

Introduced by: Councilmember Dorsey, *Clarissa Holt*

Stokes
Casella, *Shelley Moore*, *SNEED*

Prepared by: Department of Legislative Reference

Date: April 10, 2019

Schleifer
Bullock
Middleton
Pinkett
Reisinger

Referred to: **LAND USE AND TRANSPORTATION** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19-0366

A BILL ENTITLED

AN ORDINANCE concerning

Commercial Parking Facilities – Revisions

FOR the purpose of making certain revisions to the City’s ordinances regard parking facilities; clarifying the application of the subtitle as it relates to commercial parking facilities; requiring that commercial parking facilities provide customers with proof-of-payment; prohibiting certain commercial parking facilities from removing motor vehicles without the owner’s consent; increasing certain fines; conforming and clarifying related provisions; and generally related to the regulation of commercial parking facilities.

BY repealing and reordaining, with amendments
Article 15 - Licensing and Regulation
Subtitle 12, to be under the amended subtitle designation
“Subtitle 12. Commercial Parking Facilities”
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(2)
Baltimore City Code
(Edition 2000)

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[Signature]
Robert Stokes

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****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input type="checkbox"/> Department of Public Works	<input type="checkbox"/> Baltimore City Public School System
<input type="checkbox"/> Department of Real Estate	<input type="checkbox"/> Baltimore Development Corporation
<input type="checkbox"/> Department of Recreation and Parks	<input checked="" type="checkbox"/> City Solicitor
<input checked="" type="checkbox"/> Department of Transportation	<input type="checkbox"/> Comptroller's Office
<input type="checkbox"/> Fire Department	<input type="checkbox"/> Department of Audits
<input type="checkbox"/> Health Department	<input checked="" type="checkbox"/> Department of Finance
<input type="checkbox"/> Mayor's Office of Employment Development	<input type="checkbox"/> Department of General Services
<input type="checkbox"/> Mayor's Office of Human Services	<input type="checkbox"/> Department of Housing and Community Development
<input type="checkbox"/> Mayor's Office of Information Technology	<input type="checkbox"/> Department of Human Resources
<input type="checkbox"/> Office of the Mayor	<input type="checkbox"/> Department of Planning
<input checked="" type="checkbox"/> Police Department	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Environmental Control Board	<input type="checkbox"/> Board of Estimates
<input type="checkbox"/> Fire & Police Employees' Retirement System	<input type="checkbox"/> Board of Ethics
<input type="checkbox"/> Labor Commissioner	<input type="checkbox"/> Board of Municipal and Zoning Appeals
<input checked="" type="checkbox"/> Parking Authority Board	<input type="checkbox"/> Comm. for Historical and Architectural Preservation
<input type="checkbox"/> Planning Commission	<input type="checkbox"/> Commission on Sustainability
<input type="checkbox"/> Wage Commission	<input type="checkbox"/> Employees' Retirement System
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Boards and Commissions

CITY OF BALTIMORE
ORDINANCE **19-264**
Council Bill 19-0366

Introduced by: Councilmembers Dorsey, Clarke, Scott, Costello, Cohen, Henry, Sneed, Schleifer,
Bullock, Ex Officio President Middleton, Councilmembers Pinkett, Reisinger, Stokes
Introduced and read first time: April 15, 2019
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 13, 2019

AN ORDINANCE CONCERNING

Commercial Parking Facilities – Revisions

FOR the purpose of making certain revisions to the City’s ordinances regarding parking facilities;
requiring the Director of Finance to maintain a current list of licensed commercial parking facilities on the Department of Finance’s website; clarifying the application of the subtitle as it relates to commercial parking facilities; requiring that commercial parking facilities provide customers with proof-of-payment; prohibiting certain commercial parking facilities from removing motor vehicles without the owner’s consent; providing for the revocation of a commercial parking facility license in certain circumstances; increasing certain fines; conforming and clarifying related provisions; and generally related to the regulation of commercial parking facilities.

BY repealing and reordaining, with amendments
Article 15 - Licensing and Regulation
Subtitle 12, to be under the amended subtitle designation
“Subtitle 12. Commercial Parking Facilities”
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(2)
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:

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.

Council Bill 19-0366

Baltimore City Code

Article 15. Licensing and Regulation

Subtitle 12. COMMERCIAL Parking Facilities [- Generally]

§ 12-1. Definitions[; Scope].

[(a) *Definitions.*]

(A) [(1)] *In general.*

In this subtitle, the following terms have the meanings indicated.

(B) [(2)] [*Parking*] *COMMERCIAL PARKING facility.*

“[*Parking*] *COMMERCIAL PARKING facility*” means any:

(1) [(i)] garage, structure, or part of a structure for the parking, storage, housing, or keeping of 3 or more motor vehicles in exchange for a fee or other consideration; or

(2) [(ii)] parking lot or outdoor area or space for the parking, storage, housing, or keeping of 3 or more motor vehicles in exchange for a fee or other consideration.

(C) [(3)] *Person.*

“*Person*” means:

(1) [(i)] an individual;

(2) [(ii)] a partnership, firm, association, limited liability company, corporation, or other entity of any kind;

(3) [(iii)] a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; [and] OR

(4) [(iv)] a governmental entity or an instrumentality or unit of a governmental entity.

[(b) *Subtitle inapplicable to special-event parking.*]

§ 12-2. SCOPE.

This subtitle does not apply to special-event parking lots operating under and in compliance with Subtitle 13 {“Parking facilities – Special-Event Parking Lots”} of this article.

§ 12-3. {RESERVED}

Council Bill 19-0366

1 **§ 12-4. [§ 12-2.] License required; fee.**

2 (a) *In general.*

3 (1) No person may operate a parking facility in the City of Baltimore unless the person
4 has first obtained an annual license for the facility and has paid the annual fee for the
5 license.

6 (2) The term of a license is from May 1 of each year through April 30 of the next year.

7 (b) *Fee.*

8 (1) The annual fee for a parking facility license is \$5.10 for every 100 square feet (or
9 fraction of 100 square feet) of the gross area used for parking facility purposes,
10 including all parking spaces, offices, ramps, driveways, aisles, toilets, car washing,
11 greasing, or other facilities used in connection with the operation of the parking
12 facility.

13 (2) For a license issued after July 31 and before November 1, the fee is 75% of that
14 prescribed for the entire year.

15 (3) For a license issued after October 31 and before February 1, the fee is 50% of that
16 prescribed for the entire year.

17 (4) For a license issued after January 31, the fee is 24% of that prescribed for the entire
18 year.

19 (c) *Partial-year license.*

20 (1) Any person desiring to operate a parking facility for an aggregate of no more than 6
21 months in any 1 license year may obtain a special partial-year license.

22 (2) The fee for a partial-year license is 1/12 of the annual license fee for each month or
23 fraction of a month that the parking facility is in operation.

24 (d) ONLINE LICENSEE LIST.

25 THE DIRECTOR OF FINANCE SHALL MAINTAIN AND POST A CURRENT LIST OF ALL
26 COMMERCIAL PARKING FACILITIES LICENSED UNDER THIS SUBTITLE ON THE DEPARTMENT
27 OF FINANCE'S WEBSITE.

28 **§ 12.5. [12-3.] Transfer of licenses.**

29 Except as otherwise provided in this subtitle, a license issued under this subtitle is
30 transferable during the license year.

Council Bill 19-0366

1 **§ 12-6. [§ 12-4.] Tax arrearage bars renewal or transfer.**

2 A license may not be issued to, renewed by, or transferred from or to any person from whom
3 taxes, interest, or penalties are due and unpaid under City Code Article 28, Subtitle 22.

4 **§ 12-7. [§ 12-5.] Refund on acquisition, etc., by City.**

5 If the City acquires title to or control of a COMMERCIAL parking facility or terminates an
6 existing lease covering any property used as a parking facility, and the owner, lessee, or
7 operator of the COMMERCIAL parking facility is thereby required to terminate the operation of
8 the facility, then the owner, lessee, or operator is entitled to a refund of that portion of the
9 license fee paid for the unexpired term of the license.

10 **§ 12-8. [§ 12-6.] Rules and regulations.**

11 (a) *Authorized.*

12 The Director of Finance may adopt rules and regulations for the administration and
13 enforcement of this subtitle.

14 (b) *Filing.*

15 A copy of all rules and regulations adopted under this subtitle must be filed with the
16 Department of Legislative Reference before they become effective.

17 **§ 12-9. [§ 12-7.] Cars left in street.**

18 (a) *Prohibited conduct.*

19 Except as specifically authorized in subsection (b) of this section, no person operating or
20 employed by a COMMERCIAL parking facility may store, park, or place a motor vehicle left
21 for storage or parking on any street, alley, or highway in the City.

22 (b) *Exception.*

23 (1) Subsection (a) of this section does not apply to the parking or placement of a vehicle
24 on a street, alley, or highway if it is parked or placed there only for a sufficient time to
25 permit the removal of another car from the COMMERCIAL parking facility.

26 (2) This exception does not apply between 7 a.m. and 10 a.m. or between 4 p.m. and 6
27 p.m.

28 **§ 12-10. PROOF-OF-PAYMENT REQUIRED.**

29 (A) *IN GENERAL.*

30 ~~WRITTEN~~ **☆ AS A CONDITION OF LICENSURE, A COMMERCIAL PARKING FACILITY MUST PROVIDE**
31 **WRITTEN PROOF OF PAYMENT TO EACH CUSTOMER OF THE FACILITY AT THE TIME OF**
32 **PAYMENT.**

Council Bill 19-0366

1 (B) *FORM.*

2 THE PROOF OF PAYMENT REQUIRED UNDER THIS SECTION MAY BE PROVIDED IN EITHER
3 PAPER OR ELECTRONIC FORM.

4 **§ 12-11. REMOVAL OF VEHICLES.**

5 ~~(A) *SCOPE.*~~

6 ~~THIS SECTION APPLIES ONLY TO A COMMERCIAL PARKING FACILITY THAT:~~

7 ~~(1) IS NOT COMPLIANCE WITH ANY PROVISION OF THIS SUBTITLE; AND~~

8 ~~(2) CONTINUES TO OPERATE AND HOLD ITSELF OUT AS A COMMERCIAL PARKING~~
9 ~~FACILITY.~~

10 ~~(B) *PROHIBITED CONDUCT.*~~

11 ~~SUBJECT TO THE LIMITATIONS IN SUBSECTION (A) OF THIS SECTION, NO PERSON OPERATING~~
12 ~~OR EMPLOYED BY A COMMERCIAL PARKING FACILITY MAY TOW OR CONTRACT WITH~~
13 ~~ANOTHER PERSON TO TOW A MOTOR VEHICLE FROM THE FACILITY WITHOUT THE MOTOR~~
14 ~~VEHICLE OWNER'S OR AUTHORIZED REPRESENTATIVE'S AUTHORIZATION.~~

15 A COMMERCIAL PARKING FACILITY MAY NOT TOW OR CONTRACT WITH ANOTHER PERSON TO
16 TOW A MOTOR VEHICLE FROM A COMMERCIAL PARKING FACILITY WITHOUT THE MOTOR
17 VEHICLE OWNER'S OR AUTHORIZED REPRESENTATIVE'S AUTHORIZATION, UNLESS THE
18 FACILITY HOLDS A VALID LICENSE UNDER § 12-4 {"LICENSE REQUIRED; FEE."} OF THIS
19 SUBTITLE.

20 **§ 12-12. {RESERVED}**

21 **§ 12-13. LICENSE REVOCATION.**

22 (A) *IN GENERAL.*

23 AFTER A HEARING CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS
24 ADOPTED UNDER THIS SUBTITLE AND WITH PROPER NOTICE TO THE LICENSE HOLDER, THE
25 DEPARTMENT OF FINANCE MAY REVOKE A LICENSE IF THE DEPARTMENT FINDS THAT THE
26 LICENSE HOLDER VIOLATED ANY PROVISION OF THIS SUBTITLE.

27 (B) *FORM AND EFFECT OF REVOCATION.*

28 ANY REVOCATION UNDER THIS SECTION MUST BE IN WRITING FROM THE DEPARTMENT OF
29 FINANCE AND SPECIFY THE REASONS FOR THE ACTION.

30 (C) *ADMINISTRATIVE APPEALS.*

31 (1) A LICENSE HOLDER AGGRIEVED BY A DECISION OF THE DEPARTMENT OF FINANCE MAY
32 APPEAL THAT DECISION TO THE DIRECTOR OF FINANCE IN WRITING WITHIN 10 DAYS OF

Council Bill 19-0366

THE DEPARTMENT'S DECISION.

(2) THE DIRECTOR OF FINANCE MUST ISSUE A WRITTEN DECISION WITHIN 30 DAYS OF RECEIPT OF THE LICENSE HOLDER'S APPEAL.

§ ~~12-14~~ ~~12-13~~. [§ 12-9.] Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}.

(b) *Process not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(c) *EACH DAY A SEPARATE OFFENSE.*

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

(d) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

EACH VEHICLE TOWED IN VIOLATION OF ~~§ 12-9(B) OF THIS SECTION~~ § 12-11 OF THIS SUBTITLE IS A SEPARATE OFFENSE.

§ ~~12-15~~ ~~12-14~~. [§ 12-10.] Criminal penalties.

(a) *In general.*

Any person who violates any provision of this subtitle or of a rule or regulation adopted under this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 or imprisonment for not more than 6 months or both fine and imprisonment for each offense.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

(c) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

EACH VEHICLE TOWED IN VIOLATION OF ~~§ 12-9(B)~~ § 12-11 OF THIS SUBTITLE IS A SEPARATE OFFENSE.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

Council Bill 19-0366

1 § 40-14. Violations to which subtitle applies.

2 (e) Provisions and penalties enumerated.

3 (2) Article 15. Licensing and Regulation

4 Subtitle 12. Commercial Parking Facilities [- Generally] [\$750] \$1000

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

8 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
9 after the date it is enacted.

Certified as duly passed this _____ day of JUN 11 2019, 20__



President, Baltimore City Council

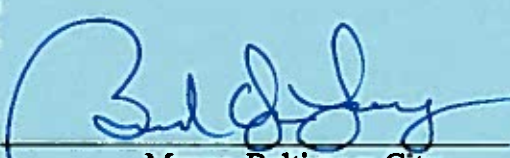
Certified as duly delivered to his Honor, the Mayor,

this _____ day of JUN 11 2019, 20__

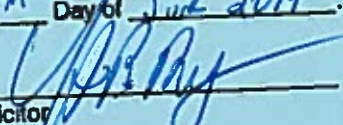


Chief Clerk

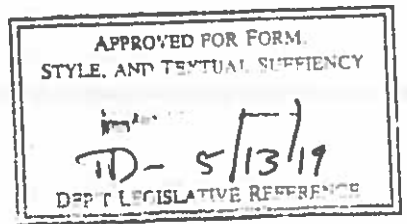
Approved this 17 day of June, 2019



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 19th Day of June 2019.


Chief Solicitor



AMENDMENTS TO COUNCIL BILL 19-0366
(1" Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 4, in line 22, strike "A" and substitute: "AS A CONDITION OF LICENSURE, A"; and, on that same page and line, strike "WRITTEN".

Amendment No. 2

On page 4, strike lines 28 through 30 in their entireties; on page 5, strike lines 1 through 7 in their entireties and substitute:

"A COMMERCIAL PARKING FACILITY MAY NOT TOW OR CONTRACT WITH ANOTHER PERSON TO TOW A MOTOR VEHICLE FROM A COMMERCIAL PARKING FACILITY WITHOUT THE MOTOR VEHICLE OWNER'S OR AUTHORIZED REPRESENTATIVE'S AUTHORIZATION, UNLESS THE FACILITY HOLDS A VALID LICENSE UNDER §12-4 {"LICENSE REQUIRED: FEE."} OF THIS SUBTITLE."

ADOPTED

Amendment No. 3

On page 1, in line 7, after the first semi-colon, insert: "providing for the revocation of a commercial parking facility license in certain circumstances"; on page 5, after line 8, insert:

§ 12-13. LICENSE REVOCATION.

(A) IN GENERAL.

AFTER A HEARING CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE AND WITH PROPER NOTICE TO THE LICENSE HOLDER, THE DEPARTMENT OF FINANCE MAY REVOKE A LICENSE IF THE DEPARTMENT FINDS THAT THE LICENSE HOLDER VIOLATED ANY PROVISION OF THIS SUBTITLE.

(B) FORM AND EFFECT OF REVOCATION.

ANY REVOCATION UNDER THIS SECTION MUST BE IN WRITING FROM THE DEPARTMENT OF FINANCE AND SPECIFY THE REASONS FOR THE ACTION.

(C) ADMINISTRATIVE APPEALS.

(1) A LICENSE HOLDER AGGRIEVED BY A DECISION OF THE DEPARTMENT OF FINANCE MAY APPEAL THAT DECISION TO THE DIRECTOR OF FINANCE IN WRITING WITHIN 10 DAYS OF THE DEPARTMENT'S DECISION.

(2) THE DIRECTOR OF FINANCE MUST ISSUE A WRITTEN DECISION WITHIN 30 DAYS OF RECEIPT OF THE LICENSE HOLDER'S APPEAL."

and, on that same page, in lines 9 and 22, strike "~~12-13~~" and "~~12-14~~", respectively, and substitute "12-14" and "12-15", respectively.

Amendment No. 4

On page 5, in line 20, strike "~~§ 12-9(B) OF THIS SECTION~~" and substitute "§ 12-11 OF THIS SUBTITLE"; and, on page 6, in line 2, strike "~~§ 12-9(B)~~" and substitute "§ 12-11".

Amendment No. 5

On page 1, in line 3, after the semi-colon, insert “requiring the Director of Finance to maintain a current list of licensed commercial parking facilities on the Department of Finance’s website;”; and, on page 3, after line 19, insert:

“(D) ONLINE LICENSEE LIST.

THE DIRECTOR OF FINANCE SHALL MAINTAIN AND POST A CURRENT LIST OF ALL COMMERCIAL PARKING FACILITIES LICENSED UNDER THIS SUBTITLE ON THE DEPARTMENT OF FINANCE’S WEBSITE.”.

**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION
VOTING RECORD**

DATE: May 8, 2019

BILL#: 19-0366

BILL TITLE: Commercial Parking Facilities – Revisions

MOTION BY: Dorsey SECONDED BY: Middleton

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TOTALS	<u>6</u>	<u>1</u>		

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

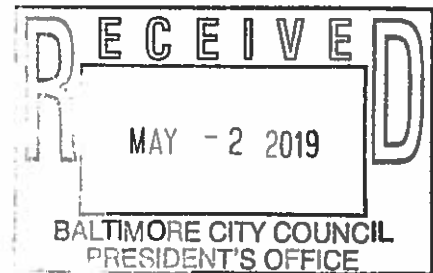


DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

May 2, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202



Re: City Council Bill 19-0366 Commercial Parking Facilities - Revisions

President and City Council Members:

The Law Department has reviewed City Council Bill 19-0366 for form and legal sufficiency. The bill would make certain revisions to the City's ordinances regarding parking facilities, clarify the subtitle's application, require that commercial parking facilities provide customers with proof-of-payment, prohibit certain commercial parking facilities from removing motor vehicles without the owner's consent, increase certain fines and generally relate to the regulation of commercial parking facilities.

The power to regulate parking facilities is derived from Article II, Section 17, of the Baltimore City Charter which provides that the Mayor and City Council may "license, tax and regulate all businesses, trades, vocations or professions. . . ." This bill would require that commercial parking facilities provide a receipt to customers, so that they have proof of payment in the event that they are wrongfully towed from the facility. Consumer protection is within the authority granted to the City in both its police powers as well as the City's power to "pass any ordinance ... which it may deem proper in the exercise of any of the powers, either express or implied, enumerated in this Charter, as well as any ordinance as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City." City Charter, Art. II §§ 27, 47.

The bill prohibits towing without the owner's consent where the facility is not in compliance with "any provision of this subtitle." Bill 19 - 366, §12-11, p. 4, line 27 - p. 5, line 7. The Law Department recommends clarifying this section. The City has authority to impose civil and criminal penalties for violations of any ordinance. City Charter, Art. II § 48. It does not have authority to penalize violations by any other method. This section seems to penalize those facilities not in compliance with the subtitle by placing a further prohibition on them. The Law Department recommends amending this section to prohibit any parking facility from towing without the owner's consent if the parking facility did not provide that vehicle owner with a receipt. In other

Fav w/ Amends

words, nonconsensual towing when a receipt has not been provided in accordance with §12-10 is subject to the penalties in §§12-13 and 12-14. This would achieve the goal of the legislation and still be within the City's authority.

Prohibiting the nonconsensual towing of a car where the owner did not receive proof of payment does not violate the freedom to contract, because the law would only impair future contracts. "Since every contract is made with reference to the laws existing at the time of its making, the Contracts Clause does not apply to a law enacted prior to making a contract when that law's alleged effect is to impair an obligation under the contract. The Contracts Clause only applies to a statute enacted after the making of the contract. Impairment is conceivable as the result of a statute passed after a contract is made but is inconceivable when, at the time of the contract, the statute is in force." Am. Jur 2d Constitutional Law § 726.

The Law Department also recommends clarifying what constitutes "written proof of payment." By requiring "written" proof, the bill seems to suggest that the receipt must be hand written but then permits electronic receipts. This could be cured by either deleting the word "written" or adding "or printed" after the word "written."

Finally, on page 5, line 20 and page 6, line 2, §12-9B should be §12-11B.

Subject to the above, the Law Department approves the bill for form and legal sufficiency.

Sincerely,



Ashlea Brown
Assistant Solicitor

cc: Andre Davis, City Solicitor
Jeff Amoros, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor

TRANSMITTAL MEMO

TO: Council President Sharon Green Middleton
FROM: Peter Little, Executive Director *P. Little*
DATE: May 6, 2019
RE: Council Bill 19-0366



I am herein reporting on **City Council Bill 19-0366, Commercial Parking Facilities - Revisions**

The purpose of this bill is to revise the City's ordinances regarding parking facilities; clarify the application of Article 15, Subtitle 12 as it relates to commercial parking facilities; require that commercial parking facilities provide proof of payment; prohibit certain commercial facilities from removing motor vehicles without the owner's consent; increase certain fines; conform and clarify related provisions; and generally regulate commercial parking facilities.

The Parking Authority oversees multiple City-owned parking facilities, including parking garages and parking lots, for the City of Baltimore (the City). The City owns sixteen (16) metered lots with nine hundred and sixty-nine (969) public parking spaces that would be commercial parking facilities as defined by Council Bill 19-0366. Many parking meters on these lots do not provide receipts for cash payments, so the Parking Authority respectfully requests an exemption for City-owned metered parking lots to allow for towing from these facilities. This exception could be provided in Section 12-1 or 12-2.

There is an error on page 4 in line 30 which currently reads:

§ 12-11. (A) (1) IS NOT COMPLIANCE WITH ANY PROVISION OF THIS SUBTITLE; AND

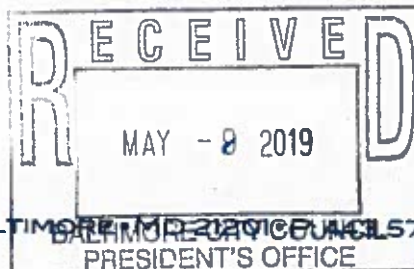
This should state either "NOT COMPLIANT" or "NOT IN COMPLIANCE"

The Parking Authority would like page 1, line 6 to read "prohibiting non-compliant commercial parking facilities from removing motor vehicles without the..."


Passage of this bill may result in some loss of transient public parking supply. Owners/operators of some commercial parking facilities may opt to close their facilities to transient public parking rather than invest in equipment and/or services necessary to provide transient parking customers with receipts. However, we think this loss of transient public parking would not be so severe as to cause or exacerbate parking problems significantly.

With the noted revisions, the Parking Authority does not object to passage of Council Bill 19-0366.

F



received
5-8-19 *PLC*
Peter Little

FROM	NAME & TITLE	Frank Murphy, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0366		

TO: Mayor Bernard C. "Jack" Young
TO: Land Use & Transportation Committee
FROM: Department of Transportation
POSITION: Support
RE: Council Bill - 19-0366

DATE: 5/7/19

INTRODUCTION – Commercial Parking Facilities - Revisions

PURPOSE/PLANS – For the purpose of making certain revisions to the City’s ordinances regarding parking facilities; clarifying the application of the subtitle as it relates to commercial parking facilities; requiring that commercial parking facilities provide customers with proof-of-payment; prohibiting certain commercial parking facilities from removing motor vehicles without the owner’s consent; increasing certain fines; conforming and clarifying related provisions; and generally related to the regulation of commercial parking facilities.

COMMENTS – The Department of Transportation’s Towing Division expects this bill to result in a reduction of trespass tow complaints. Requiring proof-of-payment at all commercial parking facilities will likely reduce instances of tow companies wrongfully towing vehicles of owners who paid to park, but were not provided a receipt. This legislation is not expected to have an operational or fiscal impact on the Department of Transportation.

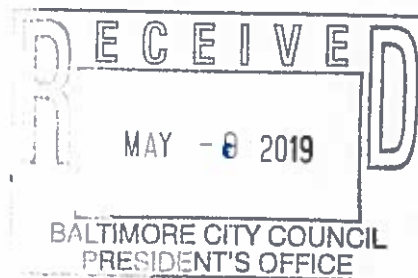
AGENCY/DEPARTMENT POSITION – The Department of Transportation supports City Council bill 19-0366.

If you have any questions, please do not hesitate to contact Liam Davis at Liam.Davis@baltimorecity.gov, 410-545-3207.

Sincerely,

Frank Murphy

Frank Murphy
Acting Director



A

received
5-8-19 JPA
L. Davis

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, May 8, 2019

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0366

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0366

Commercial Parking Facilities - Revisions

For the purpose of making certain revisions to the City's ordinances regarding parking facilities; clarifying the application of the subtitle as it relates to commercial parking facilities; requiring that commercial parking facilities provide customers with proof-of-payment; prohibiting certain commercial parking facilities from removing motor vehicles without the owner's consent; increasing certain fines; conforming and clarifying related provisions; and generally related to the regulation of commercial parking facilities.

Sponsors: Ryan Dorsey, Mary Pat Clarke, Brandon M. Scott, Eric T. Costello, Zeke Cohen, Bill Henry, Shannon Sneed, Isaac "Yitzy" Schleifer, John T. Bullock, Sharon Green Middleton, Robert Stokes, Sr., Leon F. Pinkett, III, Edward Reisinger

A motion was made by Member Dorsey, seconded by Member Middleton, that the bill be recommended favorably with Amendment. The motion carried by the following vote:

Yes: 6 - Member Reisinger, Member Middleton, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.

No: 1 - Member Clarke

ADJOURNMENT

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG,
Ex Officio Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 19-0366

Commercial Parking Facilities – Revisions

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: May 8, 2019
Time (Beginning): 1:45 PM
Time (Ending): 2:15 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~30
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Clarke, Mary Pat
Costello, Eric
Dorsey, Ryan
Pinkett, III Leon
Stokes, Robert

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?.....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:.....	Councilmember Dorsey		
Seconded by:.....	Councilmember Middleton		
Final Vote:	Favorable/Amendment		

Major Speakers

(This is not an attendance record.)

- Ms. Ashlea Brown, Department of Law
- Mr. Peter Little, Parking Authority Board of Baltimore City
- Mr. Liam Davis, Department of Transportation
- Ms. Pedro Aponte, Department of Finance

Major Issues Discussed

1. Councilmember Reisinger introduced committee members and read the bill's title and purpose clause.
 2. Councilmember Dorsey explained the purpose of the bill. One of the major benefits of the bill is that it would allow a person to get confirmation of payment after paying for parking at a licensed commercial parking facility. If the operator of the parking facility is not compliant with licensure, then towing from the parking facility would not be allowed. During a review of the current law (Articles 1 and 15), it was determined that additional amendments should be made to clarify the law. The bill emphasizes the need for each facility owner to have a current license. Councilmember Dorsey worked with the Department of Law and the Department of Legislative Reference to further clarify, revise and add additional language to the law, which would, in effect, amend the proposed bill. A copy of the amendments was given to committee members.
 3. Councilmember Clarke commented about the need for towing companies to be licensed.
 4. Ms. Ashlea Brown testified for the Law Department in support of the bill and amendments.
 5. Mr. Liam Davis testified that the Towing Division of the Department of Transportation expects the bill to result in a reduction of trespass tow complaints. The Department of Transportation supports the bill.
 6. Mr. Pedro Aponte testified that the Department of Finance does not anticipate that an increase in the penalty will have a great fiscal impact. The Department of Finance had no objection to the original bill.
 7. Mr. Peter Little hand-delivered a report from the Parking Authority of Baltimore City (PABC). PABC had no objection to the bill. PABC owns sixteen (16) metered lots with nine hundred and sixty-nine (969) public parking spaces that would be considered commercial parking facilities as defined by the bill. Many of the parking metered spaces do not provide a written receipt for cash parking. PABC is requesting the bill be amended to provide an exemption for cash payments. Councilmember Dorsey explained that the amendments are proposed to remove the requirement for a written receipt. Councilmember Clarke expressed the need for customers to have proof of payment.
 8. Trespass towing companies tow from different lots for different reasons. Some tows are at the request of the owners. Others are a result of patrolled-based towing. For City-owned parking lots, both types of towing are used. There was general discussion about proof of payment for parking at off-street metered spaces and for parking on privately owned lots.
 9. Agency representatives presented/confirmed their agency's report.
 10. The committee voted to approve amendments for the bill.
 11. The committee voted to recommend the bill favorable with amendments.
 12. The hearing was adjourned.
-

Further Study

**Was further study requested?
If yes, describe.**

Yes No

Committee Vote:

Reisinger, Edward, Chairman.....Yea
Middleton, Sharon, Vice Chair.....Yea
Clarke, Mary Pat.....Nay
Costello, Eric.....Yea
Dorsey, Ryan.....Yea
Pinkett, Leon.....Yea
Stokes, Robert:.....Yea

Jennifer L. Coates, Committee Staff



Date: May 9, 2019

cc: Bill File
OCS Chrono File

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, May 8, 2019

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0366

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0366

Commercial Parking Facilities - Revisions

For the purpose of making certain revisions to the City's ordinances regarding parking facilities; clarifying the application of the subtitle as it relates to commercial parking facilities; requiring that commercial parking facilities provide customers with proof-of-payment; prohibiting certain commercial parking facilities from removing motor vehicles without the owner's consent; increasing certain fines; conforming and clarifying related provisions; and generally related to the regulation of commercial parking facilities.

Sponsors:

Ryan Dorsey, Mary Pat Clarke, Brandon M. Scott, Eric T. Costello, Zeke Cohen, Bill Henry, Shannon Sneed, Isaac "Yitzy" Schleifer, John T. Bullock, Sharon Green Middleton, Robert Stokes, Sr., Leon F. Pinkett, III, Edward Reisinger

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

**Wednesday, May 8, 2019
1:10 PM**

City Council Bill # 19-0366

Commercial Parking Facilities – Revisions

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (pension only)

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Ex Officio Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 19-0366

Commercial Parking Facilities – Revisions

Sponsor: Councilmember Dorsey

Introduced: April 15, 2019

Purpose:

For the purpose of making certain revisions to the City's ordinances regarding parking facilities; clarifying the application of the subtitle as it relates to commercial parking facilities; requiring that commercial parking facilities provide customers with proof-of-payment; prohibiting certain commercial parking facilities from removing motor vehicles without the owner's consent; increasing certain fines; conforming and clarifying related provisions; and generally related to the regulation of commercial parking facilities.

Effective: On the 30th day after date of enactment

Hearing Date/Time/Location: May 8, 2019 /1:10 p.m./Clarence "Du" Burns Chambers

Agency Reports

City Solicitor
Police Department
Department of Finance
Department of Transportation
Parking Authority of Baltimore City

Favorable/Amend

Analysis

Current Law

By repealing and re-ordaining, with amendments

Article 15 - Licensing and Regulation

Subtitle 12, to be under the amended subtitle designation

"Subtitle 12. Commercial Parking Facilities"

Baltimore City Code

(Edition 2000)

By repealing and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies

Section(s) 40-14(e)(2)

Baltimore City Code

(Edition 2000)

Background

Article II, Section 17 of the Baltimore City Charter provides that the Mayor and City Council may "license, tax and regulate all businesses, trades, vocations or professions..." According to the Baltimore City Code; Article 15, Subtitle 12, an annual paid license is required to operate a parking facility in the City of Baltimore. The term of licenses is from May 1 of each year through April 30 of the next year. Certain types of partial annual licenses may be issued. A license is transferable if all associated costs (taxes, interest and penalties) have been paid. If the City takes title or control of the parking facility, license fees paid are refundable for the unexpired term.

Currently, parking facility operators are not allowed to store, park, or place any motor vehicles left for storage or parking on any street alley, or highway in the City. The only exception to this rule is to allow the operator sufficient time to remove another car from the parking facility. This exception, however, does not apply between 7 a.m. and 10 a.m. or between 4 p.m. and 6 p.m.

Currently, the penalty for issuance of an environmental citation under *Article 1, Subtitle 40 Section 14 - Environmental Control Board* is \$750. The current maximum criminal penalty allowed under *Article 15, Subtitle 12, Section 10, Licensing and Regulation of Parking Facilities - Criminal Penalties* is \$1,000.

Bill 19-0366 proposes to clarify *Article 15. Licensing and Regulation; Subtitle 12. Parking Facilities - Generally*. The bill would:

- Rename "parking facilities" to "commercial parking facilities." The new subtitle would be *Subtitle 12. Commercial Parking Facilities*. The bill does not include "special-event parking lots."
- Add new language (new Section 12-10) to require that commercial parking facilities provide customers with proof-of-payment. The operator would be required to provide written proof of payment to each customer or the facility at the time of payment. Proof of payment may be provided in paper or electronic form.
- Add new language (new Section 12-11) to prohibit certain commercial parking facilities from removing motor vehicles without the owner's consent. Operators or employees of the operator may not tow or contract to have towed any motor vehicle from the facility without authorization from the motor vehicle's owner or his/her authorized representative. This section would only apply to those operators who are non-compliant with the provisions of Article 15, Subtitle 12.
- Add new language (new Section 12-13) under "Enforcement by citation" section to describe what is a "separate offense" for issuance of an environmental citation under City Code Article 1, Subtitle 40 – Environmental Control Board. Each vehicle towed in violation of the language in the new Section 12-9(B) is a separate offense. Each day that a violation continues is a separate offense (new Section 12-13).
- Add new language (new Section 12-14) under the "Criminal penalties" section to clarify and describe what is a "separate offense." Each vehicle towed in violation of the language in the new Section 12-9(B) is a separate offense for any person who violates the provisions of Subtitle 12 and is guilty of a misdemeanor.
- Change the environmental citation penalty from \$750 to \$1,000 (Article 1; Subtitle 40. Environmental Control Board, Section 14).

The Law Department has suggested certain amendments.

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill 19-0366; Baltimore City Code Article 1, Subtitle 40 and Article 15, Subtitle 12; Agency report(s)

Analysis by: Jennifer L. Coates
Analysis Date: May 3, 2019



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 19-0366
(First Reader)**

Introduced by: Councilmembers Dorsey, Clarke, Scott, Costello, Cohen, Henry, Sneed,
Schleifer, Bullock, Ex Officio President Middleton, Councilmembers Pinkett, Reisinger,
Stokes

Introduced and read first time: April 15, 2019

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Department of
Finance, Department of Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Commercial Parking Facilities – Revisions**

3 FOR the purpose of making certain revisions to the City’s ordinances regarding parking facilities;
4 clarifying the application of the subtitle as it relates to commercial parking facilities;
5 requiring that commercial parking facilities provide customers with proof-of-payment;
6 prohibiting certain commercial parking facilities from removing motor vehicles without the
7 owner’s consent; increasing certain fines; conforming and clarifying related provisions; and
8 generally related to the regulation of commercial parking facilities.

9 BY repealing and reordaining, with amendments

10 Article 15 - Licensing and Regulation

11 Subtitle 12, to be under the amended subtitle designation

12 “Subtitle 12. Commercial Parking Facilities”

13 Baltimore City Code

14 (Edition 2000)

15 BY repealing and reordaining, with amendments

16 Article 1 - Mayor, City Council, and Municipal Agencies

17 Section(s) 40-14(e)(2)

18 Baltimore City Code

19 (Edition 2000)

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

22 **Baltimore City Code**

23 **Article 15. Licensing and Regulation**

24 **Subtitle 12. COMMERCIAL Parking Facilities [- Generally]**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 19-0366

§ 12-1. Definitions; Scope.

[(a) Definitions.]

(A) [(1)] In general.

In this subtitle, the following terms have the meanings indicated.

(B) [(2)] [Parking] COMMERCIAL PARKING facility.

“*[Parking] COMMERCIAL PARKING facility*” means any:

- (1) [(i)] garage, structure, or part of a structure for the parking, storage, housing, or keeping of 3 or more motor vehicles in exchange for a fee or other consideration; or*
- (2) [(ii)] parking lot or outdoor area or space for the parking, storage, housing, or keeping of 3 or more motor vehicles in exchange for a fee or other consideration.*

(C) [(3)] Person.

“*Person*” means:

- (1) [(i)] an individual;*
- (2) [(ii)] a partnership, firm, association, limited liability company, corporation, or other entity of any kind;*
- (3) [(iii)] a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; [and] OR*
- (4) [(iv)] a governmental entity or an instrumentality or unit of a governmental entity.*

[(b) Subtitle inapplicable to special-event parking.]

§ 12-2. SCOPE.

This subtitle does not apply to special-event parking lots operating under and in compliance with Subtitle 13 {“Parking facilities – Special-Event Parking Lots”} of this article.

§ 12-3. {RESERVED}

§ 12-4. [§ 12-2.] License required; fee.

(a) In general.

- (1) No person may operate a parking facility in the City of Baltimore unless the person has first obtained an annual license for the facility and has paid the annual fee for the license.*

Council Bill 19-0366

1 (2) The term of a license is from May 1 of each year through April 30 of the next
2 year.

3 (b) *Fee.*

4 (1) The annual fee for a parking facility license is \$5.10 for every 100 square feet (or
5 fraction of 100 square feet) of the gross area used for parking facility purposes,
6 including all parking spaces, offices, ramps, driveways, aisles, toilets, car
7 washing, greasing, or other facilities used in connection with the operation of the
8 parking facility.

9 (2) For a license issued after July 31 and before November 1, the fee is 75%
10 of that prescribed for the entire year.

11 (3) For a license issued after October 31 and before February 1, the fee is 50% of that
12 prescribed for the entire year.

13 (4) For a license issued after January 31, the fee is 25% of that prescribed for the entire
14 year.

15 (c) *Partial-year license.*

16 (1) Any person desiring to operate a parking facility for an aggregate of no more than
17 6 months in any 1 license year may obtain a special partial-year license.

18 (2) The fee for a partial-year license is 1/12 of the annual license fee for each month
19 or fraction of a month that the parking facility is in operation.

20 **§ 12-5. [§ 12-3.] Transfer of licenses.**

21 Except as otherwise provided in this subtitle, a license issued under this subtitle is
22 transferable during the license year.

23 **§ 12-6. [§ 12-4.] Tax arrearage bars renewal or transfer.**

24 A license may not be issued to, renewed by, or transferred from or to any person from whom
25 taxes, interest, or penalties are due and unpaid under City Code Article 28, Subtitle 22.

26 **§ 12-7. [§ 12-5.] Refund on acquisition, etc., by City.**

27 If the City acquires title to or control of a COMMERCIAL parking facility or terminates an
28 existing lease covering any property used as a parking facility, and the owner, lessee, or
29 operator of the COMMERCIAL parking facility is thereby required to terminate the operation of
30 the facility, then the owner, lessee, or operator is entitled to a refund of that portion of the
31 license fee paid for the unexpired term of the license.

Council Bill 19-0366

§ 12-8. [§ 12-6.] Rules and regulations.

(a) *Authorized.*

The Director of Finance may adopt rules and regulations for the administration and enforcement of this subtitle.

(b) *Filing.*

A copy of all rules and regulations adopted under this subtitle must be filed with the Department of Legislative Reference before they become effective.

§ 12-9. [§ 12-7.] Cars left in street.

(a) *Prohibited conduct.*

Except as specifically authorized in subsection (b) of this section, no person operating or employed by a COMMERCIAL parking facility may store, park, or place a motor vehicle left for storage or parking on any street, alley, or highway in the City.

(b) *Exception.*

(1) Subsection (a) of this section does not apply to the parking or placement of a vehicle on a street, alley, or highway if it is parked or placed there only for a sufficient time to permit the removal of another car from the COMMERCIAL parking facility.

(2) This exception does not apply between 7 a.m. and 10 a.m. or between 4 p.m. and 6 p.m.

§ 12-10. PROOF-OF-PAYMENT REQUIRED.

(A) *IN GENERAL.*

A COMMERCIAL PARKING FACILITY MUST PROVIDE WRITTEN PROOF OF PAYMENT TO EACH CUSTOMER OF THE FACILITY AT THE TIME OF PAYMENT.

(B) *FORM.*

THE PROOF OF PAYMENT REQUIRED UNDER THIS SECTION MAY BE PROVIDED IN EITHER PAPER OR ELECTRONIC FORM.

§ 12-11. REMOVAL OF VEHICLES.

(A) *SCOPE.*

THIS SECTION APPLIES ONLY TO A COMMERCIAL PARKING FACILITY THAT:

(1) IS NOT COMPLIANCE WITH ANY PROVISION OF THIS SUBTITLE; AND

Council Bill 19-0366

1 (2) CONTINUES TO OPERATE AND HOLD ITSELF OUT AS A COMMERCIAL PARKING
2 FACILITY.

3 (B) *PROHIBITED CONDUCT.*

4 SUBJECT TO THE LIMITATIONS IN SUBSECTION (A) OF THIS SECTION, NO PERSON OPERATING
5 OR EMPLOYED BY A COMMERCIAL PARKING FACILITY MAY TOW OR CONTRACT WITH
6 ANOTHER PERSON TO TOW A MOTOR VEHICLE FROM THE FACILITY WITHOUT THE MOTOR
7 VEHICLE OWNER'S OR AUTHORIZED REPRESENTATIVE'S AUTHORIZATION.

8 § 12-12. *{RESERVED}*

9 § 12-13. [§ 12-9.] **Enforcement by citation.**

10 (a) *In general.*

11 In addition to any other civil or criminal remedy or enforcement procedure, this subtitle
12 may be enforced by issuance of an environmental citation under City Code Article 1,
13 Subtitle 40 {"Environmental Control Board"}.

14 (b) *Process not exclusive.*

15 The issuance of a citation to enforce this subtitle does not preclude pursuing any other
16 civil or criminal remedy or enforcement action authorized by law.

17 (C) *EACH DAY A SEPARATE OFFENSE.*

18 EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

19 (D) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

20 EACH VEHICLE TOWED IN VIOLATION OF §12-9(B) OF THIS SECTION IS A SEPARATE
21 OFFENSE.

22 § 12-14. [§ 12-10.] **Criminal penalties.**

23 (a) *In general.*

24 Any person who violates any provision of this subtitle or of a rule or regulation adopted
25 under this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of
26 not more than \$1,000 or imprisonment for not more than 6 months or both fine and
27 imprisonment for each offense.

28 (b) *Each day a separate offense.*

29 Each day that a violation continues is a separate offense.

Council Bill 19-0366

1 (C) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

2 EACH VEHICLE TOWED IN VIOLATION OF §12-9(B) OF THIS SUBTITLE IS A SEPARATE
3 OFFENSE.

4 **Article 1. Mayor, City Council, and Municipal Agencies**

5 **Subtitle 40. Environmental Control Board**

6 **§ 40-14. Violations to which subtitle applies.**

7 (e) *Provisions and penalties enumerated.*

8 (2) **Article 15. Licensing and Regulation**

9 Subtitle 12. Commercial Parking Facilities [– Generally] [\$750] \$1000

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

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
14 after the date it is enacted.

LAND USE AND TRANSPORTATION COMMITTEE

BILL 19-0366

AGENCY REPORTS

City Solicitor	Favorable/Amend
Police Department	
Department of Transportation	
Department of Law	
Parking Authority Board	
Department of Finance	

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

May 2, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0366 Commercial Parking Facilities - Revisions

President and City Council Members:

The Law Department has reviewed City Council Bill 19-0366 for form and legal sufficiency. The bill would make certain revisions to the City's ordinances regarding parking facilities, clarify the subtitle's application, require that commercial parking facilities provide customers with proof-of-payment, prohibit certain commercial parking facilities from removing motor vehicles without the owner's consent, increase certain fines and generally relate to the regulation of commercial parking facilities.

The power to regulate parking facilities is derived from Article II, Section 17, of the Baltimore City Charter which provides that the Mayor and City Council may "license, tax and regulate all businesses, trades, vocations or professions. . . ." This bill would require that commercial parking facilities provide a receipt to customers, so that they have proof of payment in the event that they are wrongfully towed from the facility. Consumer protection is within the authority granted to the City in both its police powers as well as the City's power to "pass any ordinance . . . which it may deem proper in the exercise of any of the powers, either express or implied, enumerated in this Charter, as well as any ordinance as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City." City Charter, Art. II §§ 27, 47.

The bill prohibits towing without the owner's consent where the facility is not in compliance with "any provision of this subtitle." Bill 19-366, §12-11, p. 4, line 27 - p. 5, line 7. The Law Department recommends clarifying this section. The City has authority to impose civil and criminal penalties for violations of any ordinance. City Charter, Art. II § 48. It does not have authority to penalize violations by any other method. This section seems to penalize those facilities not in compliance with the subtitle by placing a further prohibition on them. The Law Department recommends amending this section to prohibit any parking facility from towing without the owner's consent if the parking facility did not provide that vehicle owner with a receipt. In other

words, nonconsensual towing when a receipt has not been provided in accordance with §12-10 is subject to the penalties in §§12-13 and 12-14. This would achieve the goal of the legislation and still be within the City's authority.

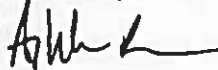
Prohibiting the nonconsensual towing of a car where the owner did not receive proof of payment does not violate the freedom to contract, because the law would only impair future contracts. "Since every contract is made with reference to the laws existing at the time of its making, the Contracts Clause does not apply to a law enacted prior to making a contract when that law's alleged effect is to impair an obligation under the contract. The Contracts Clause only applies to a statute enacted after the making of the contract. Impairment is conceivable as the result of a statute passed after a contract is made but is inconceivable when, at the time of the contract, the statute is in force." Am. Jur 2d Constitutional Law § 726.

The Law Department also recommends clarifying what constitutes "written proof of payment." By requiring "written" proof, the bill seems to suggest that the receipt must be hand written but then permits electronic receipts. This could be cured by either deleting the word "written" or adding "or printed" after the word "written."

Finally, on page 5, line 20 and page 6, line 2, §12-9B should be §12-11B.

Subject to the above, the Law Department approves the bill for form and legal sufficiency.

Sincerely,



Ashlea Brown
Assistant Solicitor

cc: Andre Davis, City Solicitor
Jeff Amoros, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor

**CITY OF BALTIMORE
COUNCIL BILL 19-0366
(First Reader)**

Introduced by: Councilmembers Dorsey, Clarke, Scott, Costello, Cohen, Henry, Sneed,
Schleifer, Bullock, Ex Officio President Middleton, Councilmembers Pinkett, Reisinger,
Stokes

Introduced and read first time: April 15, 2019

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Department of
Finance, Department of Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Commercial Parking Facilities – Revisions**

3 FOR the purpose of making certain revisions to the City’s ordinances regarding parking facilities;
4 clarifying the application of the subtitle as it relates to commercial parking facilities;
5 requiring that commercial parking facilities provide customers with proof-of-payment;
6 prohibiting certain commercial parking facilities from removing motor vehicles without the
7 owner’s consent; increasing certain fines; conforming and clarifying related provisions; and
8 generally related to the regulation of commercial parking facilities.

9 BY repealing and reordaining, with amendments

10 Article 15 - Licensing and Regulation

11 Subtitle 12, to be under the amended subtitle designation

12 “Subtitle 12. Commercial Parking Facilities”

13 Baltimore City Code

14 (Edition 2000)

15 BY repealing and reordaining, with amendments

16 Article 1 - Mayor, City Council, and Municipal Agencies

17 Section(s) 40-14(e)(2)

18 Baltimore City Code

19 (Edition 2000)

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

22 **Baltimore City Code**

23 **Article 15. Licensing and Regulation**

24 **Subtitle 12. COMMERCIAL Parking Facilities [– Generally]**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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§ 12-1. Definitions[; Scope].

[(a) *Definitions.*]

(A) [(1)] *In general.*

In this subtitle, the following terms have the meanings indicated.

(B) [(2)] [*Parking*] *COMMERCIAL PARKING facility.*

“[*Parking*] *COMMERCIAL PARKING facility*” means any:

(1) [(i)] garage, structure, or part of a structure for the parking, storage, housing, or keeping of 3 or more motor vehicles in exchange for a fee or other consideration; or

(2) [(ii)] parking lot or outdoor area or space for the parking, storage, housing, or keeping of 3 or more motor vehicles in exchange for a fee or other consideration.

(C) [(3)] *Person.*

“*Person*” means:

(1) [(i)] an individual;

(2) [(ii)] a partnership, firm, association, limited liability company, corporation, or other entity of any kind;

(3) [(iii)] a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; [and] OR

(4) [(iv)] a governmental entity or an instrumentality or unit of a governmental entity.

[(b) *Subtitle inapplicable to special-event parking.*]

§ 12-2. SCOPE.

This subtitle does not apply to special-event parking lots operating under and in compliance with Subtitle 13 {“Parking facilities – Special-Event Parking Lots”} of this article.

§ 12-3. {RESERVED}

§ 12-4. [§ 12-2.] License required; fee.

(a) *In general.*

(1) No person may operate a parking facility in the City of Baltimore unless the person has first obtained an annual license for the facility and has paid the annual fee for the license.

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1 (2) The term of a license is from May 1 of each year through April 30 of the next
2 year.

3 (b) *Fee.*

4 (1) The annual fee for a parking facility license is \$5.10 for every 100 square feet (or
5 fraction of 100 square feet) of the gross area used for parking facility purposes,
6 including all parking spaces, offices, ramps, driveways, aisles, toilets, car
7 washing, greasing, or other facilities used in connection with the operation of the
8 parking facility.

9 (2) For a license issued after July 31 and before November 1, the fee is 75%
10 of that prescribed for the entire year.

11 (3) For a license issued after October 31 and before February 1, the fee is 50% of that
12 prescribed for the entire year.

13 (4) For a license issued after January 31, the fee is 25% of that prescribed for the entire
14 year.

15 (c) *Partial-year license.*

16 (1) Any person desiring to operate a parking facility for an aggregate of no more than
17 6 months in any 1 license year may obtain a special partial-year license.

18 (2) The fee for a partial-year license is 1/12 of the annual license fee for each month
19 or fraction of a month that the parking facility is in operation.

20 **§ 12-5. [§ 12-3.] Transfer of licenses.**

21 Except as otherwise provided in this subtitle, a license issued under this subtitle is
22 transferable during the license year.

23 **§ 12-6. [§ 12-4.] Tax arrearage bars renewal or transfer.**

24 A license may not be issued to, renewed by, or transferred from or to any person from whom
25 taxes, interest, or penalties are due and unpaid under City Code Article 28, Subtitle 22.

26 **§ 12-7. [§ 12-5.] Refund on acquisition, etc., by City.**

27 If the City acquires title to or control of a COMMERCIAL parking facility or terminates an
28 existing lease covering any property used as a parking facility, and the owner, lessee, or
29 operator of the COMMERCIAL parking facility is thereby required to terminate the operation of
30 the facility, then the owner, lessee, or operator is entitled to a refund of that portion of the
31 license fee paid for the unexpired term of the license.

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§ 12-8. [§ 12-6.] Rules and regulations.

(a) Authorized.

The Director of Finance may adopt rules and regulations for the administration and enforcement of this subtitle.

(b) Filing.

A copy of all rules and regulations adopted under this subtitle must be filed with the Department of Legislative Reference before they become effective.

§ 12-9. [§ 12-7.] Cars left in street.

(a) Prohibited conduct.

Except as specifically authorized in subsection (b) of this section, no person operating or employed by a COMMERCIAL parking facility may store, park, or place a motor vehicle left for storage or parking on any street, alley, or highway in the City.

(b) Exception.

(1) Subsection (a) of this section does not apply to the parking or placement of a vehicle on a street, alley, or highway if it is parked or placed there only for a sufficient time to permit the removal of another car from the COMMERCIAL parking facility.

(2) This exception does not apply between 7 a.m. and 10 a.m. or between 4 p.m. and 6 p.m.

§ 12-10. PROOF-OF-PAYMENT REQUIRED.

(A) IN GENERAL.

A COMMERCIAL PARKING FACILITY MUST PROVIDE WRITTEN PROOF OF PAYMENT TO EACH CUSTOMER OF THE FACILITY AT THE TIME OF PAYMENT.

(B) FORM.

THE PROOF OF PAYMENT REQUIRED UNDER THIS SECTION MAY BE PROVIDED IN EITHER PAPER OR ELECTRONIC FORM .

§ 12-11. REMOVAL OF VEHICLES.

(A) SCOPE.

THIS SECTION APPLIES ONLY TO A COMMERCIAL PARKING FACILITY THAT:

(1) IS NOT COMPLIANCE WITH ANY PROVISION OF THIS SUBTITLE; AND

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1 (2) CONTINUES TO OPERATE AND HOLD ITSELF OUT AS A COMMERCIAL PARKING
2 FACILITY.

3 (B) *PROHIBITED CONDUCT.*

4 SUBJECT TO THE LIMITATIONS IN SUBSECTION (A) OF THIS SECTION, NO PERSON OPERATING
5 OR EMPLOYED BY A COMMERCIAL PARKING FACILITY MAY TOW OR CONTRACT WITH
6 ANOTHER PERSON TO TOW A MOTOR VEHICLE FROM THE FACILITY WITHOUT THE MOTOR
7 VEHICLE OWNER'S OR AUTHORIZED REPRESENTATIVE'S AUTHORIZATION.

8 § 12-12. *{RESERVED}*

9 § 12-13. [§ 12-9.] **Enforcement by citation.**

10 (a) *In general.*

11 In addition to any other civil or criminal remedy or enforcement procedure, this subtitle
12 may be enforced by issuance of an environmental citation under City Code Article 1,
13 Subtitle 40 {"Environmental Control Board"}.

14 (b) *Process not exclusive.*

15 The issuance of a citation to enforce this subtitle does not preclude pursuing any other
16 civil or criminal remedy or enforcement action authorized by law.

17 (C) *EACH DAY A SEPARATE OFFENSE.*

18 EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

19 (D) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

20 EACH VEHICLE TOWED IN VIOLATION OF § 12-9(B) OF THIS SECTION IS A SEPARATE
21 OFFENSE.

22 § 12-14. [§ 12-10.] **Criminal penalties.**

23 (a) *In general.*

24 Any person who violates any provision of this subtitle or of a rule or regulation adopted
25 under this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of
26 not more than \$1,000 or imprisonment for not more than 6 months or both fine and
27 imprisonment for each offense.

28 (b) *Each day a separate offense.*

29 Each day that a violation continues is a separate offense.

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1 (C) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

2 EACH VEHICLE TOWED IN VIOLATION OF §12-9(B) OF THIS SUBTITLE IS A SEPARATE
3 OFFENSE.

4 **Article 1. Mayor, City Council, and Municipal Agencies**

5 **Subtitle 40. Environmental Control Board**

6 **§ 40-14. Violations to which subtitle applies.**

7 (e) *Provisions and penalties enumerated.*

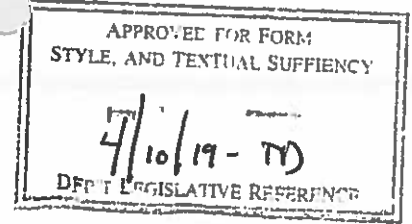
8 (2) *Article 15. Licensing and Regulation*

9 Subtitle 12. Commercial Parking Facilities [- Generally] [750] \$1000

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

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
14 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Dorsey

A BILL ENTITLED

AN ORDINANCE concerning

Commercial Parking Facilities – Revisions

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EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Baltimore City Code

Article 15. Licensing and Regulation

Subtitle 12. COMMERCIAL Parking Facilities [– Generally]

§ 12-1. Definitions[; Scope].

[(a) Definitions.]

(A) [(1)] In general.

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§ 12-2. SCOPE.

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§ 12-3. {RESERVED}

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- (1) No person may operate a parking facility in the City of Baltimore unless the person has first obtained an annual license for the facility and has paid the annual fee for the license.
- (2) The term of a license is from May 1 of each year through April 30 of the next year.

(b) *Fee.*

- (1) The annual fee for a parking facility license is \$5.10 for every 100 square feet (or fraction of 100 square feet) of the gross area used for parking facility purposes, including all parking spaces, offices, ramps, driveways, aisles, toilets, car washing, greasing, or other facilities used in connection with the operation of the parking facility.
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A license may not be issued to, renewed by, or transferred from or to any person from whom taxes, interest, or penalties are due and unpaid under City Code Article 28, Subtitle 22.

§ 12-7. [§ 12-5.] Refund on acquisition, etc., by City.

If the City acquires title to or control of a COMMERCIAL parking facility or terminates an existing lease covering any property used as a parking facility, and the owner, lessee, or operator of the COMMERCIAL parking facility is thereby required to terminate the operation

of the facility, then the owner, lessee, or operator is entitled to a refund of that portion of the license fee paid for the unexpired term of the license.

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The Director of Finance may adopt rules and regulations for the administration and enforcement of this subtitle.

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(A) *SCOPE.*

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(1) IS NOT COMPLIANCE WITH ANY PROVISION OF THIS SUBTITLE; AND

(2) CONTINUES TO OPERATE AND HOLD ITSELF OUT AS A COMMERCIAL PARKING FACILITY.

(B) *PROHIBITED CONDUCT.*

SUBJECT TO THE LIMITATIONS IN SUBSECTION (A) OF THIS SECTION, NO PERSON OPERATING OR EMPLOYED BY A COMMERCIAL PARKING FACILITY MAY TOW OR CONTRACT WITH ANOTHER PERSON TO TOW A MOTOR VEHICLE FROM THE FACILITY WITHOUT THE MOTOR VEHICLE OWNER'S OR AUTHORIZED REPRESENTATIVE'S AUTHORIZATION.

§ 12-12. *{RESERVED}*

§ 12-13. [§ 12-9.] **Enforcement by citation.**

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}.

(b) *Process not exclusive.*

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(C) *EACH DAY A SEPARATE OFFENSE.*

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

(D) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

EACH VEHICLE TOWED IN VIOLATION OF § 12-9(B) OF THIS SECTION IS A SEPARATE OFFENSE.

§ 12-14. [§ 12-10.] **Criminal penalties.**

(a) *In general.*

Any person who violates any provision of this subtitle or of a rule or regulation adopted under this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 or imprisonment for not more than 6 months or both fine and imprisonment for each offense.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

(C) *EACH VEHICLE TOWED A SEPARATE OFFENSE.*

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Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(2) **Article 15. Licensing and Regulation**

Subtitle 12. Commercial Parking Facilities [– Generally]

[\$750] \$1000

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

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

ACTION BY THE CITY COUNCIL

FIRST READING (INTRODUCTION) _____

APR 15 2019

PUBLIC HEARING HELD ON _____

May 8,

20 19

COMMITTEE REPORT AS OF _____

May 13,

20 19

_____ FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edward H. Busby
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

MAY 13 2019

✓ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____

JUN 11 2019

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____

20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____

20 _____

WITHDRAWAL _____

20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk