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**DIVISION 3. RESIDENTIAL RESTRICTED PARKING DISTRICTS**

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**Sec. 102-301. Residential restricted parking districts—Criteria for establishment.**

- (a) The city council may establish, change or terminate residential restricted parking districts within the city pursuant to the following criteria. Upon receiving an application from a neighborhood association or civic association for the establishment of a residential restricted parking district, the director of public works shall administer the application process. The application for the establishment of a new residential restricted parking district shall include all of the following information:
- (1) Written documentation that outlines the proposed parking district, which should be a minimum of ten contiguous block faces; and
  - (2) Written documentation from a majority of the affected associations representing the properties within the proposed district and petitions from a majority of the property owners within the proposed district supporting the creation of the outlined parking district; provided, however, that, where written documentation is submitted indicating that fewer than 60 percent of the properties within the proposed district are owner-occupied, then such approval shall be required from a majority of the associations and a majority of the occupants of the properties in such proposed district rather than from a majority of the property owners in the proposed district; and
  - (3) Written documentation that the proposed district is residential and that other land uses, either within the district or adjacent to the district, are impacting the available on-street and off-street parking for use by the district residents.
- (b) Upon receipt and verification of the information required in the application pursuant to subsection (a) of this section, the director of public works shall make a determination as to whether (i) at least 75 percent of the curb parking spaces in the defined area of the proposed residential restricted parking district are utilized during peak periods and (ii) at least 35 percent of the curb parking spaces in the defined area of the proposed residential restricted parking district are utilized by persons who do not reside within the district who are parked for two or more hours. If the director of public works determines that these two criteria are met, the director shall prepare an ordinance to establish a residential restricted parking district. The director shall make the required determination and, if applicable, prepare the required ordinance within 90 days of receipt of a complete application. Following approval of a district, the director of finance shall develop an implementation plan and administer the implementation

of the issuance of the permits as prescribed in the ordinance that establishes the district within 90 days of the adoption of the ordinance to residents of the district. The director of public works shall cause the parking regulations in the district to be changed to reflect the change in restricted parking.

- (c) Once approved, 12 months must elapse before any new application to make significant modification to or terminate a residential restricted parking district will be considered. Upon receiving an application to modify an existing residential restricted parking district meeting the requirements of subsection (a) of this section and determining that the two criteria set forth in subsection (b) of this section are met, the director of public works may modify the boundary for existing residential parking permit districts. Applications to modify the Carver residential restricted parking district must be received by September 30, and modifications to the district based on applications not received by this deadline will not be effective until the second January 1 following that deadline. Applications to modify the Fan residential restricted parking district must be received by March 31, and modifications to the district based on applications not received by this deadline will not be effective until the second July 1 following that deadline.

*(Code 1993, § 28-263; Ord. No. 2004-179-175, § 1, 6-28-2004; Ord. No. 2007-300-262, § 1, 11-26-2007; Ord. No. 2010-93-79, § 1, 5-10-2010)*

## **Sec. 102-302. Parking permits, fees; violation and penalties.**

- (a) For the purpose of this section, the term "resident" shall be defined as the record owner or renter of a property located within a residential restricted parking district and members of the owner's or renter's immediate family:
- (1) Who are licensed drivers; and
  - (2) Whose domicile is the address for which they are seeking to obtain the parking permit.
- (b) Residents may purchase a parking permit for use in a restricted parking district of the city issued under such rules, regulations and orders as may be promulgated by the director of public works pursuant to [section 2-454](#). The annual fee for the permit shall be as set forth in appendix A to this Code. The city shall sell parking permits at City Hall at a location at which the department of finance collects payments. Upon receipt of a written request addressed to the director of finance from a neighborhood association or civic association representing all or part of a residential restricted parking district for the city to sell parking permits at one or more locations other than City Hall, the director of finance may approve the sale of parking permits at such location or locations, taking into consideration such factors as staffing, available resources, security and other factors involved in and important to the sale of parking permits at such location or locations. The association making the request shall (i) arrange for the sales, (ii) be responsible for all costs associated with the sales and (iii) provide notice of the sales to the residents of the district. The director of finance may require the association to execute an agreement with the city setting forth the conditions under which the director will approve such a sale as a condition of approving such a sale. The city shall publicize the sale at such location or locations through releases to such media outlets as the city may customarily use to provide information to the public. The fees collected for parking permits and temporary parking passes shall be used by the city in defraying the costs associated with administering restricted parking districts. Parking permits shall be issued on an annual basis as follows:
- (1) Parking permits for the Fan residential restricted parking district shall be issued for the period commencing at 12:01 a.m. July 1 and expiring at 12:00 midnight June 30 of the following year, and all permits, regardless of the date of issue, other than temporary permits issued under subsection (c) of this section, shall expire at 12:00 midnight on the next June 30 after issuance.
  - (2) Parking permits for the Carver residential restricted parking district shall be issued for

the period commencing at 12:01 a.m. January 1 and expiring at 12:00 midnight December 31 of the next calendar year, and all permits, regardless of the date of issue, other than temporary permits issued under subsection (c) of this section, shall expire at 12:00 midnight on December 31 of the calendar year in which they are issued.

- (c) All parking permits issued pursuant to this section shall be displayed on all vehicles and motorcycles in such manner as prescribed by the director of finance. All permits must be displayed on the vehicle for which it is purchased no later than the first day of the annual period for which the permit is issued.
- (d) The director of finance shall issue temporary parking passes, for a fee per parking pass as set forth in appendix A to this Code, to those owning a valid parking permit in a restricted parking district for the sole use of guests of such permit holders. Such temporary parking passes shall be good for a period not exceeding ten days. In addition, the director of finance may issue up to two annual visitor's parking passes per house or building address only to resident property owners who own a valid permit for a fee for each parking pass as set forth in appendix A to this Code. Such resident property owners must purchase the annual visitor's parking passes at the same time they purchase the parking permit. No replacement annual visitor passes shall be provided or issued by the city.
- (e) Any person convicted of violating this section, by parking in excess of time limits prescribed, shall be punished by a fine issued in accordance with [section 102-243](#)
- (f) Any person who purchases any parking permit under false pretenses, including purchasing a permit for a person who:
  - (1) Is not qualified to purchase or use the permit;
  - (2) Allows use by another person of a lawfully acquired permit;
  - (3) Attaches and uses a permit on a vehicle for which the permit was not issued; or
  - (4) Attempts to resell, rent or otherwise trade a temporary parking permit or annual visitor's pass in any manner whatsoever; shall be guilty of a class 4 misdemeanor and, upon conviction thereof, shall be subject to a fine not to exceed \$100.00.
- (g) Permits purchased pursuant to this section shall only be issued for vehicles registered with the state department of motor vehicles, if required by law. If the state department of motor vehicles requires a vehicle to be registered with the city, all city taxes and fees must be paid prior to the issuance of a parking permit for such vehicle. However, in addition to the vehicle's registration, all renters must provide the director of finance with a valid written lease for property located within a district in order to qualify for a resident permit.

(Code 1993, § 28-264; Ord. No. 2010-93-79, § 1, 5-10-2010)

### **Sec. 102-303. Special Parking Districts Program—Established, purpose, goals.**

- (a) *Established.* There is hereby established a Special Parking Districts Program to provide for the expenditure of funds derived from certain parking fines imposed pursuant to [section 102-243\(b\)\(3\)](#) of this Code. The Director of Finance shall administer the Special Parking Districts Program.
- (b) *Purpose and goals.* The purpose of sections [102-303](#) through [102-306](#) of this Code is to set forth the general provisions pursuant to which the Director of Finance shall administer the Special Parking Districts Program. The goals of the program are to ensure proper funding for the permitting process established pursuant to sections [102-301](#) and [102-302](#) of this Code for residential restricted parking districts and to improve resident and visitor parking conditions in such districts. The parameters set forth in sections [102-303](#) through [102-306](#) of this Code shall apply to the program.

(Ord. No. 2011-78-62, § 1, 4-25-2011)

**Sec. 102-304. Same—Permitted expenditures from fund.**

- (a) There shall be no expenditure from the Special Parking Districts special fund except expenditures for the services and activities set forth in subsection (b) of this section used for residential restricted parking districts established pursuant to [section 102-301](#) of this Code.
- (b) The following services and activities in residential restricted parking districts may be funded by the Special Parking Districts special fund:
  - (1) Providing clearly marked crosswalks.
  - (2) Providing off-duty police patrols for the purpose of responding to reports of loud noise and other disturbances associated with celebrations and festivities.
  - (3) Maintaining and improving safety and cleanliness.

(Ord. No. 2011-78-62, § 1, 4-25-2011)

**Sec. 102-305. Same—Performance measurements.**

- (a) The Director of Finance shall conduct a study annually to determine if the program has successfully achieved the goals set forth in [section 102-303](#) of this Code and submit a report of the results of such study to the City Council by no later than March 1 of each year. The report shall include (i) details concerning expenditures from the Special Parking Districts special fund, (ii) the sufficiency of the fund to achieve the goals set forth in [section 102-303](#) of this Code and for the services and activities for which monies from the Special Parking Districts special fund may be expended in accordance with [section 102-304](#) of this Code, (iii) the results of the surveys conducted in accordance with [section 102-306](#) of this Code and (iv) any recommendations for improvement of the program.
- (b) The Director of Finance shall monitor the use of the Special Parking Districts special fund to ensure that there is sufficient funding for the permit process established pursuant to sections [102-301](#) and [102-302](#) of this Code for residential restricted parking districts and for the services and activities for which the Special Parking Districts special fund may be expended and to ensure that the proceeds from the Special Parking Districts special fund are properly allocated in accordance with this Code and other applicable law. In addition, the Director of Finance shall consider the results of the surveys conducted in accordance with [section 102-306](#) of this Code.

(Ord. No. 2011-78-62, § 1, 4-25-2011)

**Sec. 102-306. Same—Administration.**

- (a) *Appointment.* The Director of Finance shall appoint a designee, who may be an employee of the Department of Finance with other duties, for the purpose of determining if the program has successfully achieved the goals set forth in [section 102-303](#) of this Code.
- (b) *Designee duties.* The designee appointed pursuant to subsection (a) of this section shall serve as a liaison between the City and the communities served by the Special Parking Districts Program to address any concerns related to the Special Parking Districts Program and shall monitor pending applications for establishment of a residential restricted parking district pursuant to [section 102-301](#) of this Code. The designee shall also conduct a survey of neighborhood groups affected by the Special Parking Districts Program administered in accordance with sections [102-303](#) through [102-306](#) of this Code for the purpose of determining if the program has successfully achieved the goals set forth in [section 102-303](#) of this Code and submit a report to the Director of Finance concerning the survey results and any pending applications for establishment of a residential restricted parking district pursuant to [section 102-301](#) of this Code.

*(Ord. No. 2011-78-62, § 1, 4-25-2011)*

**Secs. 102-307—102-325. Reserved.**