CHAPTER 490
Residential Permit Parking Districts

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490.01 PURPOSE AND INTENT.

In order to reduce or prevent congestion and/or hazardous traffic conditions in residential areas, to protect those areas from polluted air, excessive noise, and other adverse environmental impacts of automobile commuting, to protect the residents of these areas from unreasonable burdens in gaining access to their property, to preserve the residential character of these areas and the property values therein, Residential Permit Parking Districts are created to impose on-street parking restrictions in certain designated areas of the County on public streets other than primary highways. This chapter shall not apply to incorporated areas of the County unless formally adopted by their respective elected officials.
(Ord. 04-19. Passed 12-21-04.)

490.02 DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(a) "Block." The land abutting on one (1) side of a street, extending to the rear lot lines of lots fronting on said street, and for parcels of land extending through to another street, to a line midway between the two (2) streets and lying between the two (2) nearest intersecting and intercepting streets or between the nearest intersecting or intercepting street and the boundary of any railroad or transit right-of-way, park, school ground or unsubdivided acreage or center line of any drainage channel thirty feet or more in width.

(b) "Event." A social occasion or activity.

(c) "Primary Road." A major roadway in the Virginia Department of Transportation's system of roads that connects cities and towns and is numbered from 1 to 600.

(d) "Proper display Annual Motorcycle permit." A Residential Permit Parking District annual motor-cycle permit shall be displayed beside the State inspection sticker and the

County motorcycle license on the motorcycle front fork. Any material alteration to the permit (i.e., change to the district number and/or serial number) shall render the permit invalid.

(e) "Proper display Annual Permit." An Annual Residential Permit Parking permit shall be displayed in the lower left corner of the rear window of the vehicle to which it is issued. The permit must be affixed to the window in such a manner as to prevent its transfer to any other vehicle. If the vehicle does not have a rear window or is legally obscured (e.g. louvers), the permit may be displayed on the driver's side on the lower right corner of the window farthest to the rear of the vehicle. Any material alteration of the permit (i.e., district number changed and/or serial number changed) shall render the permit invalid.

(f) "Proper display short term Visitor / thirty-day new resident / transferable visitor permit." The Residential Permit Parking District Short Term Visitor, 30-Day New Resident and Transferable Visitor Permits shall be displayed on the vehicle dashboard so that the permit and all of the information displayed on the pass is entirely visible through the vehicle windshield. Any physical alterations made to the pass after it is issued shall render the pass invalid. Any obscuring of information displayed on the pass shall also render the pass invalid.

(g) "Residential area." That side of any street, road or highway adjacent to property used extensively as a residence in a PD-H or R zoning district.

(h) "The Board." The Board of Supervisors of Loudoun County, Virginia.

(Ord. 04-19. Passed 12-21-04.)

490.03 DISTRICT DESIGNATION.

Residential Permit Parking Districts shall be as designated, on a block-by-block basis, on Official Residential Permit Parking Maps which shall be set forth within Appendix A to this chapter. (Ord. 04-19. Passed 12-21-04.)

490.04 CRITERIA FOR THE ESTABLISHMENT OF DISTRICTS.

(a) The Board may establish a Residential Permit Parking District encompassing an area within a two thousand (2,000) foot walking distance from the pedestrian entrances of an existing or proposed high school or a two thousand (2,000) foot walking distance from the pedestrian entrances of an existing or proposed rail station if:

(1) The Board receives a petition requesting the establishment of such a District; and

(2) Such petition contains signatures representing at least seventy-five percent (75%) of the eligible addresses of the proposed District and more than sixty percent (60%) of the eligible addresses on each block of the proposed District or, in the case of public-street attached single-family/town home dwelling units, such petition must contain signatures representing at least sixty percent (60%) of the eligible addresses as defined in Section 490.05;

(b) The Board may establish a Residential Permit Parking District in any residential area of the County upon receipt of a petition representing at least seventy-five percent (75%) of the eligible addresses of a proposed District and more than sixty percent (60%) of the eligible addresses on each block of the proposed District upon a determination that:

(1) The proposed District contains a minimum of one hundred (100) contiguous or nearly contiguous on-street parking spaces, either marked or unmarked open curb type parking, twenty (20) linear feet in length per space; and

(2) At least seventy-five percent (75%) of the land abutting each block within the proposed District is developed residential; and

(3) At least seventy-five percent (75%) of the total number of on-street parking spaces of the petitioning blocks are occupied, with at least fifty percent (50%) of those spaces occupied by nonresidents of the petitioning blocks, as authenticated by a survey taken during the hours of peak demand as determined on a District-by-District basis.

The Board may waive the requirement for one hundred (100) contiguous or nearly contiguous on-street parking spaces as set forth above if the Board finds that the proposed District meets the purpose and intent of this Chapter.

(c) The Board may amend the provisions of an existing Residential Permit Parking District by utilizing the same criteria and procedures as those for the establishment of a new District. In the case of an amendment expanding an existing District, however, the provisions of this Section 490.04 shall apply only to the area to be added to the existing District, and the area to be added to an existing District need not contain a minimum of one hundred (100) contiguous or nearly contiguous on-street parking spaces.

(Ord. 04-19. Passed 12-21-04.)

490.05 RESIDENCE ELIGIBILITY FOR DISTRICT INCLUSION.

In order for a residential address to be considered for inclusion in a new or existing Residential Permit Parking District, the following conditions must be met:

(a) Single-family detached and/or duplex. Single-family detached and/or duplex dwelling units must have an address on a public street in order to be included in a Residential Permit Parking District. Residences on corner lots which abut a Residential Permit Parking District street, but do not have addresses on the street, are also eligible for inclusion in the abutting Residential Permit Parking District.

(b) Single-family attached/town home. Attached single-family/town home dwelling units are eligible for inclusion in a Residential Permit Parking District if they front on and are addressed on a public street within a Residential Permit Parking District, and private off-street parking lot or lots are not provided.

(Ord. 04-19. Passed 12-21-04.)

490.06 SUBMISSION REQUIREMENTS.

Every petition required by Section 490.04 above shall be submitted to the Office of Transportation Services on forms which shall include the following:

(a) The legible name, address, telephone number and signature of the adult residents, one (1) signature per address.

(b) A list by address of the license plate number and state of registration for all vehicles registered to occupants of each residence in the proposed district.

(c) The required percentage of signatures as specified in Section 490.04.

(d) The hours during which on-street parking is impacted by non-resident parking.

(e) Unless otherwise waived by the Board, the application fee per petitioning address for the establishment or expansion of a Residential Permit Parking District or amendment of the provisions of an existing district, other than to expand it, as established by the fee schedule adopted by the Board of Supervisors.

(Ord. 04-19. Passed 12-21-04.)

490.07 PROCEDURES FOR THE ESTABLISHMENT OF DISTRICTS.

(a) Upon receipt of any petition, the addresses contained therein shall be validated using the current electronic real estate assessment records. If it is determined that the petition does not meet the standards set forth in Section 490.06 above, the application shall be deemed not accepted and shall be returned to the applicant and fees refunded minus the administrative review cost listed in the adopted fee schedule. No fees will be refunded for accepted applications later determined not to meet the provisions of this chapter.

(b) Upon validation of the petition addresses, staff shall review the application and conduct a parking survey, if applicable, to determine if the provisions of Section 490.05 above are met.

(c) All proposed applications which are accepted shall be the subject of a public hearing before the Board.

(Ord. 04-19. Passed 12-21-04.)

490.08 ADOPTION AND EFFECTIVE DATE.

Upon approval by the Board of a Residential Permit Parking District, the District shall be deemed to be adopted and shall become effective in accordance with the following provisions:

(a) A Land Use Permit shall be requested from the Virginia Department of Transportation to allow the placement of signs designating the restriction of parking on certain streets within the Virginia Secondary System of State Highways.

(b) Upon receipt of an approved VDOT Land Use Permit, staff shall send notification to each address within the approved District. Such notification shall include:

(1) That the District has been approved.

(2) The date upon which the District will be effective.

(3) The specific rules and regulations for the approved District, to include the hours and days when parking will be restricted.

(4) The procedures for obtaining District parking permits, fee schedule and the location of the County office where the permits may be obtained.
(Ord. 04-19. Passed 12-21-04.)

490.09 SIGNS.

All signs to designate a Residential Permit Parking District shall be erected by the County in conformance with the applicable Virginia Department of Transportation regulations and shall be of such design and character as to readily inform the operators of vehicles in Residential Permit Parking Districts of the existence, nature and requirements of the regulations pertaining to the particular District. All signs shall include at least the following information, from top to bottom of the sign, in the order listed below:

(a) Restriction or prohibition.
(b) Time of day the restriction or prohibition is applicable, if not at all hours.
(c) The days of the week applicable, if not every day.
(d) Indication that permit holders are exempt.
(e) The unique identifier of the Residential Parking District.
(Ord. 04-19. Passed 12-21-04.)

490.10 PARKING RESTRICTIONS.

(a) On-street parking during specified hours in a Residential Permit Parking District shall be permitted only upon display of a valid parking permit or visitor pass; however, the parking limitations of this chapter shall not apply to vehicles owned or leased by a public agency, marked service or delivery vehicles which are being used to provide services or make deliveries to dwellings within the designated District, and vehicles with temporary license tags.

(b) In Residential Permit Parking Districts, the hours and days during which the regulations of this chapter apply shall be as designated by the Board at the time the District is adopted.
(Ord. 04-19. Passed 12-21-04.)

490.11 ADMINISTRATION.

The provisions of this chapter shall be administered by the Office of Transportation Services.

(a) Permits to allow parking during restricted hours of a Residential Permit Parking District shall be issued only in accordance with the provisions of paragraph (b) below. Issuance of said permit(s) shall not imply the applicant is in compliance with any tax payment or vehicle licensing law or ordinance.
(b) Said permits, in the form of stickers, will be available from the Office of Transportation Services, or the Homeowners Association serving the adopted district. Initial permits shall be issued for a period of up to one (1) year, one (1) per vehicle with the expiration date as set forth on the permit. Subsequent permits may be renewed for additional one-year periods or multi-year periods, up to a maximum of five years, in the manner prescribed herein.

Permits shall be applied for in person, by mail, or electronically in accordance with procedures established by the Office of Transportation Services per Appendix B, and shall

be accompanied by proof of the applicant's residency in the District and proof of vehicle ownership or use of a vehicle for which the permit is requested.

(1) Proof of residency shall consist of any one (1) of the following which reflects an address within the District:
   A. Virginia driver's license.
   B. Proof of payment of Loudoun County vehicle license.

(2) Proof of residency shall also consist of, but not necessarily be limited to, any two (2) of the following, provided they reflect an address within the District:
   A. Vehicle or personal property insurance policy.
   B. Proof of payment of a security deposit or paid rent receipt.
   C. Lease or mortgage documents.
   D. Virginia voter registration.
   E. Utility bill.

A new resident of a District may show only one (1) of the items identified in subsection (b)(2) of this section and be issued one (1) thirty-day nonrenewable new resident pass. Before expiration of same, the new resident shall comply with the provisions above in order to obtain a parking permit.

(3) Proof of vehicle ownership or use of a vehicle shall consist of one (1) of the following:
   A. Virginia vehicle registration.
   B. Proof of payment of Loudoun County vehicle license A new resident may show any current vehicle registration.

Any person on active duty in the military service, absent from his state of residence or domicile solely by reason of compliance with military orders, may comply with the provisions of this paragraph (b)(3) by showing a current military identification and one of the proof of residency listed limited in paragraph (2)B., (2)C., or (2)E.

Applications for renewal of individual permits shall be processed in the same manner as an original permit application, except that an applicant who has a valid Loudoun County vehicle license which shows that such applicant continues to be a resident at the same address of the Residential Permit Parking District, may renew his or her permit in accordance with the renewal procedures established by the Office of Transportation Services.

(c) Individual district permits shall be identified by a unique identifier. Permits shall only be valid for the Residential Parking District for which they are issued and shall not entitle the permit holder to park in any other such District.

(d) Upon disposing of a vehicle with a permit, the permit holder may obtain a new permit for a replacement vehicle upon presentation of the permit or parts thereof including the serial number (removed from the now-disposed vehicle) and (1) a Virginia vehicle registration or (2) a Loudoun County vehicle license for the replacement vehicle, provided the individual continues to reside in the District.

(e) Permits and visitor permits shall be removed from the vehicle upon moving from the District.

(f) Permits and visitor permits are the property of Loudoun County, may be revoked without notice and must be surrendered on demand by the County.
(Ord. 04-19. Passed 12-21-04; Ord. 11-11. Passed 9-12-11.)

490.12 VISITOR PARKING.

(a) A non-transferable short term (1-30 days) visitor parking permit may be issued upon request in accordance with the provisions designated by the Board in adopting the District.

(b) A non-transferable 30 day new resident parking permit may be issued upon request in accordance with the provisions designated by the Board in adopting the District.

(c) A transferable long term visitor parking pass may be issued to resident occupants upon request in accordance with the provisions designated by the Board in adopting the District.

(d) Residents who continue to reside at the same address and do not have a valid Loudoun County vehicle license may renew their long term visitor parking permit at the time of permit expiration, provided the resident submits a properly completed application along with proof of residence as prescribed in Section 490.11(b), in accordance with the renewal procedures established by the Office of Transportation Services.

(e) The Board shall adopt the fee schedule as set forth as Appendix C.

(f) Visitor permits shall not be issued to residents of multifamily or town home addresses which have a parking lot or lots provided.
(Ord. 04-19. Passed 12-21-04.)

490.13 FEES.

(a) The application fees for the establishment or expansion of a Residential Permit Parking District or to amend the provisions of an existing District for any other reason, shall be established per petitioning address.

(b) A fee shall be established and imposed for each parking permit, by category, payable at the time of issuance or renewal of such permit.

(c) The Board shall adopt the fee schedule as set forth as Appendix C.
(Ord. 04-19. Passed 12-21-04.)

490.14 ENFORCEMENT AND PENALTIES.

(a) It shall be an infraction for any person to park a motor vehicle in violation of the provisions of this chapter.

(b) It shall be an infraction for any person to represent that they are entitled to a parking permit when they are not so entitled, to fail to destroy a permit to which they are no longer entitled, or to display such a permit at any time when the user of such permit is not entitled to it.

(c) It shall be an infraction for any person to represent that they are entitled to a visitor permit when they are not so entitled or to park a vehicle displaying such a permit at any time when the user of such a permit is not entitled to it.

(d) It shall be an infraction for any person entitled to a visitor permit to allow said permit to be used by anyone other than a person visiting a residence in the specified Residential Permit Parking District.

(e) It shall be an infraction to display a Residential Permit Parking District permit pursuant to Section 490.02(e), (f) and (g) improperly. Failure to display a permit properly shall be punishable by a fine of twenty-five dollars ($25.00).

(f) Enforcement of Residential Permit Parking District regulations shall be under the jurisdiction of the Sheriff, who shall issue citations against those persons who violate the provisions of this chapter or the provisions of Appendix D.

(g) Those found to have violated paragraphs (b), (c) or (d) of this section shall be subject to a fine of one hundred dollars ($100.00); of paragraph (a) shall be punishable by a fine of forty dollars ($40.00). Vehicles parked in violation of these provisions may be towed at the owner's expense.

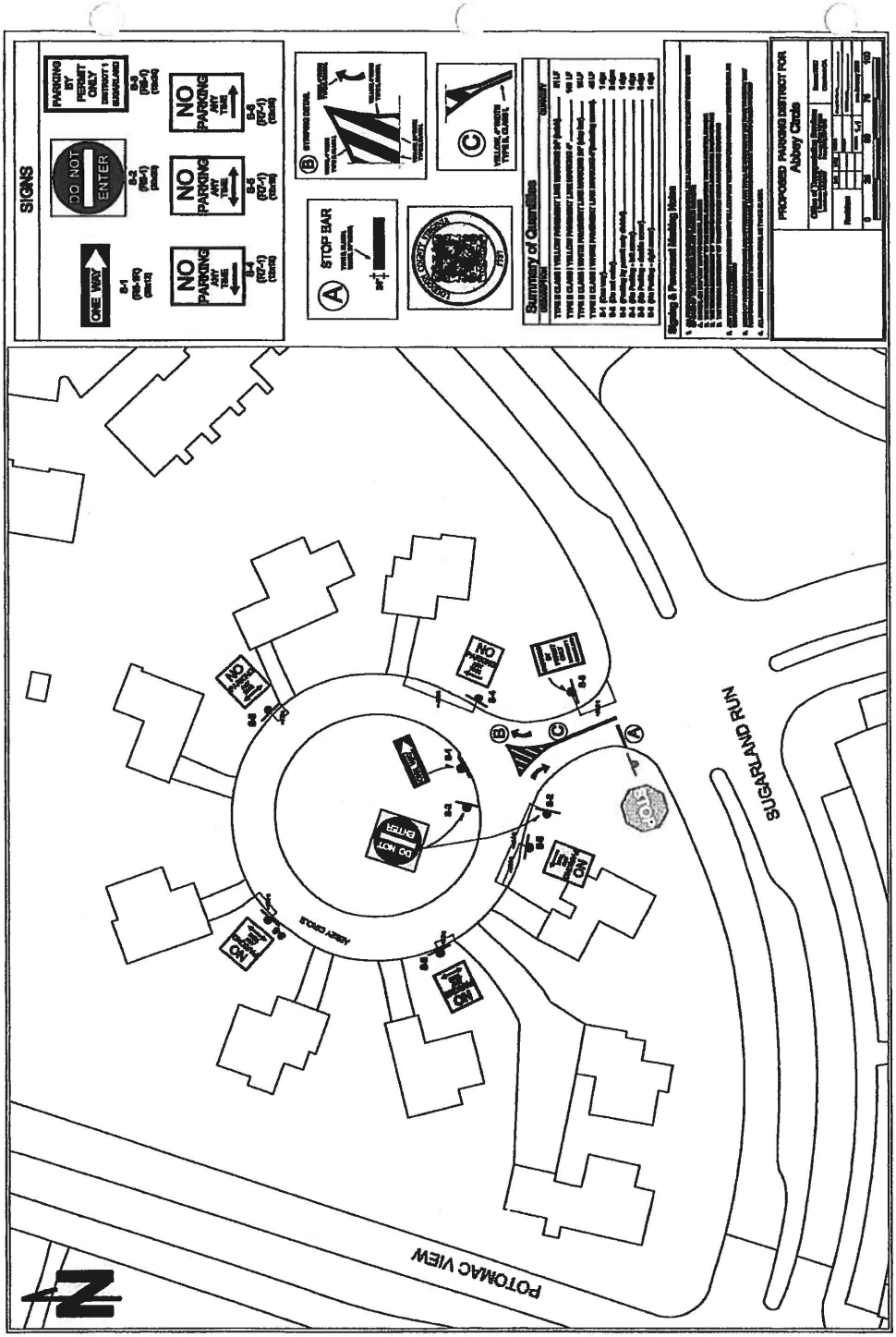
(h) The Treasurer shall enforce payment of the Residential Permit Parking citations. The Treasurer shall account for all uncontested payments of parking citation penalties under this chapter; any contest by any person of any parking citation shall be certified by the Treasurer in writing, on an appropriate form, to the Loudoun County General District Court.

(i) The Sheriff may waive the enforcement of any Residential Permit Parking District for the purpose of providing parking for special events by issuance of an Event Notice Placard to be prominently displayed in the front yard of the residence where the event is to take place for a minimum of two days prior to the event. In addition, the Sheriff shall maintain temporary vehicle exemption permits as an alternative to the enforcement waiver. Temporary vehicle exemption permits are intended to enable discretionary authority on behalf of the Sheriff to allow vehicles to park within restricted areas on a temporary basis when justified by unique circumstances.
(Ord. 04-19. Passed 12-21-04.)

Appendix:

A Official Residential Permit Parking Map (sub-area maps identified as A-1, A-2...)
B Office of Transportation Services' procedures
C Board of Supervisors Adopted Fee Schedule
D Sheriff's enforcement procedures
(Ord. 07-14. Passed 12-18-07.)

Residential Permit Parking Districts



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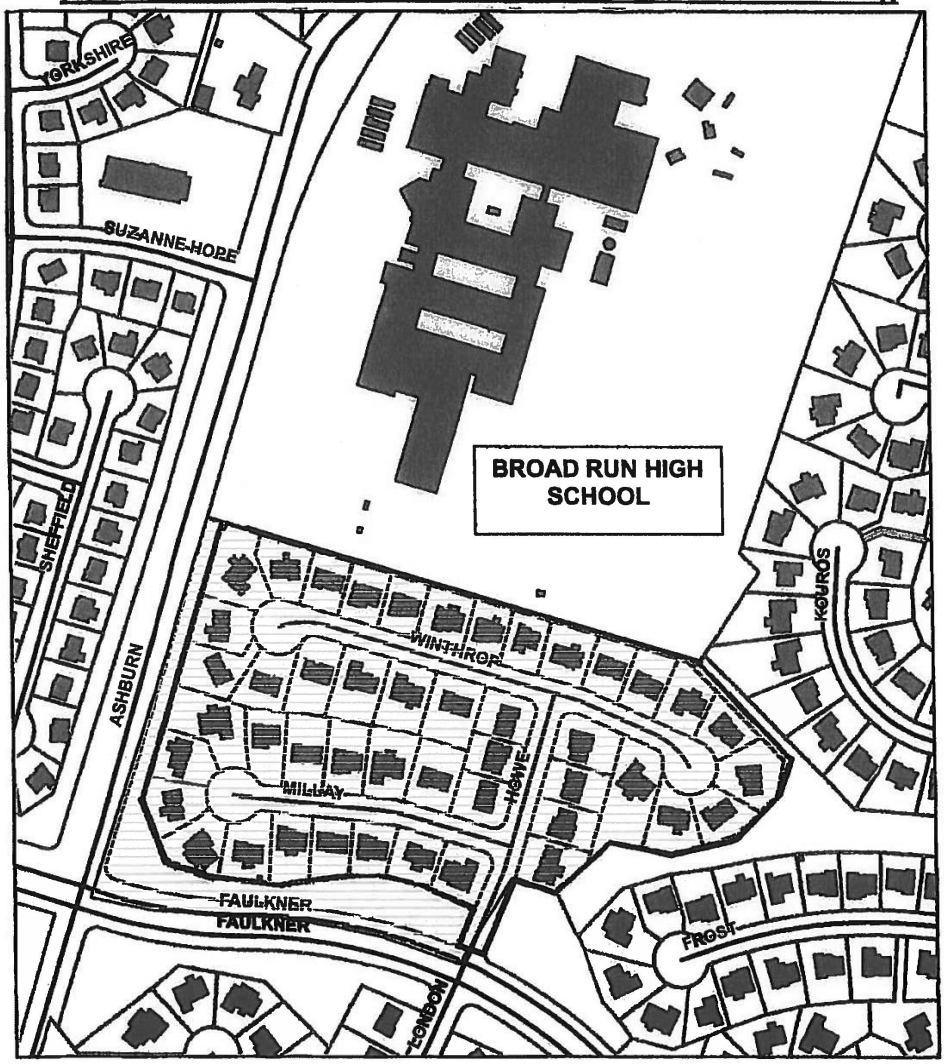
Farmwell Hunt Residential Permit Parking District

(Appendix A, Chapter 490 of the Codified Ordinances of Loudoun County)



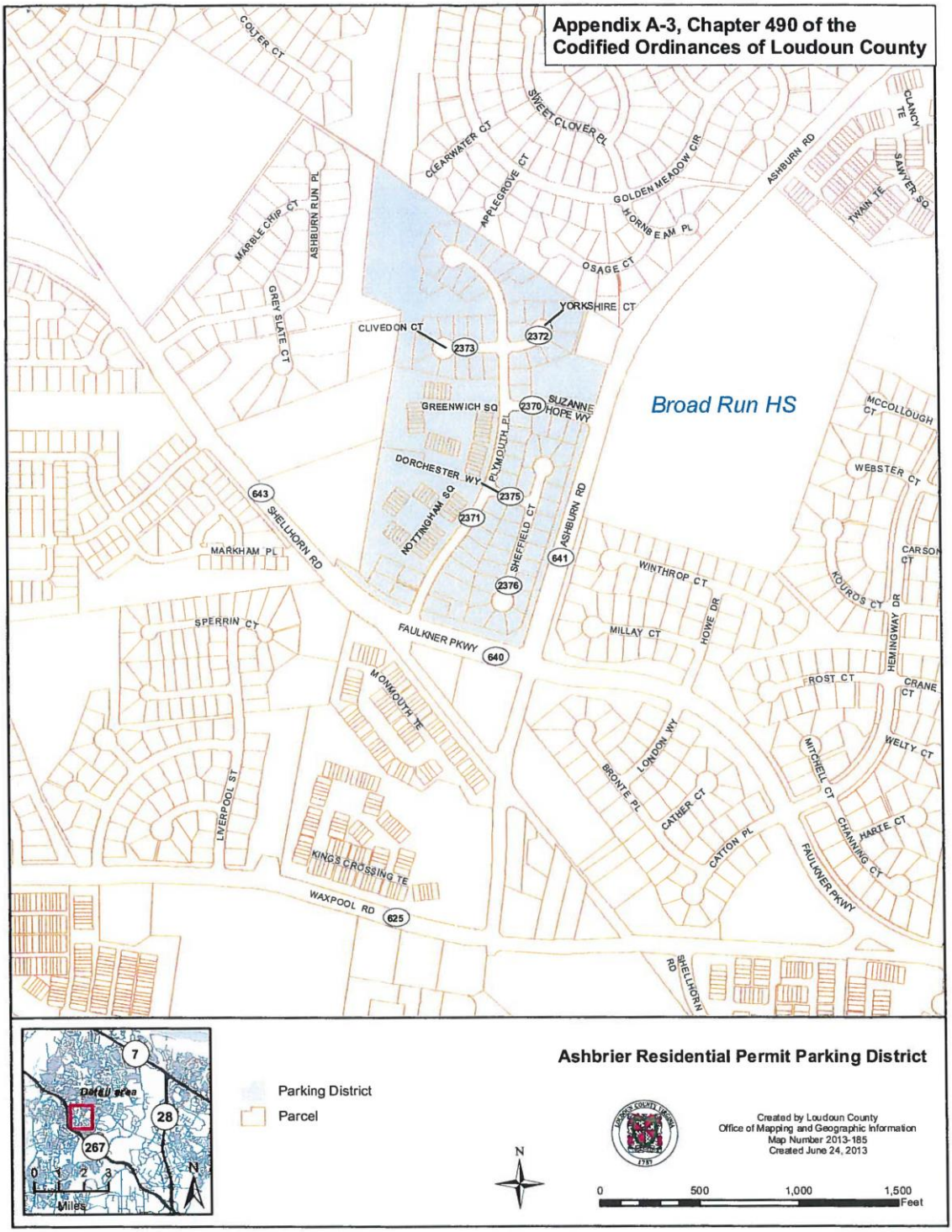
Legend

Residential Parking District

Appendix 2

(Ord. 12-01. Passed 3-20-12.)

Ashbrier Residential Permit Parking District



(Ord. 13-09. Passed 7-10-13.)

Chapter 490, Residential Permit Parking Districts

Appendix C

Fee Schedule

New District Permit Parking Decal	Free (Issued upon establishment of a new District)
Established Districts and Subsequent Years	$5.00 per decal issued
District Maintenance Fee	$5.00 per year for each decal issued
30-day New Resident Placard	$ 10.00 (If placard is returned within 30 days from date of issuance, the fee may be applied towards the purchase of a multi-year permit)
Replacement Decal Fee	$ 5.00 (upon return of damaged Decal or parts thereof)
Visitor Placard	$10.00 (maximum of 30 days)
Transferrable Placard (between vehicles)	$50.00

(Ord. 11-11. Passed 9-12-11.)

2013 Replacement