

Parking Enforcement FAQs

1. Can the Police Department ticket any vehicle without a decal in that instant? **Governing Legislation – City Ordinance (CO) Sec. 14-122. - Registration of vehicle; payment of license fee; display of vehicle decal; penalty for violation. Governing Legislation - VA Code 46.2-600. You have 30 days to register your vehicle (DMV) and obtain a City Decal (City Hall, Commissioner of Revenue Office).** Vehicles are routinely ticketed for failure to display a decal while parking in the City. Nonresidents who are not domiciled or are in the process of becoming residents shall register the vehicle with the Commissioner of Revenue within 30 days of establishing residence or becoming domiciled in the City. The Police Department needs to verify the 30 days before ticketing.
2. What if they are not a MP resident or they live in a surrounding jurisdiction but park in the City? **Governing Legislation - CO Sec. 24-50 - No valid City decal. Governing Legislation - CO Sec. 14-115 - A vehicle must be garaged, stored or parked within City limits for 30 days in order for officers to enforcement no city decal on a public road.** Every person owning, leasing or operating a vehicle normally garaged, stored or parked in the city shall register the vehicle, obtain an annual city vehicle license for the vehicle in accordance with this article. The annual vehicle decal issued by the city shall be displayed on the vehicle in accordance with section 14-122(c) below. The situs for the imposition of the vehicle license fee under this article shall be the jurisdiction in which such vehicle is normally garaged, stored or parked. In the event it cannot be determined where such vehicle is normally garaged, stored or parked, the situs shall be the domicile of the owner of such vehicle. Thus, the City is limited in its ability to enforce against vehicles parking in our city for more than 30 days, but whose owner is a resident of another jurisdiction and storing their car the majority of the year in another jurisdiction. The only solution is permit or decal requirements for overnight parking.

Other points in the code section: In the event the owner of the vehicle is a full-time student attending an institution of higher education, the situs shall be the domicile of such student, provided the student has presented sufficient evidence that he or she has paid a personal property tax on the vehicle in his or her domicile. A nonresident or non-domiciled owner, lessee or operator of a vehicle shall register the vehicle with the commissioner of the revenue within thirty (30) days of taking residence or becoming domiciled in the city. Every owner, lessee or operator of a new or used vehicle shall register the vehicle with the commissioner of the revenue within thirty (30) days of the date of purchase or the effective date of the lease.
3. Does the Police Department actively patrol Manassas Park neighborhoods looking for vehicles with no decal? **Yes.** In FY20 alone, 3,393 parking related citations were issued by the Police Department.
4. Is there a law that prevents vehicles from blocking a driveway? Street corners? Mailboxes? **Governing Legislation - CO Sec. 24-48 – General parking prohibitions, which covers such things as parking in front of driveways, in front of mailboxes, in intersections, etc. and within twenty (20) feet of a crosswalk at an intersection; provided that, where there is no crosswalk at an intersection, no person shall so park a vehicle within twenty (20) feet from the intersection of curb-lines or, if none, then within fifteen (15) feet of the**

intersection of property lines. In these instances, the citizen should call the Police Department to report any of these violations.

5. What can the City do to enforce vehicles with out of state license plates that are not registered in Manassas Park; therefore, they are not paying Personal Property tax and lack a city decal? The vehicle can be ticketed per state law if they are driving and pulled over, but the Police are unable to ticket parked vehicles for this infraction. However, Police can issue a no City decal ticket when a vehicle is parked in our City for more than 30 days. The Commissioner of Revenue is able to register vehicles and issue decals to them for vehicles without VA plates; The COR can't require VA plates for registering a vehicle. New Virginia law allows undocumented immigrants to get VA licenses and license plates, thus the City will begin to provide information to our community about this change to encourage residents to comply with VA law.
6. What is the City doing to provide more parking throughout the City? Is the new downtown development going to help? Can residents park along Manassas Drive towards Blooms Park? There is nothing currently being done to add parking across the City for residents. Adding residential parking infrastructure is not feasible. Three code amendment options are feasible- permit parking, neighborhood overnight decal parking, or entire City or Westside overnight decal parking with visitors allowed to park in public parking lots. The new downtown will create more parking for commercial users of the downtown, not necessarily residents. Legally, cars can park along Manassas Drive, however the City Manager will begin prohibiting this if it actually occurs (via signage) due to the safety risks and need to keep Manassas Drive traffic flowing.
7. What can the City do regarding large work trucks and vans that park in City neighborhoods and occupy a significant amount of space? What about commercial vehicles with out-of-state license plates? Besides Sec. 24-51 (prohibiting motor trucks- defined in code- from parking in residential neighborhoods) there is no other current governing legislation for regulating commercial vehicles on public streets. The City has the ability to create an ordinance that places restrictions on commercial vehicles such as exists in Fairfax County for example. If enacted, the Police Department would be the enforcement authority for vehicles parked on public streets. There are also zoning regulations for commercial vehicles on private property related to Home Occupation Permits- once the resident gets a Home Occupation Permit we can regulate the # of commercial vehicles parked. If the owner does not comply with the Home Occupation Permit by having more than the authorized number of commercial vehicles for example, the Home Occupation Permit would be rescinded and a zoning violation would be issued. However, if a resident does not get a Home Occupation Permit we would need to investigate if a commercial activity is occurring without a permit and issue a zoning violation.
8. What can the city do about vehicles parked on front/back yards? **Governing Legislation - CO Sec. 31-27(a)(7) - Prohibits vehicles from parking on the lawn in the front yard.** There are no restrictions on parking vehicles in the side or rear yard unless it is considered an inoperable vehicle. The zoning ordinance could be amended to prohibit parking on an unpaved surface in the side and rear yards. Observation for enforcement purposes is limited

to public areas, such as the sidewalk and street and the violation must be plainly visible. Unless granted access to see the offending vehicle, enforcement of rear yard violations is difficult, especially if the yard is fenced.

9. Can residents have designated parking directly in front of their homes? **Governing Legislation – CO Sec 20-3 - No person shall construct or place any obstruction, structure, foreign matter or material, be it permanent or temporary, in or upon the streets, gutters or sidewalks in the city.** No. On-street parking is considered public parking, so designating on-street spaces based on vehicle ownership violates the purpose and intent of public parking.
10. Are residents allowed to establish a handicap sign in front of their home? No, there is too much ADA liability on the City to permit this. Chapter 5 of the Americans with Disabilities Act covers accessible parking. No requirement nor standard are provided for parallel parking on public streets. The required clear zone, intended to provide safe, protected vehicle entry and exit for the driver and/or passenger are not available in an on-street, parallel parking scenario, as the driver side door opens into a travel way, and the passenger door opens over sidewalk or curb and gutter. The City cannot falsely claim the accessibility of a space that does not meet ADA standards and requirements. A posted accessible space must meet all applicable requirements.
11. What about orange traffic cones to save a parking space? **Governing Legislation - CO Sec. 20-3 - No person shall construct or place any obstruction, structure, foreign matter or material, be it permanent or temporary, in or upon the streets, gutters or sidewalks in the city.** No, this would violate the stated City Code.
12. What can the City do for townhouse communities with limited street parking for overflow since they only have two assigned parking spots? The City has the authority to establish residential parking districts via code amendment (see answer to question #6 above), but until then, townhouse community vehicles are permitted to park on other public streets.
13. What is the City doing to enforce speeding along Manassas Drive as well as other neighborhoods? The Police Department actively monitors all major thoroughfares through the City. Last year, 360 speeding citations were administered along Manassas Drive alone and so far, year to date (Jan-Sept), 179 citations have been administered.
14. Will residents be allowed to park on the new Conner Drive extension? Yes. On-street public parking will be available on both sides of Conner Drive.
15. Can the City limit the number of vehicles per household? The City does not have the authority to regulate the number of vehicles per household.

Community Maintenance FAQs

1. Can the City enforce residents to clean up junk located on their yards (to include junk cars)? What about just cars parked in yards? **Governing Legislation - CO Sec. 31-6, 31-15 and 31-16 – Prohibits domestic storage, which is what most people consider “junk”, in residential districts unless contained within the main building or an accessory building.** The city has limited enforcement mechanisms. Ultimately, it is the responsibility of the property owner to clean up the property. Staff can issue a notice of violation and ultimately take the property owner to court. Staff has had limited success in prosecuting such cases as judges allow additional time to abate the violation. When these cases are brought back to court, the judge finds the progress satisfactory. To pursue the case, the process has to start over again. Going to jail is the eventual penalty, but that does not allow the city to clean up the property. Health and safety menaces, which are specifically defined, can be abated by the City, if the owner or occupant refuses, but only after proper notice and a warrant is obtained. Health and safety menaces are specifically listed in Section 13.3-15 of the City Code.
Governing Legislation – CO Sec. 31-27(a)(7) – Prohibits the parking of vehicles on front lawns. Residents should contact the Code Enforcement Official to report vehicles that are parked on front lawns. **Governing Legislation – CO Sec. 24-58: Unattended vehicles- Removal, storage and sale, generally. An "unattended vehicle" shall mean any motor vehicle, trailer, semitrailer, or part thereof that:**
Is left unattended on a public highway or other public property and constitutes a traffic hazard;
Is illegally parked;
Is left unattended for more than ten (10) days on public property, or is left unattended for more than ten (10) days on private property without the permission of the property owner, lessee, or occupant and no sign is posted on such private property as set forth in subsection 24-58(b) herein; or
Is immobilized on a public roadway by weather conditions or other emergency situation.
Any owner of private property that is normally left open to the public for parking may, upon full compliance with chapter 31 herein, post signs on his property warning that vehicles left on such property for more than seventy-two (72) hours will be towed or removed at their owners' expense. Upon complaint of the owner of such property, any motor vehicle, trailer, semitrailer, or part thereof that has been left for more than seventy-two (72) hours thereon shall be presumed to be an unattended vehicle and will be disposed in accordance with this section.
Any unattended vehicle may be removed for safekeeping, by or under the direction of a law-enforcement officer, to a storage area; provided that no such unattended vehicle shall be so removed from private property without the written request of the owner, lessee or occupant thereof.
Any person at whose request an unattended vehicle is removed from private property pursuant to this section shall indemnify the city against any loss or expense incurred by reason of the removal, storage or sale thereof; and any writing requesting the removal of an unattended vehicle from private property shall include language indemnifying the city against any loss or expense incurred by reason of the removal, storage or sale thereof.

Each removal under this section shall be reported immediately to the police department, and notice thereof shall be given to the owner of the unattended vehicle as promptly as possible. Before obtaining possession of an unattended vehicle removed pursuant to this section, the owner of such unattended vehicle shall pay to the city, and any other parties entitled thereto, all costs incidental to the vehicle's removal and storage and all costs incidental to locating the owner. Should such owner fail or refuse to pay such costs, or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record in the office of the division of motor vehicles of this state against the unattended vehicle, the vehicle shall be treated as an abandoned vehicle and will be disposed in accordance with section 24-60.

Any unattended vehicle shall be presumed to be an abandoned vehicle, and will be disposed of in accordance with section 24-60, if it:

Lacks either a current license plate, a current county, city or town license plate or sticker, or a valid state safety inspection certificate or sticker; and

Has been in a specific location for four (4) days without being moved.

2. Does the City enforce lawn maintenance? How can it keep up with demand of violations?
Governing Legislation – Section (Insert) – It is impermissible to have grass reach a height of more than 10 inches. Contact the code enforcement officer regarding these complaints. A notice is sent to the property owner. If the lawn is not mowed after 10 days from receipt of the notice, the City is able to mow the grass and bill the property owner. See Section 17-49 of the City Code. This only applies to grass and not trees or bushes- see question 6 below for more on this.
3. Do Code Enforcement Officials look for old tires and other debris that can potentially retain water and serve as a breeding ground for mosquitos? **Governing Legislation – CO Sec. 13.3-15 – Lists all health and safety menaces as recognized by the City.** With the City having only one code enforcement officer, such issues are handled on a complaint basis. Stagnant water causing mosquitos are considered a health and safety menace; as such, the code enforcement officer is authorized to inspect the property at reasonable daylight times in a reasonable manner. Proper notice to remedy the violation is required. If the health and safety menace is not corrected and the owner or occupant does not request a hearing on the violation, the City can clean up the property and bill the owner. If access to the property is denied, a warrant is required.
4. Can residents report a neighbor if it is believed to have a rodent infestation? **Governing Legislation - CO Sec. 13.3-15 – Lists all health and safety menaces as recognized by the City.** In this case, the burden of proof is required in the submitted complaint and cannot be speculative. However, if proven, rodent infestations are considered a health and safety menace and would refer to Question 3 above for the enforcement protocol.

5. Can the city discourage residents from raising chickens in their back yard? **Governing Legislation – CO Sec. 5-1 - Livestock is prohibited in the City.** The Code Enforcement Officer can follow up on the complaint.
6. Does the City check for trees that might be ready to fall down? **Governing Legislation – CO Sec. 20-9 – The City can only pursue trees or vegetation that impedes the public sidewalk, street or causes a visibility issue at street intersections.** No. Trees maintenance in all other instances is the responsibility of the property owner.
7. Why does it take so long to enforce the cleanup process once a formal complaint has been issued? Unless it is a specifically classified as a health and safety menace, the City cannot clean up someone's property. It is ultimately the responsibility of the property owner; however, the City can prosecute the violation as a misdemeanor.
8. What is the City doing to discourage residents from playing loud music? Late night parties? **Governing Legislation – CO Sec. 15-5 - The playing of radio, phonographs, television, tape or disc players, musical instruments or drums, sound amplifiers or similar devices which produce, reproduce or amplify sound in such a manner as to emit sound audible at a distance of fifty (50) feet outside of a building or audible through partitions common to two (2) or more dwellings within a building. Talking, yelling, shouting, screaming, singing, or any other form of human sounds produced by any person or group of people that creates a noise disturbance at nighttime in such a manner as to be audible across property boundaries or audible through partitions common to two (2) or more dwelling units within a building.** Any perceived impermissible noise violations should be reported to the Police Department who will respond and issue a warning and citation (class 2 misdemeanor) if a repeated offense occurs.
9. How do citizens request sidewalk repairs if they are deemed a tripping hazard or any other perceived hazards? Any and all sidewalk or street related concerns should be routed directly to the Department of Public Works at phone number (703)-393-0881. The City is in the process of implementing new software that will enable a more streamlined online and mobile complaint system for these types of public works service requests.
10. What can the City do to prevent illegal home businesses? **Governing Legislation – CO Sec. 31-32(c) - Lists the requirements for home occupation permits.** Home occupations are permitted within the City, provided a home occupation permit is obtained at City Hall and the resident follows the home occupation regulations. Customers are allowed at the house, provided sufficient off-street parking is provided; however, outdoor storage of business materials and equipment is prohibited. Failure to secure a Home Occupation Permit or comply with the Permit, a Zoning Violation will be issued.
11. What we the residents do about "bad" Prince William County or City of Manassas neighbors with adjacent properties to Manassas Park homes? (i.e. junk in yard) **The City of Manassas**

Park cannot enforce the City's regulations in other jurisdictions and the resident would have to contact the Code Enforcement Officials in the appropriate locality to file a complaint. If the residents has contacted the neighboring jurisdiction code enforcement and they have not issued a notice of violation to the property owner, please notify the city and we can do an inquiry to the neighboring locality.

12. Can the city take action against multiple families occupying a single family home? Is this a fire hazard? What about basement rentals? **Governing Legislation – CO Sec. 31-6, 31-15 and 31-16, which together restrict each dwelling unit to one family (see definition for each in Sec. 31-6).** The difficulty is there is no limit on the number of related individuals who constitute a family. For houses that have been converted into temporary housing for large numbers of renters, or for houses that house unrelated family units, it is difficult to prove (and demonstrate to the court) that the residents are not related. Trying to enforce the “one family” requirement when immigrants are involved would likely be seen as targeting certain ethnic groups by the courts. A dwelling unit is defined as “one (1) or more rooms in a dwelling that serves as a housekeeping unit for one (1) family, and includes permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit shall have no more than one (1) kitchen.” If the basement functions as a dwelling, then such a use is a zoning violation. Permission is needed to enter a home. The enforcement officer needs visual proof that there is a second kitchen in the basement and the space is functioning as a separate dwelling unit. The number of occupants allowed is based on the square footage of sleeping areas. Seventy square feet is the minimum area needed for a one-person bedroom. For every additional person, another 50 square feet is required. It is permissible for 2 people to occupy a 100 square foot bedroom.

13. Can unsafe- “blighted” – homes be condemned by the City? The City does, have the ability to acquire blighted properties by the use of the power of eminent domain. See Va. Code § 36-49.1:1 (<https://law.lis.virginia.gov/vacode/title36/chapter1/section36-49.1:1/>). The problem has been the lack of funds available with which to purchase such properties. The City budgeted in the FY 22 Capital Budget to do this for a condemned home in the City (assuming the downtown was approved and additional revenues came to the City for this) and thus this will soon become an option for the City. Before using City funds however, the City is evaluating a tax sale of the home to a buyer who could potentially fix the property. Virginia, per Subsection A of Va. Code § 58.1-3965, allows localities to conduct tax sales on real property for which delinquent real estate property taxes are due.

For more on this:

[Part III of the Virginia Uniform Statewide Building Code, The Virginia Maintenance Code](#)

Chapter 2 – Definitions:

Structure unfit for human occupancy. An existing structure determined by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public because (i) of the degree to which the structure is in disrepair or lacks maintenance, ventilation, illumination, sanitary or heating facilities or other essential equipment, or (ii) the required plumbing and sanitary facilities are inoperable.

Unsafe structure. An existing structure (i) determined by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public, (ii) that contains unsafe equipment, or (iii) that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely. A vacant existing structure unsecured or open shall be deemed to be an unsafe structure.

Chapter 1 – Administration:

Section 106.2 Unsafe Structures or Structures Unfit for Human Occupancy

106.1 General

This section shall apply to existing structures which are classified as unsafe or unfit for human occupancy. All conditions causing such structures to be classified as unsafe or unfit for human occupancy shall be remedied or as an alternative to correcting such conditions, the structure may be vacated and secured against public entry or razed and removed. Vacant and secured structures shall still be subject to other applicable requirements of this code. Notwithstanding the above, when the code official determines that an unsafe structure or a structure unfit for human occupancy constitutes such a hazard that it should be razed or removed, then the code official shall be permitted to order the demolition of such structures in accordance with applicable requirements of this code.

Per the above section, goal one is correction, not razing. Steps are as follows:

1. Inspect – 106.2 requires that we gain access for inspection by typical means, and prepare a report justifying our findings.
2. Notice and Vacation of Occupants – 106.4 requires that notice of the declaration be delivered by personal service to the owner, and copy the tenants if there are tenants. 106.4 provides the ability for the code official to order that the structure be vacated.
3. Posting – If notice is not deliverable by personal service, we must send the notice via certified mail, and post a copy of the notice to the premises.
4. Placard – 106.6 states that we must placard a structure declared unfit. This is due to the less than obvious nature of safety hazards caused by unsafe equipment and lack of certain facilities.
5. Revocation of Certificate of Occupancy – When the owner fails to correct, the code official may request the building official to revoke the CofO. In Manassas Park, the building official and code official are the same person.
6. Emergency Repairs and Demolition – “To the extent permitted by the locality...” When there is eminent threat to health and safety of the public, the code official may “authorize” repairs or razing. This is when the code official must consult legal counsel, because the supporting legislation referenced in the section is found in Chapter 15 of the Code of Virginia, and may require action by the Governing Body, and certain legal steps to ensure funds can be recovered through liens.