

Chapter 42 – TRAFFIC AND VEHICLES

ARTICLE II. - PARKING

Sec. 42-2. - Parking on streets and highways; generally.

- a) All vehicles shall be parked parallel to any curb or roadway and with one (1) rear wheel no further than twelve (12) inches from the curb or edge of the paved roadway.
- b) All vehicles shall be parked within the lines of painted parking spaces.
- c) All vehicles shall be parked no less than four (4) feet apart when parked parallel to a curb or roadway that is not marked.

(Res. No. 19-03-10, 3-26-19)

Sec. 42-3. - Parking in fire lanes unlawful.

- a) It shall be unlawful for any person to park in or otherwise obstruct a fire lane designated and marked by the fire marshal, the building code official, or the department of fire/EMS.
- b) Pursuant to the authority provided and within the limitations established by Code of Virginia 1950, §§ 46.2-113 and 46.2-1300(C) as amended, the penalty for violation of this section shall be such as provided by [section 42-12](#).

(Res. No. 19-03-10, 3-26-19)

Sec. 42-4. - Parking prohibited in specified places.

Except when necessary to comply with the directions of the sheriff, a police officer, or a traffic-control device, no person shall park or leave standing a motor vehicle in any of the following places:

- a) Within any intersection;
- b) Within twenty (20) feet of an intersection;
- c) Within five (5) feet of the entrance of any public or private driveway to any street, highway or other public way within the county;

- d) Within fifteen (15) feet of a fire hydrant on public or private property or of the entrance to any building housing fire equipment, rescue squad equipment or ambulances;
- e) On the wrong side of the street, so as to be facing oncoming traffic;
- f) Within twenty (20) feet or upon any bridge, or viaduct,;
- g) At any location where, at the time, parking, standing or stopping is prohibited and official signs or other markers to that effect have been erected or installed and are visible to an ordinarily observant person;
- h) Along any street, highway, of other public way within the county or part thereof constituting a part of the route of a parade for which a permit has been granted under [chapter 8](#) of this Code. The sheriff shall have the authority to designate any parade route and to post signs to such effect and when such signs are so posted, no person shall park or leave unattended any motor vehicle in violation thereof;
- i) On any portion of any street, highway or other public way in the county for more than five (5) consecutive days;
- j) In any location lawfully marked as a "No Parking" zone;
- k) On a sidewalk;
- l) Unattended on any street, highway, or other public way or in any public place in the county with the ignition key left in the ignition lock, switch, or system of such car or with the ignition system of such car in an unlocked position;
- m) Backed up to a curb or street line except during the time actually engaged in loading or unloading materials therefrom, and then only if placed in such manner as not to impede the flow of traffic along such street, highway or other public way;
- n) On the roadway side of and parallel to any vehicle parked at the edge or curb of a street;
- o) Within five hundred (500) feet of a fire, vehicle or airplane accident or other area of emergency or in such a manner as to create a traffic hazard or interfere with the necessary procedures of law enforcement, firefighters, rescue workers or others whose duty it is to deal with such emergencies. Any vehicle found unlawfully parked in the vicinity of such fire, accident or area of emergency may be removed by order of a law enforcement officer on the scene at the risk and expense of the owner if such vehicle creates a traffic hazard or interferes with the necessary procedures of law enforcement, firefighters, rescue workers or others whose assigned duty it is to deal with such emergencies;
- p) For any truck tractor, semitrailer or combination thereof, or boat, whether trailered or not, or recreational vehicle, overnight on any public street;
- q) On any railroad track in such a manner as to hinder or endanger a moving train; and

- r) Any location upon a street or highway where the orderly and lawful passage of other traffic will be blocked or obstructed.
- s) Emergency vehicles or any personal vehicles operated by a law enforcement officer, firefighter, emergency medical services officer or county volunteer firefighter or rescue squad member responding to an emergency or a legitimate public safety need shall not be considered in violation of this section.

(Res. No. 19-03-10, 3-26-19)

State Law reference— Similar provisions, Code of Virginia, § 56-412.1.

Sec. 42-5. - Regulation of parking for persons with disabilities.

- a) It shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard, or a temporary removable windshield placard issued under Code of Virginia 1950, § 46.2-1241, as amended, or department of motor vehicles disabled parking license plates issued under Code of Virginia 1950, § 46.2-739(B), as amended, to be parked in a parking space reserved for persons with disabilities that limit or impair their ability to walk or for a person who is not limited or impaired in his ability to walk to park a vehicle in a parking space so designated except when transporting a person with such disability in the vehicle.
- b) This section may be enforced by the issuance of a summons or parking ticket for violation of the ordinance by a law-enforcement officer, trained auxiliary sheriff's deputies serving in a unit established for parking enforcement, or by other uniformed personnel employed by the county to enforce parking regulation without the necessity of a warrant being obtained by the owner of any private parking area.
- c) In any prosecution charging a violation of this section, no violation of this section shall be dismissed on the basis of the property owner's failure to comply strictly with the requirements for disabled parking signs set forth in Code of Virginia, § 36-99.11, provided the space is clearly distinguishable as a parking space reserved for persons with disabilities that limit or impair their ability to walk.
- d) The provisions of Code of Virginia 1950, §§ 46.2-1247, 46.2-1248, 46.2-1249, 46.2-1250, 46.2-1251, 46.2-1252 and 46.2-1253, as amended, are each incorporated by reference into this section and made a part thereof as if set out in full.

(Res. No. 19-03-10, 3-26-19)

Sec. 42-6. - Parking tickets generally.

The sheriff shall prepare an appropriate ticket and ticket stub for use in enforcing the provisions of this article. Any law enforcement officer charged with enforcing this article shall attach, in plain view, to any vehicle parked in violation of this article, a ticket notifying the owner or operator of such vehicle of the violation and instructing such owner or operator when and where to report with reference to the violation. The time of the violation shall be noted on the ticket and stub. The ticket stub shall be turned in to the office of the Treasurer of Craig County. The ticket and stub shall have corresponding numbers. The ticket shall contain the following statement:

"NOTICE: You may pay this by appearing at the Office of the County Treasurer of Craig County, 182 Main Street, New Castle, Virginia, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. If you prefer, you may mail the ticket and fine to the aforementioned office at P.O. Box 57, New Castle, Virginia 24127. Checks should be made payable to the Treasurer of Craig County. If you fail to take care of this ticket within ten (10) days, then further action will be taken which could result in your having to appear in court and paying additional costs."

(Res. No. 19-03-10, 3-26-19)

Sec. 42-7. - Voluntary payment or contest of parking ticket.

- a) Within ten (10) days of the time when a ticket is attached to a vehicle pursuant to [section 42-6](#), the owner or operator of such vehicle may appear in the treasurer's office, during regular working hours, and waive his right to be formally tried for the violation indicated on the ticket, by paying the fine prescribed by [section 42-12](#) as penalty for, and in full satisfaction of, such violation.
- b) In lieu of payment of the fine in accord with subsection (a) above, such owner or operator may contest the parking ticket, within the time prescribed in subsection (a), by presenting it to the Treasurer of Craig County, who shall certify such contest, in writing, on an appropriate form, to the General District Court.

(Res. No. 19-03-10, 3-26-19)

Sec. 42-8. - Procedure for delinquent parking tickets.

- a) If the owner or operator of the motor vehicle to which a ticket is attached pursuant to this article does not appear in the county treasurer's office and pay the fine or present the ticket for certification within the time prescribed in [section 42-6](#), the treasurer shall, in order to secure the collection of county funds, notify the owner or operator of the vehicle in question, by mail directed to his last known address or his address as shown on the records of the department of motor vehicles, that he may pay the fine provided by [section 42-12](#) for such violation, plus a penalty in the sum of five dollars (\$5.00), within ten (10) working days of the receipt of the notice, at the treasurer's office. Such

notice shall be contained in an envelope with the words "Law-Enforcement Notice" stamped or printed on the face thereof in type at least one-half inch in height.

- b) If a person to whom the notice provided for in subsection (a) above is given fails to pay the fine and penalty within the time prescribed in the notice, the treasurer shall notify the officer who issued the original ticket and the officer shall then cause to be issued a complaint, summons, or warrant for the delinquent parking ticket. The owner or operator of the vehicle in question may pay the fine to the treasurer prior to the date he is to appear in court, provided he also pays necessary costs and the penalty referred to in subsection (a) above. The treasurer's receipt therefor shall be conclusive evidence of such payment.

(Res. No. 19-03-10, 3-26-19)

Sec. 42-9. - Record of, and accounting for, payments received under sections 42-7 and 42-8.

The Treasurer of Craig County shall keep appropriate records of, and account for, all fines and penalties paid to him pursuant to sections [42-7](#) and [42-8](#).

(Res. No. 19-03-10, 3-26-19)

Sec. 42-10. - Presumption in prosecutions for parking violations.

In any prosecution charging a violation of any provision of this article or any regulation or rule established pursuant hereto, proof that the vehicle described in the complaint, summons, parking ticket or warrant was parked in violation of such provision, together with proof that the defendant was, at the time of such parking violation, the registered owner of the vehicle, as required by Code of Virginia 1950, title 46.2, [chapter 6](#) (§ 46.2-600 et seq.), 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.

(Res. No. 19-03-10, 3-26-19)

Sec. 42-11. - Removal or immobilization of motor vehicles against which there are outstanding parking violations.

- a) Any motor vehicle parked on the public highways or public grounds against which there are three (3) or more unpaid or otherwise unsettled parking violations may be removed to a place within Craig County or in an adjacent locality designated by the Sheriff of Craig County for the temporary storage of the vehicle, or, in the alternative, such vehicle may be immobilized in a manner which will prevent its removal or operation except by authorized law enforcement personnel. Any such removal or

immobilization as authorized by this section shall only be conducted by or under the direction of the sheriff.

- b) It shall be the duty of the sheriff in removing or immobilizing any motor vehicle or under whose direction such vehicle is removed or immobilized, to inform as soon as practicable the owner of the removed or immobilized vehicle of the nature and circumstances of the prior unsettled parking violation notices for which the vehicle was removed or immobilized. In any case in which a vehicle is immobilized pursuant to this section, a notice warning that the vehicle has been immobilized and that any attempt to move the vehicle might damage it shall be placed on the vehicle in a conspicuous manner.
- c) The owner of any immobilized vehicle, or other person acting on his behalf, shall be allowed at least twenty-four (24) hours from the time of immobilization to repossess or secure the release of such vehicle. Failure to repossess or secure the release of the vehicle within that time period may result in the removal of the vehicle to an authorized storage area for safekeeping under the direction of the sheriff.
- d) The owner of the removed or immobilized motor vehicle, or other person acting on his behalf, shall be permitted to repossess or to secure the release of the vehicle by payment of all outstanding parking violation notice for which the vehicle was removed or immobilized and by payment of all costs incidental to the immobilization, removal and storage and the efforts to locate the owner of the vehicle. In the event the owner shall fail or refuse to pay such fines and costs within fifteen (15) days of the date of notice, by registered or certified mail, return receipt requested, or should the identity or whereabouts of the owner be unknown and unascertainable, the motor vehicle may be sold in accordance with the procedures set forth in Code of Virginia, § 46.2-1213.

(Res. No. 19-03-10, 3-26-19)

Sec. 42-12. - Penalties for parking violations.

Any person violating any of the provisions of this article shall be deemed guilty of a traffic infraction and, upon conviction thereof, shall be fined according to the following schedule:

Double parking in violation of subsection [42-4\(n\)](#)\$20.00

Parking over allowed time set by a lawful sign\$20.00

Parking on wrong side of street, so as to be facing oncoming traffic....\$20.00

Parking improperly in violation of [section 42-2](#) or [42-3](#)\$20.00

- Unattended motor in operation in violation of subsection [42-4\(l\)](#)\$20.00
- Parking in reserved space set by a lawful sign\$20.00
- Blocking traffic in violation of [section 42-4\(r\)](#)\$20.00
- Blocking traffic in violation of [section 42-4\(r\)](#), commercial vehicle\$45.00
- Parking in a designated handicapped spot without permit in violation of [section 42-5](#)\$100.00
- Parking within 500 feet of accident or area of emergency (section [42-4\(o\)](#))\$25.00
- Parking in fire lane, in front of fire hydrant, or fire or rescue building in violation of sections [42-3](#) and [42-4\(d\)](#)\$20.00
- Parking in designated space on county property pursuant to [section 2-8](#)\$20.00
- Parking a tractor-trailer truck, semi-trailer, recreational vehicle, or boat on any public street in violation of subsection [42-4\(p\)](#)\$20.00
- Parking on a sidewalk in violation of subsection [13-43\(k\)](#)\$20.00
- Any other violation in this article not set out above\$20.00
- In addition to the imposition of such fines, any motor vehicle parked in violation of this section may be moved to a garage or parking lot for storage at the expense of the owner of such motor vehicle.

(Res. No. 19-03-10, 3-26-19)