

**CITY OF BALTIMORE
COUNCIL BILL 06-0458
(First Reader)**

Introduced by: Councilmember Mitchell, President Dixon, Councilmember Young

Introduced and read first time: June 12, 2006

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Transit and Traffic – Continuous Parking**

3 FOR the purpose of repealing the prohibition against an otherwise lawfully parked vehicle from
4 standing more than 48 hours in the same location; restating the relevant provisions governing
5 “abandoned vehicles”; correcting, clarifying, and conforming certain language; and generally
6 relating to the parking, standing, stopping, and abandoning of vehicles.

7 BY renaming

8 Article 31 - Transit and Traffic

9 Subtitle 6, Part 4, “Continual or Continuous Parking

10 to be

11 Subtitle 6, Part 4, “Continual Parking”

12 Baltimore City Code

13 (Edition 2000)

14 BY repealing

15 Article 31 - Transit and Traffic

16 Section(s) 6-22

17 Baltimore City Code

18 (Edition 2000)

19 BY repealing and reordaining, with amendment

20 Article 31 - Transit and Traffic

21 Section(s) 31-1(a) and 31-8

22 Baltimore City Code

23 (Edition 2000)

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

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

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Baltimore City Code

Article 31. Transit and Traffic

Subtitle 6. Parking, Standing, and Stopping Regulations

PART 4. CONTINUAL [OR CONTINUOUS] PARKING

[§ 6-22. Continuously parking in 1 spot.

(a) *Prohibited conduct.*

No vehicle shall be permitted to stand more than 48 hours continuously in the same location.

(b) *Exceptions.*

(1) Provided, however, that nothing herein contained shall be applicable to:

(i) vehicles of the Police Department or the Fire Department;

(ii) any emergency vehicle belonging to the City or to any public utility;

(iii) vehicles belonging to physicians or undertakers; or

(iv) vehicles with disabled person registration plates.

(2) And provided further that nothing herein contained shall be construed to modify in any way the restrictions or provisions of any ordinance or regulation as to parking of vehicles on any boulevard or through street, but such restrictions and provisions shall continue in effect as if this section had not been passed.]

Subtitle 31. Clear Streets and Impoundment

§ 31-1. Definitions.

(a) *Abandoned vehicle.*

“Abandoned vehicle” has the meaning stated in STATE TRANSPORTATION ARTICLE (“MARYLAND VEHICLE LAW”) § 25-201 [of the Maryland Vehicle Law].

§ 31-8. Abandoned vehicles.

(a) *“Department” defined.*

In this section, “Department” means:

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1 (1) the Department of Public Works, if that agency has been designated for
2 these purposes by the Board of Estimates, as provided in STATE
3 TRANSPORTATION ARTICLE (“MARYLAND VEHICLE LAW”) § 25-201(e)(3)
4 [of the Maryland Vehicle Law]; or

5 (2) otherwise, the Baltimore City Police Department.

6 (b) *Abandonment prohibited.*

7 The abandonment of a vehicle on the streets of the City, on any other public property, or
8 on any private property without the consent of the owner or person in control of that
9 private property is prohibited by MARYLAND VEHICLE LAW § 25-202 [of the Maryland
10 Vehicle Law], subject to the penalties provided in MARYLAND VEHICLE LAW Title 27 [of
11 the Maryland Vehicle Law].

12 (c) *Removal of vehicle — on public property.*

13 [Where] IF a vehicle has been abandoned on a street or any other public property, the
14 Department may have the vehicle removed as provided in this subtitle.

15 (d) *Removal of vehicle — on private property.*

16 (1) [Where] IF a vehicle has been abandoned on private property, the Department shall
17 first ascertain who owns or controls the property and make a reasonable effort to
18 discover whether the vehicle is parked or stored on the property with the consent of
19 the owner or person in control of the property.

20 (2) [If] THE VEHICLE IS DEEMED ABANDONED AND MAY BE TOWED OR OTHERWISE
21 REMOVED, AS PROVIDED FOR VEHICLES FOUND ABANDONED ON PUBLIC PROPERTY, IF:

22 (i) by reasonable investigation, the Department determines that the vehicle is
23 parked on the property without the consent of the owner or person in control;
24 [or]

25 (ii) the owner or person in control cannot be located within a reasonable period of
26 time; or

27 (iii) the storage of the vehicle is in violation of the zoning laws or regulations of
28 the City as applied to that property],

29 then the vehicle is deemed abandoned and may be towed or otherwise removed, as
30 provided for vehicles found abandoned on public property].

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

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