

**TOWN OF LEESBURG
NOTICE OF PUBLIC HEARING**

LEESBURG TOWN CODE AMENDMENTS:

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE V (STOPPING, STANDING AND PARKING), DIVISION 2 (PARKING METERS), SECTIONS 32-172 (DEFINITIONS); 32-174 (MARKING OF METER SPACES AND ERECTION OF METERS); 32-175 (INFORMATION TO BE GIVEN ON METERS); 32-178 (DEPOSIT OF COIN; OCCUPANCY OF METERED SPACE; ETC.)

In accordance with Code of Virginia of 1950, as amended, Sections 15.2-1102, 15.2-1427 and 46.2-1220, the Leesburg Town Council will hold a public hearing on:

Tuesday, October 11, 2016, at 7:30 P.M.
in the Council Chambers of Town Hall,
25 West Market Street, Leesburg, VA

at which time the public shall have the right to present oral and written testimony on proposed amendments to the Town Code. The following ordinances will be discussed and may be enacted in whole or in part:

Sec. 32-172. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Parking meter means a mechanical or electronic device located or installed upon a public street or sidewalk or in a parking lot, in any place designated as a parking meter zone under this division, which device shall entitle parking privileges to be extended to the vehicle operator upon payment record a certain number of minutes, by the use of a clock mechanism, determining the period of time for which parking privileges may be extended to the person depositing a coin therein. The phrase parking meter shall be deemed to include a parking pay station for multiple parking spaces and all provisions applicable to parking meters shall apply to parking pay stations. On or near Each parking meter shall be displayed the following: indicate by proper legend affixed to the side of the meter containing the coin slot payment the legal parking times established by the town, the manner of operation, and time limitations, if any and when operated shall at all times indicate the balance of legal parking time, and the expiration of such period shall indicate illegal or overtime parking.

Sec. 32-174. - Marking of meter spaces and erection of meters.

(a) On streets designated as in the parking meter zones established by this division, the town shall cause separate parking meter spaces to be marked on the surface of the street or by other appropriate means and shall erect or cause to be erected a parking meter on the sidewalk or

pavement adjacent to each such marked parking meter space. **Pay stations shall be centrally located on a street adjacent to the parking meter spaces they serve.**

(b) On parking lots owned **or operated** by the town, the town shall cause separate parking meter spaces to be marked on the surface of such parking area, or by other appropriate means, and shall erect or cause to be erected a parking meter adjacent to each such marked parking meter space. **Pay stations shall be centrally located within the parking lot.**

Sec. 32-175. - Information to be given on meters.

Each parking meter shall, on the side of the meter containing the ~~coin~~ **payment** slot, display the following:

- (1) The denomination of the legal ~~tendereoin~~ **tendereoin** of the United States **or other authorized payment** to be deposited **or made**, as provided in this division.
- (2) The legal parking times established by the town, in which the vehicle may be parked and the time when such period has elapsed.
- (3) Information as to the manner of operation.

Sec. 32-178. - Deposit of ~~coin~~ payment; occupancy of metered space; etc.

- (a) The owner or operator of a vehicle, upon entering a parking meter space marked as provided in this division, during the time parking meters are in operation as provided by section 32-177, shall immediately deposit a legal ~~tendereoin or combination of coins~~ **tendereoin** of the United States **or other authorized payment** in the parking meter situated adjacent to the parking meter space **or located in a central location, including users of “pay by phone” or other technology-based parking payment option. Such owner or operator of a vehicle so entered and** shall operate the parking meter according to the instructions thereon. Failure to comply with such requirements shall be unlawful. However, vehicles displaying license plates with official ~~p~~**Purple** ~~h~~**Heart** or former POW designations shall be allowed to park at such metered parking spaces free of charge up to the posted time limit on the parking meter. A disabled person, vehicle owner, or volunteer for an institution or organization to which disabled parking license plates, organizational removable windshield placards, permanent windshield placards, or temporary removable windshield placards are issued or any person to whom disabled parking license plates have been issued pursuant to Code of Virginia, § 46.2-739(B) shall be allowed to park the vehicle on which such license plates or placards are displayed for up to four hours in a parking meter space and shall be exempted from paying parking meter fees.
- (b) Upon the deposit of a \$.05, \$.10 and \$.25 coin, **other authorized payment, or utilization of “pay by phone” or other technology-based payment option,** and placing the parking meter in operation, the parking meter space may be lawfully occupied during the period of time prescribed ~~on the parking meter legend~~ for the particular amount deposited.
- (c) Parking meters when properly operated shall be so adjusted that initial or additional ~~\$.05, \$.10 and \$.25 coins~~ **payment** may be ~~made~~**deposited** at any time throughout the allowed period, as long as the allowed limit is not exceeded by any one

vehicle occupying the same space. Unless otherwise stated in this division, the deposit of each \$0.05 coin shall permit the vehicle to be parked for a period of two minutes; and the deposit of each \$0.10 coin shall permit the vehicle to be parked for a period of four minutes; and the deposit of each \$0.25 coin shall permit the vehicle to be parked for a period of ten minutes. **The rates set forth above do not include any convenience fee that may be charged by the service provider for a “pay by phone” or other technology-based parking payment option.**

- (d) It shall be unlawful for the operator of a vehicle to park such vehicle, or to permit such vehicle to remain parked in a parking meter space, during the hours of operation of the parking meter pursuant to section 32-177, for a period longer than the maximum time ~~indicated on the meter~~ **allowed** from the time the vehicle is so parked in any such parking meter space.

A copy of the proposed ordinances are available from the Town Clerk, located in Town Hall, 25 West Market Street, Leesburg, Virginia, during normal business hours (Monday-Friday, 8:30 a.m. to 5:00 p.m.); or by calling Lee Ann Green, Town Clerk, at 703-771-2733.

At this hearing, all persons desiring to express their views concerning these matters will be heard. Persons requiring special accommodations should contact the Clerk of Council at 703-771-2733, three days in advance of the meeting. For TTY/TDD service, use the Virginia Relay Center by dialing 711.

10/5/2016



Date of Council Meeting: October 11, 2016

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Amendments to Town Code Chapter 32: Payment methods for metered parking.

Staff Contact: Clark Case, Director, Finance & Administrative Services
Ellen Windley, Finance Operations Manager, Finance & Administrative Services
Barbara Notar, Town Attorney

Council Action Requested: Amend the Town Code to expand payment methods for metered parking.

Staff Recommendation: Staff supports the proposed Town Code amendments to expand payment methods for metered parking.

Commission Recommendation: Not applicable.

Fiscal Impact: The Town's enforcement of expired metered parking at spaces currently generates approximately \$20,000 per year in fines. As result of new technology, the Department of Finance and Administrative Services supports the move to automated payments for increased customer convenience which will be revenue neutral.

Work Plan Impact: None.

Executive Summary: In August 2016, the Town entered into a contract with Parkmobile, a mobile payment option allowing customers to pay for metered parking through a mobile website application using their credit cards. The Town Code must be updated to account for technological advancements in payment methods.

Background: Until August 2016, Town meters accepted payment by coin only. Town staff identified alternative payment options to Town metered parking in order to provide more convenience to customers who wish to utilize the Parkmobile application and pay for parking via credit card. The Town Code must be updated to account for and penalize expired parking time at those meters where customers utilize alternative payment options.

Attachments: Proposed Ordinance

PRESENTED: October 11, 2016

ORDINANCE NO. _____

ADOPTED: _____

AN ORDINANCE: AMENDING

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE V (STOPPING, STANDING AND PARKING), DIVISION 2 (PARKING METERS), SECTION 32-172 (DEFINITIONS)

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE V (STOPPING, STANDING AND PARKING), DIVISION 2 (PARKING METERS), SECTION 32-174 (MARKING OF METER SPACES AND ERECTION OF METERS)

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE V (STOPPING, STANDING AND PARKING), DIVISION 2 (PARKING METERS), SECTION 32-175 (INFORMATION TO BE GIVEN ON METERS)

CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE V (STOPPING, STANDING AND PARKING), DIVISION 2 (PARKING METERS), SECTION 32-178 (DEPOSIT OF COIN; OCCUPANCY OF METERED SPACE; ETC.)

WHEREAS, Code of Virginia of 1950, as amended, Sections 15.2-1102, 15.2-1427, 46.2-1220 authorize the governing body of any locality to provide for the regulation of parking, stopping, and standing of vehicles within its limits; and

WHEREAS, the Leesburg Town Code, Chapter 32, Article V, Division 2 establishes the definition, marking, erection, information and use of parking meters; and

WHEREAS, the Leesburg Town Council wishes to account for technological advancements in payment methods at Town parking meters.

The Council in the Town of Leesburg, Virginia hereby ORDAINS:

That, pursuant to Section 1-9 of the Town Code of Leesburg, the following sections of Chapter 2 (Traffic and Vehicles), Article V (Stopping, Standing and Parking), Division 2

AN ORDINANCE: AMENDING CHAPTER 32 (TRAFFIC AND VEHICLES), ARTICLE V (STOPPING, STANDING AND PARKING), DIVISION 2 (PARKING METERS), SECTION 32-172 (DEFINITIONS), SECTION 32-174 (MARKING OF METER SPACES AND ERECTION OF METERS), SECTION 32-175 (INFORMATION TO BE GIVEN ON METERS), SECTION 32-178 (DEPOSIT OF COIN; OCCUPANCY OF METERED SPACE; ETC.)

Parking Meters) of the Town Code are hereby amended to read as follows:

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- (b) Upon the deposit of a \$.05, \$.10 and \$.25 coin, **other authorized payment, or utilization of "pay by phone" or other technology-based payment option,** and placing the parking meter in operation, the parking meter space may be lawfully occupied during the period of time prescribed ~~on the parking meter legend~~ for the particular amount deposited.
- (c) Parking meters when properly operated shall be so adjusted that initial or additional ~~\$.05, \$.10 and \$.25 coins~~ **payment** may be ~~made~~ **deposited** at any time throughout the allowed period, as long as the allowed limit is not exceeded by any one vehicle occupying the same space. Unless otherwise stated in this division, the deposit of each \$.05 coin shall permit the vehicle to be parked for a period of two minutes; and the

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deposit of each \$0.10 coin shall permit the vehicle to be parked for a period of four minutes; and the deposit of each \$0.25 coin shall permit the vehicle to be parked for a period of ten minutes. **The rates set forth above do not include any convenience fee that may be charged by the service provider for a “pay by phone” or other technology-based parking payment option.**

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SECTION II. Severability. If a court of competent jurisdiction declares any provision of this ordinance invalid, the decision shall not affect the validity of the ordinance as a whole or any remaining provisions of the Leesburg Town Code.

SECTION III. This Ordinance shall become effective on the date of its adoption.

PASSED this _____ day of _____, 2016.

David S. Butler, Mayor
Town of Leesburg

ATTEST:

Clerk of Council