



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of July 21, 2012

DATE: June 28, 2012

SUBJECT: Request to advertise a public hearing to consider an ordinance to amend Section 14.2-7.1.A., Chapter 14.2, Division 1, Article 1 (Motor Vehicle Code) of the Arlington County Code and Section 14.2-106.A., Chapter 14.2, Article VIII (Residential Permit Parking Program), and to amend Ordinances Establishing the Douglas Park Residential Zone Parking Program and Establishing the Columbia Forest Residential Zone Parking Program so that violation fines for failure to display Residential Zone decals/permits are consistent with fines for other parking and nonmoving violations, to be effective October 1, 2012.

C. M. RECOMMENDATION:

Authorize the advertisement of a public hearing to be held on September 15, 2012, to consider a proposed ordinance, as shown in Attachment A, to amend Section 14.2-7.1.A., Chapter 14.2, Division 1, Article 1 (Motor Vehicle Code) of the Arlington County Code and Section 14.2-106.A., Chapter 14.2, Article VIII (Residential Permit Parking Program), and to amend Ordinances Establishing the Douglas Park Residential Zone Parking Program and Establishing the Columbia Forest Residential Zone Parking Program, so that all permit parking violation fines are consistent with fines for other nonmoving violations, to be effective October 1, 2012.

ISSUES: This is a request to update the County Code and two other ordinances so that the fines for failure to properly display permit parking decals/passes are consistent with fines for other parking and nonmoving violations and in particular other zone parking violations. No issues have been identified.

SUMMARY: The fine amount for improperly displaying Residential Parking Zone decals/passes which is listed in Section 14.2-106.A. and in the ordinances establishing the Douglas Park and the Columbia Forest Permit Parking programs is inconsistent with fines for other parking and nonmoving violations. The amendments would increase the fine from \$40 to \$50 to be consistent with fines for similar types of violations.

County Manager:

County Attorney:

39.

Staff: Sarah Stott, Department of Environmental Services

BACKGROUND: On April 24, 2010 the County Board amended Section 14.2-7.1.A. to increase the fine from \$40 to \$50 for the 22 parking and nonmoving violations listed in that section of the County Code. Examples of violations in that section are parking in a residential restricted zone (Section 14.2-106) and failure to display valid Arlington license tag (section 14.2-2).

The two ordinances and one other section of the County Code that address permit parking were not updated in 2010, so the fines currently in place are \$40. This update would make the fines consistent across the County Code for similar violations.

DISCUSSION: Improperly displaying decals/passes is a similar type of violation to the other violations listed in 14.2-7.1.A. and the fine amount should be consistent with the other parking and nonmoving violations. In addition, the violation of improperly displaying Residential Parking Zone decals/passes should be added to the violation and fine list in Section 14.2-7.1.A so that all parking and nonmoving violations are in the same section of the County Code, and similar violations receive the same fines.

Therefore, it is recommended that the exact amount of the fine be removed from the Columbia Forest and Douglas Park ordinances and from Section 14.2-106 and be replaced with wording that says that the exact fine amount is located in Section 14.2-7.1.A. With this change if the parking and nonmoving violation fines are ever changed again, all the permit parking violations will be amended at the same time.

FISCAL IMPACT: There will be a minimal increase to revenue due to this change. Accordingly, the FY 2013 revenue appropriations will not be amended.

Attachment A

AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 14.2 OF THE CODE OF ARLINGTON COUNTY VIRGINIA, AND TO AMEND THE ORDINANCES ESTABLISHING THE DOUGLAS PARK RESIDENTIAL ZONE PARKING PROGRAM AND THE COLUMBIA FOREST RESIDENTIAL ZONE PARKING PROGRAM CONCERNING AN INCREASE IN THE FINES FOR FAILURE TO PROPERLY DISPLAY RESIDENTIAL PARKING ZONE DECALS/PASSES IN ORDER TO BE CONSISTENT WITH OTHER PARKING AND NONMOVING VIOLATION FINES, TO BE EFFECTIVE ON OCTOBER 1, 2012.

- I. **BE IT ORDAINED** by the County Board of Arlington County, Virginia that Chapter 14.2, Article 1, Division 1 (Motor Vehicle Code) and Article VIII (Residential Permit Parking Program) of the Arlington County Code are amended to read in pertinent part, as follows:

Chapter 14.2

MOTOR VEHICLES AND TRAFFIC

Article 1. Motor Vehicle Code

§ 14.2-7.1 Fines for nonmoving violations.

- 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:

(23) Fifty dollars (\$50.00) for failure to properly display Residential Parking Zone decals/passes.

Article VIII. Residential Permit Parking Program

§ 14.2-106. Enforcement and Penalties

It shall be unlawful for any person to park a motor vehicle in violation of the provisions of this section.

- 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)~~ specified in Section 14.2.7-1.

- II. **BE IT ORDAINED** by the County Board of Arlington County, Virginia that **THE ORDINANCE ESTABLISHING THE DOUGLAS PARK RESIDENTIAL ZONE PARKING PROGRAM** is amended to read in pertinent part as follows:

7. Enforcement and Penalties

- e. 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)~~ specified in Section 14.2.7-1.

- III. **BE IT ORDAINED** by the County Board of Arlington County, Virginia that **THE ORDINANCE ESTABLISHING THE COLUMBIA FOREST RESIDENTIAL ZONE PARKING PROGRAM** is amended to read in pertinent part as follows:

7. Enforcement and Penalties

- e. 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)~~ specified in Section 14.2.7-1.

- IV. The remaining sections of Chapter 14.2 and the Ordinances establishing the Douglas Park and Columbia Forest Residential Zone Parking Programs not hereby amended shall remain as previously enacted.