

**CITY OF BALTIMORE  
COUNCIL BILL 09-0275  
(First Reader)**

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Introduced by: Councilmembers Curran, Henry, Young, Kraft, Middleton, Reisinger, Welch,  
Holton, Branch, Cole, Clarke, Spector, Conaway

Introduced and read first time: January 26, 2009

Assigned to: Judiciary and Legislative Investigations Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Parking Facilities – Towing Services**

3 FOR the purpose of imposing certain conditions on the right of a parking facility to use towing  
4 services to enforce parking restrictions; and generally relating to the licensing and regulation  
5 of parking facilities.

6 BY repealing and reordaining, without amendments

7 Article 15 - Licensing and Regulation

8 Section(s) 12-1(b), 47-1, and 47-2

9 Baltimore City Code

10 (Edition 2000)

11 BY adding

12 Article 15 - Licensing and Regulation

13 Section(s) 12-8

14 Baltimore City Code

15 (Edition 2000)

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

18 **Baltimore City Code**

19 **Article 15. Licensing and Regulation**

20 **Subtitle 12. Parking Facilities**

21 **§ 12-1. Definitions.**

22 (b) *Parking facility.*

23 “Parking facility” means any:

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

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

**§ 12-8. ENFORCEMENT BY TOWING.**

*(A) SCOPE.*

- 8 (1) EXCEPT AS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION APPLIES
- 9 TO ANY PARKING FACILITY THAT PROVIDES PARKING ON AN HOURLY OR DAILY BASIS.
- 10 (2) THIS SECTION DOES NOT APPLY TO PUBLICLY OWNED METERED PARKING SPACES.

*(B) TOWING REQUISITES.*

THE OWNER, MANAGER, OR OTHER PERSON IN CHARGE OF THE PARKING FACILITY MAY NOT USE TOWING SERVICES TO ENFORCE PARKING RESTRICTIONS UNLESS:

- 14 (1) THE FACILITY AND THE TOWING COMPANY COMPLIES WITH THE SIGNAGE AND
- 15 OTHER REQUIREMENTS OF CITY CODE ARTICLE 31 {"TRANSIT AND TRAFFIC"},
- 16 SUBTITLE 21 {"TOWING VEHICLES FROM PRIVATE PARKING FACILITIES"};
- 17 (2) THE FACILITY IS CURRENT IN ALL TAX, INTEREST, AND PENALTY OBLIGATIONS TO
- 18 THE CITY UNDER CITY CODE ARTICLE 28 {"TAXES"}, SUBTITLE 22 {"PARKING
- 19 TAX"}; AND
- 20 (3) THE FACILITY ALLOWS CUSTOMERS TO PAY FOR HOURLY OR DAILY PARKING, AT
- 21 THE CUSTOMER’S OPTION:
  - 22 (I) WITH A MAJOR CREDIT CARD, DEBIT CARD, OR OTHER CHARGE CARD; OR
  - 23 (II) IN CASH, USING ANY COMBINATION OF U.S. CURRENCY UP TO AND
  - 24 INCLUDING A \$20-BILL.

**Subtitle 47. Penalties**

**§ 47-1. In general.**

Unless otherwise provided, a person, firm, corporation, or other legal entity that violates any provision of this article or of a rule or regulation adopted under this article is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$250 for each offense.

**§ 47-2. Continuing offenses.**

Each day that a violation continues constitutes a separate offense.

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

4       **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
5 after the date it is enacted.