

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 16, 2024
Action Required:	Approval of Ordinance
Presenter:	James Freas, Deputy City Manager
Staff Contacts:	Brennen Duncan, Traffic Engineer
Title:	Ordinance amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (Introduced November 18; postponed from December 2)

Background

Currently, City Code Sec. 15-144 prohibits the overnight parking of certain vehicles on City rights-of-way between the hours of 12:00 midnight and 6:00 am. Specifically, the Code Section prohibits the parking of buses or vans designed to carry more than twelve passengers, trucks, vans, trailers, semitrailers, or recreational vehicles with more than two wheels per axle.

The revised code section seeks to expand the list of prohibited vehicles by adding: semi trucks, vehicles with antique plates, vehicles with farm use plates, boats, and recreational vehicles.

The revised code section would also prohibit the covering or tarping of a vehicle or trailer in such a manner that restricts or impedes inspection of the vehicle's license plate and state inspection within the City limits at any time.

The revised code section also contains a provision which would prohibit a person, business, or corporation from performing service or repairs on a vehicle parked on a public street within the City, or to store or park any motor vehicle left in the custody of a business on City rights-of way.

Discussion

The Code revision addresses issues that arise due to larger vehicles being parked on City rights-of-way, particularly in neighborhoods with limited on-street parking. Current City Code provisions prohibit the parking of inoperable or abandoned vehicles upon City rights-of way. City residents complain that people circumvent this prohibition by covering the vehicle with a tarp or cover. Authorizing City staff or police to remove these tarps could raise Fourth Amendment concerns of an unconstitutional search. A blanket prohibition on tarps is narrowly-tailored to allow the City to monitor and enforce the City's existing prohibition on inoperable or abandoned cars without violating residents' Constitutional rights.

The Code revision also supports the goals of the recent zoning code changes that removed many of the City's parking requirements. In order to better utilize our city's inventory of on street parking, this code change seeks to eliminate those functions that are used for storage purposes rather than daily parking demands.

Alignment with City Council's Vision and Strategic Plan

Community Engagement

N/A

Budgetary Impact

N/A

Recommendation

Staff recommends approval of ordinance

Alternatives

N/A

Attachments

1. Parking Memo
2. ORD - Amend Chapter 15-144 overnight parking 10.16.24
3. ORD - Amend Chapter 15-144 overnight parking 11.27.24 (redline) 4930-5533-9521 v.3
4. ORD - Amend Chapter 15-144 overnight parking 11.27.24 (clean) 4930-5533-9521 v.4