

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 08-0194**

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Introduced by: Councilmembers Kraft, Branch, D'Adamo, Henry, Conaway, Spector, Middleton,  
Holton

Introduced and read first time: September 8, 2008

Assigned to: Land Use and Transportation Committee

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Committee Report: Favorable with amendments

Council action: Adopted

Read second time: August 10, 2009

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**AN ORDINANCE CONCERNING**

**Parking for Disabled Persons and Helpers – Temporary Disabilities**

FOR the purpose of authorizing, under certain circumstances, reserved parking for persons with temporary disabilities and their helpers; authorizing the imposition of certain fees; correcting, conforming, and clarifying related language; providing for a special effective date; and generally relating to reserved parking for disabled persons and their helpers.

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic

~~Section(s) 9-1 and 9-12(b)~~

Section(s) 9-1, 9-4, 9-12(b), and 9-15

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, without amendments

Article 31 - Transit and Traffic

Section(s) 9-11

Baltimore City Code

(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the Laws of Baltimore City read as follows:

**Baltimore City Code**

**Article 31. Transit and Traffic**

**Subtitle 9. Parking for Disabled Persons and Helpers**

***Part 1. Reserved Parking for Disabled Persons***

**§ 9-1. Criteria for obtaining.**

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 (A) *IN GENERAL.*

2 A disabled person may be eligible for a reserved parking space if the person meets the  
3 following criteria:

4 (1) the disability of the applicant must be permanent OR OF A NATURE EXPECTED TO  
5 ADVERSELY AFFECT THE APPLICANT FOR AT LEAST 1 YEAR;

6 (2) the applicant must be unable to use public transportation, leaving a personal  
7 vehicle as the only means of transportation;

8 (3) the applicant must be the sole operator of the vehicle or, if the applicant is  
9 dependent upon a non-handicapped driver for transportation, the driver must  
10 reside in the same household;

11 (4) parking space must be available that is not restricted by other parking regulations;

12 (5) off-street parking is not available, such as a driveway, garage, or parking pad, on  
13 the applicant's property; AND

14 (6) the applicant [must submit with the] SUBMITS AN application IN THE FORM THAT  
15 THE DIRECTOR REQUIRES.

16 (B) *REQUIRED STATEMENTS.*

17 (1) THE APPLICATION SHALL BE ACCOMPANIED BY:

18 (i) a physician's statement, DATED WITHIN THE PREVIOUS 6 MONTHS, describing  
19 the nature AND ANTICIPATED DURATION of the disability and [its] THE  
20 DISABILITY'S effect on the mobility of the applicant[, dated within the  
21 previous 6 months]; and

22 (ii) signed statements approving the designation of reserved parking for the  
23 applicant from the 2 abutting property owners and from 4 additional property  
24 owners in the block.

25 (2) [This provision may be waived by the] THE Director [of Public Works] MAY WAIVE  
26 THE REQUIREMENTS OF PARAGRAPH (1)(II) OF THIS SUBSECTION if:

27 (i) [(A) it is determined] THE DIRECTOR DETERMINES that there are not enough  
28 properties in the block to supply the necessary signatures; or

29 (ii) [(B)] the Director, in consultation with the Director of the Community  
30 Relations Commission, determines that the applicant meets all other criteria  
31 for obtaining a reserved parking space.

32 **§ 9-4. Forms[;], rules, and regulations; FEES.**

33 (A) *FORMS, RULES, AND REGULATIONS.*

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1 (1) The Director [of Public Works] shall develop forms and [issue] ADOPT rules and  
2 regulations to carry out [the provisions of] this [subtitle] PART 1.

3 (2) A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION SHALL BE  
4 FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE  
5 EFFECT.

6 (B) FEES.

7 (1) THE DIRECTOR MAY SET AND IMPOSE REASONABLE APPLICATION AND ANNUAL PERMIT  
8 FEES TO HELP DEFRAY THE COST OF MANUFACTURING, INSTALLING, AND REMOVING  
9 SIGNS AND OTHERWISE ADMINISTERING THIS PART 1.

10 (2) THE FEES SET UNDER THIS SUBSECTION DO NOT APPLY TO AND MAY NOT BE IMPOSED IF  
11 THE APPLICANT-PERMITTEE'S DISABILITY IS, AS SHOWN ON THE PHYSICIAN'S  
12 STATEMENT, PERMANENT.

13 *Part 2. Reserved Parking for Helpers*

14 **§ 9-11. "Disabled person" defined.**

15 In this Part, "disabled person" means a person who meets the physical criteria for obtaining a  
16 reserved parking space for a disabled person.

17 **§ 9-12. Criteria and procedure for obtaining**

18 (b) *Application.*

19 (1) The application shall be made jointly by the disabled person and the disabled  
20 person's designated helper.

21 (2) THE APPLICATION SHALL BE IN THE FORM THAT THE DIRECTOR REQUIRES and shall  
22 [include] BE ACCOMPANIED BY:

23 (i) [(1)] a physician's statement, dated within THE PREVIOUS 6 months [prior to  
24 the date of application], describing the nature AND ANTICIPATED DURATION of  
25 the disabled person's disability and [its] THE DISABILITY'S effect on the  
26 DISABLED PERSON'S mobility [of the disabled person]; AND

27 (ii) [(2)] signed statements approving the designation of reserved parking for the  
28 applicant from the 2 abutting property owners and from 4 additional property  
29 owners in the block.

30 (3) [This provision may be waived by the] THE Director [of Public Works] MAY WAIVE  
31 THE REQUIREMENTS OF PARAGRAPH (2)(II) OF THIS SUBSECTION if [it is determined]  
32 THE DIRECTOR DETERMINES that there are not enough properties in the block to  
33 supply the necessary signatures.

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1 **§ 9-15. [Regulations] FORMS, RULES, AND REGULATIONS; FEES.**

2 (A) *FORMS, RULES, AND REGULATIONS.*

3 (1) The Director may DEVELOP FORMS AND [issue] ADOPT RULES AND regulations to carry  
4 out [the provisions of] this Part 2.

5 (2) A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION SHALL BE  
6 FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE  
7 EFFECT.

8 (B) *FEES.*

9 (1) THE DIRECTOR MAY SET AND IMPOSE REASONABLE APPLICATION AND ANNUAL PERMIT  
10 FEES TO HELP DEFRAY THE COST OF MANUFACTURING, INSTALLING, AND REMOVING  
11 SIGNS AND OTHERWISE ADMINISTERING THIS PART 2.

12 (2) THE FEES SET UNDER THIS SUBSECTION DO NOT APPLY TO AND MAY NOT BE IMPOSED IF  
13 THE DISABILITY OF THE PERSON BEING ASSISTED IS, AS SHOWN ON THE PHYSICIAN'S  
14 STATEMENT, PERMANENT.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
16 are not law and may not be considered to have been enacted as a part of this or any prior  
17 Ordinance.

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on ~~the 30<sup>th</sup> day~~  
19 ~~after the date it is enacted~~ October 1, 2009.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor, Baltimore City