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Loudoun County, VA Code of Ordinances

CHAPTER 480

Parking Generally

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CROSS REFERENCES

Stopping and parking generally - see Code of Va. §§ 46.2-1200 to 46.2-1239

Authority to impose parking restrictions - see Code of Va. § 46.2-1220

Cleaning or servicing vehicles for compensation upon highways - see TRAF.
442.02

Parking on snow emergency routes - see TRAF. 466.06(c)

Parking near fire hydrants and in fire lanes - see TRAF. 486.01, 486.02

Abandoned, inoperable and unattended vehicles - see GEN. OFF. Ch. 602

Parking in public park or recreation areas - see S.U. & P.S. 1092.10

Parking near display or storage of fireworks - see F.P. 1602.11

480.001 DEFINITIONS.

For the purpose of this chapter, the following words shall have the meanings respectively ascribed to them as follows:

(a) "Commissioner". The Commissioner of the Division of Motor Vehicles of Virginia.

(b) "County." Loudoun County, Virginia.

(c) "Crosswalk." A delineated set of parallel painted or marked lines perpendicular to or distinctly indicated for pedestrian crossing by other lines or markings, and crossing a street, road, or highway that is designated for the use of pedestrians in walking across such street, road, or highway.

(d) "Highway." The entire width between boundaries lines of every way or place of whatever nature open to the use of the public for purpose of vehicular travel in this County, including the streets, alleys, and publicly maintained parking lots in the County, and for law enforcement purposes only the entire width between boundary lines of all private roads or private roads or private streets located within any residential development.

(e) "Intersection."

(1) The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(2) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

(3) For the purpose only of authorizing installation of traffic-control devices, every crossing of a highway or street at grade by a pedestrian crosswalk.

(f) "Mobile home." Every vehicle not otherwise classified herein which has no collapsible sides, which contains sleeping quarters and may or may not contain bathing and cooking facilities and every trailer not designed for the transportation of property but used primarily for office space and is designed to be drawn by a motor vehicle.

(g) "Motor home." Every private motor vehicle with a normal seating capacity of not more than ten persons, including the driver, designed primarily for use as living quarters for human beings.

(h) "Motor vehicle." Every vehicle as defined in this section which is self-propelled or designed for self-propulsion. Any structure designed, used or maintained primarily to be loaded on, or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or

commercial space, shall be considered a part of a motor vehicle. For the purpose of this chapter, any device herein defined as a bicycle shall be deemed not to be a motor vehicle.

(i) “Official parking regulation sign.” Any sign erected, constructed, or created by either the Virginia Department of Transportation or the County of Loudoun which conforms to the physical requirements set forth in the manual on Uniform Traffic Control Devices and which is installed for the express purpose of regulation of vehicular parking within the County of Loudoun.

(j) “Operator.” Every person who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(k) “Owner.” A person who holds the legal title of a vehicle or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event of a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter, except that in all such instances when the rent paid by the lessee includes charges for services of any nature or when the lease does not provide that title shall pass to the lessee upon payment of the rent stipulated, the lessor shall be regarded as the owner of such vehicle and the vehicle shall be subject to such requirements of this chapter as are applicable to vehicles operated for compensation; provided, however, that a “truck lessor” as defined in Section 46.2-100(36) of the Code of Virginia of 1950, as amended, shall be regarded as the owner, and his vehicles shall be subject to such requirements of this chapter as are applicable to vehicles of private carriers.

(l) “Private road or driveway.” Every way in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by the general public.

(m) “Roadway.” That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or barriers or unpaved area.

(n) “Semi-trailer.” Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(o) “Sidewalk.” A walkway for pedestrians along the side of, or parallel to a street, roadway, or highway and adjacent to the right-of-way.

(p) “Street.” Such term shall have the same meaning as the term “highway” as defined in this section.

(q) “Trailer.” Every vehicle without motor power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

(r) “Vehicle.” Every device in, upon or which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks and except any vehicle as may be included within the term “bicycle.”

(Ord. 02-14. Passed 10-21-02.)

480.01 PARKING VEHICLE WITHOUT STATE LICENSE OR STATE INSPECTION ON HIGHWAY.

No person shall park a vehicle having no current State license or current State inspection on any highway in the County.

(Ord. 97-01. Passed 2-19-97.)

480.02 PARKING FOR COMMERCIAL PURPOSES.

(a) No person shall, for a commercial purpose, park an automobile, truck or other automotive equipment on or alongside any road, highway or street in the County or of the State in the County.

(b) The provisions of subsection (a) hereof shall not apply to motor vehicle carriers when picking up or discharging passengers, nor to any person making a pickup or delivery of merchandise, provided that such person does not thereby obstruct traffic.

(Ord. 97-01. Passed 2-19-97.)

480.03 PARKING ON PRIVATE PROPERTY GENERALLY.

No person shall stand or park a vehicle on any private lot or lot area without the express or implied consent of the owner thereof. Whenever signs or markings have been erected on any lot or lot area contiguous or adjacent to a highway, thoroughfare or alley indicating that no vehicles are permitted to stand or park thereon, no person shall drive a vehicle across any curb or lot line or over any driveway from a highway or alley into such lot or area for the purpose of standing or parking such vehicle, or stop, stand or park any vehicle in such lot or lot area.

(Ord. 97-01. Passed 2-19-97.)

480.04 PRESUMPTION OF OWNER'S RESPONSIBILITY.

In any prosecution charging a violation of any provision of this chapter, proof that the vehicle described in the complaint, summons or warrant was parked in violation of such provision, together with proof that the defendant was, at the time of such parking, the registered owner of the vehicle, as required by Section 46.2-600 et seq. of the Code of Virginia, as amended, shall constitute in evidence 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.

(Ord. 97-01. Passed 2-19-97.)

480.05 HANDICAPPED PERSONS.

No non-handicapped operator of a motor vehicle shall park such vehicle in a parking space which has been clearly marked by a sign as being reserved for the handicapped at any privately owned parking area or on public property, except when transporting a handicapped person. A summons for such offense may be issued by any deputy of the Sheriff's Office.

As used in this section, "handicapped person" means a person with any physical disability which limits such person's mobility to a substantial degree, including all persons who have been issued special license plates or placards by the Commissioner of Motor Vehicles pursuant to Section 46.2-731, 46.2-739 or 46.2-1241 of the Code of Virginia, as amended. All other persons shall be considered non-handicapped.

(Ord. 99-03. Passed 3-3-99.)

480.06 PARKING NEAR INTERSECTIONS.

No person shall park a vehicle within twenty feet of the intersection of curb lines or, if none, within fifteen feet of the intersection of property lines at an intersection of highways. (Ord. 97-01. Passed 2-19-97.)

480.07 UNATTENDED VEHICLES ON HIGHWAY.

No person shall leave a vehicle unattended on any highway without setting the emergency or parking brake, turning off the motor and turning the front wheels into the curb or side of the roadway. This section shall not apply to emergency and law enforcement vehicles.

(Ord. 97-01. Passed 2-19-97.)

480.08 PARKING FOR PURPOSE OF SALE.

No person shall park a motor vehicle upon any highway or within any public park or public parking lot for the purpose of selling or offering said vehicle for sale, nor shall any person attach or place any sign or lettering upon any motor vehicle so parked indicating that such vehicle is offered for sale.

(Ord. 97-01. Passed 2-19-97.)

480.09 PARKING COMMERCIAL VEHICLES IN RESIDENTIAL ZONES.

(a) No person shall park any commercial vehicle, except while loading or unloading, while involved in construction work or while performing services, such as repair and/or installation of equipment, within or along any highway (as such is defined in § 46.2-100 of the Code of Virginia) of the County where the land abutting such highway on either side is classified as a Residential District under the Zoning Ordinance of the County.

(b) The provisions of this subsection do not apply to a commercial vehicle when picking up or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location, nor shall the provisions of this subsection apply to utility generators located on vehicles or trailers and being used to power network facilities during a loss of commercial power.

For purposes of this section, a “commercial vehicle” means: (1) any solid waste collection vehicle, tractor truck or tractor truck/semitrailer or tractor truck/trailer combination, dump truck, concrete mixer truck, towing and recovery vehicle with a registered gross weight of 12,000 pounds or more, and any heavy construction equipment, even if any of the foregoing are parked on a truck, trailer, or semitrailer; (2) any trailer, semitrailer, or other vehicle in which food or beverages are stored or sold; (3) any trailer or semitrailer used for transporting landscaping or lawn-care equipment whether or not such trailer or semitrailer is attached to another vehicle; (4) any vehicle licensed for use as a contract carrier or limousine; (5) any vehicle more than 21 feet in length or more than eight feet in height including appurtenances attached to the vehicle or with a width of 102 inches or more, or with a gross weight of 12,000 or more pounds; (6) any trailer, semitrailer, or double axle utility trailer, regardless of whether a state safety inspection is required, except those designed to be used as a camper trailer or boat trailer or a single axle utility trailer, regardless of whether such trailer or semitrailer is attached to another vehicle; or (7) any vehicle of any size that is being used in the transportation of hazardous materials as defined in § 46.2-314.4 of the Code of Virginia; or (8) any vehicle with three or more axles.

(Ord. 97-01. Passed 2-19-97; Ord. 12-12. Passed 7-17-12.)

480.10 PARKING MAJOR RECREATIONAL EQUIPMENT IN RESIDENTIAL ZONES.

No person shall park any major recreational equipment for longer than twenty-four hours within or along any public highway of the County where the land abutting such highway is classified as a Residential District under the Zoning Ordinance of the County.

For purposes of this section, “major recreational equipment” is defined as travel trailers, pick-up campers, motorized dwellings, tent trailers, boats and boat trailers, houseboats and the like and cases or boxes used for transporting such recreational equipment, whether occupied by such equipment or not.

This section shall become effective on June 15, 1997.

(Ord. 97-01. Passed 2-19-97.)

480.101 PARKING TRAILERS IN RESIDENTIAL ZONES.

No person shall park a trailer or semi-trailer, regardless of whether such trailer or semi-trailer is attached to another vehicle, except while loading and unloading for a period not to exceed 72 hours, within or along any public highway of the County where the land abutting such highway is classified as a Residential District under the Zoning Ordinance of the County.

(Ord. 09-03. Passed 1-12-09.)

480.105 PARKING PROHIBITED IN SPECIFIED PLACES.

(a) No person shall park a vehicle, except when necessary to avoid a conflict with other traffic or in compliance with the directions of a deputy sheriff or other police officer or traffic control device, in any of the following places:

- (1) On a sidewalk;
- (2) In front of or in any such manner which obstructs access to or from a public or private driveway;
- (3) On a crosswalk or within 20 feet of a crosswalk at an intersection;
- (4) Within 30 feet upon the approach of any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- (5) On the roadway side of any vehicle parked at the edge or the curb of a street;
- (6) Upon any bridge or other elevated structure upon a street or highway or within a tunnel;
- (7) So as to prevent the use of curb ramps located on public property or on privately owned property open to the public;
- (8) At any place where official signs prohibit parking (Refer to Section 480.001 for definition of “official sign”);
- (9) Perpendicular to any curb whether on roadway or dead end cul-de-sacs where not marked as an official parking space (Section 46.2-889, Code of Virginia);
- (10) Parking on the left edge of the roadway facing traffic;
- (11) Within 20 feet of the driveway entrance to any fire station and on the street opposite the entrance to any fire station within 75 feet of the entrance when properly sign posted;
- (12) Parking across or on any line or marking painted on the street by VDOT or the County to designate a vehicular parking area or space;
- (13) Parking during specified “No Parking” hours.

(b) No person other than a deputy sheriff, police officer, or member of the fire and rescue department shall move a vehicle into any such prohibited area or away from a curb such distance as is unlawful, or start or cause to be started the motor of any motor vehicle, change or move the levers, brake starting device, gears, or other mechanism of a parked motor vehicle to a position other than that in which it was left by the owner or driver thereof, or attempt to do so.

(Ord. 02-14. Passed 10-21-02; Ord. 06-01. Passed 2-7-06.)

480.11 ENFORCEMENT.

The Sheriff is hereby authorized and directed to enforce this chapter and all rules, regulations and penalties herein related to parking. The Sheriff or Deputy shall attach to any vehicle whose operator is in violation of any of the provisions of this chapter a Notice of Violation indicating that such vehicle has been parked in violation of one or more of said provisions.

(Ord. 97-01. Passed 2-19-97.)

480.12 VIOLATIONS; PROCEDURE.

(a) Prior to the issuance of a warrant or summons for a violation of any of the provisions of this chapter, such violation may be disposed of by payment to the office of the County Treasurer of the full amount of the fine provided for in Section 480.99. If payment is not received within thirty days, the fine will be increased by twenty-five dollars (\$25.00) for each outstanding Notice of Violation. Nothing in this section shall affect any fine, forfeiture or penalty for a violation of any County ordinance after the issuance of a summons or warrant.

(b) Any person who may be subject to liability under this chapter as a result of the issuance of a Notice of Violation may, prior to the issuance of a warrant or summons, notify the County Treasurer of his or her desire to contest the issuance of the Notice of Violation. Upon receiving such notification, the County Treasurer shall certify the alleged violation to the County General District Court to be scheduled for a hearing on a date certain, and notice of such hearing shall be given to the person contesting the violation.

(c) A warrant or summons may be issued for the prosecution of a violation of any of the provisions of this chapter at any time after thirty days from the issuance of the Notice of Violation.

(Ord. 97-01. Passed 2-19-97; Ord. 06-09. Passed 7-11-06.)

480.99 PENALTY.

(EDITOR'S NOTE: See Section 428.99 for general Traffic Code penalty if no specific penalty is provided.)

(a) Whoever violates any of the provisions of Sections 480.01, 480.02, 480.03, 480.06, 480.07, 480.08, 480.09, 480.10 or 480.105 may dispose of such violation by payment to the County Treasurer of a fine of forty dollars (\$40.00) prior to the issuance of a summons or warrant, subject to the provisions of Section 480.12.

(b) Whoever violates Section 480.05 shall be fined one hundred dollars (\$100.00).

(c) Whoever violates Section 480.101 shall be fined forty dollars (\$40.00).

(d) Whoever violates Section 480.105(a)(12) and 480.105(a)(13) shall be fined forty dollars (\$40.00).

(Ord. 97-01. Passed 2-19-97; Ord. 03-01. Passed 6-3-03; Ord. 06-01. Passed 2-7-06; Ord. 09-03. Passed 1-12-09.)