

# Parking Enforcement Strategy And Next Steps

23-24-004 River District Parking Enforcement



October 17, 2024

By



# **Parking Enforcement Strategy and Next Steps.**

## **PREPARED FOR:**

The City of Danville  
427 Patton Street, Suite 203  
P.O. Box 3300  
Danville, VA 24543

### 1.0 SCOPE (From the original RFP)

The purpose of the RFP is to solicit proposals from qualified firms to develop ideas and implementation strategies for parking enforcement in the River District. The plan should include evaluating the current parking ordinances and making recommendations for changes, implementation of all parking fees and structure and clearly identifying roles and responsibilities for each strategy. The plan should include a timeline and cost for implementation of the strategy.



# Danville River District Parking Enforcement (Compliance) Plan

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## Executive Summary

We are pleased to provide this final report to complete the second phase of this project, the Enforcement Strategy.

It has been a privilege for the Parking Whisperer and Pivot Parking senior staff to spend many days in Danville on three separate outings. We enjoyed meeting so many of the wonderful citizens and working to create strategies to showcase the River District and downtown Danville. These strategies will further create a sparkling first and last impression and foster a warm and inviting city with ample and convenient parking for all drivers and their guests.

This executive summary is designed for those readers who may only be interested in some of the documents but are very interested in the general outlook and key recommendations.

This project has grown far more than the Scope of Work, which was to develop and provide a parking enforcement strategy. During our multiple visits to the River District and Danville, we have directly touched more than seventy-five direct contacts and dozens more while attending the opening farmers market weekend and other events. We enjoyed unprecedented success in our digital survey, and working with the City and River District staff We are quite impressed with the city.

City officials were proactive in hiring an operational parking consultant to evaluate the current parking and mobility operation, identify issues and opportunities, and provide enforcement strategies to prevent potential parking issues from slowing the city's growth or negatively impacting Danville's impressive recent growth and bright future.

We recommend that several additional projects be pursued after receiving this report. This document is designed as a blueprint for success, with multiple options designed to accommodate every driver type. It recognizes the current pressure points and anticipates the needed strategies for the future.

This is a custom document with no "canned" or boilerplate documents of any kind. The Parking Whisperer's CEO, one of Pivot Parking's founders, and a municipal Executive Vice President with more than two decades of experience on the "Danville side" have performed this work entirely.

We enthusiastically acknowledge the substantial contribution of the River District staff, the City of Danville, and the Danville Police and Fire departments. We applaud the dozens of businesses and citizens whose feedback has been a significant portion of these recommendations. We encourage them to complete their review of this document. While understanding that this report is substantial and may likely be a little more parking information than most readers will choose to consume, we find it prudent that each section be considered, with all feedback welcome and open for further discussion.

Although we have used Compliance and Enforcement fairly interchangeably in this document for familiarity, we recommend moving forward with a “Compliance Program” rather than enforcement. Compliance is our goal for all to join in the program, avoid citations, and always be safe.

***Our six primary recommendations are:***

1. Initiate/expand timed parking spaces with consistent compliance (enforcement) to best serve the businesses, residents, retailers, and general public in Danville's River District and core areas. These spaces would be well-identified with consistent, uniform, and color-coded signs that reflect the needs of each block face. Each type of space would have its own color. The signs would be designed and mounted so that future additions to them are easily added just below the 18 x 24 sign base. Consistent enforcement would provide the desired and necessary compliance to service the many competing parking needs within the Danville River District.
2. Review and address the needs of key groups currently using the public parking inventory. This includes special needs (ADA, accessible or handicapped). On average, provide one accessible space on each block face, review if additional spaces are needed, and always meet or exceed the requirements of the Americans with Disabilities Act (ADA).
3. Implement a Residential Permit Parking Program (RPPP) in appropriate areas, which we believe is a critical component of the overall parking program to service the competing needs of residential and commercial/retail/student stakeholders during peak hours.
4. Extend the consulting project (Phase Three) to an operating agreement to complete the tasks above, as well as those outlined (once approved) throughout this document. Pivot Parking has been a critical team member and would bring institutional knowledge and resources to serve the River District well. Pivot would absorb the burden currently placed on the various city staff and departments with other critical focus areas. Post approval, Pivot would immediately assume the responsibilities of enforcement/ambassadorial staffing, citation and permit management, customer service, citation appeals and adjudication, ongoing analysis, and consulting for the City. This would allow Pivot and Parking Whisperer to assist with consulting on the planned parking structure(s) and optimize their operation with the proper technologies, signage, operational recommendations, communication, and management of these facilities once they are delivered. The garage projects are recommended via Phase IV with the appropriate fee structure.
5. To achieve optimum success, the City of Danville should create a Parking Authority to manage Pivot Parking and the River District parking program and evaluate the success and information gained after a sufficient number of days post-implementation. The mechanism already exists to do so.
6. Finally, multiple similar projects have proven that some limited paid parking will be the likely outcome even after consistent compliance practices are implemented. Once the change in driver behaviors can be further evaluated, we will develop a plan for paid parking to achieve the desired turnover. This approach provides a framework ensuring needed focus and resources to create and extend the best parking experience for all drivers at a minimum cost (if any) within a few months of successful implementation.

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## 1. Parking Compliance Strategy Introduction:

- a. **The current parking inventory situation assessment:** The approximate number of public parking spaces available today:
  1. According to the study completed in 2020 and after reviewing the maps provided during our initial assessment and walking/driving the city, the following parking spaces have been identified as available for public use within the River District:
    - a. On-Street- Approximately 1350
      - i. Approximately 375 of these spaces are currently timed restricted
    - b. Off-Street- Approximately 1050
      - i. The Crossings- 250
      - ii. Newton's Landing- 400
      - iii. Acree's Warehouse Garage- 130
      - iv. Lynn St. Lot- 85
      - v. Monument St. Lot- 130
      - vi. Main St. Lot- 30
      - vii. Union St. Lot- 25
- b. **Private partnership opportunities for the use of non-public parking lots:** We have identified the following locations as immediate opportunities for public-private partnership, during the peak weekday/daytime hours and particularly during the evening hours:
  - a. Bridge and Newton Lot (Riverfront Management)
    - i. This lot has an average of approximately 40-50 available spaces during the peak weekday daytime hours and could accommodate additional residents without dedicated parking in their apartment building.
  - b. Wilson and Lynn St. Lot
    - i. While not a large location(approximately 20 available), this lot is conveniently located near nearby businesses and could potentially be utilized for employee-permitted parking.
- c. **Opportunities for the use of city-owned parking lots:**
  1. We have identified the following city-owned lots as typically having additional inventory during peak weekday/daytime hours:
    - a. Newton's Landing Lot(s)
      - i. The west section of this lot is more heavily utilized daily; however, there appears to be an average of 200 available spaces within the other sections.

- b. Lynn St. Lot (North side of Lynn)
  - i. This lot appears to have an average of 65 available spaces (approx. 30 around 3pm):.
- c. Monument St. Lot (East of Newton St.)
  - i. This lot appears to have an average of 100 available spaces.

d. **City spaces and loading zones:**

- 1. We have observed loading zones provided to businesses, presumably upon request, increasing from approximately 40 at the time of the 2020 study to nearly 60 during our initial assessment.
  - a. We recommend reassessing all current loading zones to ensure they are appropriately servicing the existing needs and, when appropriate, converting these spaces to public parking spaces.
  - b. Any loading zone with limited operational hours would return to general parking use to serve the public.
  - c. All new requests for loading space(s) would follow a new application process.

## **2. Public Outreach and Participation:**

### ***Danville River District Stakeholder Meetings –***

The team traveled to Danville on six separate occasions throughout the process March 26th, 27th, and 28th – Five in-person Stakeholder meetings conducted at the municipal building. This included both public and private stakeholders.

- a. Kenneth Porzio – Community Market Manager, Department of Parks and Recreation
- b. Samantha Bagbey – Program Manager, Department of Economic Development and Tourism
- c. Assistant Chief Steve Richardson – Danville Police Department
- d. Chief Chris Wiles – Danville Police Department
- e. Diana Schwartz – CEO River District Association
- f. LaShawn Farmer – River District Association
- g. William Elam – Palace Barber Shop
- h. Jeffrey D. Gignac – Vantage Art Flats
- i. Bill Sgrinia - Director of Parks and Recreation
- j. Brian Dunevant - Assistant Director of Public Works
- k. Ryan Dodson – Danville Assistant City Attorney
- l. Larz Kegerreis – Kegerreis Digital Marketing

Following this visit, at least three (3) additional phone calls and at least four (4) additional one-on-one meetings with stakeholders were conducted. We continually encouraged all participants to share the meetings and provide us with others to contact.

### ***Additional Meetings:***

- April 10: Zoom Meeting with Ross Fickenscher,
- April 16: Follow up Zoom with Kelvin Perry, Department of Economic Development and Tourism
- April 18: Developer Zoom Meeting with Tex Rose, Mark Hermann, Joe Frontoza.
- April 24: All things parking Zoom Meeting, Paul Dincin, Catapult Real Estate Solutions (Spring St. Garage developers).
- From May 2 to 5: Brandon and John visited Danville, held multiple meetings, and observed Saturday Market parking challenges while interacting with dozens of attendees and drivers.
- May 8: Zoom Meeting with Adam Goebel
- May 9: Zoom meeting with Ryan Dodson regarding parking ordinance changes & potential parking authority or oversight entity.
- May 14: Zoom meeting with several City of Danville stakeholders (Ryan Dodson, Lori Flanigan, Corrie Bobe, Kelvin Perry) regarding possible ordinance changes and parking authority activation.
- May 16: Zoom Meeting with John Oglesby, Brandon Lauterbach, Gary Means, Kelvin Perry



Overall consistent themes that emerged during our many public and stakeholder meetings:

- The 120 Apartments being built on Craghead will have a major impact on parking availability once they are occupied. Off-street facilities should be used for longer-term residential parking, while on-street parking should be used for short-term, commerce-related parking.
- The Community Market's success is dampened by area residents utilizing The Crossing parking lot before and during the event(s). Residents are parking in spaces that should be for customers.
- ADA (accessible/handicapped) spaces may not be designated with correct markings and signage, and enforcement is very lax, creating an issue for those with disabilities. ADA parking needs to be addressed throughout the district. Loading zone abuse is a concern as is blocking entrances and exits.
- Locations with alleys near or behind their business have less of a delivery problem. Many suggested requiring new residential developments to provide adequate parking for residents and not rely on street parking. Court Street has too much demand for available parking inventory. Part-time enforcement isn't enough with all the new developments.
- Citations need to change from "criminal" to "civil" to keep them out of the court system and expedite the process's administration. Walking can be a challenge on some streets with steep inclines, causing selective parking decisions.
- Public transit could be part of the solution if bus stop amenities were improved.
- Wayfinding and signage need improvements. Safety was mentioned on several occasions. More parking facilities need to be developed. The Spring Street Garage will help some. Parking needs to fall under one umbrella of responsibility and management.

### 3. Parking Survey Results:

From April 15, 2024, through May 23, 2024, a twenty-one-question survey regarding parking in the Danville River District was made available to the public. It was heavily promoted through many social media posts, press releases, handouts at public gatherings, word of mouth, and substantial postings of signed and radio promotion at the Opening weekend of the Danville Farmers' Market at the Community Market.

Some 467 unique individuals submitted responses. 115 of the respondents left comments regarding parking. Below is a summary of the answers to the questions and additional comments:

- 24% of survey respondents indicated they were Downtown residents
- 20% were Downtown business owners
- 8% were Downtown property owners
- 46% were other (most likely downtown employees)

Regarding where the respondent lives:

- 44% stated in Danville, but outside of Downtown
- 35% live outside of the Danville City Limits
- 20% live in downtown Danville

When asked where they work:

- 47% said they work in downtown Danville
- 36% said they work in Danville outside of downtown.

Most respondents visit the River District frequently:

- 49% visit every weekday
- 38% once or more per week.

The top reasons for visiting the River District include:

- Dining (27%)
- Attending special events or festivals (19%)
- Working (16%)
- Shopping follows closely behind with 12%.

Most business tenants and visitors use off-street parking spaces:

- Without cost to drivers (33%)
- Followed by on-street unlimited time spaces (24%).

Owners and Managers of River District Businesses personally park in the following areas:

- 47% park in off-street (lot or garage) parking spaces that they own or rent
- 37% park in on-street, unlimited time spaces
- 12% park in on-street, 2-hour spaces
- 3% indicated they utilize on-street, 1-hour spaces.

Difficulty of Finding Parking: A significant portion of respondents find it difficult to find parking in the River District, with 55% describing it as very difficult to somewhat difficult.

Perception of On-Street Parking Availability: Only 4% strongly agree that there is enough convenient on-street parking, while 75% disagree.

Duration of On-Street Visitor Parking: Half of respondents believe one to two hours best describes the time visitors need for on-street parking, and 33% said two to three hours. A large majority (72%) disagree that there is enough off-street parking, with 22% agreeing.

Challenges with Finding Parking: A majority (63%) of respondents attempted to visit the River District but needed help finding a parking space. Most respondents (82%) have had to park in off-street parking lots or garages at some point.

ADA Accessible Parking Spaces: A majority (59%) feel there are not enough ADA-accessible parking spaces in the River District. The areas most identified for needing additional ADA-accessible parking spaces are as follows:

- At and near the community market. 20%
- Surrounding the residential buildings on Craghead Street. 20%
- Surrounding the residential buildings on Lynn Street. 15%
- Surrounding the residential buildings on Monument Avenue. 9%
- Surrounding the businesses on Union Street. 14%
- Surrounding the businesses and government buildings on Court Street. 18%

Only 35% of respondents believe there is adequate wayfinding signage to help find off-street parking spaces.

Busiest Times for On-Street Parking: Weekdays during lunch and weekends in the afternoons and evenings are identified as the busiest times when on-street spaces are full.

Desire for Additional Parking Garages or Lots: A large majority (87%) of respondents believe that more parking garages or lots should be developed in the River District.

When asked If a well-lit, conveniently located garage was built in the River District, respondents indicated they would use it if All on-street spaces were full - 26%. It was close to your destination - 35%. It was a weekday during lunch - 10%. It was not too expensive - 25% and only 1% said they would not use it.

### **The 116 Survey Responses with comments provided are categorized into 10 Categories:**

Below are a few random responses from each category:

#### **1) Need for More Parking Infrastructure:**

*"Update areas where loading zones used to be but are not anymore. Several more street spaces could be available if not for false loading zones from years ago."*

*"Need a parking deck where Lou's Antiques used to be. People parking for the river walk take up all the spaces, so that the businesses don't have any."*

*"Should make Lynn one way and do parking on both sides."*

*"Need more parking in River District."*

*"Whenever the city has concerts and venues at the pavilion or community market, we receive emails from our landlord Riverfront Real Estate that we need to move our cars. This is done so that the attendees have adequate parking. Meanwhile, we struggle to find parking and if we do find any its a mile away, which results in many traveling a great distance. We need 2 parking structures just for the area near the community market and train station."*

*"There are not enough spots for parking in general due to all the new apartments that are being built. There should be a parking garage for the city employees and court people to use, as they take up most of the all-day parking."*

*"The new proposed lots will be great. People will complain no matter how many parking spots are available."*

*"More parking is needed. Major issue at our apartment building which is for seniors. Many residents have to park on-street. More lots are needed and open parking behind Main Street so people can park all day."*

*"Allow the Parking Garage to be approved to be built as the design is created with no alterations."*

*"The Market area needs its own lot. It is very hard to find for any event there or during the farmer's market. Customers have such a hard time as do vendors. Plus, the lofts etc. pretty much take over the lots there and they should have their own lots. "*

## **2) Parking Accessibility and ADA Compliance:**

*"Handicapped parking is a necessity. As a mother with a disabled teenager, it is not fun to have nowhere to park to enjoy the downtown restaurants etc. "*

*"There are practically no accessible parking spaces for residents. Numerous spots are marked and located incorrectly and violate ADA laws. There are numerous obstacles on the sidewalks that limit the passage for wheelchair users."*

*"In all of your planning, please consider the elderly and the handicap, we frequent the River District, also."*

*"Parking lots kill the vitality, character, and walkability of downtowns. Just because people can't always park directly in front of their destination does not mean that we don't have enough parking. ADA accessibility, however, is a serious issue downtown. I'd love to see this addressed through the study. "*

*"ADA compliant parking is needed on Bridge Street too."*

## **3) Parking for Specific Events and Locations:**

*"It would be helpful if residents had lots dedicated to them rather than parking in the public lots taking spaces away from those trying to visit businesses, restaurants, special events and the Farmers Market."*

*"The community market parking lots should not be used by the people that live in the downtown condos on the weekends due to that prevents customers from having parking in order to shop at the Saturday community markets craft shows."*

*"I live in the River District and feel that the lot to the west of the Community Market is full of apartment residents' cars. It is a shame that when Cottontail Wedding and Events hosts an event, they don't have space to host the guests. "*

*"Parking at the Farmers' Market is a nightmare."*

*"Parking is the worst part about going to the Carrington Pavilion for concerts. a lot of people don't go to the concerts because of the long walks."*

*"The Market area needs its own lot. It is very hard to find for any event there or during the farmer's market. Customers have such a hard time as do vendors. Plus, the lofts etc. pretty much take over the lots there and they should have their own lots. "*

*"Parking for the Farmers Market has become very difficult. Residents of the Craghead Street area should not be allowed to use that lot during Farmers Market hours."*

#### **4) Concerns about, or the need for, Parking Enforcement:**

*"I have signed up for classes for Main St Art Collective that last up to 3 hours, but it is difficult to park downtown for that length of time, especially with the close proximity of the business, which makes me not want to sign up for the classes. Also, during weekday lunch, I sometimes must drive around looking for an open spot to park to go to Delanos."*

*"Stop letting condos use taxpayer street parking for their own personal gain. Please put time limits on the street parking so businesses can get customers into their place of business conveniently."*

*"The one-hour street parking on Main Street IS NOT SUFFICIENT for customers to be able to dine and visit more than one shop. It has definitely affected our business in a negative way. The street parking needs to be returned to a two-hour parking (on Main Street) in order to allow customers more time to shop without feeling they have to rush to move their cars. I feel it keeps people from coming to the area since the parking is limited and limited to an hour on top of that."*

*"I tried to find parking at restaurants on the weekend, but most street parking is always full."*

*"Main Street is constantly filled with employees parking along the street which means our customers have nowhere to park. We've had several customers who have stated they couldn't come to the shop because there was no parking available. The city needs to enforce current parking restrictions that are blatantly being ignored and hurting local businesses. "*

*"These questions target visitors not the people that live here. Bridge Street isn't even mentioned. Our parking is terrible. People use the handicap parking without a placard or HP Tag and never even get a ticket. They also park in marked NO PARKING areas and at corners making travel difficult. Maybe if they gave out more tickets and raised the amount of the fine it would be more meaning full. Take care of the people that live here first then worry about the visitors."*

*"AS for ADA parking spaces enough exist but so many vehicles without h/c signs or license plates occupy those spaces it causes problems. Strong enforcement should be required of non-handicap vehicles in those spaces."*

*"As someone who utilizes the parking garage at Craghead daily, a big issue is those who park long term in spaces or in the parking garage taking up prime parking for visitors/customers. I'm assuming these people have multiple vehicles or work from home as I've noticed some vehicles have been parked in the same space for months."*

*"Enforcement of parking restrictions is a large contributor to the issue. People Park wherever is convenient because they won't be ticketed or towed. "*

#### **5) Safety and Security Concerns:**

*"As a young female, without lighting, cameras, and security I will not use a parking garage. Statistically, one in every four rapes takes place in a parking garage. "*

*"As a woman, I would not use it {parking garage} when alone."*

*"Too many panhandlers making the current parking garage feel unsafe."*

*"I used to love Acree's parking garage but last time I used it I was confronted by an aggressive panhandler inside so have never used it again."*

*"On street parking poses major safety concerns for people trying to turn on Craghead from side streets and the Crossing. Drivers can't see up/down Craghead unless they pull into the travel lane due to cars parked on street blocking view."*

#### **6) Preference for Free Parking:**

*"Free parking is essential to a vibrant downtown."*

*"So far, garage parking is free. Would hate to see severe price increases."*

*"Free off-street parking would be helpful. My employees can't afford to pay \$50/month to park."*

*"Parking garages should be free like the one on Bridge Street."*

*"Parking should be convenient, accessible, and free for residents in the River District. To lure people into relocating here and then hitting them with surprise fees and uncertainty about where they can store their vehicles, which they are paying taxes on, is to ensure you will have a revolving door of downtown citizens. Additionally, the River District will begin to gain a reputation as not being resident-friendly and it will become more difficult to attract residents."*

*"Parking garages should at least be free for less than 2 hours."*

*"Under no circumstances can we charge for parking. There are not enough offerings or development to justify it."*

#### **7) Impact on Business and Economic Activity:**

*"In all of your planning, please consider the elderly and the handicap, we frequent the River District, also."*

*"We really need to take of the parking situation -Also at the community market building the parking lot is being overtaken by the apartment residents who already have ample parking in the back of their building- the Pemberton for example- thank you for your time."*

*"Saturdays at the farmers market can be a real parking challenge. I have several times had customers call me on the phone and I walked out to meet them at their car because no parking was available. This is a large part of my livelihood. It pays my bills. Parking at the market should be for the market. "*

*"Overnight parking in the community market lots needs to be prohibited on Friday nights. There was already limited parking for the farmers market and now since the lofts have opened, they have taken most spots. This is detrimental to the success of local farmers and local artisans that use the market as a means of income. If customers can't park, businesses fail."*

*"All new residential buildings (lofts, apartments) should be required to provide two parking spaces per unit on the property."*

*"There is NO parking for the courthouse - jury members or taxpayers, etc.!"*

*"Every empty free on-street parking space is a policy failure. More off-street to alleviate Main St, Craighead near apt is needed. Otherwise on-street parking should in no way limit the density of housing/businesses downtown. "*

*"Since all of the new apartments have been developed downtown, the few businesses on Craghead have had little available parking."*

### **8) Residential Parking Issues:**

*"Farmer's market lot should not be available as residential parking."*

*"Hard to find parking at community market; spots are filled by apartment tenants before the market even opens."*

*"It should be mandatory for new residential development/develops to provide adequate parking for their tenants!!! "*

*"Since all of the new apartments have been developed downtown, the few businesses on Craghead have had little available parking."*

*"The City of Danville needs to end residential parking at the Community Market parking lots."*

### **9) Suggestions for Improvements and Solutions:**

*"I would also like to see increased accessibility without the use of cars for walking or biking. "*

*"Make more one-way streets."*

*"The apartment buildings should be REQUIRED to provide parking for their tenants even at a cost to them. They are the ones causing the problems on the River District, especially when one wants to go to events at the Community Market or Carrington Pavilion. "*

*"I would absolutely love a parking garage near The Bee ;) "*

*"Many residents who live nearby are using the parking garage off of Craighead Street as their own personal garage for their vehicle. Spectrum never has enough parking for patients that is easily accessible. "*

*"All new residential buildings (lofts, apartments) should be required to provide two parking spaces per unit on the property."*

*"Parking is difficult for people who work downtown daily. Personally, I am a state employee who works on Lynn Street, and I have to fight for parking every single day. A lot of parking is only for two hours, and I will get a ticket despite being at work and needing somewhere to park close to my office. It would be a nice option if people who work downtown could purchase a parking pass that allows them to park anywhere near their place of employment and not get ticketed. "*

*"Convenience is the real key!"*

*"More Ev chargers are needed."*

## 10) General Comments and Feedback:

*"Our family mostly utilizes YMCA and Danville Science Center."*

*"I think we are much better, regarding downtown parking, than Greensboro."*

*"All if Danville needs a comprehensive professional traffic study. We've way outgrown our infrastructure. Same for residential housing. "*

*"I cannot speak for residents of the downtown area, but I feel like there is enough parking for businesses.*

*"River District has become so congested that is easier, most of the time, to avoid it unless it is necessary to go there."*

*"Locals have gotten accustomed and spoiled to parking directly in front of their destination. In other cities, it is not unusual to have to walk two or three blocks to your destination. "*

*"Thank you for the opportunity to give feedback on a much-needed item of concern, as the city of Danville expands with all the new businesses coming to the river district."*

*"Please don't ruin the urban fabric of Downtown with an unsightly parking garage. "*

*"Please remember the hill by the city auditorium will be hard to climb for some people wanting to visit downtown. "*

*"While there is off street parking available, it is not in a convenient location."*



#### **4. Current Parking Ordinances, Enforcement, and Proposed Changes:**

- a. Parking violations that are most common to date.
- b. Current enforcement methods.
- c. Current parking technologies in use.
- d. Current hours of enforcement.
- e. Restrictions to enforcement (staffing, ordinances, or policies).
- f. Review of current and proposed violation ordinances.

Danville's current parking enforcement program is limited due to an extreme lack of resources within the Police Department. A single part-time position has been vacant substantially due to its low pay, part-time basis, and lack of benefits. Parking Enforcement by uniformed officers is a tremendous waste of resources.

The current parking enforcement hardware involved is a carbonless ticket book, which could be more efficient. It requires multi-key manual entry into the system and is prone to human error. There are no scofflaw (repeat offender) logs, and it cannot acknowledge payment. It is also not easily linked to tire chalking and other methods to gauge how long a vehicle has been parked.

Due to limited staffing, the hours of enforcement vary dramatically, and when enforcement is provided, it is not necessarily during peak hours, again due to limited hours and limited resources.

Currently, the police always provide emergency services.

Current parking ordinances include criminalization consequences in the code for parking violations. It is onerous and complicated and requires significant demands of the Police Department to carry out an attempt to collect parking citations. This effort requires \$75.00 to \$150.00 in expenses to collect a \$10 citation while taking a police officer out for for 1-2 hours.

Current parking citation rates at a low rate of \$10.00 are inconsequential, likely not having the desired effect to change driver's behaviors.

#### **REVIEW OF CURRENT ORDINANCES AND RECOMMENDATIONS:**

Attached as Exhibit A is a copy of a draft revision of the current Danville parking ordinances provided to us by Ryan Dodson, Assistant City Attorney for the City of Danville.

We agree with these changes and additions and would support the immediate adoption of them by the City of Danville. In draft sec. 22-182 under General parking prohibitions, we recommend adding the following to the list of prohibitions and restrictions: Street Sweeping, Residential Parking Permit, Blocking Alley, Not Parked within Marked Space, At Yellow Curb, On the Planting Strip/Median, Within 30' of STOP sign and Obstructing Traffic.

Additionally, two very important ordinances that we recommend incorporating would be establishing a Residential Parking Permit Program (RPPP) and, most importantly, the decriminalization of parking violations/citations, which would eliminate the undue burden on the court system as well as citizens wishing to appeal a parking violation/citation.

## **CURRENT ENFORCEMENT COMPLAINT AREAS:**

The overwhelming consensus based on the feedback received from the various stakeholders is that due to the inconsistency and lack of parking enforcement, the current timed zones (30 mins, 1 Hour, 2 Hours, 3 Hours, etc.), and loading zones have not produced the appropriate turnover or availability for customers as designed.

Additionally (and this is common with other downtown areas with enforcement issues), the main complaint is that employees are utilizing the on-street parking spaces most convenient to their workplace, thus preventing visitors to the area from being able to park conveniently near the business they are attempting to patronize.

The River District has a growing number of residents (similar to most cities in 2024) who work from home. Traditional management assumes overnight vehicles will be gone by 6 or 7 am and is often no longer the case.

We have identified specific areas that need increased and consistent enforcement to create the desired compliance and turnover. Please also note that areas of less concern today will require a new focus of enforcement and compliance once the current “violators” begin searching for alternative parking options within the surrounding areas.

- a. Main Street (between Ridge and Craghead)
  - i. While the recent transition from 2-hour to 1-hour timed parking along this stretch has helped create some customer parking turnover, a few merchants have stated that their business requires more than 1 hour. However, we believe that due to nearby blocks providing a 2-hour option for their needs can be satisfied. Regardless, these blocks appear to have the highest need for turnover and, therefore, should be prioritized for enforcement.
- b. Patton Street (between Ridge and Lynn)
  - i. While there is less of a demand for retail than Main St., this stretch appears to have more vehicles staying much longer than the 2-hour posted limit. We assume that these spaces are being used by employees of nearby businesses who keep an eye on their vehicles throughout the day and shuffle them to avoid enforcement.
- c. Union Street (between Spring and Patton)
  - i. Most of these 2 Hour spaces appear to be utilized by employees of nearby businesses who have realized that they can shuffle their vehicles to avoid enforcement.
- d. Market Street (between Spring and Patton)
  - i. Most of these spaces appear to be utilized by employees of nearby businesses who have realized that they can shuffle their vehicles when needed to avoid enforcement.

- e. Court Street (between Patton and Wilson)
  - i. These spaces appear to be utilized by City Hall visitors and employees, and some are not adequately signed.
- f. Lynn Street (between Patton and Newton)
  - i. Competing merchants along these blocks have admitted that their employees are utilizing these spaces, while others frequently call to complain and request enforcement to open up spaces for their customers.
- g. Craghead Street (between Patton and Deboe)
  - i. Most spaces on Craghead St. are not currently timed or restricted, and it appears nearby residents and employees are utilizing these spaces for excessive hours and/or multiple days.
- h. Bridge Street (between Patton and Colquhoun)
  - i. Most spaces on Bridge St. are not currently timed, and nearby residents are utilizing these spaces for excessive hours and/or multiple days.
- i. Franklin Street (between Monument and Lynn)
  - i. These parking spaces need to be timed. The new competing parking demand (mainly due to River District Social) in this area has created a need for timed and/or restricted parking in addition to ensuring ample space for emergency vehicles.
- j. Spectrum/Acree's Warehouse Garage Parking
  - i. The Acree's Warehouse garage is at or near capacity on a nearly daily basis and appears to be heavily used by nearby residents due to the benefit of parking in a covered structure. The other main users appear to be employees of nearby businesses. Each of these groups has created a strain on the patient/visitor parking for Spectrum, which is requesting some relief through better management and/or enforcement of the inventory related to parking in this garage. Because there are no current restrictions due to being a public parking facility, there could be some spaces designated for hourly parking which could then be enforced appropriately.

k. The Crossing

- i. Due to the parking associated with The Crossing, which is technically designated as public parking, these spaces are consistently being used by nearby residents during peak hours and multiple days at a time. While new signage has been installed politely requesting that vehicles not be parked for more than two days and prohibiting commercial or oversized/non-motorized vehicles, these lots should be restricted to an hourly limit during peak hours. (2 or 3 hours from 8am-5 pm as an example) while also not allowing for overnight parking to encourage residents to use their designated parking areas and/or Newton's Landing lots. Any restrictions could then be enforced appropriately.

There is a perceived lack of ADA spaces, and some ADA spaces are faded or not signed:

- a. The ADA spaces within The Crossings have recently been marked as of our last visit. We've received additional feedback about the need for additional ADA spaces on Craghead and Bridge Streets to accommodate new residents within the developments that do not have dedicated parking (even though a few ADA spaces were originally servicing the senior housing that still exists). There would need to be an additional review of the actual needs before we could make any recommendations on the location or number of ADA spaces available, particularly on-street.

## **5. Proposed Parking Structures:**

We have provided an initial review of three proposed parking garage sites. Both city-proposed sites (and we have added the Acree's Warehouse Garage) are in good locations that will serve the River District and Danville well and should be continued.

The Spring Street site was approved by the City and is in discussion and negotiations for a public-private partnership (PPP). The City has received multiple verbal commitments for its available monthly parking spaces, which will be used in several building remodels and potential new construction.

The proposed garage on Shelton and Lynn and its proposed purchase are currently undergoing initial evaluation. These discussions should be accelerated given that the most considerable current parking problems exist in and around The Crossings and all parking associated with Craghead St. There are additional sites available in that area that should also be explored should things not move quickly with the Lynn site.

The third location is the Acree's Warehouse garage, located in the center of the River District and the second most strained parking inventory area. At weekday peak, most of the current demand exceeds the garage footprint by approximately 40%. Given the planned additional residential locations recently approved and the unused space in the River District Towers and other adjacent buildings, this strain will continue and intensify.

Due to the current operating agreements, the Acree's Warehouse garage is in a unique situation. Determining ongoing ownership and management is critical, and as mentioned within this study, the possibility of expanding is worth reviewing. The current agreement has a mechanism that can move to controlled (likely gated) parking.

It is paramount to note that due to the current strains on the location, serious consideration should be given to adding automation and gates. As mentioned, we would be happy to assist as part of the next phase.

The Acree's Warehouse garage has the potential to provide substantially greater value in the form of a multi-story garage, with the first level adding much-needed retail. The possible construction of an additional hotel or other need above a potential three- or four-level parking garage should be considered for the site. Preserving the existing brick exoskeleton and building the garage within that site may provide historical and aesthetic value. This may or may not make financial or structural sense, but it should be considered.

The chronic (and growing) conditions the possible Acree's Warehouse garage expansion will address:

- River District Towers (Patient) Needs
- Limited Employee Parking
- General public parking
- Retailers in the area (current and future)
- Residential needs
- Other businesses in the area
- Recruitment of new businesses to the district

The current pro forma needs to be reviewed in the next consulting project for each of these locations, and commitment documents for the aforementioned residential locations for Spring Street need to be executed. Significant discussions regarding rates and the timeline to completion also need to be held.

## **6. Proposed Parking Compliance Strategies:**

### **DANVILLE RIVER DISTRICT (DRD) - Compliance program goals**

The goals of a well-balanced downtown parking program should include:

- Provide professional parking management services for its parking facilities.
- Enforce parking regulations in compliance with Municipal and State Codes.
- Manage a valuable and limited resource by creating a turnover of public parking spaces.
- Foster economic development in the River District and downtown area.
- Maintain and manage traffic within residential areas by discouraging nonresidents and commuters from using residential streets for long-term parking during enforcement.
- Collect current and outstanding parking violations using the most efficient and technologically advanced methods available to maximize revenues to the DRD.
- Improve quality control and customer service.
- Invest in technology and data management resources, which will advance customer service, reporting capabilities, and decision-making processes.
- Maintain the parking program in a first-class professional manner, which will benefit the program's users and the DRD as a whole.

### **DANVILLE RIVER DISTRICT (DRD)**

#### **ON-STREET COMPLIANCE PROGRAM SCOPE OF SERVICES**

The compliance program should provide, at a minimum, the following services:

- A. Consultation with the DRD as necessary in any design, function, or marketing of the On-Street compliance parking program.
- B. Assistance in implementing changes to the parking program, including collaboration with downtown businesses, neighborhood groups, and other organizations as needed.
- C. Purchase and maintain related equipment deemed necessary to administer the parking program throughout the contract term.
- D. Installation and maintenance of parking meters & posts and/or pay stations. Installation should follow the standards issued by the DRD. All meters and pay stations should be repaired within 24 hours (not including weekends) of an identified malfunction.
- E. The collection, counting, and depositing of revenue. The collection of each meter and pay station should be done no less than monthly for multi-space and no less than monthly for single space and more often if meter canisters are full. All collections should be deposited into a bank account specified by the DRD.
- F. Provide sufficient personnel to issue parking violation citations at a level specified by the DRD.
- G. Provide specialized customer service and related training for all enforcement personnel.
- H. Provide towing and immobilization services.
- J. Issue late notices for overdue payment of citations and any follow-up collection services. Maintain online payment options for citations. Manage an Appeals process for citations.
- K. Process and address all customer service issues associated with the parking program.
- L. Provide weekly, monthly, and annual reports as the DRD oversight group requires.
- M. Notify DRD of dangerous conditions to pedestrians, automobiles, and property owners as soon as possible.
- N. Advise and assist with the implementation of applicable advanced curb management techniques.

**Patrol Areas**

The DRD oversight group may modify patrol areas, but generally, they will only be located within the DRD's boundaries. Additional police department support is critical when needed. Expansion of services beyond the DRD boundaries should be available with a Memo of Understanding (MOU) and appropriate compensation and/or revenue and expense sharing.

**Communication**

All enforcement personnel should have instant communication access (via cell phone or similar device) to the supervisor and the supervisor to enforcement personnel during all times an enforcement officer is on duty. Supervisor(s) should perform an annual review of cell phones used by the staff in the field to ensure the cell phone and associated operating platform work seamlessly with the various systems utilized by the DRD compliance program. During this annual review, the supervisor should also verify the data plan provides the best savings possible for DRD and negotiate any cost savings measures that may be available.

**Enforcement Hours: Time/Day**

The initial recommended days/hours for the DRD Compliance program are Monday through Saturday (excluding Holidays), either 8 am-6 pm or 9 am-7 pm or as may be modified by the DRD.

**Holidays**

Suggested Holidays with limited enforcement – Limited parking enforcement activity addressing only unsafe or hazardous parking will take place on all City recognized holidays, New Year's Day, Independence Day, Thanksgiving Day the Friday after Thanksgiving, and Christmas Day.

In addition to the holidays listed above, limited enforcement of the time limits in parking zones with the "Except Holidays" exclusion should occur: Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth, Labor Day and Veterans' Day. Enforcement of all other parking rules should occur on these days. The supervisor should contact the DRD compliance oversight group to verify the level of enforcement that will occur on these days. The DRD should reserve the right to alter enforcement policies.

**CUSTOMER SERVICE**

Customer service is a top priority, and it is expected that the enforcement personnel will treat the public in a polite, helpful, and professional manner. Enforcement action should be carried out in a uniform and fair manner. The compliance program personnel should not directly or indirectly give any preferential treatment to any person or entity in performing enforcement duties.

The DRD Compliance program should comply with existing and updated DRD Ordinances regarding On-Street Enforcement, Citation Issuance, and Appeal Hearings.



## **COMPLIANCE TECHNOLOGY SYSTEM OBJECTIVES**

- A. Support and monitor productivity in the areas of citation issuance, processing, and collections.
- B. The software should process the following functions: User Access Control and Security, Parking Citation Manager/Capabilities, Citation Appeals and Hearings Capabilities, Vehicle Registration, Customer Tracking, Parking Permit Capabilities, Permit Fulfillment Service, Batch Permit Issuance and Invoicing, Payment and Cash Management Capabilities, Task Scheduler, Meter Maintenance Records, Notice and Letter Generation Manager, Extensive Reports Generation, Query Manager, Data Import/Export, Web Services, Web Solutions, Booting/Towing, Transfer to Collections, Application Development Rights, and Event Management.
- C. Facilitate a consistent program for collecting citation payments, with a goal of no less than a 75% collection rate. (Collection Letters should include Courtesy, 1st notice, 2nd notice, Scofflaw, and possible Legal Letter for accounts with two or more citations past due)
- D. Provide immediate access to information and transactions associated with citation issuance, processing, and collection.
- E. Provide comprehensive accounting and audit trails necessary for revenue control.
- F. Report operation performance and statistical and financial information for analysis and management review.
- G. Provide professional, clear, prompt, and efficient customer service.
- H. Monitor and maintain a detailed history of the life cycle of all issued citations.

## **ENFORCEMENT DUTIES**

### **Patrol**

- A. All two-hour zones should be patrolled at least every two hours and fifteen minutes.
- B. All one-hour & four-hour zones should be patrolled approximately once every two hours.
- C. The initial hours of Enforcement are suggested to be (Monday – Saturday, 9 am – 7 pm).
- B. Maximize the use of the proposed LPR vehicle(s).

### **Issuance of Citations**

- A. The Compliance program should issue Citations to enforce violations of all parking ordinances.
- B. The Compliance program should issue Citations that have been approved by the DRD.
- C. Each Citation must have a unique identification number.
- D. All Citations should include complete and accurate information approved by the DRD.
- E. All Citations should include the requirements outlined in local DRD and Federal ordinances.
- F. All Citations issued by the Compliance program should be electronic and complete.

### **Types of Violations:**

- A. Enforce all parking-related ordinances within the DRD, including the following:
- B. All properly designated ADA parking areas.
- C. All “time-restricted” On-Street parking.
- D. All “no parking”, and “no stopping or standing” areas.
- E. Parking violations involving trucks and commercial vehicles.
- F. Vehicles parked on or blocking sidewalks or crosswalks.
- G. Parking issues generated from construction zones.

- H. Vehicles parked too close to hydrants, crosswalks, driveways, stop signs, intersections, etc.
- I. Vehicles parked facing the wrong way or impeding traffic.
- J. Vehicles that are “double parked in a thru lane.
- K. All other parking-related ordinances are contained in the Danville Code of Ordinances.

### **Immobilization/Booting/Towing**

The Supervisor should determine if a parked vehicle meets booting/towing criteria following approved policy guidelines. If the approved immobilization criteria are met, no DRD approval should be required.

Before initiating the actual towing, the Compliance program supervisor will inform the DRD designee that a tow is being considered. The DRD designee will make the final towing decision.

The Compliance program supervisor should keep a log of events leading up to the immobilization/booting/towing decision including why the immobilization/tow was initiated.

### **Reporting of Missing or Damaged Signage**

Missing or damaged signs observed in the field by Compliance Officers are to be reported and recorded immediately to the Compliance program office. The type of sign and its exact location will be included in any communication with the DRD oversight group.

### **Appeals/Hearings**

The supervisor will work with the DRD to coordinate the scheduling and decision notification of appeals and hearings. The Compliance program will make available citation dispute forms on-line or at the Compliance program office. The Compliance program employees should attend the hearings and be prepared to testify on parking related cases in a professional manner.

### **Complaints:**

- A. The Compliance program should implement an electronic complaint tracking system that will include complaints received by telephone, text, and e-mail.
- B. The Compliance program supervisor should promptly and courteously respond to all complaints, thoroughly investigate them, and reply to the customer within 48 business hours. The supervisor should attempt to reply on the same day whenever possible.
- C. If DRD oversight receives a complaint concerning the Compliance program, it should notify the Compliance program supervisor within 48 business hours of receipt.
- D. All complaint reports should be provided to the DRD designee for review upon completion.
- F. The Compliance program should have a specific telephone number to provide information and insight into questions and complaints regarding the DRD Parking Program.

### **Compliance Introductions**

On an ongoing basis, the Compliance program Supervisor or Officer(s) should introduce themselves and the DRD's Compliance program to new businesses and property owners that are established along patrol routes.

## **VEHICLES**

### Identification Markings on Vehicles:

All vehicles used by enforcement personnel should be identifiable as performing parking enforcement. Vehicle markings should not resemble Police or Traffic Vehicles. The DRD must approve the vehicle markings.

Compliance with Existing Laws: Vehicles should always be operated in compliance with all Commonwealth, Federal, and local motor vehicle and emissions laws.

The rear of all patrol vehicles should have a large sign warning of frequent vehicle stops.

All vehicles used by compliance personnel should have blinking flasher lights installed on the vehicle's roof. When patrolling, these lights should be used to warn other vehicles about the slower-moving enforcement vehicle.

The DRD oversight group should approve any vehicle used for parking compliance purposes. Eco-friendly vehicles should be used whenever possible.

### Supplemental Vehicles:

Foot, bike, or electric enforcement vehicles may be used in addition to motorized enforcement vehicles, provided adequate coverage is maintained, and all Commonwealth, Federal, and local pedestrian and bicycle laws are adhered to. Officers may also work on foot.

## **PERSONNEL**

- A. The Compliance program supervisor will be responsible for all aspects of recruitment and selection of parking enforcement personnel.
- B. The Compliance program should employ only competent and skilled persons to perform the work assigned to them and should provide skilled and responsible supervision for them.
- C. The Compliance program employees should not carry a firearm or any weapon.
- D. The Compliance program personnel should be polite and courteous to all citizens. If possible, confrontations should be avoided.
- E. Compliance program personnel should be required to speak and write easily understood English language.
- F. Compliance program employees are not to imply they are Police Officers.

## **UNIFORMS**

All Compliance program personnel should be provided with professional uniforms. They should be designed with DRD logos on shirts, jackets, and hats. The DRD oversight group should approve the color and design of uniforms, which should not resemble a Police uniform.

Appropriate attire includes a collared shirt, coat, slacks, and approved outerwear when appropriate. Items such as tee shirts should not be allowed, except for specific promotions that must be approved by the DRD. Once approved, hats may be worn.

All personnel should be in uniform at any time during duty hours, including court time.

## **TRAINING**

The Compliance program supervisor will be responsible for completing the training of parking enforcement, office, collections, and maintenance personnel. The supervisor should maintain complete training records for each employee and all records prescribed by law or policy.

- **Materials:**  
The DRD oversight group should provide all materials related to local enforcement regulations to the Compliance program supervisor. Budgeting for IPMI (International Parking and Mobility Institute) in-person and supplemental online training is advised.
- **Training:**  
Training should include, but not be limited to:
  - Customer Service and expectations.
  - Conflict management.
  - Job procedures and emergency protocol.
  - Job Safety as required by OSHA.
  - Municipal law and ordinances relating to parking enforcement.
  - Giving testimony and courtroom/hearing procedures.

## **REPORTS AND RECORDS**

The following reports should be prepared, transmitted, and maintained at a minimum. At its discretion, the DRD oversight group may add to or delete from the list of reports it requests.

- A. Monthly summary of activities showing total work hours, patrol and non-patrol, customer service hours, and records of hearing time.
- B. Monthly summary of ticket activity including the number of tickets by infraction type, street/area, and a listing of voided tickets with an explanation. The supervisor should only void tickets after approval from the DRD's designee.
- C. Written reports on all complaint phone calls or On-Street complaints to enforcement officer on duty. Reports should include names of parties involved, phone numbers, addresses (if known), the nature of the complaint, and the action taken.
- D. Monthly reports containing the above data are to be furnished to the DRD by the 15th of the following month.
- E. Daily revenue deposits, which include the completed, balanced DCR page and all relevant backups, including but not limited to copies of deposit slips, credit card settlement statements, credit card processor reports, and event backup/audit sheets. These reports are submitted electronically and are due by noon on the second day after the business day. For example, a business day of Monday, February 5<sup>th</sup>, would be due by noon on Wednesday, February 7<sup>th</sup>.

## **Recommended Outsourcing the Management of the DRD Compliance Program:**

Enthusiastically supported by the Danville Police Department, the City of Danville should outsource the management of the compliance program. A third-party professional parking management operator should continue the relationship with the DRD and implement the recommendations in this document by entering into a mutually beneficial management agreement for the DRD compliance program.

## Benefits of Outsourcing:

- A. Consultative Role: Operators provide ongoing on-street consultancy as part of their enforcement strategy management fees.
- B. Specialized Training: Operators have internal training specific to parking management and send staff to relevant conferences.
- C. Focus on Core Activities: Outsourcing allows the city to focus more on its core business activities rather than managing parking.
- D. Efficiency in Staffing: Outsourcing reduces expenses versus managing parking in-house.
- E. Singular Focus on Parking and Mobility: Unlike city departments with multiple responsibilities, the operator's primary focus is parking management.
- F. Operational Efficiency: Outsourcing can lead to smoother parking operations through specialized expertise and streamlined processes.
- G. Reduced City Pressure: Outsourcing the DRD parking operations to Pivot Parking will reduce city pressure. Outsourcing helps depoliticize decision-making by relying on professional expertise and contractual agreements.
- H. Financial Sustainability: Outsourcing can help ensure that parking operations are financially self-sustaining, potentially boosting revenues and reducing expenses through innovative pricing structures or cost-effective management practices.
- I. Creation of a Parking Authority (or similar entity): Consider establishing a Parking Authority to oversee outsourced operations, ensuring accountability and alignment with city goals.
- J. Enterprise Fund: Create a dedicated fund for parking revenues earmarked for parking improvements, ensuring transparency and reinvestment.
- K. Combining Oversight and Expertise: Outsourcing allows for government oversight while benefiting from private sector experience and flexibility.
- L. Preferred pricing rates beyond Scope Work with Parking Whisperer to include garage projects.

## 7. Budget and Funding Sources:

### Operating Expense Budget

Below are estimated typical annual expenses related to managing the enforcement/compliance program for the River District, which include the following:

- a. **Labor – (Estimated \$135,000.00)**
  - i. Enforcement/Ambassador staff will provide customer assistance and issuance of citations. The initial projected staffing schedule would be as follows:
    - a. 1 Ambassador (LPR vehicle)- Mon – Fri 8 am – 5 pm
    - b. 1 Ambassador (LPR vehicle) Sat – 8 am – 5 pm
  - ii. Manager to provide oversight and support of Ambassadors in addition to maintaining customer/stakeholder relations, revenue collections, permit issuance/management, appeals and adjudication, ongoing assessment of the program (occupancy analysis, citation trends, revenue and operational enhancements, etc.), daily/weekly/monthly reporting to the City.
- b. **Operating Expenses- (Estimated \$55,000.00)**
  - i. Operating Supplies (Uniforms, Citation paper, Office Supplies, Cell Phones, etc.)
  - ii. Insurance
  - iii. Enforcement Management System Fees (Software fees, Handheld devices, DMV look-up fees, etc.)
  - iv. Accounting and Financial Reporting
  - v. Revenue and Data Processing Fees
  - vi. PCI and Network Security Fees (Assuming third-party operator is banking the revenues)
  - vii. Vehicle-related expenses (Registration, Repair & Maintenance, fuel, etc.)
- c. **Operator Management Fees**
  - i. Management Fees charged by a third-party operator would be negotiated based on the final scope of services that will be provided. For budgeting purposes, we estimate this fee to be \$35k - \$60k annually.
- d. **Minimum Projected Start-up Expenses**

Below outlines the estimated start-up costs to implement the proposed enforcement program and what would be incurred during the transition:

- i. **Initial Expenses**
  - a. Repurposed Vehicle - \$12k (third-party operator could utilize existing City vehicle which would eliminate this cost)
  - b. LPR unit- \$70k (this cost could potentially be borne by the third-party operator and amortized over a 5-year term)
  - c. Signage- \$5k

- ii. Transition costs- \$5k consisting of:
  - a. a. Recruiting/Background Checks
  - b. b. Uniforms
  - c. c. Orientation/Onboarding
  - d. d. Office set-up (Parking Office)
  - e. e.IT setup/integrations

Potential funding sources and partnerships with local businesses and property owners:

**We estimate \$200,000.00 in annual revenues to be generated from time-managed citations with increased and consistent enforcement. Our estimate is based on an initial citation rate of \$25 and an average of 20 citations daily (on average).**

If paid parking is implemented, businesses would have the option to participate in a validation program. In this program, they would be provided with a code to advertise to their customers, who would register their plates to receive free or discounted parking. The participating businesses would then be billed back for some or all of the parking fees.

This allows merchants to participate directly to the desired level that impacts them while still contributing to the overall parking program.

**Based on the above expense and revenue assumptions, the estimated overall cost to operate the parking management and compliance program should be minimal for the first 12 months. The associated costs should essentially be based on any potential management fees being charged since operating expenses should be covered by the citation revenues being generated. The associated net cost would then continue to decrease as the program expands and additional revenues are generated.**

Pay to park recommendations:

In addition to a dedicated parking enforcement program, a paid parking program can and does promote the desired turnover to allow patrons of the nearby businesses to find a parking space relative to their destination. A paid parking program can also provide a financial return to the general or enterprise fund, allowing additional funding for beautification and infrastructure projects within the area the paid parking is servicing.

Based on our initial assessment, it may make sense to implement the recommended enforcement strategy, which should immediately alter the behavior of “violators” while also increasing the number of available parking spaces in the currently congested areas during peak hours. This would allow Pivot to assess the effectiveness of the enforcement program then and better evaluate the demand and occupancy in each area to provide recommendations on a paid parking program to include specific blocks where paid parking should be implemented along with rate recommendations.

## **8. Compliance Options for Consideration:**

Compliance is the goal. Enforcement is necessary as we know that people will choose to avoid following the rules. That is evidenced in the current parking environment in Danville. During our multiple trips to the city, walking the streets on varying days of the week, including one complete weekend, we saw no shortage of well-intentioned people who were illegally parked, violating fire lanes, fire hydrants, ADA spaces, curbs, and others that are not uncommon in growing cities. The most successful cities have adopted a compliance posture that begins with education, a fair, equitable, and balanced approach, signage, and expectations and culminates with a compassionate enforcement program.

The goal is to make visiting the River District and the City of Danville as easy as possible. Make entries even more frequent than they are currently. Drivers can access everyday businesses, unique festivals, river park restaurants, and other business residences, visit a resident, enjoy events at The Crossings or the Science Center, or any of the many reasons people drive downtown.

Utilizing a compliance perspective can provide an outstanding first and last impression for virtually everyone coming to Danville. We can help strengthen this strong economy and ensure that people see no parking barriers and that drivers are willing to park downtown, enjoy themselves, and return frequently.

### **Role of the Danville Development Authority**

Danville Development Authority (DDA) is proposed to be repurposed to serve as the (Danville Parking Authority (DPA) - Our recommendation is to utilize the existing, although currently inactive, entity. This would allow maximum flexibility for the River District and the City of Danville in creating a standalone entity responsible for parking enforcement and other parking-related activities deemed appropriate by the board and the City of Danville.

The DDA would function as a parking authority, providing significant funding flexibility and creating an entity focused on the community's parking and mobility needs. This entity would access multiple levels of city, county, and Commonwealth resources and any available federal funding. There also may be funding opportunities once the DDA is in place and has an initial performance record.

This entity could take over management of the IDA properties available for parking, generating additional income on land that is being "banked" for future development.

The DDA would comprise an appointed board (odd number of members), as few as three or as many as nine. The board would be granted the appropriate powers and principally responsible for managing Pivot Parking and Parking Whisperer. This would allow all Danville municipal government agencies to focus on their areas of expertise and requirements.



## **Immediate Needs**

The Crossing at the Dan —The Crossing at the Dan requires immediate assistance, particularly with the anticipated additional residential and retail growth in the immediate area. Parking resources are already strained on and off-season due to the residential growth, the vibrant area, and even some construction vehicles. They will only continue to be strained with anticipated new residential and retail growth, a vibrant and growing eastern portion of Danville, and anticipated development in the area.

The Crossing at the Dan parking has already demonstrated the need further to address mobility and other issues in the neighborhood. This is further magnified during on-site and adjacent events at the Science Center and other venues in the immediate area. The significant needs at The Crossing at the Dan and in this immediate area are also among the reasons the proposed garage site, which is a few blocks away, is critical.

The process needs to be accelerated to whatever degree possible to reduce the strain on current resources and maintain the initiative in development in the area. In addition to the potential garage, there are other pockets of areas that could potentially be reopened or opened for event and residential parking.

## **Cost and Third-Party Operators**

Creating a budget with total pro forma is necessary and would expand the scope of work of this project, which we would be delighted to provide upon confirmation of award. Several initial decisions are required before the completion of these numbers.

In order to guarantee the smoothest transition into managed and potentially paid parking, Parking Whisperer recommends that Pivot Parking continue their involvement, in order to implement the recommended options as approved, as the parking operator, which would also effectively provide ongoing in-house consulting.

This is a portion of our current proposal and leads to the conclusion. Depending upon anticipated deployment and the proposed options, the city's net cost could effectively approach being zero. A modest surplus is possible and even likely in future years.

Maintaining River District parking compliance strategy:

Pivot will continuously work with the City, effectively becoming an extension of the established Parking Authority, to achieve the following:

- a. Enforce parking regulations utilizing the defined ordinances.
- b. Provide consistent and fair enforcement practices of the defined ordinances.
- c. Provide customers with education and awareness of the parking regulations via on-line channels and in person.

- d. Analyze occupancy trends in order to identify and recommend adjustments to the regulated parking areas.
- e. Build and maintain relationships with all stakeholders to analyze evolving needs and demand while keeping them apprised of the parking regulations so that they can educate their customers.
- f. Pro-Active and ongoing consulting as needed to ensure the optimization of the program.
- g. Assist with implementation and management of new parking structures and/or acquired parking assets by the City.

Parking Whisperer also has committed to an annual review and evaluation of the program at virtually no cost to the city, that serves as a failsafe to insulate the city, or the proposed parking authority to ensure the success of the project.

A limited deployment could create sufficient income, reducing or eliminating any cost to the city. This committee recommends full parking engagement. If a lesser strategy is utilized, it is understood that a pricing structure for the parking group would create a base management fee paid monthly to Pivot to carry out the instructions of the DDA.

Full deployment would provide full support to Danville, complete coordination with the city and its resources, and modest citation income (options one and two) to ensure compliance and enforcement and generate a friendly and positive atmosphere.

As noted, further cost specifics will require additional detail. If options one and two are implemented, a potential base management fee, would be negotiated along with all approved operating expenses being passed through for reimbursement. This is projected to break even or be a modest expense to the city and more likely generate a modest surplus within twenty-four months.

Capital outlay is a critical component of this program. Given the current financial constraints of the city, the anticipated dramatic continued growth, and the need to implement technology to maximize parking spaces and potential income, a capital outlay would be required to execute each option listed. The city and/or DDA would likely be afforded additional flexibility with the utilization of a third-party operator who may purchase this equipment, and amortize them over a five-year term.

This limited capital requirement and ongoing operating expenses (lower in the private sector) are beneficial as the DDA would create additional bonding capacity. This would allow for at least the potential for the DDA to address future parking needs, further reducing any strain on city resources and benefiting and propelling future growth in the areas as outlined.

As recommended in option three (which includes initiating options one and two), the capital outlay would be an enforcement vehicle fully outfitted with license plate recognition (LPR) technology, tablets or laptops, two handheld devices, and two Bluetooth wireless printers. Operating costs would be appropriate software, staffing, cell phone packages, a call center, etc.

The staffing levels would vary dramatically based on the options selected and the preferred level of compliance. Based on our recommendation, we anticipate the hiring of approximately two full-time employees or one full-time and two part-time employees. Pivot offers many benefit packages to all of their employees; it would ultimately be the DDA's decision to provide any additional benefits and other incentives.

Of course, there would be an initial learning curve when these recommendations are implemented. Communication and education would be critical, and we rely upon a partnership of sorts with residential developers and owners, businesses, philanthropy, government entities, and, of course, the general parking public.

Fair and Equitable Compliance is critical so that every potential visitor and employee is included. We have sourced technology that allows a unique program to accept cash, Near-field Communication (NFC), credit cards, and validations. Working with the River District Association, we would develop a needs-based pricing program with area business validation programs. This would continue to provide a welcoming environment in the River District.

There could be a limited number of mini-kiosks in the most high-traffic volume areas for the small percentage of drivers that prefer the insertion of their credit card or cash. However, Pivot could provide alternative payment methods for these special customers as part of their operating practices.

We also have identified a potential program to work with the under-banked members of the River District community and visitors that should be explored fully.

The education and communication programs are critical to embracing organized parking, which will improve the driver and visitor experience. It's essential to address what is often referred to as the underbanked or those who do not have the financial wherewithal to visit Danville as frequently as they would like, which could be further accentuated with paid parking.

The initial transition plan would be provided for the DDA to review well in advance. It's important to note that any deployment would have additional start-up costs in the form of ambassadors with uniforms, signage, a comprehensive communication platform with a significant social media presence, and support of the local media and other entities that should be considered.

When fully deployed, parking payment options include modern technology utilizing quick response codes (QR Codes), Near-Field Communication (NFC or Tap n Go), validation programs, and other incentives. The program would require very little infrastructure. These are very attractive signs, and a handful of mini-kiosks and support from the business and residential community would complete the program.

Driver customer service is the most crucial element to consider and an outgrowth of communication and education. Pivot has demonstrated success and understands that most parking issues occur during operating/enforcement hours so that it will staff accordingly. Customer service would include reaching out through various channels, including telephone, social media, website(s), email, and an ambassador 's office with well-publicized hours of operation. All other support will be 24/7/365.

As the DDA and the third-party operator interact there would be an opportunity to reduce the strain on municipal resources in several ways. These reductions would arise from the planned education and communication programs and channels and provide additional outreach opportunities for drivers of all types.

The creation of a website specific to parking, as well as the sharing of website widgets for partners and businesses, would benefit parking and every stakeholder. Every interested business or organization would receive a widget allowing parking questions, residential permit verifications, and citation appeals. Even Frequently Asked Questions (FAQ), This would streamline processes such as loading zone requests, potential conversions of timed spaces, and daily rates, reducing municipal resources' workload while providing a faster response.

The appeals process is important to ensure that every driver has a voice. Ticketed drivers will appreciate the ease and options of the appeal process. The DDA and the City would approve specific guidelines for appeals through an online process utilizing a website or a mobile device as well as the office.

All appeal options would be stated and available on the website, accessible on compliance or enforcement citations. Each website (widget) would build on successful programs implemented over the past decades.

The communication, education, and appeals process will have several carefully selected components to make it as user-friendly as possible. These include a local telephone number, a staffed office, 24/7 remote support, and online options. There will also be a parking hotline and an after-hours call center. The call center would be US-based and/or have a local representative in Danville.

Additional parking considerations apply to city, county, Commonwealth, and federal organizations, including vendors and employee parking. Employee parking is a changing need, given the ongoing success of work-from-home and traditionally staffed businesses.

Our recommended program would be reasonable and affordable, with parking options facilitating off-site parking for employees, freeing up spaces for the customers coming to make those businesses viable.

Potential rate structures are also a complicated topic requiring further discussion and consideration. Building on our almost 100 in-person interviews and dozens of meetings with various businesses, we recommend launching an initial free parking component in most areas with active retail and other businesses and the medical and governmental communities. As this program is implemented, the residential parkers would have a minimum grace period to encourage usage and discourage negative feelings.

Proposed rates in one or two-hour spaces (initially) could include the first hour of each business day, which would be complimentary throughout the area. This allows customers to park multiple times downtown because of the technology employed and receive up to one hour (total) at no charge. Additional hours would be charged based on the rate structure on a particular block face.

- Similar to the successful conversion to some one-hour spaces, future rates could vary based on the demand in the area. We recommend that the rate structure be uniform throughout the River District for the initial launch. The rate structure could be as simple as:
  - The first hour is \$0
  - Second hour \$3
  - 3rd hour \$3
  - 4<sup>th</sup> – 7th hours \$5.
  - 8<sup>th</sup> – 24 hours \$15.

We recommend multiple validation programs, allowing area businesses to provide validated parking, which could be discounted or free for drivers while utilizing the services provided at an area business.

ADA spaces should receive complimentary parking for the same time increment (Mostly one or two hours) the public receives.

It is also important to note that some individuals will choose not to participate with any compliance or enforcement program. Our recommended scofflaw policy (violators) is as follows: Upon receipt of three unpaid citations, a vehicle is placed on an alert basis to immobilize the vehicle. We would use a large windshield plastic barricade (Barnacle), a traditional Denver boot, or a combination of those, depending upon the preference of the DDA. The driver calls or texts compliance for release after payment of their open citations and fees during normal business hours.

Utilizing the recommended technology, photographs are taken of each violation, as well as detailed records for the citation, to inform the driver and minimize frivolous appeals.

This vehicle moves to the impound list after its fifth unpaid citation (assuming it is not found until then). This empowers Pivot or the Police Department to notify and approve towing vendors at a fixed rate approved by the DDA. The vehicle would be towed within Danville city limits and available for recovery when ownership is verified, and all fees are provided.

Citation rates require due consideration due to the current meager \$10 rate. It is simply not a deterrent and needs to be addressed. Although compliance is our goal, with enforcement only, when necessary, we believe that a parking fine structure based upon industry best practices would have a citation rate of no less than:

- \$25 per base citation
- \$250 for ADA and Traffic Safety Violations.

Citation rates would double after 30 days if unpaid and increase by an additional \$25 for a third time if not paid within 60 days. The city attorney's office will need to be consulted to determine if rates should continue to increase, as our goal is not to be perceived as punitive.

- Following the above-mentioned increases, unpaid citations would be charged the total price on day thirty-one. We recommend no discount for ADA-impacted violations under any circumstances.

Notably, most of these programs would come at zero net cost to the city. In addition to parking revenues (received by the town after expenses are recovered), the program could be mainly funded through convenience and transaction fees, and all are passed on to the drivers on a fee schedule approved by the DDA.

Convenience and transaction fees have become common in all areas of business, including parking. This is a proven methodology to minimize costs to the citizens and taxpayers of Danville while impacting only those who violate the program, similar to a speeding ticket.

More than 75% to 90% of all drivers participate in compliance programs while offsetting parking costs as low as possible. The biggest reasons for the variation are ease of payment and resolution.

Implementing these recommendations requires considering many variables, which is the core of the recommended compliance strategy.

It is important to note that at least three operating options should be considered:

### **Compliance (Enforcement) Options for Consideration:**

#### **Option One – Implementing and expanding timed parking in critical areas with compliance (enforcement).**

Option one focuses on extending and expanding the current signage program within the River District while adding compliance. Additional signs and compliance staff are a significant change.

Due to limited financial resources and staffing challenges, very little enforcement is currently provided. The Police Department has done an admirable job responding to complaint enforcement, which should be continued when needed. Supporting the Police Department in filling their most essential roles first while adding effective general compliance requires consistent compliance to educate all drivers. Compliance will best address the current challenges, which are increasing between visitors, employees, residents, and other users of on-street parking.

Option one requires an evaluation of all potential parking spaces within the River District to maintain at least the current inventory (space count) and will increase the available inventory of on-street parking spaces, as well as identify off-street parking opportunities.

This parking space inventory increase would be provided by using certain hours for loading zone spaces and striping spaces where appropriate for various-sized vehicles. Clear signs as to where parking is to terminate on each block face are critical to provide safe driving practices and reduce or eliminate pedestrian-vehicle conflicts. As part of this evaluation process, it is essential to include, on average, at least one ADA-accessible location on each block face whenever possible to improve mobility access.

Vehicles that overstay the timed spaces (and other violators) would receive a citation from Pivot at rates approved by the appropriate board or committee. The enforcement and compliance summary details this further.

Option one is the easiest to initiate with an LPR unit being the largest capital outlay. Proper compliance and enforcement are critical during the approved hours, which are recommended to be initiated from either 8 a.m. to 6 p.m. or 9 a.m. to 7 p.m. Monday through Saturday. The enforcement times should be consistent throughout the entire River District, perceived as fair and balanced, and provide consistency and ease of education.

### **Option Two: Creation of a Residential Permit Parking Program (RPPP).**

Option Two is recommended to be implemented simultaneously with Option One. Option two would address the immediate and growing need for accessible and close-in parking for residents without an off-site parking option that owns, leases, or rents residential space. The RPPP program would have a cost to the user. This program is critical to prevent the loss of momentum for residential development while honoring other needs in the area.

It is critical to balance the need for residential parking with the other needs of the driving public. Residential parking is critical to fuel the many businesses that also need spaces for their customers. Residential is growing quickly, largely due to the high quality of living in the River District.

Residential spaces would be of two types based on their physical location and adjacent businesses. The first type would be for residential use 24/7 and in spaces less needed by non-residents. A limited number of premium spaces would be issued to serve a mobility need requiring an ADA placard or other demonstrated need.

The second type would be for spaces available for residential use ONLY overnight, approximately 8:00 PM until 8:00 AM, seven days per week. These spaces would be in areas that also require business and other needs, keeping the spaces available to the public during non-residential peak times and providing spaces to be used after hours.

Proper compliance enforcement will be critical, with appropriately priced citations and penalties to be used during noncompliance by residential pass holders. It is important to note that at no time will the residential parking needs be able to accommodate entirely on-street parking.

The level of density within the residential areas and the narrow streets requires the absolute need for significant off-street parking. In addition to comprehensive use of existing off-street locations (owned by weekday-needed private businesses), the development of parking by developers and owners should be encouraged and incentivized to make their spaces available when the area businesses are not using them. This incentivized concept could include liability insurance and or cleaning periodically, especially after weekends and holidays.

Pivot would monitor and manage the RPPP entirely, including authenticating and verifying residential permit requirements. It is important to note that our recommendation would include an office provided by the DDA to facilitate residential parking needs, particularly for residents who may need more time to be comfortable utilizing electronic methods.

We recommend that the RPPP require traditional verification documents to receive a permit. The majority of drivers will utilize the online options. Typically, this verification would require current Residence verification. Much of this process can be provided electronically for all who are interested in doing so.

- utility bill,
- lease confirmation
- driver's license
- other approved documentation

This methodology will guarantee that residents are confirmed during their application. This is particularly important given that the residential parking permits will have significant value and should be treated as cash. They also must be verified at least annually.

A decision and policy must be made regarding Air BNB, Vrbo, and similar short-term rentals users and the appropriate parking rental rate.

### **Option Three: Creation of a complete parking program.**

Option Three would be the comprehensive parking management program. This would include a paid parking program (where appropriate) and honoring options One and Two. To minimize strain on the city of Danville Police Department, public works, and other agencies, Pivot would manage the programs, reporting directly to the DDA and managing the parking inventory and spaces.

A third-party operator will provide customer service 24/7, dramatically reducing the strain on existing municipal resources and providing top-tier customer service and support. If Options One or Two (or both) are implemented alone, a minimal cost to the DDA is possible. In Option Three, all costs to operate the parking program could potentially be recovered through parking fees, convenience, and transaction fees. Regardless, the program under Option Three is anticipated to create a surplus within the first 12 months.

An anticipated modest surplus will be placed into an operating account to fund further parking and traffic initiatives, with secondary surpluses above a pre-determined goal being put into the general fund for the DDA.



## 9. Ambassador Training Program and Community Education:

**Ambassador Training Program Outline:** The Ambassador Training Program is designed to equip Parking Enforcement Officers (PEOs) with the necessary skills and knowledge to represent the Danville River District (DRD) professionally and effectively. By adhering to high standards of behavior, communication, and service excellence, PEOs can contribute to the success of the downtown parking program and enhance the overall experience for visitors and residents alike.

- A. Introduction to the Ambassador Role
  - Overview of the importance of PEOs as Ambassadors for the DRD
  - Understanding the role in promoting safety, traffic flow, and economic development
  - Introduction to the expected standards of behavior and professionalism
  - It is important to know that there is much more to than just parking to serve the public.
  
- B. Parking Enforcement Procedures
  - Understanding municipal and state ordinances related to parking enforcement
  - Procedures for issuing parking citations while maintaining professionalism
  - Handling various parking violations with discretion and fairness
  
- C. Communication Skills and Conflict Resolution
  - Developing effective communication techniques for interacting with the public
  - Dealing with challenging situations and diffusing conflicts with diplomacy
  - Role-playing exercises and scenarios to practice communication skills
  
- E. Traffic Management and Safety
  - Importance of traffic management in central business districts
  - Identifying and addressing traffic congestion hotspots
  - Ensuring compliance with parking regulations to enhance safety for motorists and pedestrians
  
- F. Customer Service and Community Engagement
  - Providing exceptional customer service to parking patrons
  - Building positive relationships with local businesses and residents
  - Participating in community events and initiatives to promote goodwill
  
- G. Technology and Equipment Training
  - Familiarization with parking enforcement technology and equipment
  - Training on using handheld devices for issuing citations and recording data
  - Troubleshooting common issues with enforcement equipment

- H. Cultural Sensitivity and Diversity Training
  - Understanding the diverse parking customer base in the DRD
  - Respecting cultural differences and addressing language barriers sensitively
  - Ensuring inclusivity and fairness in all interactions
- I. Role of Parking in City Branding
  - Recognizing the impact of parking on visitors' perception of the DRD
  - Strategies for enhancing the city's image through efficient parking management
  - Aligning parking enforcement practices with the city's branding goals
- J. Continuous Improvement and Professional Development
  - Encouraging a mindset of continuous learning and improvement
  - Seeking feedback from supervisors and peers for personal development
  - Opportunities for further training and advancement within the organization
- K. Final Assessment and Certification
  - Evaluation of knowledge and skills acquired during the training program
  - Successful completion leads to certification as a Danville River District Parking Ambassador
  - Ongoing support and resources for ambassadors in their role

## **COMMUNITY OUTREACH AND ENGAGEMENT**

**Transparent Communication Channels:** Communicate early and often and proactively whenever possible. Establish clear and accessible communication channels for stakeholders, business leaders, merchants, and residents to provide feedback and stay updated on parking program developments.

This includes in-person town hall meetings, online forums, or dedicated email addresses posted prominently for inquiries and suggestions. We will broaden the outreach to include representatives from diverse community demographics, such as local residents, students, seniors, and cultural organizations beyond those mentioned above. This ensures a comprehensive understanding of parking needs and concerns across different population segments.

**Community Workshops and Forums:** Host regular workshops and forums where community members can voice their concerns, share insights, and participate in discussions about parking issues. These events should be accessible, welcoming, and inclusive of diverse perspectives.

**Neighborhood Meetings:** Organize meetings in various neighborhoods within the Danville River District to directly engage residents and businesses in discussions about parking challenges and potential solutions. These meetings provide opportunities for localized input and foster a sense of ownership among community members.

**Door-to-Door Outreach:** Implement a focused door-to-door outreach campaign to engage residents and businesses directly in conversations about parking issues. This personalized approach demonstrates a commitment to listening to community concerns and ensures that all voices are heard, including those who may not typically participate in public meetings.

**Mobile Outreach Units:** Set up mobile outreach units (which could be a simple table with logo) in high-traffic areas within the Danville River District, such as downtown streets and community events, such as the Saturday Market, to engage with residents and visitors directly. These units can serve as information hubs, aiding in distributing materials and soliciting feedback on parking issues.

**Community Liaisons:** Ambassadors serve as DRD community liaisons, as points of contact for residents, businesses, and community organizations regarding parking-related matters. These liaisons can facilitate communication, address or document concerns, and build relationships to foster trust and collaboration.

**Surveys and Feedback Mechanisms:** We will develop online and offline surveys to gather feedback from residents, employees, and visitors about their parking experiences and preferences. This data will be used to help identify key priorities and tailor parking solutions to meet the community's needs.

**Inclusive Decision-Making Processes:** It's important to involve community members in decision-making processes related to parking policies and program improvements. We recommend forming an advisory committee or focus groups comprising diverse stakeholders to gather insights, validate ideas, and co-create solutions collaboratively and monitor ongoing progress and key performance indicators of the parking program.

**Accessibility and Language Considerations:** Communication materials, including websites, brochures, and signage, should be designed to be accessible to individuals with disabilities and available in multiple languages commonly spoken in the community. This inclusive approach promotes inclusivity, ensures equitable access to parking information and services, and demonstrates a commitment to equitably serving all community members.

**Educational Campaigns:** Similar to the now popular FAQ (Frequently Asked Questions), we will launch educational campaigns (Example: a "Did you know?" series) to raise awareness about parking regulations, available resources, and alternative transportation options. Beyond using websites or social media, as mentioned earlier, they provide informational materials, such as brochures, flyers, and signage, that are easily accessible and understandable to the community.

## **ON-LINE PLATFORMS AND WEBSITE DESIGN**

**Interactive Online Platforms:** Create an interactive online platform, such as a dedicated website or social media channels, where community members can access information, provide feedback, and discuss parking-related issues. Encourage active participation and facilitate dialogue between residents, businesses, and the DRD officials.

**User-Friendly Website Design:** Ensure the DRD parking program's website is user-friendly, intuitive, and accessible across different devices and browsers. Utilize clear navigation, intuitive design elements, and responsive layouts to enhance the user experience and encourage engagement. The website will meet WCAG compliance standards.

**Comprehensive Parking Information:** The website should provide comprehensive information about parking facilities, rates, hours of operation, payment options, and any relevant regulations or restrictions. It should also make it easy for visitors to find the information they need to plan their parking experience effectively.

**Interactive Parking Maps:** (If budget allows) Incorporate interactive parking maps into the website to help users locate parking facilities, view available spaces in real time, and plan their routes accordingly. Include filtering options, parking garage layouts, and directions to nearby attractions or destinations.

**Online Reservation System:** (For off-street considerations) Implement an online reservation system on the website that allows users to reserve parking spaces in advance for events, special occasions, or peak hours. Streamline the reservation process with user-friendly interfaces, secure payment options, and confirmation notifications.

**Educational Resources and FAQs:** Create a section on the website dedicated to educational resources and frequently asked questions (FAQs) about parking policies, procedures, and common inquiries. Provide clear and concise answers to address users' concerns and promote understanding.

**Customer Support and Feedback:** Offer multiple channels for customer support and feedback on the website, such as online chat, contact forms, and dedicated email addresses or phone numbers. Encourage users to reach out with questions, suggestions, or issues they encounter while using the parking facilities in the DRD.

**Promotional Content and Special Offers:** Use the website to promote special offers, discounts, and incentives for parking users, such as early bird rates, loyalty programs, or validation discounts. Highlight these promotions prominently on the website to attract users' attention and encourage participation.

**Social Media Integration:** Integrate social media feeds and sharing buttons into the website to encourage users to connect with the parking program on popular social networking platforms. Share updates, news, events, and engaging content to foster community engagement and expand outreach efforts.

**Analytics and Tracking:** Implement website analytics tools and tracking mechanisms to monitor user engagement, traffic patterns, and conversion metrics. Use data-driven insights to evaluate the effectiveness of website outreach strategies and optimize performance over time.

## 10. **Specific (or Other) Recommendations:** Compliance over enforcement

- a. Ordinance review; decriminalize, then add teeth (currently a **criminal offense**, five days, etc.)
- b. Review and comment on all draft ordinances.
- c. City staff presently spending \$75 - \$150 to collect \$15 (plus lost time)
- d. Citation Rates need to be adjusted to have value and importance
- e. Multi-tickets per vehicle when appropriate
- f. Two-Hour Spaces – ENHANCE, SIGN, ENFORCE
- g. Increasing rates for scofflaws (significant repeat offenders)
- h. Track start time (when parking) in one or two-hour spaces.
- i. NFC payments within on-street signage
- j. Mobile payment without an app being required
- k. One Hour or 30-minute spaces in key high-turnover areas
- l. Charge for some loading zones, covet after peak hours
- m. Color coding of signs by type of parking times available
- n. Professional parking expertise resource is critical
- o. Integration of current unused after-hours and weekend parking on private lots.
- p. Automate (and or at least create) a process for sign requests and other issues
- q. Checklist with signoff to process installation requests and speed approval.
- r. RDA focuses on this project but assistance in all of downtown and the entire city
- s. Reverse ATM (Unbanked). Merchant participation for cash to “card.”
- t. Double (food) stamps at the Farmers Market on Saturday
- u. Consider a limited parking kiosks (with an advertising option to offset costs)

Recommendations not previously addressed (or recapped) include the following:

1. To correctly provide the one-hour free parking and other rate structures noted, guest drivers will be encouraged to start a parking session, even for those who will have no charge. This marketing data is valuable and comes at no cost to the driver, and there is no app that needs to be downloaded. A simple photo of the QR Code and about forty seconds of information are needed. It also will best provide the turnover of spaces critical for complete success.
2. It is important to note that we want to make it as easy as possible for drivers to enjoy all that the River District and the City of Danville have to offer with convenient parking, in addition to utilizing a QR code for daily parking, online monthly parking, and even residential permits where appropriate. We also offer consideration of mini-kiosks and QR Signs that are also accepted in advance near field communication (NFC or tap and pay) and credit and debit cards.

3. As part of our quick communication program, we recommend using the Blue Parking “P” and color coding of signs so that drivers will quickly identify one-hour, two-hour, and eight-hour parking spaces like they currently recognize ADA parking spaces because of their color configuration and logo.
4. Compliance Operation Points
  - QRC (no app required) with NFC chips embedded in all signs
  - Mini kiosks that accept cash and other payment forms with feature advertising
  - LPR (License Plate Recognition) – Vehicle Mounted camera Photographs provided with each citation
  - Customer Service online and on the phone during all parking hours
5. Danville is experiencing tremendous growth, with residential conversions of warehouses producing excellent results and putting a significant strain on parking inventory. Although many cities have eliminated or reduced parking minimums (spaces required as part of a project), we recommend that some reasonable parking spaces be needed for all future conversions and new developments within the River District. These minimums can be spaces provided by the developer(s) or leased (long term) within current or planned parking garages, surface lots (off-street), private, or DDA /IDA/city-owned.
6. It is paramount to ensure that we provide every opportunity for every potential driver to come to Danville. Many drivers may need help utilizing their cell phones to park or pay full price. We've had initial discussions with the RDA and believe there are methods to piggyback on existing programs to pre-qualify discounted parking.
7. We anticipate many area businesses converting cash to paid parking sessions and validating customer parking when appropriate.
8. In addition to the vast majority of spaces (Several), a handful of areas feature businesses best served with 30-minute spaces. Many businesses are very fast in and out and should be considered.
9. These ordinances need to be provided with additional functionality that follows best practices. For example, for vehicles that repeatedly offenders during an 8-hour day, the officer would have the option of multi-ticketing. Also, citations could be issued as appropriate for a vehicle with multiple offenses.
10. There are several informal city processes that a professional parking operator could streamline to support the public as well as city employees. Loading zones are an example. We recommend creating a simple online and telephone process where individuals or businesses can request loading zones. Applicants will be provided with the necessary criteria. Pivot would be able to provide an initial recommendation to decide whether or not to move forward with a loading zone (24/7 loading zone, turn it into a public space after a specific time, or deny the request. This would also facilitate sign installation.

11. A program funded by the DDA that encourages private lot owners to allow parking after hours, weekends, and holidays) which could include providing liability insurance and clean-up in exchange for the use of the lots while generating income and parking spaces. The program might also include regular restriping.
12. Transit should be considered in a balanced approach with parking improvements as well. We know a planned RDA circulating shuttle should be seriously considered and coordinated with parking needs, especially during these emerging parking stages.
13. Transit should include well-marked enclosures, QRC, posted schedules, and hours with roofs and seating when possible.
14. Wayfinding signage - To address the perception of a shortage of convenient parking in downtown areas and to efficiently direct motorists to public parking options, we propose the following recommendations based on survey results and observations:  
Wayfinding Signage: Install illuminated or reflective wayfinding signage to guide drivers to downtown areas, surface lots, on-street spaces, and the proposed garage.

Place these signs strategically on major corridors leading into downtown to ensure visibility and ease of navigation. Uniform Signage: Implement uniform signage featuring the universal parking symbol (blue "P") across all parking facilities and entrances. This consistent signage will help drivers quickly identify parking options regardless of their location in the downtown area. Our recent survey results reflect that 65% of respondents indicated inadequate wayfinding signage.

Two-Hour Parking Signage: Provide clear signage indicating two-hour parking limits where applicable, ensuring drivers are informed of parking duration restrictions.

Promotion of Off-Street Lots: Once open to the public, promote off-street parking lots through dedicated signage that directs drivers to these locations. This will encourage drivers to utilize additional parking spaces, easing congestion in high-demand areas.

Replacement and Maintenance: Address the issue of missing or vandalized signs by promptly replacing them with durable alternatives. Ensure consistency in signage placement and design across all approachable streets to maintain clarity for drivers.

Enhanced Wayfinding Program: Implement a comprehensive wayfinding program that includes clear directions to all public parking facilities. This signage program will significantly improve the overall experience for local citizens and DRD visitors.

15. There are several existing sites that, with work, could also provide immediate parking relief. They will be even more critical when construction begins on the planned/proposed parking garages. They include:
  - Virtually all private lots with availability (especially nights and weekends)
  - Norfolk Southern Yard
  - Davis Garage site

16. It is important to note how impressed our team has been in the opportunity to meet so many citizens of Danville and commend the city for its forward-thinking initiation of this consulting project to prevent any stifling of current development while also recognizing that with the tremendous success that has occurred and that is clearly on the horizon for Danville the importance of having a healthy parking program as parking is the first and last impression for virtually everyone coming to the city of Danville and the River District.
17. The downtown River District survey ended with 467 responses and 117 independent comments.- Finally, the two significant pushes at the end of the program, one at the initiation of the farmers market and the other in working with planned Danville and their more extensive vet, added more than 150 additional responses to our survey and also provided what appears to be a unique perspective when compared to some of the other responses.
18. MAPS – We have identified at least five “official maps of the River District with conflicting information. We recommend a new single source of truth, including parking locations!
19. Ryan's extensive “part-time” work on draft ordinances and willingness to allow us to review them as part of this project has been very helpful. We will work with the city attorney's office to complete a comprehensive ordinance review that includes the decriminalization of parking offenses, changes to the pricing structure, and additional services noted within this recommendation.



## **11. Implementation Timeline Once Approved:**

### **WEEK 1**

Upon notification of the award to move forward, Pivot Parking would begin communication with the point of contact for the City to have a kick-off meeting to start the transition process. Week 1 would include the initial processes of setting up accounts, advertising positions, interviewing candidates, ordering supplies, setting up software, and requesting insurance coverage.

### **WEEK 2**

Conduct employment interviews and hiring, procure uniforms, finalize annual budget, set up vendor accounts, acquire necessary permitting and licensing, install firewalls and computers, and establish utility services as required.

### **WEEK 3**

Set up all policy and procedure manuals, finalize new hires, and begin orientations (to include a review of City parking ordinances). Test equipment and systems. Finalize processes.

### **WEEK 4**

Go Live. Begin enforcement and data collection to analyze occupancy trends. Continue to update processes and staffing when and where needed.

Continue daily client communication.

### **POST 30 DAY FOLLOW UP**

Management provides daily/weekly updates to the city and continues daily management adjusting to needs as expected.

### **Key milestones:**

#### **45 Days**

Pivot will use the first 30 days of data collection to begin analyzing trends, including vehicle occupancy by block during the enforcement times and days, to make recommendations on adjustments to the timed/ restricted parking areas.

#### **90 Days**

Pivot will assist the city in implementing and enforcing any approved updates to the timed/restricted parking areas. It will also provide its recommendation on paid parking, including rates, zones, and the appropriate payment technology.

#### **120 Days**

Pivot will implement all approved adjustments to the parking program.

### **Contingencies (questions) for post-delivery discussions:**

Will the City provide a vehicle(s) for LPR enforcement?

Will the third party operator be responsible for appeals and adjudication?

Will the third party operator bank the revenues?

Will the City provide office space for the third party operator ?

Is a convenient office space that accepts walk-in traffic (customer service, payments, appeals, etc.) available for the third party operator use?

Is a break room available for Ambassadors?

Would the City provide utilities (electricity, phone, internet, etc.) to the office?

Any River District or other training that should be added to the Ambassador training program?

## 12. Performance Metrics:

### Parking Management Key Performance Indicators (KPIs)

To effectively use Key Performance Indicators (KPIs) in the management of the Danville River District (DRD) Parking Program, we propose the following steps:

- A. Identify Goals and Objectives: Start by defining clear goals and objectives for your parking management system. Determine what you aim to achieve, whether it's maximizing revenue, improving customer satisfaction, optimizing space utilization, enhancing safety, or a combination of these factors.
- B. Select Relevant KPIs: Choose KPIs that align with your goals and objectives. Ensure that the selected KPIs are measurable and actionable and provide meaningful insights into the performance of your parking operations. Refer to the list of common parking management KPIs and select those most relevant to your specific context.
- C. Set Targets and Benchmarks: Establish target values or benchmarks for each KPI based on industry standards, historical data, or desired performance levels. These targets will serve as reference points for evaluating performance and identifying areas that require improvement.
- D. Implement Data Collection Mechanisms: Implement systems and processes to collect relevant data for each KPI. This could involve deploying sensors, using parking management software, conducting surveys, or leveraging other data collection methods. Ensure that data collection mechanisms are accurate, reliable, and scalable.
- E. Monitor Performance Regularly: Continuously monitor performance against established KPIs regularly. Use real-time data where possible to track progress and identify trends or patterns. Regular monitoring enables parking managers to identify issues promptly and take corrective actions as needed.
- F. Analyze and Interpret Data: Analyze the collected data to gain insights into parking operations and performance. Look for correlations, trends, or anomalies that may indicate areas of strength or improvement. Consider using data visualization tools to present KPIs in a clear and understandable format.
- G. Take Action and Implement Improvements: Based on the analysis of KPIs, take proactive measures to address any identified issues or areas for improvement. This may involve adjusting pricing strategies, optimizing parking layouts, enhancing enforcement measures, or implementing technology solutions to streamline operations.
- H. Evaluate Impact and Adjust Strategies: Evaluate the impact of implemented improvements on KPIs over time. Measure changes in performance against established targets and assess the effectiveness of interventions. Use this feedback loop to refine strategies, set new targets, and continuously improve parking management practices.
- I. Communicate Results and Share Insights: Communicate performance results, insights, and recommendations with relevant stakeholders, facility owners, municipal authorities, and users. Transparency and collaboration facilitate informed decision-making and foster accountability across the parking management ecosystem.
- J. Iterate and Evolve: Parking management is an ongoing process, and KPIs should evolve alongside changing goals, technologies, and user needs. Continuously review and refine your KPI framework to ensure its relevance and effectiveness in driving desired outcomes.

**Key Performance Indicators** (KPIs) for parking management typically revolve around efficiency, customer satisfaction, revenue generation, and safety. Here are some common KPIs:

1. Occupancy Rate: Measures the percentage of parking spaces occupied at any given time. This helps in understanding the utilization of parking facilities and optimizing space.
2. Revenue per Space: Calculates the average revenue generated per parking space over a specific period. This KPI helps assess the parking facility's financial performance.
3. Average Length of Stay: Tracks the average duration vehicles spend parked in the facility. Longer stays may indicate high demand or efficient use of the parking space, while shorter stays might suggest turnover or issues with congestion.
4. Turnover Rate: Indicates how frequently parking spaces are being used. Higher turnover rates generally suggest better accessibility and efficient use of space.
5. Customer Satisfaction Score (CSAT): Surveys or feedback mechanisms to gauge customer satisfaction with parking facilities. This could include aspects like ease of finding parking, cleanliness, safety, and payment processes.
6. Parking Violation Rate: Tracks the number of parking violations issued over a specific period. Lower violation rates indicate better compliance with parking regulations and potentially better enforcement measures. Identify repeat offenders and address.
7. Maintenance Downtime: Measures the amount of time parking facilities are unavailable due to maintenance or repairs. Minimizing downtime ensures continuous availability of parking spaces.
8. Safety Incidents: Tracks the number of accidents or incidents within the parking facility. Safety is paramount, so monitoring incidents and implementing measures to mitigate risks is crucial.
9. Technology Adoption Rate: Measures the adoption and utilization of technology-driven solutions such as parking apps, smart meters, or automated systems. Higher adoption rates may indicate better efficiency and convenience for users.
10. Accessibility Metrics: Ensure that parking facilities are accessible to all users, including those with disabilities. KPIs related to accessibility might measure the availability of ADA-compliant parking spaces, the ease of access for individuals with mobility challenges, or feedback from users with disabilities on the accessibility of parking facilities.

Tailoring KPIs to specific objectives and contexts can help parking managers effectively monitor performance, identify areas for improvement, and make data-driven decisions to optimize operations and customer service. Are we accomplishing all of our goals?

Sample KPI template below:

On-Street By-The-Numbers (BTN) - FY 2024														FY 2024	FY 2023
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	AVG	AVG	
1	Violations Cited	3	3	3	3	3	3	3	3	3	3	3	3	3	-
2	Actual Citations (excl. voids & warnings)	2	2	2	2	2	2	2	2	2	2	2	2	2	-
3	Value of Actual Citations	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ -
4	Citations Paid	1	1	1	1	1	1	1	1	1	1	1	1	1	-
5	Percentage of Citations Paid	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	0.00%
6	Value of Citations Paid	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ -
7	Warnings Issued	1	1	1	1	1	1	1	1	1	1	1	1	1	-
8	Voids	1	1	1	1	1	1	1	1	1	1	1	1	1	-
9	Citation Void Percentage	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	0.00%
10	Meter Revenue Collected	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ -
11	Avg Meter Rev Collected per Work Day														\$ -
12	RPPP's Sold	1	1	1	1	1	1	1	1	1	1	1	1	1	-
13	Value of RPP Permits	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ -
14	Monthly Permit Revenue	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ -
15	Value of Bagged Meters	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ -
16	New Meters Added or Removed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17	Single Space Meters (#)	1	1	1	1	1	1	1	1	1	1	1	1	1	-
18	Multi-Space Meters (#)	1	1	1	1	1	1	1	1	1	1	1	1	1	-
19	Metered Space Count	2	2	2	2	2	2	2	2	2	2	2	2	2	-
20	Vehicles Booted/Immobilized	1	1	1	1	1	1	1	1	1	1	1	1	1	-
21	Immobilization Fees	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ -
22	Total Revenue Collected	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7	\$ -

### **13. Evaluation and Feedback:**

Feedback ensures that the Danville River District (DRD) compliance strategy is effective and responsive: Feedback should include soliciting input from stakeholders, such as residents, businesses, and local authorities, to gauge their satisfaction with the parking enforcement measures and address any concerns or questions.

Customer surveys: It is important to continue conducting surveys to gather direct feedback from users of the parking facilities and services, allowing for targeted improvements based on their experiences and suggestions. Results from the most recent DRD Parking Survey are listed and analyzed in Section 3.

Websites: As mentioned in Section 9, it is a best practice to build a website with a dedicated email address or phone number that will encourage users to reach out with questions, suggestions, or issues they encounter while using the parking facilities in the DRD. The compliance plan should utilize the various online platforms to collect feedback, provide information about parking regulations and enforcement efforts, and communicate updates or changes to the strategy.

Ongoing evaluations: It is important to implement regular assessments of the parking enforcement strategy to identify areas for improvement or emerging issues. This could be a quarterly review of the plan, including previous feedback and accomplishments, and evaluating what areas for improvement are needed.

Danville River District's changing needs and circumstances: Adapt the parking enforcement strategy to accommodate shifts in population and development, especially downtown residential, traffic patterns, and other factors specific to the DRD.

Trends and projections: Analyze data trends and make projections based on demographic changes, economic shifts, and transportation patterns to anticipate future parking needs and adjust the strategy accordingly.

Annual Check-in: Implement a formal review process on an annual basis to assess the overall effectiveness of the parking enforcement strategy, identify successes and areas for improvement, and make necessary adjustments for the upcoming year.

By incorporating these components into the evaluation and feedback plan, you're taking proactive steps to ensure the Danville River District's parking compliance strategy remains effective and responsive to the needs of stakeholders and the community.

## **14. Closing Comments:**

The City of Danville in the River District is commended for its vision in requesting this parking enforcement report and its past efforts. A handful of city employees, as well as several involved citizens, have successfully controlled the current parking environment with several successes and very little failure without any formal parking training and have kept most citizens overall happy with the current parking program.

The city's creation of this RFP and their overwhelmingly focused willingness to participate with our staff is refreshing compared to several municipalities we have worked with regarding the potential survey. The survey that we provided met with the highest per capita response rate of any that we have ever performed in our 40 years of experience and has provided substantial consistent guidance from the public. Most of those requests and inquiries are encompassed within this report.

Each of the recommendations we have provided follows current industry best practices and is built upon the success that we have enjoyed working with dozens of municipalities of various sizes throughout the United States and Canada. We further believe it is essential to note the value of a third-party operator to minimize or eliminate any cost to the city, reducing or eliminating any additional burden to the constituents of the River District and the City of Danville, as well as speaking from a place of compassion and inclusion for all drivers and the continued success for area businesses and employers the city of Danville is quite impressive and a bright future. We are excited to have been part of that process.

## 15. Phase Three:

With the evolution of this consulting project to its final phase, we recommend Pivot Parking meet with the River District and the City of Danville at one or a series of in-person meetings to answer any questions and stand ready to assist further under an operating agreement when appropriate.

In addition to the enforcement project process, as proposed with Pivot Parking, the Parking Whisperer i will provide preferred pricing for proposed garage consultation, as well as a Parking Authority Assistance proposal in the City of Danville.

The White Mill project (Dan River Falls) is a tremendous opportunity to create synergies within the city. It should be coordinated closely with the DDA. The anticipated 147,000 square feet exceeds the 219 interior parking spaces planned, particularly when considering the residential and other components. This is an opportunity for proactive success.

Parking Whisperer and Pivot are pleased to provide this detailed consulting report and recommendations. We look forward to the opportunity to continue and move into the next phase with the creation of the DDA and Pivot to set up and initiate the elements of this proposal, once approved by the DDA and the City of Danville.

Upon reviewing and approving this recommendation, Parking Whisperer and Pivot would like to work with the City of Danville and the River District to institute each aspect of this recommendation. We would work together to determine the appropriate cost strategies and recommend taking the steps as quickly as possible.

Respectfully submitted.



John Oglesby  
CEO Parking Whisperer

## Attachments:

### A. Proposed (DRAFT) Ordinances

#### Chapter 22 - STREETS AND TRAFFIC

#### ARTICLE I – STREETS AND SIDEWALKS

##### Sec. 22-1. - Administration.

- (a) Unless otherwise stated herein, the Director of Public Works (hereinafter referred to as the Director) shall be responsible for carrying out the provisions of the Article, subject to the approval of the City Manager.
- (b) The Director may develop and promulgate rules and policies consistent with this article to assist in the administration and enforcement thereof, subject to the approval of the City Manager.
- (c) Upon a citizen complaint, a citizen report, or reasonable suspicion, the Director, after reasonable notice to an occupied property, may enter between the hours of 9:00 a.m. and 5:00 p.m., upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this article or regulations adopted pursuant thereto.
- (d) Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 4 misdemeanor.

Whenever a motor vehicle, trailer, or semitrailer involved in an accident is found upon a City street and is so located as to impede the orderly flow of traffic, the police or a person specifically authorized by the Chief of Police, at no cost to the owner or operator, remove such motor vehicle, trailer, or semitrailer from the street to some point in the vicinity where such motor vehicle, trailer, or semitrailer will not impede the flow of traffic, or if necessary to have the vehicle removed to a storage area for safekeeping. If a vehicle is removed to a storage area under this section, the owner of the vehicle and the Police Chief shall be notified of the removal as promptly as possible and the owner shall be responsible for paying the parties entitled thereto all costs incidental to its removal and storage.

**State Law reference**— Authority for above section, Code of Virginia, § 46.2-1212.; 1212.1 Code Official

##### Sec. 22-3. – Construction and design of streets and sidewalks.

- (a) *Obtaining rights-of-way.* The Director shall obtain and secure all public rights-of-way on behalf of the City.
- (b) *Street grades.* The Director shall report to the City Manager such grades as, in the opinion of the City Engineer, should be established on new streets, with such profiles of the same as may be necessary, and the City Manager, with the consent of Council, may direct such grades to be established.
- (c) *Sidewalk ramps.* On all City streets which require curbs there shall be constructed not less than two (2) ramps per lineal block leading to the crosswalks at intersections for use by persons with mobility impairments.



- (d) *Sidewalk design standards.* The Director shall ensure that all streets and alleys are designed, constructed, and maintained safely and in conformance with any applicable law
- (e) *Sidewalk widths.* The width of sidewalks and standard specifications for sidewalk construction shall be determined by the Director, with the approval of the City Manager.
- (f) *Scenic and recreational waysides.* To promote the safety, convenience, and enjoyment of travel on, and protection of the public investment in City streets and trails and for the restoration, preservation, and enhancement of scenic beauty and local history within and adjoining such streets and trails, it is hereby declared to be in the public interest to acquire, establish, and maintain recreational waysides and areas of scenic beauty adjoining the City streets and trails. The Director, whenever in his opinion it is in the best interest of the City, and with the approval of the City Manager, may obtain, establish, construct, maintain, and operate appropriate recreational waysides and areas of scenic beauty adjoining City streets and trails.

State Law reference— Similar provisions, Code of Virginia, § 15.2-2021.

Sec. 22-4. – New street and sidewalk requests.

- (a) *New public streets.* No public street shall be opened upon the private property of any person, by the owner of such property or any other person, without the permission of the Council, and the Council shall prescribe the terms for the opening of such street.
- (b) *New public sidewalks.* Any owner of real property in the City who desires a sidewalk or curb and gutter to be laid adjacent to his property, to be used by the general public, shall make application therefor to the City Engineer on a form provided thereby. Such form shall include the name of the applicant, the location of the requested sidewalk or curb and gutter, the square feet of sidewalk or dimensions of curb and gutter requested, and such other information as may be required by the City Engineer. All such applications shall contain a signed agreement by the applicant pledging to pay to the City the entire cost of the sidewalk. The City shall bear all costs of the curb and gutter.

Secs. 22-5 – 22-30. - Reserved.

Sec. 22-31. - Right-of-Way Use Agreements.

- (a) *Right-of-Way Use Agreements.* Permission to use any unopened right-of-way or any right-of-way not being utilized for traffic lanes or sidewalk space may be obtained from the City Manager upon recommendation by the Director, by written agreement subject to the following terms:
  - (1) Any improvements or encroachments shall be at the applicant's expense and conform to all Code requirements;
  - (2) Any improvements or encroachments shall be removed at the applicant's expense should the right-of-way later be needed;
  - (3) The applicant is not vested with any property right to the right-of-way;
  - (4) The use of the right-of-way is to be at the applicant's risk and the applicant shall hold the City harmless for such use; and

- (5) Other conditions particular to specific uses may be included in the written agreement.
- (b) *Fees.* A Right-of-Way Use Agreement shall be signed by the applicant and shall be accompanied by a fee as determined by the Council.
- (c) *Appeals.* Denial of a Right-of-Way Use Agreement by the City Manager may be appealed to the Council by written notice given to the City Clerk within ten (10) days of such denial.

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-.

Sec. 22-32. - Vacating right-of-way.

- (a) *Application.* Unneeded City rights-of-way, or portions thereof, may be altered or vacated by the Council upon application therefor by any adjacent lot owner. Such application shall be filed in writing with the City Engineer, shall be signed by the applicant, and shall be accompanied by a fee as determined by the Council.
- (b) *Review.* Such application shall first be submitted to the Director, who shall determine if such alteration or vacation will detrimentally affect public safety or the usability of needed rights-of-way.
- (c) *Public notice.* Prior to altering or vacating unneeded right-of-way, the Council shall conduct a public hearing after notice of its intention to do so has been published at least twice, with at least six days elapsing between the first and second publication, in a newspaper having general circulation in the City. The notice shall specify the time and place of a hearing. Written notice of the hearing shall be mailed to all land owners affected by such application at least seven (7) days prior to the hearing.
- (d) *Conditional vacation.* When an applicant requests a vacation to accommodate expansion or development of an existing or proposed business, the Council may condition the vacation upon commencement of the expansion or development within a specified period of time. Failing to commence within such time may render the vacation, at the option of the Council, void.
- (e) *Fractional vacation.* The Director may require the fractional portion of its public right-of-way to be purchased by the applicant if such right-of-way abuts the real property of the applicant. The conditional requirement to purchase a fractional portion of right-of-way may be appealed to the Council by written notice given to the City Clerk within ten (10) days of such requirement.
- (f) *Recordation.* A certified copy of the ordinance of vacation shall be recorded as deeds are recorded and indexed in the name of the City. A conditional vacation shall not be recorded until the condition has been met.
- (g) *Appeals.* Any appeal of a decision by Council made pursuant to this Section shall be filed with the Danville Circuit Court within sixty (60) days of adoption or rejection of the ordinance in accordance with law.

**State Law reference**— Authority for above section, Code of Virginia, § 15.2-2006; 2007.

Sec. 22-33. - Permits for excavation in rights-of-way.

- (a) *Excavation permit.* Any person other than an authorized City employee or agent shall, prior to cutting, digging into, or excavating within any public right-of-way of the City, obtain a permit to do so from the Director. Application for such permit shall be filed with the City Engineer in writing on a

form provided by the City, and shall be accompanied by a permit fee as determined by the Council, as well as an insurance certificate and a Performance Bond or an equivalent assurance in a form and amount approved by the City Attorney.

- (b) *Excavation costs.* Such applicant or the person for whose benefit the excavation is being performed shall bear the costs of repairing such right-of-way and restoring the same to its previous condition. The City shall bill such applicant or person for the actual cost to the City of such repairs.
- (c) *Excavation work.* The Department of Public Works shall perform all work required to repair the right-of-way, unless the Director agrees to an alternative arrangement; provided, however, that the costs of any such work shall be borne by the person causing such excavation.
- (d) *Rules and policies.* The Director, with the agreement of the City Manager, shall establish rules, standards, and procedures for such cutting, excavation, digging, restoration, the timing of such actions, and the issuance of permits therefor.

State Law reference— Similar provisions, Code of Virginia, § 15.2-2017.

Sec. 22-34. - Permits for curb cuts or the installation, repair, or removal of driveways.

- (a) *Curb cut permits.* It shall be a Class 1 misdemeanor for any person to make any curb cut or install, remove, alter, or repair any driveway entrance that intersects a City street, alley, or sidewalk until a permit so to do has been granted by the Director. Application for such permit shall be filed with the City Engineer in writing on a form provided by the City, and shall be accompanied by a permit fee as determined by the Council.
- (b) *Costs of curb cut.* Such applicant or the person for whose benefit the permit is being obtained shall bear the costs of installation, connection, and maintenance of the permitted driveway entrance; however, the City shall be responsible for maintaining all public sidewalks which intersect or cross driveway entrances.
- (c) *Standards.* The Director, with the agreement of the City Manager, shall establish procedures and standards for driveway curb cuts on public rights-of-way which:
  - (1) *Residential.* For residential driveway entrances, are consistent with Drawing No. C-207, entitled "Residential Driveway Entrance," dated December, 1986, on file with the City Engineer; and
  - (2) *Non-residential.* For commercial and other driveway entrances, are consistent with Sections 203.02 through 203.08 of the Virginia Department of Transportation Road and Bridge Standards, current edition, and the Virginia Department of Transportation Minimum Standards of Entrances to State Highways, current edition.
- (d) *Posting of permit.* A permit issued pursuant to this Section shall be posted in a conspicuous place near the curb which is being cut or the driveway which is being installed, removed, altered, or repaired.
- (e) *Permit duration.* Any permit issued shall become invalid if the authorized work is not commenced within six (6) months of the issuance date of such permit; however, upon written request from the permittee, the Director may, in his discretion, grant an extension of time not to exceed three (3)

months. Where such permit becomes invalid for lack of work, the permit fee shall be forfeited to the City.

Sec. 22-35. - Permits for street and sidewalk encroachments.

- (a) *Encroachment permit.* Except as otherwise provided in this Code, in every case of an encroachment upon or over a City street, sidewalk, or alley by a building, fence, wall, steps, pavement, fire escape, awning, shutters, other appendages to buildings, furniture, or other thing or object, unless there has been a special permit granted by the Council in reference thereto, the City Manager may require the owner of such encroachment to remove the same, at his own expense.
- (b) *Permit application.* Application for such permit shall be filed in writing with the City Engineer, shall be signed by the applicant, and shall be accompanied by a permit fee as determined by the Council.
- (c) *Review.* Such application shall first be submitted to the Director, who shall determine if such encroachment will detrimentally affect public safety or the usability of needed rights-of-way.
- (d) *Public notice.* Prior to permitting the encroachment, the Council shall conduct a public hearing after notice of its intention to do so has been published at least twice, with at least six (6) days elapsing between the first and second publication, in a newspaper having general circulation in the City. The notice shall specify the time and place of a hearing. Written notice of the hearing shall be mailed to all land owners affected by such application at least seven (7) days prior to the hearing.
- (e) *Recordation.* A certified copy of the ordinance permitting the encroachment shall be recorded as deeds are recorded and indexed in the name of the City.
- (f) *Appeals.* Any appeal of a decision by Council made pursuant to this section shall be filed with the Danville Circuit Court within sixty (60) days of adoption or rejection of the ordinance.

State Law reference— Similar provisions, Code of Virginia, §§ 15.2-2009 et seq.

Sec. 22-40. - Permits for Bicycle racks and docking stations.

- (a) *Unapproved docking stations prohibited in the right-of-way.* It shall be a Class 4 misdemeanor for any person to place or install any rack, apparatus, or other object intended to be a parking, distribution, or docking station for bicycles, electric power-assisted bicycles, ...

, whether for monetary consideration or otherwise, upon any City street or sidewalk without first obtaining written permission to do so from the Director or otherwise in violation of this Section.

- (b) *Application process.* Such permission shall be in the form of a Right-of-Way Use Agreement issued in accordance with Sec. X-X of this Article, along with a Licensing Agreement as described herein
- (c) *Licensing Agreement.* In considering the issuance of a Licensing Agreement, the Director, with the approval of the City Manager, may include specific conditions and establish rules and policies regarding fee-sharing, fleet size, location, design, operation, performance, response time, impoundment, geofencing, warnings, customer data, and other safety and administrative concerns

to govern the placement, installation, operation, maintenance, and removal of any rack, apparatus, other similar object used for vehicle parking, distribution, or docking, or vehicle upon a City street or sidewalk.

- (d) *Individual location.* All such objects or vehicles shall be placed or installed in a location approved by the Director in a place that does not interfere with or endanger public travel. The applicant shall maintain a list of every location at which such objects or vehicles have been placed or installed.
- (e) *Design.* Such objects or vehicles may display the name and contact information of the license-holder, the brand and identification number of the vehicle, the rental price, and instructions and warnings for operation and use, but nothing more, may be plainly printed thereon nor shall any defacement as defined in Sec. X-X of this Code be permitted to remain on such object.
- (f) *Cessation of services.* Upon the permanent cessation of use of such object for parking, distribution, or docking of any vehicle subject to an Agreement issued pursuant to this Section, such license-holder shall notify the City of his decision, provide the City with a list of each location at which such objects and vehicles have been placed or installed, and, at his own expense, remove all objects and vehicles subject to this Section within ninety (90) days of cessation.
- (g) *Removal by City.* The Director may remove or cause to be removed and dispose of any rack, apparatus, or similar object placed or installed upon a City street or sidewalk if:
  - (1) *Unapproved racks.* The rack or similar object has not been approved by the Director, is located in a place not approved by the Director, or is otherwise in violation of any condition or rule required by or made pursuant to this Section;
  - (2) *Hazardous racks.* The rack or similar object, due to its location, design, or condition or due to unique or site-specific conditions of the surrounding land or public right-of-way, is causing or contributing to identified hazards to the safe use of and travel upon the public right-of-way; or
  - (3) *Abandoned racks.* The rack or similar object has permanently ceased to be used for the parking, distribution, or docking of any vehicle and the license-holder has failed to remove such object within ninety (90) days of such cessation.

*Notice and appeal.* At least fifteen (15) days prior to removal by the City, the City shall notify the license-holder in writing of its intent to remove a rack or similar object pursuant to this Subsection on or after a certain date. Any such license-holder may remove the object himself prior to such date or may appeal the decision in accordance with the process established in Subsec. X-X(X) of this Article. The removal and disposition of any vehicle shall be governed by the License Agreement and Sec. X-X of this Chapter.

Sec. 22-62. - Obstructing safe travel upon or across a public right-of-way.

- (a) *Public nuisance declared.* The City Council finds that the creation, maintenance, or permitting of obstructions, hazards, or other harmful conditions that interfere with the safe and convenient travel by the public upon or across the public rights-of-way in the City is injurious to the public health,

safety, and general welfare. Accordingly, it is hereby unlawful and declared a public nuisance for any person:

- (1) *Creating trip hazards.* To place or discard any object or other thing upon any publicly accessible floor, stairwell, stage, or other walking surface in or on any City building or property in such a manner as to create a trip hazard.
- (2) *Throwing lit cigarettes from buildings.* To throw, or cause to be thrown, lighted cigars, cigarettes, or any other article of any kind from any building or structure, causing the same to fall upon any person or object, or upon any public right-of-way.
- (3) *Throwing dangerous objects from buildings.* To intentionally throw from a balcony, roof top, or other place more than one (1) story above ground level any object capable of causing injury to another upon any public right-of-way of the City, provided such person lacked the intent to cause injury to another.
- (4) *Discarding objects.* To throw any stone, brick, or other missile in or into any public right-of-way of the City.
- (5) *Discarding hazardous objects.* To throw, deposit, or abandon or cause to be thrown, deposited, or abandoned, upon any public right-of-way in the City, any glass, nail, tack, wire, can, or any other object or substance likely to endanger or injure any person or animal, or damage any vehicle traveling upon such public right-of-way, nor shall any person throw or deposit or cause to be deposited upon any street, alley, or sidewalk any soil, sand, mud, gravel, or other substance so as to create a hazard to the traveling public. This provision shall not apply to the use, by a police officer while in the discharge of his official duties, of any caltrop or device designed to deflate tires.
- (6) *Placing traps.* To set a trap upon any public right-of-way or along any such right-of-way in such a location or manner as to present a likely risk to the safety of travelers thereon.
- (7) *Abandoning vehicles.* To discard, abandon, or cause to be discarded or abandoned, upon any public right-of-way in the City, any tire, shopping cart, bicycle, motorized scooter or skateboard, moped, electronic personal delivery device, or motor vehicle, trailer, or semi-trailer.
- (8) *Installing barricades.* To, without permission from the City, construct, install, place, or maintain any bump, fence, gate, chain, bar, pipe, barrier, motor vehicle, or any other type of obstruction upon or across any public right-of-way in the City that interferes with the safe travel thereon.
- (9) *Gates.* To fail to maintain or secure on his property any gate or door opening over or across a public right-of-way in the City in accordance with Subsection 22-63(a) of this Chapter.
- (10) *Cellar doors.* To fail to maintain or secure on his property any cellar door opening upon a City sidewalk in accordance with Subsection 22-63(b) of this Chapter.
- (11) *Drainage.* To permit water from his lot, gutter, pipe, or spout to flow across a City sidewalk in violation of Subsection 22-63(c) of this Chapter.
- (12) *Unsafe walls and fences.* To maintain or permit upon his property adjacent to any public right-of-way of the City, any unsafe wall or structure in violation of Sec. 9-X of this Code.

- (13) *Excavations.* To cut, dig into, or excavate any pit or hole upon, within, or adjacent to a public right-of-way in the City without first securing an excavation permit in accordance with Sec. 22-33 of this Chapter, or in violation of such permit, or in such a manner as to interfere with the safe travel upon such public right-of-way.
  - (14) *Unsafe grades.* To maintain upon his property adjacent to any public right-of-way of the City, any grade determined by the City Engineer to be unsafe to travelers along such public right-of-way.
  - (15) *Snow and ice accumulation.* To fail to remove from any public sidewalk adjacent to his property snow, or to fail to cover upon such sidewalk any ice or sleet, in accordance with Subsection (b) herein.
  - (16) *Vegetation.* To permit or suffer his trees or other vegetation to have any limbs overhang above a public right-of-way in the City lower than twelve (12) feet above such right-of-way.
  - (17) *Obstructions to visibility.* To construct, install, maintain, plant, or permit upon his property any sign, banner, fence, wall, hedge, planting, news rack, or other obstruction to vision, that extends from a height of two and one-half (2½) feet to ten (10) feet above the established street grade within the area formed by the intersection of right-of-way lines at corner lots and a straight line joining the right-of-way lines at points which are twenty-five (25) feet in distance from the intersection of the right-of-way lines at the corner of the lot. This provision shall not apply to mailboxes, police and fire alarm boxes, public utility poles, street name markers, official traffic control devices, fire hydrants, trees with no visual obstruction other than their trunk up to the height of ten (10) feet above the established street grade, or when an engineering and traffic investigation conducted by the City Engineer reveals that no safety hazard exists from the potential obstruction.
  - (18) *Livestock.*
  - (19) *Shooting.* To knowingly or recklessly discharge a firearm, crossbow, slingbow, arrowgun, or bow and arrow in or across any public right-of-way in the City, unless such discharge is pursuant to lawful self-defense or defense of others.
  - (20) *Other obstructions.* Except as otherwise provided in this Code, it shall be a Class 1 misdemeanor for any person, in any way whatever, to obstruct any City street, alley, or sidewalk.
- (b) *Duties of persons.* All persons in the City shall have the following duties:
- (1) *Duty to not cause obstructions.* Any person shall have the duty to protect the public right-of-way from obstructions, conditions hazardous to safe use and travel, or other interference in accordance with this Section.
  - (2) *Duty to keep property free from nuisances.* The owner and occupant of any parcel within the City shall have the further duty to keep his property free from any nuisance condition permitting such obstruction, safety hazard, or interference, at his sole expense in accordance with this Chapter.
  - (3) *Duty to keep adjacent drains open.* It shall be the duty of every owner or occupant of a lot which abuts upon a paved gutter or drain on the street or public alley to, as far as such lot extends, keep such gutter or drain open and free from obstructions at all times.

- (4) *Duty to keep adjacent sidewalks clear of snow.* It shall be the duty of every owner or occupant of a lot which abuts upon a sidewalk to have all snow removed from such sidewalk within twenty-four (24) hours after the snow shall have ceased falling. The same requirements shall exist with respect to ice or sleet on sidewalks, except that, when same cannot be removed without injury to the sidewalk, it shall be covered within the period of time above specified with sand, ashes, or some other substance, which will render such sidewalk safe for travel.
- (5) *Duty to obtain and obey excavation permit.*
- (6) *Duty to remove own hazardous material.* Any person who drops, or permits to be dropped or thrown, upon any public right-of-way any destructive, hazardous, or injurious material or obstruction shall have the duty to immediately remove the same or cause it to be removed.
- (7) *Duty to remove hazardous material.* Any person removing a wrecked or damaged vehicle from a public right-of-way shall remove any glass or other injurious object or substance dropped upon the right-of-way from such vehicle.
- (c) *Notice of Violation.* Whenever it is observed that any person is in violation of Subsection (a)(9) - (a)(17) above, the Director shall serve the violator notice to cause such violations to be abated or removed within seven (7) days from the date of such notice.
- (d) *Service.* Service of the notice provided for in Subsection (c) shall be by first class mail, personal delivery, or posting in a conspicuous place upon the parcel; provided, however, that if the parcel is unoccupied and the owner or his agent cannot be found by the exercise of due diligence or are unknown, such notice shall be sufficient against the owner if given by first class mail to the owner's last known mailing address and posted in a conspicuous place upon the land or premises. The Director is hereby authorized to deliver or post such notices.
- (e) *Legal remedies.* Failure to comply with the terms of a notice issued and served as provided in this Section within the time prescribed in such notice shall constitute a class 3 misdemeanor, and each day thereafter that the violation continues shall constitute a separate offense. In addition to any penalties imposed hereunder, the City may institute legal action to enjoin the continuing violation of this Section and may alternatively abate or contract for the abatement of such violation pursuant to Subsection (f) below, in which event the cost and expenses thereof, including administrative fees as prescribed by the Council, shall be chargeable to, billed to, and paid by the owner or occupant of the parcel. Any such charge which is not paid within sixty (60) days of the date on which it is billed to the owner of such land or premises shall constitute a lien upon the property and shall be recorded with the Clerk of the Circuit Court, and may be collected in any manner provided by law for the collection of taxes, or in the same manner provided by law for liens of judgments; provided, however, that no such lien shall be valid against any owner of a parcel who was not served with the notice prescribed in this Section.
- (f) *Abatement.* If the owner or occupant fails to abate the public nuisance as required, the Director may use City forces to abate the nuisance or, at his option, may contract for this abatement on behalf of the City with a private contractor which abatement expenses shall be paid by the owner or occupant and subject to collection. Any owner or occupant may abate the violation himself without liability to the City, provided that he does so prior to commencement of abatement by City personnel or contractors. Abatement shall include but not be limited to the repair or removal of any wall, fence, gate, cellar door, gutter or drainage system, or other structure obstructing any public right-of-way of the City, the securing of any such gate or door, the collection, removal, impoundment, and disposition of any animal, snow, object, or other physical obstruction located



upon City property, any public right-of-way, and any property directly adjacent to such a right-of-way, the trimming of any obstructive vegetation, the covering of any hazardous ice or sleet, the filling of any hole, pit, or excavation, or any dangerous change in elevation to an appropriate grade, the securing of any dangerous change in elevation from access by persons or animals or from landslides, erosion, and other harmful deposition onto a public right-of-way, and the elimination of any other obstruction or safety hazard upon or along a public right-of-way.

- (g) *Appeals.* The owner or occupant may appeal such violation notice to the City Manager, by filing such appeal, in writing, with the City Clerk within seven (7) days of the date of such notice. The City Manager may uphold, overturn, or modify such determination.

State Law reference— Code of Virginia, § 15.2-1115;

- (b) Upon determination that a violation of this section exists, the City shall send written notice by first class mail of the violation to the owner or occupant of the lot requiring such person to remove all obstructions violating the provisions of this section within five (5) days after receipt of the written notice. It shall be unlawful for any owner or occupant of a corner lot to fail to remove all obstructions violating the provisions of this section within five (5) days after receipt of written notice from the City.
- (c) Upon failure of the owner or occupant of a corner lot to comply with the provisions of this section within five (5) days after receipt of written notice from the City so to do, the City may enter upon such lot and remove there from any and all obstructions found to be in violation of this section. Where trees, shrubs, hedges, or other plantings constitute the violation of this section, the City shall have the authority to either trim or remove the same based upon the most cost-effective method.
- (d) In the event an obstruction violating this section is located on City-owned property or right-of-way, such obstruction may be trimmed or removed, whichever is applicable; provided, however, that prior to removal the City shall give written notice to the owner or occupant of the property adjacent to the City-owned property or right-of-way on which the violation of this section is located of the City's intention to remove the obstruction within five (5) days from the receipt of the written notice by first class mail.
- (e) The owner or occupant shall be liable to the City for the costs of such trimming or removal within thirty (30) days of receiving an invoice therefore. Upon the failure to pay the costs incurred by the City, such costs and an administrative fee as determined by Council shall constitute a lien against the property and may be collected as real estate taxes are collected.

## ARTICLE II. - TRAFFIC GENERALLY

### Sec. 22-101. - Purpose.

All definitions of words and phrases contained in the state law adopted by this Article shall apply to such words and phrases when used in this chapter, unless clearly indicated to the contrary.

Sec. 22-102. - Definitions.

All definitions of words and phrases contained in the state law adopted by this Article shall apply to such words and phrases when used in this chapter, unless clearly indicated to the contrary.

*Center median* means any area in the middle of any street, designed to provide a barrier to keep traffic on one (1) side of the street from going to the other side of the street. A center median may be a raised concrete strip or a grass strip, whether traversable or non-traversable.

*Loiter* means stand around, sit or lie in or upon, occupy, or otherwise remain on, or to park or remain parked in a motor vehicle upon, or to collect, gather, congregate, or be a member of a group or a crowd of people, while in a public place and while also simultaneously engaging in any conduct prohibited by law, whether individually or collectively.

*Public place* means a place where a governmental entity has title, to which the public or a substantial group of persons has access, including but not limited to any street, sidewalk, parking lot, plaza, transportation facility, public building or grounds appurtenant thereto, school, schoolyard, park, or playground.

*Right-of-way* means the right-of-way of any public street and shall include any sidewalk or other walkway thereon, whether paved or unpaved.

*Traffic control point* means any point or points within the no cruising area established by the Division of Police of the City for the purpose of monitoring cruising.

Sec. 22-103. - Adoption of state law.

- (a) Pursuant to the authority of §46.2-1313 of the Code of Virginia, all of the provisions and requirements of the laws of the Commonwealth contained in title 46.2 of the Code of Virginia, except those provisions and requirements the violations of which constitute a felony and except those provisions and requirements which, by their nature, can have no application to or within the City, and except those provisions which by law may not be adopted or incorporated, are hereby adopted and incorporated *mutatis mutandis* in this chapter by reference and made applicable within the City. References to "highways of the State" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the City. Such provisions and requirements are hereby adopted and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person within the City to violate, or fail, neglect or refuse to comply with, any such provision or requirement; provided that, in no event shall the penalty imposed for the violation of any such provision or a requirement exceed the penalty imposed for a similar offense under title 46.2 of the Code of Virginia.
- (b) Pursuant to the authority of § 46.2-1313 of the Code of Virginia, all of the provisions of article 9 of chapter 11 of title 16.1 of the Code of Virginia and in effect on July 1, 2024, are hereby adopted and incorporated *mutatis mutandis* in this Chapter by reference and made applicable within the City.
- (c) The provisions of Part Three B, entitled "Traffic Infractions and Uniform Fine Schedule," of the Rules of the Supreme Court of Virginia, in effect on July 1, 2024, as from time to time amended, shall be applicable to all affected violations of this Chapter.
- (a) Pursuant to the authority granted by § 46.2-1313 and § 18.2-268.12 of the Code of Virginia, § 18.2-266 of the Virginia Code, as amended, which relates to driving while intoxicated, is hereby adopted and incorporated in its entirety into this chapter as if it were fully set forth herein.
- (b) Pursuant to the authority granted by § 46.2-1313 of the Code of Virginia § 18.2-266.1 of the Virginia Code, as amended, which relates to persons under the age of twenty-one (21) driving after illegally consuming alcohol, is hereby adopted and incorporated in its entirety into this chapter as if it were fully set forth herein.

Sec. 22-104. - Compliance with chapter; general penalty for violations.

It shall be unlawful for any person to refuse, fail, or neglect to comply with any of the provisions of this chapter or any rule or regulation promulgated pursuant thereto. Unless otherwise specifically provided, a violation of any provision of this chapter or any such rule or regulation shall constitute a traffic infraction punishable by a fine of not more than two hundred dollars (\$200.00).

- (c) Violations of this section shall be punished by a fine of twenty-five dollars (\$25.00) for each offense.  
Ped

Unless otherwise specifically provided, a violation of any provision of this article shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00). Bike

Sec. 21-105. – Administration.

Reserved.

Sec. 21-106. - General powers of City Manager relative to traffic.

- (a) *General powers.* To promote the public health, safety, and general welfare of the residents of the City, the City Manager, except as otherwise provided law, shall have power and he is hereby authorized to regulate the operation and parking of vehicles within the territorial limits of the City by the installation or placing of proper traffic control devices indicating restricted speed areas, through or arterial streets, stop intersections, yield right-of-way intersections, prohibited U-turn intersections, school zones, hospital zones, loading zones, work zones, fire lanes, and similar areas, prohibited, limited, tandem, or angle parking, and other traffic control devices indicating the place and manner of operating or parking vehicles within the territorial limits of the City.
- (b) *Additional powers.* The City Manager shall have power and he is hereby authorized as follows:
  - (1) *Pedestrians.* To regulate the movement of pedestrians and animals upon the streets, sidewalks, and other public rights-of-way of the City by the installation or placement of proper traffic control devices indicating the flow of pedestrian traffic;
  - (2) *Shared-use paths.* To designate sidewalks, crosswalks, trails, and other shared-use paths upon which bicycles, electric power-assisted bicycles, electric personal assistive mobility devices, motorized skateboards or scooters, mopeds, and personal delivery devices are prohibited or restricted;
  - (3) *Direction.* To mark off traffic lanes on streets and parts of streets indicating and directing the operation and flow of traffic;
  - (4) *Right on red.* To designate, by proper traffic control devices, the street intersections at which right turns are not permitted on a red traffic signal light;
  - (5) *Parking.* To regulate the parking of vehicles of various sizes and weights;
  - (6) *Bus Stops.* To designate bus stops and to install traffic control devices prohibiting the parking of vehicles other than City buses and trolleys at such stops;
  - (7) *Pickup and docking areas.* To designate pickup and docking areas for bicycles, electric power-assisted bicycles, motorized scooters and skateboards, electric personal assistive mobility devices, transportation network company (TNC) vehicles, shuttles, and taxicabs, and to install traffic control devices prohibiting the parking of unapproved vehicles at such locations;
  - (8) *Parking lots and facilities.* To regulate the flow and parking of vehicles on or in the parking lots and parking facilities of the City, any political subdivision created or chartered by the City, and any parking lot which is open to the public and designed to accommodate fifty (50) or more vehicles.
- (c) *Speed limits.* The City Manager is hereby authorized to increase or decrease the speed limits for vehicular traffic on City streets and other public rights-of-way as follows:
  - (1) *Generally.* Upon any City street or public right-of-way, based upon the results of an engineering or traffic investigation;
  - (2) *Dangerous areas.* Along congested areas, curves, right angle turns, or other dangerous areas or points, based upon the results of an engineering or traffic investigation;

- (3) *Residential and commercial areas.* Within any residential or commercial zoning district, provided such change is a decrease of the speed limit below twenty-five (25) miles per hour but above fifteen (15) miles per hour;
- (4) *Work zones.* For no more than sixty (60) days upon any portion of any City street or other public right-of-way upon which work is being done or where the street is under construction or repair;

All speed limit adjustments shall be clearly indicated by traffic control devices installed or placed and maintained on the streets or portions thereof where such limits are in effect.

- (d) *One-way streets.* The City Manager is hereby authorized to designate certain City streets or public rights-of-way, or portions thereof as one-way streets upon which the flow of traffic is limited to a single direction. The designation of any one-way street shall be based on an engineering or traffic investigation. One-way streets shall be clearly indicated by traffic control devices installed or placed and maintained on the streets or portions thereof where such limits are in effect.
- (e) *Restricted-use streets.* The City Manager
- (f) *Detour routes.* The City Manager is hereby authorized to, whenever necessary, designate, lay out, maintain, and keep in as good repair as possible suitable detour routes, by the most practical route, while the City streets and other public rights-of-way are hazardous or are being repaired, improved, or constructed, including but not limited to the placement of explicit directions to the traveling public directing them to and along such detour routes.
- (g) *Evacuation routes.* The City Manager is hereby authorized to, in consultation with the Director of Emergency Management and other appropriate City staff, designate, develop, and maintain a map of primary evacuation routes through and out of the City in the event of an emergency. Such map shall be made available on the City' public website.
- (h) *Operation and parking during hazardous weather conditions.* In the event of snow, sleet, hail, freezing rain, ice, flood, high wind, storm, or the threat thereof, the City Manager is hereby authorized to temporarily designate certain City streets or public rights-of-way, or portions thereof:
  - (1) *Closed roads.* As streets upon which vehicles shall be prohibited from being operated, parked, or abandoned;
  - (2) *Snow routes.* As snow routes upon which only vehicles operated while equipped with snow tires or chains is permitted;
  - (3) *Snowmobiles.* As streets upon which snowmobiles may be operated consistent with the directions of the City Manager; and
  - (4) *Play areas.* As play areas for sledding and similar recreational activities.

*Removal of vehicles.* The City Manager is further authorized to require the removal and storage of any vehicle that is stalled, stuck, parked, or abandoned in violation of this Subsection, including the imposition of reasonable charges for such removal and storage as determined by the Council. To the extent practical, any street designated pursuant to this Subsection shall be clearly indicated by traffic control devices installed or placed and maintained on the streets or portions thereof where such limits are in effect.

- (i) *Posting signs.* To secure, install, repair, and maintain all necessary traffic control devices upon or along any City Street, public right-of-way, or other location required by law, provided that all such traffic control devices comply with all Commonwealth and United States laws and regulations.

Secs. 21-107 – 21-120. - Reserved

### Article III. – PEDESTRIANS

Sec. 21-121. – General pedestrian conduct.

- (a) *Signs and crossing guards.* It shall be unlawful for any pedestrian to disobey any traffic control device installed for the direction and control of travel and traffic or any order from a police officer or other City official engaged in directing travel and traffic on any City street or sidewalk.
- (b) *Crossing streets.* Unless otherwise prohibited by a traffic control device or a police officer or other City official engaged in directing travel and traffic, pedestrians may cross an intersection diagonally when all traffic entering the intersection has been halted by a traffic control device or by a person lawfully directing traffic.
- (c) *Blocking parking spaces.* It shall be unlawful for any pedestrian to physically block or occupy a public parking space for the purpose of preventing a motor vehicle from parking in such space or reserving such space for a particular motor vehicle.

Sec. 21-122. – Loitering or soliciting along City streets.

- (a) *Purpose.* Pursuant to the authority granted to the City by the Commonwealth and its general police powers, the City does hereby adopt the following Section to ensure the free and safe passage of pedestrians and vehicles on the public rights-of-way, to ensure free and safe access to public areas, to prevent identifiable dangers to persons and property, to prevent delays, to avoid interference with the flow of traffic, and to regulate the time, place, and manner of activities that could otherwise threaten the public health, safety, and welfare, while also protecting to the greatest extent possible while maintaining safety, the exercise of First Amendment expression. After thorough study, the City Council finds that certain center medians and narrow right-of-way along public streets are only designed to deal with specific traffic flow problems. Any delay or distraction to motor vehicle traffic may interfere with traffic planning, including delays or distractions from pedestrians communicating with or attempting to communicate with drivers or passengers in vehicles that are passing or that are stopped temporarily due to traffic lights.
- (b) *Hazardous distractions caused by pedestrians.* No person shall occupy a City street upon which motor vehicle traffic is allowed for the following purposes:
  - (1) *Solicitation.* To solicit any thing of any nature from any driver of a motor vehicle or any passenger therein, including but not limited to contributions, rides, things of value, and things not of value;
  - (2) *Distribution.* To sell, offer for sale, distribute, or advertise any publication, handbill, leaflet, bulletin, literature, advertisement, product, property, or service to the drivers of motor vehicles or the passengers therein;
  - (3) *Loitering.* To loiter, so as to unreasonably hinder or obstruct the free and normal flow or passage of any pedestrian or vehicle thereon, including but not limited to at any bridge, crosswalk, driveway, curb cut, loading zone, parking space, bus stop, or the entrance to private or public property.

- (c) *Use of certain narrow center medians.* No person shall occupy an unpaved center median or a paved center median where the pavement is less than five (5) feet in width excluding the curb except for the following purposes:
  - (1) *Travel.* To cross a street in a safe and expedient manner, including waiting until it is safe to proceed across such street.
  - (2) *Emergency breakdowns.* To temporarily escape from or deal with a vehicle accident, vehicle breakdown, or other emergency.
  - (3) *Maintenance.* To repair, maintain, or survey such center median, or any pipe, cable, or other infrastructure buried thereunder, in accordance with law.
  - (4) *Emergency services.* To engage in law enforcement activities or emergency response in accordance with law.
- (d) *Use of certain narrow rights-of-way.* No person shall occupy an unpaved right-of-way alongside a City street or any City sidewalk where the pavement is less than five (5) feet in width excluding the curb except for the following purposes:
  - (1) *Travel.* To travel along such right-of-way or sidewalk in a safe and expedient manner.
  - (2) *Emergency breakdowns.* To temporarily escape from or deal with a vehicle accident, vehicle breakdown, or other emergency.
  - (3) *Maintenance.* To repair, maintain, or survey such center median, or any pipe, cable, or other infrastructure buried thereunder, in accordance with law.
  - (4) *Emergency services.* To engage in law enforcement activities or emergency response in accordance with law.
- (e) *Obstructing pedestrian travel.* No person shall occupy a public sidewalk for the purpose of soliciting from pedestrians or to loiter, if doing so shall unreasonably hinder or obstruct the free and normal flow or passage of pedestrians thereon, including but not limited to at any bridge, crosswalk, driveway, curb cut, loading zone, parking space, bus stop, bicycle rack, or the entrance to private or public property.
- (f) *Loitering on bridges.* No person shall loiter on any bridge on which the City Manager has declared that such conduct constitutes a public safety hazard and has posted signs prohibiting such action; nor shall any person fish upon any bridge except upon a platform, walkway, or other facility attached to the bridge when designated by the City for fishing purposes.

Secs. 21-123 – 21-129. – Reserved. Sec. 21-130. - Horses, ponies, and similar animals on City sidewalks.

It shall be unlawful for any person to ride a horse, pony, or similar animal of the family *Equidae* upon any improved sidewalk within the City or to permit any such animal to walk or run upon any improved City sidewalk unless such animal is a service animal actively assisting a disabled person.

#### ARTICLE IV. – BICYCLES AND OTHER UNLICENSED MOTOR VEHICLES

Sec. 21-131. – Use of seat required; carrying excess passengers.

- (a) *Bicycle seating.* A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- (b) *Bicycle operation.* No person shall ride a bicycle, electric power-assisted bicycle, or motorized skateboard or scooter on a City street, highway, or alley more than two (2) abreast.

- (c) *Lane sharing.* Two (2) persons riding separately may ride in the same lane under the following rules:
  - (1) shall not impede the normal and reasonable movement of traffic,
  - (2) shall move into a single file formation as quickly as is practicable when being overtaken from the rear by a faster moving vehicle, and,
  - (3) on a laned roadway, shall ride in a single lane.
- (d) *Lane splitting.* No person riding a bicycle, electric power-assisted bicycle, or motorized skateboard or scooter shall travel between two (2) lanes of traffic moving in the same direction, except where one (1) lane is a separate turn lane or a mandatory turn lane.
- (e) *Bicycle lanes.* Wherever a usable lane for bicycles has been provided adjacent to a roadway, bicycle riders shall use such lane.
- (f) *Riding on permitted shared-use paths.* A person riding or operating a bicycle, electric power-assisted bicycle, electric personal assistive mobility device, motorized skateboard or scooter, or personal delivery device on a sidewalk, crosswalk, trail, or other shared-use path shall yield the right-of-way to and otherwise not unreasonably interfere with any pedestrian. Such person shall otherwise have all the rights and duties of a pedestrian under the same circumstances when traveling upon a shared-use path.
- (g) *Riding on prohibited shared-use paths.* It shall be a fifty dollar (\$50.00) civil penalty for any person to ride, operate, or use a bicycle, electric power-assisted bicycle, electric personal assistive mobility device, motorized skateboard or scooter, moped, roller skates, or skateboard upon any sidewalk, crosswalk, trail, pedestrian walkway, or other shared-use path when such riding or use has been prohibited thereon by official traffic control devices.
- (h) *Parking.* No person shall park a bicycle, electric power-assisted bicycle, electric personal assistive mobility device, or motorized skateboard or scooter in a manner that impedes the normal movement of pedestrian or other traffic or where such parking is prohibited by official traffic control devices.

Sec. 21-143. - Golf carts and utility vehicles.

- (a) *Golf carts.* It shall be unlawful for any person to operate a golf cart or utility vehicle in any park, or on any public or bicycle pathway, or on or over any street or sidewalk in the City except as provided in this Section.
- (b) *Allowed roads.* A Golf cart may only be operated on the following designated streets:
  - (1) Acorn Lane;
  - (2) Clearview Drive;
  - (3) Creekside Drive;
  - (4) Dogwood Drive;
  - (5) Hemlock Lane; and
  - (6) Oakcreek Drive.
- (c) *Signs.* The City shall be responsible for the posting and maintenance of signs at any entrance any dedicated road approved for golf cart usage.
- (d) *License.* No person shall operate any golf cart on any designated City street unless he has in his possession a valid driver's license issued to him and his golf cart is displaying a slow-moving vehicle emblem in conformity with Virginia law.



- (e) *Daylight hours.* No person shall operate any golf cart on any designated City street between sunset and sunrise, unless equipped with lights in conformity with Virginia law for such golf cart.
- (f) *Exemptions.* The limitations set forth in this Section shall not apply to any golf cart or utility vehicle being safely operated on any City street or sidewalk to the extent necessary by a City employee or contractor in furtherance of a governmental purpose, or by an employee of an institution of higher education if operating on a City street within or adjacent to the property limits of such institution, provided such street within or adjacent to the property does not have a posted speed limit exceeding thirty-five (35) miles per hour. No golf cart or utility vehicle exempt under this Subsection shall be operated faster than thirty-five (35) miles per hour.

## ARTICLE V. - STOPPING, STANDING, AND PARKING

### Sec. 21-181. – Parking Citations.

- (a) *Administration.* The administration of this Article, may be carried out by City police officers, other City officers and employees authorized to do so by law, officers or employees of the Sheriff's Office for violations occurring upon or adjacent to property subject to their custody, officers, employees, agents of any railroad company for violations occurring upon or adjacent to property subject to their custody, private security guards or volunteers when authorized pursuant to this Article, and by third-party agents acting on behalf of the City pursuant to a written agreement for parking enforcement. Officers, employees, and agents may use electronic handheld devices and license plate recognition (LPR) technology, in the carrying out of this Article. Each officer, employee, or agent charged with the duty of enforcing the traffic laws of the City shall, with respect to each vehicle found by him to be parked in violation of this Article, create a record of the make, model, and license tag number of the vehicle, the specific violation, and the date, time, and location of such violation, and shall report the same to the Police Department in writing.
- (b) *Parking Citations.* Each such officer, employee, or agent shall attach to such vehicle a written notice to the owner, or mail or transmit a written notice to such owner, at his last known address. Such notice shall inform the owner that such vehicle has been parked in violation of one (1) of the City parking regulations. Such notice shall advise the owner of the particular parking violation, the amount of the penalty and advising the owner of the various payment options and that payment is due within ten (10) days of the time when such notice was attached to such vehicle, in which event the penalty for such violation shall thereupon be fully satisfied.
- (c) *Parking fines and fees.* The fines and fees of parking violations under this Article are as follows:
  - (1) The penalty for illegally parking in violation of Subsection 21-182(a)(1) of this Article shall be a fine of two hundred fifty dollars (\$250.00).
  - (2) The penalty for illegally parking in violation of Subsections 21-182(a)(2) – 182(a)(4) of this Article shall be a fine of one hundred dollars (\$100.00).
  - (3) The penalty for illegally parking in violation of Subsections 21-182(a)(5) – 182(a)(12) of this Article shall be a fine of fifty dollars (\$50.00).
  - (4) The penalty for any other parking violation established by this Article shall be a fine of twenty-five dollars (\$25.00) unless otherwise specified herein.
  - (5) The penalties provided in this Subsection shall apply only when the penalty is paid within ten (10) days after the notice of violation is attached to the vehicle or mailed or transmitted to the owner pursuant to this Article. Any owner failing to pay such penalty within the prescribed time and manner shall be required to pay an additional penalty of ten dollars (\$10.00) for each thirty (30) day period the penalty remains unpaid. Any penalty that remains unpaid after ninety (90) days shall, in addition to the thirty (30) day penalty, shall be subject to an additional penalty of twice the original penalty.

- (d) *Legal remedies.* After ten (10) days from the attachment, mailing, or transmitting of notice to a vehicle's owner, the City shall ascertain whether or not such fine has been paid. Thereupon, if the fine has been paid, the City shall cancel the stub in his possession covered by such payment. If the fine has not been paid within the required time, it shall be the duty of the City to give the notice required by this Article and, if such notice is not complied with, to have issued complaints, summons, or warrants against the owner of the vehicle involved for the violation.
- (e) *Final Notice.* Before any summons shall issue for the enforcement of a violation of this Article, the violator shall have been first notified by the City, by mail at his last known address or at the address shown for such violator on the records of the Virginia Department of Motor Vehicles, that he may pay all amounts provided by law for such violation, within ten (10) days of receipt of such notice.
- (f) *Ownership.* In any enforcement action charging that a vehicle was parked in violation of any part of this Article or any other law, proof that the vehicle described in the complaint, summons, or warrant was parked in violation of such provision of this division or other law, together with proof that the Defendant was, at the time of such parking, the registered owner of the vehicle, shall constitute a *prima facie* presumption that such registered owner of the vehicle was the person who parked the vehicle at the place where, and for the time during which, such violation occurred.
- (g) *Immobilization of vehicles with outstanding parking citations.* Any motor vehicle found parked upon any City street, parking lot, or other City property against which there are three (3) or more outstanding unpaid or otherwise unsettled parking violations, may be immobilized by booting or some other approved method of immobilization. Any motor vehicle found parked upon any City street, parking lot, or other City property against which there are five (5) or more outstanding unpaid or otherwise unsettled parking violations, may, by towing or otherwise, be removed or transported to a place in the City designated by the Police Chief for the safe and temporary storage of such vehicle. The removal or transportation of such vehicle shall be by or under the direction of the Police Chief. Notice shall be provided to the owner of such vehicle, informing him of the location of the vehicle and the nature and circumstances of the prior unsettled parking violations which resulted in the removal of such vehicle. The owner of any motor vehicle removed pursuant to this subsection may reclaim custody of such vehicle by paying any outstanding parking violations as well as any costs incidental to the removal and storage of the vehicle and the efforts to locate its owner, and any other costs or fees as approved by the Council. Should such owner fail or refuse to pay such fines and costs, or, should the identity or whereabouts of such owner be unknown and unascertainable, such removed motor vehicle may be sold in accordance with the procedures set forth in §46.2-1213 and §46.2-1217 of the Virginia Code.

Sec. 22-182. - General parking prohibitions.

- (a) It shall be unlawful for any person to park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:
  - (1) *Disabled spaces.* Within a marked parking space or adjacent access aisle designated for the use of the disabled in accordance with Sec. 21-191 of this Chapter;
  - (2) *Fire Lanes.* Within any marked fire lane;
  - (3) *Near ambulance stations.* Within fifteen (15) feet of the entrance to a building housing rescue squad equipment or ambulances, provided such buildings are properly identified;
  - (4) *Near fire stations.* Within fifteen (15) feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of the entrance, when properly identified;
  - (5) *Near fire hydrant.* Within fifteen (15) feet of a fire hydrant;

- (6) *Near safety zone.* Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a lawful traffic-control device;
- (7) *Near excavation.* Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic or activities related to the excavation;
- (8) *Near railroad crossing.* Within fifty (50) feet of the nearest rail of a railroad grade crossing;
- (9) *Bridges or tunnels.* Upon any bridge or other structurally elevated street or highway or within a tunnel;
- (10) *Obstructing driveways, curb ramps, or mailboxes.* In front of a public or private driveway, curb ramp, or mailbox so as to render such driveway, ramp, or mailbox impassable, inaccessible, or hazardous to use as intended;
- (11) *Obstructing sidewalks and crosswalks.* Upon or within a City sidewalk, street intersection, marked crosswalk, or marked bicycle lane;
- (12) *Near intersections.* Within fifteen (15) feet from the intersection of curb lines, or if none, then within ten (10) feet of the intersection of property lines at an intersection of the street;
- (13) *Distance from curb.* On a street if the tires closest to the curb or edge of the street are more than three (3) feet from such curb or edge;
- (14) *Perpendicular parking and backing to curb.* Perpendicular or backed in to the edge or curb of a street except where marked for such parking;
- (15) *Direction.* Along the edge or curb of a street while facing the opposite direction of traffic;
- (16) *Tandem parking.* On the roadway side of any vehicle parked at the edge or curb of a street;
- (17) *Double parking.* Within more than one (1) marked parking space unless loading or unloading;
- (18) *Loading and pickup zones.* Within a marked loading zone, other than for the expeditious unloading and delivery or pickup and loading of commercial goods, during hours when the provisions applicable to such zones are in effect. The driver of a passenger vehicle may stop temporarily in a space marked as a loading zone for the purpose of, and while actually engaged in, loading or unloading passengers or commercial goods when such stopping does not interfere with any vehicle used for the transportation of commercial goods that is waiting to enter or is about to enter such loading;
- (19) *Bus stops.* Within a marked bus stop, other than a City bus or trolley, or unless actually engaged in the expeditious loading or unloading of passengers when such stopping does not interfere with any bus or trolley waiting to enter or about to enter such bus stop;
- (20) *Time-restricted parking.* In any public street or space in violation of any time restriction promulgated pursuant to Sec. 21-183 of this Article;
- (21) *Permit-restricted parking.* In any public street or space subject to permitted parking restrictions in violation of any permit restriction promulgated pursuant to Sec. 21-183 of this Article;
- (22) *Improper purposes.* For an improper purpose prohibited by Sec. 21-195 of this Article;
- (23) *Improper vehicles.* By an improper vehicle in violation of Sec. 21-196 of this Article; and
- (24) *Signs.* At any other place and time where official signs prohibit parking.

- (b) No person other than a police officer or a City officer or employee commanding at the scene of an active emergency shall move or direct a vehicle into any such prohibited area or away from a curb such distance as is unlawful.

Sec. 21-183. - Time restricted parking.

- (a) *Designation.* The City Manager may designate portions of public streets or public parking spaces as having time-restricted parking. Such restrictions may determine the date, day, time, or duration of public parking within such streets and spaces. Adequate signage shall be installed to provide notice of any time restrictions on parking.
- (b) *Stealing from or tampering with a parking meter.* Stealing from a parking meter. It shall be a Class 1 misdemeanor for any person to enter, force, attempt to enter or force an entrance into, tamper with, or insert any part of an instrument into any City parking meter, with intent to steal therefrom.
- (c) *Defrauding a parking meter.* It shall be a Class 3 misdemeanor for any person to operate, cause to be operated, or attempt to operate or cause to be operated any City parking meter in connection with the use or enjoyment of parking privileges by means of a slug, or any false, counterfeit, mutilated, sweated, or foreign coin, or by any means, method, trick, or device whatsoever, not authorized by the City; or to obtain or receive parking privileges from any City parking meter, including but not limited to multi-space meters, or other parking-related device without depositing in or surrendering to such parking meter, the amount required therefor.
- (d) *Delivery vehicles.* Any time limit for parking motor vehicles on the public streets of the City, as provided by this Section, shall not apply to delivery vehicles belonging to and used by merchants doing business on such streets to the extent that such vehicles may be parked during business hours in front of such merchant's place of business if loading and unloading merchandise; provided, however, that no merchant shall permit a vehicle used in his business to be parked in the loading zone of another place of business, without permission from such other business.
- (e) *Four-free hours not in effect in the River District.* Within the River District, any time restriction applicable to parking motor vehicles in accordance with this Section shall be strictly enforced against such vehicle, notwithstanding the fact that such vehicle is displaying a disabled parking license plate or placard. Adequate signage shall be installed to provide notice that the four (4) hours' free parking rule is not in effect within the River District.

Secs. 21-184 – 21-190. - Reserved.

Sec. 21-191. - Parking in space reserved for disabled persons.

- (a) *Disabled spaces* It shall be a Class 2 misdemeanor for any vehicle to park in any parking space reserved for persons with disabilities or in any striped access aisle adjacent to such space, unless such vehicle is displaying a valid disabled parking license plate or placard or is being operated by a person transporting a person with such disability in the vehicle.
- (b) *Signs.* Spaces reserved for the disabled shall be identified by above-grade signs posted and conform to Virginia Code § 36-99.11.

- (c) *Unlawful counterfeiting, alteration, sale, or fraudulent use of disabled parking plate or placard.* It shall be a Class 2 misdemeanor person to create or display a counterfeit or unauthorized replica of a disabled parking license plate or placard, or to alter, sell, exchange, fraudulently obtain, or fraudulently use or display a disabled parking license plate or placard.
- (d) *Unlawful transfer of disabled parking plate or placard.* It shall be a Class 3 misdemeanor person to knowingly provide, without sale or exchange of consideration, any valid, altered, or counterfeit disabled parking license plate or placard.
- (e) *Private security guards.* In privately owned parking areas open to the public, a summons for violation of this Section may be issued by a licensed private security guard who is deputized to issue a summons for the offense by the Police Chief as well as any owner, agent, or employee of the private parking area of a nursing home, provided that such owner has registered in writing on his own behalf or on behalf of his agent or employee with the Police Chief his intention to issue summonses pursuant to this Section.
- (f) *Private parking areas.* A summons or parking citation for a violation of Subsection (a) above may be issued without the necessity of a warrant being obtained by the owner of any private parking area.
- (g) *Towing and impoundment.* The owner or duly authorized agent of the owner of a parking space properly designated and clearly marked as reserved for use by persons with disabilities that limit or impair their ability to walk may have any vehicle not displaying disabled parking license plates or placards removed from the parking space and privately stored. The owner of a vehicle which has been removed and stored may regain possession of his vehicle on payment to the person who removed and stored the vehicle all reasonable costs incidental to the removal and storage, pursuant to law.
- (h) *Photo Identification.* Any City officer or private security guard acting pursuant to this Section may request to examine the driver's license, state identification card, or other form of photo identification of any person using disabled parking privileges afforded by this Section.
- (i) *Confiscation of certain placards.* Any City officer or private security guard acting pursuant to this Section who issues a summons to or arrests an individual for any violation thereof may confiscate the Defendant's disabled parking placard and shall notify, the Virginia Department of Motor Vehicles of such confiscation and the number of the placard involved. If the Defendant is acquitted for the violation, the confiscated placard shall be returned. Upon the defendant's conviction, the confiscated placard shall be sent to the Virginia Department of Motor Vehicles.

Secs. 21-192 – 21-193. - Reserved.

Sec. 21-194. – Opening door of parked vehicle into traffic.

It shall be a traffic infraction for any person in a motor vehicle parked upon a City street or public right-of-way to open the door of such vehicle on the side adjacent to moving vehicular traffic unless it is reasonably safe to do so.

Sec. 21-195. - Parking for improper purposes.

- (a) *Offering to sell or rent.* It shall be unlawful for any person to park or place any motor vehicle, trailer, semitrailer, or other vehicle upon or in any City property, parking lot, or public right-of-way for the purpose of selling or offering the same for sale or rent. In any prosecution charging that a vehicle was parked in violation of this Subsection, proof that the vehicle described in the complaint, summons or warrant was parked in the same location for seventy-two (72) hours with an attached sign or lettering indicating that such vehicle is offered for sale or for rent, together with proof that the defendant was, at the time of such parking, the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that such registered owner of the vehicle intended to violate this Subsection.
- (b) *Vehicle maintenance.* It shall be unlawful for any person to park or place any motor vehicle, trailer, semitrailer, or other vehicle upon or in any City property, parking lot, or public right-of-way for the purpose of performing mechanical work, changing oil, or greasing such vehicle.
- (c) *Criminal activity.* It shall be unlawful for any person to park or place any motor vehicle, trailer, semitrailer, or other vehicle upon or in any City property, parking lot, or public right-of-way for the purpose of engaging in or facilitating any crime.

Sec. 21-196. - Parking of improper vehicles.

- (a) *Vehicle lacking license plate.* It shall be unlawful for any person to park or place any motor vehicle displaying no current State license plate on any street within the City when such motor vehicle is required by law to display such license plate.
- (b) *Recreational vehicles, boats, and trailers.* It shall be unlawful for any person to park or place any recreational vehicle (RV), boat, personal watercraft, trailer, semi-trailer, or similar vehicle, vessel, or conveyance within the City for longer than twenty-four (24) hours in any of the following manners:
  - (1) *Streets.* On a City street or public right-of-way located within any residential zoning district or within any commercial zoning district other than a Highway Retail Commercial district (HR-C) or a Planned Shopping Center Commercial district (PS-C);
  - (2) *Front yards.* In the front yard of a lot located within any residential zoning district, unless no more than one (1) such vehicle, vessel, or conveyance is parked or stored on a paved driveway, or unless such vehicle, vessel, or conveyance is parked or stored in an enclosed garage or accessory building; or
  - (3) *Side yards.* In the side yard of a lot located within any residential zoning district if such vehicle, vessel, or conveyance exceeds six (6) feet in height above the ground; provided however, that masts, antennas, vent stacks, and windshields may exceed this height limitation.

Secs. 21-197—X-200. - Reserved.