

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 06-0458**

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Introduced by: Councilmember Mitchell, President Dixon, Councilmember Young  
Introduced and read first time: June 12, 2006  
Assigned to: Land Use and Transportation Committee

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: October 16, 2006

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**AN ORDINANCE CONCERNING**

**Transit and Traffic – Continuous Parking**

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

~~By renaming~~

~~Article 31 - Transit and Traffic~~  
~~Subtitle 6, Part 4, “Continual or Continuous Parking~~  
~~to be~~  
~~Subtitle 6, Part 4, “Continual Parking”~~  
~~Baltimore City Code~~  
~~(Edition 2000)~~

~~By repealing~~

~~Article 31 - Transit and Traffic~~  
~~Section(s) 6-22~~  
~~Baltimore City Code~~  
~~(Edition 2000)~~

~~By repealing and reordaining, with amendment~~

~~Article 31 - Transit and Traffic~~  
~~Section(s) 6-22, 31-1(a), and 31-8~~  
~~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.

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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.}

*(C) VIOLATION NOT AN ABANDONMENT.*

A VEHICLE THAT IS IN VIOLATION OF SUBSECTION (A) OF THIS SECTION IS NOT, SOLELY BECAUSE OF THAT VIOLATION, AN "ABANDONED VEHICLE" UNDER THIS ARTICLE OR THE STATE TRANSPORTATION ARTICLE.

**Subtitle 31. Clear Streets and Impoundment**

**§ 31-1. Definitions.**

*(a) Abandoned vehicle.*

*(1) IN GENERAL.*

“Abandoned vehicle” has the meaning stated in STATE TRANSPORTATION ARTICLE (“MARYLAND VEHICLE LAW”) § 25-201 [of the Maryland Vehicle Law], EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

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1           (2) EXCEPTION.

2                           “ABANDONED VEHICLE” DOES NOT INCLUDE A VEHICLE SOLELY BECAUSE IT IS IN  
3                           VIOLATION OF § 6-22 OF THIS ARTICLE.

4   **§ 31-8. Abandoned vehicles.**

5       (a) *“Department” defined.*

6           In this section, “Department” means:

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

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

12       (b) *Abandonment prohibited.*

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

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

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

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

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

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

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

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

33                           (iii) the storage of the vehicle is in violation of the zoning laws or regulations of  
34                           the City as applied to that property[, then the vehicle is deemed abandoned

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1 and may be towed or otherwise removed, as provided for vehicles found  
2 abandoned on public property].

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

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

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

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

Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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

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

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Mayor, Baltimore City