budget.

Attachment I

AN ORDINANCE TO AMEND SECTION 14.2-7.1(a), CHAPTER 14.2, DIVISION 1, ARTICLE I (MOTOR VEHICLES AND TRAFFIC), OF THE ARLINGTON COUNTY CODE TO INCREASE THE FINES FOR CERTAIN PARKING AND NONMOVING VIOLATIONS, TO BE EFFECTIVE ON JULY 1, 2010.

I. BE IT ORDAINED that Section 14.2-7.1(a), Chapter 14.2, Division 1, Article I (Motor Vehicles and Traffic), of the Arlington County Code is amended to read in pertinent part, as follows:

§ 14.2-7.1 Fines for nonmoving violations.

Each law enforcement officer or other employee charged with the duty of enforcing violations shall attach to each vehicle whose operator is in violation of sections 14.2-1, 14.2-2, 14.2-3, 14.2-3.1, 14.2-32, 14.2-33, 14.2-34, 14.2-38, 14.2-38.1, 14.2-40, 14.2-41, 14.2-42, 14.2-43, 14.2-44, 14.2-45, 14.2-85, 14.2-87, 14.2-96 and 14.2-106 of the County Code, a notice to the operator thereof that such vehicle has been parked in violation of one (1) or more of these sections.

(a) The fines to be paid prior to issuance of a warrant for violation of Arlington County parking ordinances, except as otherwise provided in section 14.2-7.1(b), shall be the following:

(1) ~~Twenty-five dollars ($25.00)~~ Thirty-five dollars ($35.00) for exceeding the time limit on meter (sections 14.2-42, 14.2-43, 14.2-44, and 14.2-45);

(2) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking in restricted zone (section 14.2-33 and 14.2-40); ~~forty dollars ($40.00)~~ fifty dollars ($50.00) for parking, without consent, on private property (section 14.2-3.2); and ~~fifty dollars ($50.00)~~ sixty dollars ($60.00) for unlawful parking on a weather emergency street (section 14.2-87);

(3) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for not parking on the right side of two-way street (section 14.2-2 and Section 46.2-889 of the Code of Virginia);

(4) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking on an interstate highway continuously for more than twenty-four (24) hours (section 14.2-2); ~~forty dollars ($40.00)~~ fifty dollars ($50.00) for leaving a motor vehicle unattended for a period of ten (10) days (section 14.2-3); and ~~forty dollars ($40.00)~~ fifty dollars ($50.00) for abandoned vehicle (section 14.2-3);

(5) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking commercial vehicle in residential zone (section 14.2-33 and 14.2-34);

(6) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking outside designated space (section 14.2-38);

(7) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking within twenty (20) feet of corner (section 14.2-38);

(8) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking with fifteen (15) feet of fire hydrant (section 14.2-38);

(9) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for obstructing traffic, violating temporary "No Parking" zone, or creating a hazard (sections 14.2-2, 14.2-3, 14.2-32, 14.2-38, and 14.2-86, and Section 46.2-888 of the Code of Virginia);

(10) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for leaving vehicle unattended with motor running (Section 46.2-1071 of the Code of Virginia);

(11) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for failure to display valid Virginia license tags (section 14.2-2 and Section 46.2-715 of the Code of Virginia);

(12) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for failure to display valid Arlington license tag (section 14.2-2);

(13) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for failure to display any valid license tag (section 14.2-2);

(14) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for failure to display valid Virginia inspection sticker (section 14.2-2);

(15) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking in a fire lane (section 14.2-38);

(16) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for double parking (section 14.2-38);

(17) Five hundred dollars ($500.00) for unlawful parking in a space restricted for use by disabled persons (section 14.2-38.1); and

(18) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking in a residential restricted zone (Section 14.2-106);

(19) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for any nonmoving violation for which a fine is not specifically provided elsewhere in this chapter;

(20) ~~Forty dollars ($40.00)~~ Fifty dollars ($50.00) for parking or placing any automobile, truck, trailer or other vehicle upon or in any street, alley or parkway for the purpose of selling or offering the same for sale or rent.

* * *

II. The remaining subsections of section 14.2-7.1 not amended hereby shall remain as previously enacted.

III. This ordinance shall be effective on July 1, 2010.

Attachment II—Comparison of selected non-moving violation fines in Arlington, the City of Alexandria and Fairfax County

Infraction	Arlington County (current)	Arlington County (proposed)	District of Columbia**	Fairfax County	City of Alexandria
Estimated number of metered spaces	4,400	4,400	17,000	0	1,000
Exceeding time limit on meter	$25	$35	$25	$50	$35
Parking in restricted zones	$40/$50	$50/$60	$20-$100	$50	$40/$48
Parking on wrong side of a two-way street	$40	$50		$50	$40
Vehicle abandonment	$40	$50		$50	$25
Parking a commercial vehicle in a residential zone	$40	$50		$100	$40
Parking outside designated space	$40	$50	$30-$50	$50	$40
Parking within 20 feet of a corner	$40	$50		$50	$40
Parking within 15 feet of a fire hydrant	$40	$50	$50	$50	$48
Obstructing traffic/parking in a no parking zone	$40	$50	$20-$100	$50	$40
Expired or invalid tag	$40	$50	$100	$50	$40
Failure to display decal	$40	$50	$100	n/a*	$40
Failure to display inspection sticker	$40	$50	$100	$50	$40
Parking in a fire lane	$40	$50		$50	$40
Double parking	$40	$50	$50	$50	$40
Parking in a disabled space	$500	$500		$500	$500
Parking in a residential restricted zone	$40	$50	$30	$50	$40

* Fairfax County does not issue decals

** Only limited parking ticket information is available for the District of Columbia. The fines for obstructing a building entrance, illegally parking at a cab stand and parking less than 5 feet form a alley or driveway are $20; fines for parking in an alley and parking in a no-parking zone are $30; fines for violating no parking during rush hour signs and blocking bus zones are $100.