

**CITY OF BALTIMORE
COUNCIL BILL 09-0423
(First Reader)**

Introduced by: Councilmembers Cole, Curran, Young, Kraft, Branch, Holton, Welch, Middleton,
Reisinger

Introduced and read first time: November 16, 2009

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Residential Permit Parking – Administration and Governance**

3 FOR the purpose of transferring the administration and governance of the Residential Permit
4 Parking Program to the Department of Transportation; and generally relating to the operation
5 of the Residential Permit Parking Program.

6 BY repealing and reordaining, with amendments

7 Article 31 - Transit and Traffic

8 Section(s) 10-1(b) to (e), 10-7, 10-8, 10-9(b), 10-12(3), 10-13(a), 10-14(a),

9 10-16(a), (c), and (d), 10-17, 10-18, 10-19(b)(1) and (3)(ii) and (iv),

10 10-22(b)(2) and (c), 12-23(a) and (b), 10-24(a) and (b), 10-29(b)(1),

11 10-37(e)(2), 10-48, and 10-49(c)(2)

12 Baltimore City Code

13 (Edition 2000)

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

16 **Baltimore City Code**

17 **Article 31. Transit and Traffic**

18 **Subtitle 10. Residential Permit Parking Program**

19 **§ 10-1. Definitions.**

20 [(b) *Authority*.

21 “Authority” means the Baltimore City Parking Authority.]

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

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1 (B) [(c)] *Block face*.

2 “Block face” means all of 1 side of a given street between 2 consecutive intersecting
3 streets.

4 (C) *DEPARTMENT*.

5 “DEPARTMENT” MEANS THE BALTIMORE CITY DEPARTMENT OF TRANSPORTATION.

6 (D) *DIRECTOR*.

7 “DIRECTOR” MEANS THE DIRECTOR OF TRANSPORTATION OR THE DIRECTOR’S DESIGNEE.

8 (E) [(d)] *Dwelling unit*.

9 “Dwelling unit” has the meaning stated in Zoning Code § 1-137.

10 [(e)] *Executive Director*.

11 “Executive Director” means the Executive Director of the Baltimore City Parking
12 Authority or the Executive Director’s designee.]

13 **§ 10-7. [Parking Authority] DEPARTMENT to administer.**

14 The Residential Permit Parking Program is administered by the [Baltimore City Parking
15 Authority] DEPARTMENT OF TRANSPORTATION.

16 **§ 10-8. Rules and regulations.**

17 (A) *DIRECTOR TO ADOPT*.

18 The [Authority] DIRECTOR OF TRANSPORTATION shall adopt rules and regulations to:

19 (1) implement the Program; and

20 (2) otherwise carry out this subtitle.

21 (B) *FILING WITH LEGISLATIVE REFERENCE*.

22 A COPY OF ALL RULES AND REGULATIONS MUST BE FILED WITH THE DEPARTMENT OF
23 LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

24 **§ 10-9. Advisory Board.**

25 (b) *Membership*.

26 (1) The Advisory Board consists of 17 members, to be appointed by the [Executive]
27 Director of [the Parking Authority] TRANSPORTATION.

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1 (2) Of these members:

2 (i) 13 must be residents of different Residential Parking Areas. Each of these
3 appointments must be made from a list of 1 or more nominees submitted by the
4 community association or associations that represent the community within which
5 the Residential Parking Area lies.

6 (ii) 1 must be a representative of a facility that is in or adjacent to a Residential
7 Parking Area in which it can reasonably be expected that nonresident vehicle
8 owners and operators using the facility would seek parking spaces.

9 (iii) 1 is the Director of Transportation or the Director’s designee.

10 **§ 10-12. Qualification requirements.**

11 To qualify for participation in the Program, an area must:

12
13 (3) meet any additional criteria that the [Authority] DIRECTOR establishes consistent with
14 the guidelines and standards of this subtitle.

15 **§ 10-13. Petition.**

16 (a) *In general.*

17 To have an area considered for participation in the Residential Permit Parking Program, a
18 community association, neighborhood group, or group of residents must submit to the
19 [Baltimore City Parking Authority] DIRECTOR OF TRANSPORTATION a petition that
20 contains the signature of an adult member of at least 60% of the households in the area.

21 **§ 10-14. Parking study.**

22 (a) *In general.*

23 On receipt of a valid petition, the [Executive] Director shall conduct a parking study
24 within the area identified in the petition.

25 **§ 10-16. Parking Management Plan - Development.**

26 (a) *Director to develop.*

27 If the criteria specified in § 10-15 {“Criteria for further consideration”} of this subtitle
28 are satisfied, the [Executive] Director shall use the parking study to design a Parking
29 Management Plan that addresses the identified problem.

30 (c) *Alternatives.*

31 The [Executive] Director will consider alternatives to permit parking, including:

32 (1) parking time limits;

33 (2) special meter zones;

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1 (3) 1-way streets; and

2 (4) alternate-side-of-the-street parking.

3 (d) *Off-street parking.*

4 The [Executive] Director shall:

5 (1) consider the extent to which existing residential off-street parking spaces in the
6 area are underutilized; and

7 (2) require in the Plan, as a condition of the establishment or modification of a
8 Residential Parking Area and the issuance or renewal of parking permits,
9 continued maintenance and use of:

10 (i) all residential off-street parking spaces that are required by the Zoning
11 Code; and

12 (ii) any additional, usable residential off-street parking spaces then-existing in
13 the area.

14 **§ 10-17. Parking Management Plan – Review.**

15 (a) *Agency comment.*

16 (1) The [Executive] Director OF TRANSPORTATION shall transmit the proposed Parking
17 Management Plan to the Department of Planning for review and comment.

18 (2) The Department of Planning shall review the economic impact of the plan on the
19 nonresidential uses in the area. This review shall consider, among other things, the
20 adequacy of available and future off-street parking for these nonresidential uses.

21 (3) If there are special districts, historic areas or other special designations in or near the
22 area, the Department of Planning shall transmit the proposed Plan the appropriate
23 City agencies for their comments.

24 (4) All comments shall be submitted to the [Executive] Director within 30 days.

25 (b) *Public comment.*

26 (1) The [Executive] Director shall present the proposed Parking Management Plan at a
27 public meeting.

28 (2) Notice of the public meeting shall be published in a newspaper of general circulation
29 in the City at least 1 week before the meeting.

30 (3) Written notice of the public meeting also shall be sent to:

31 (i) the Mayor;

32 (ii) the members of the City Council;

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1 (iii) all City agencies affected by the Plan; and

2 (iv) any community organizations representing the affected area.

3 (4) The [Executive] Director may seek additional neighborhood comment on the
4 proposed plan before he or she adopts a final Plan.

5 **§ 10-18. Parking Management Plan - Adoption.**

6 (a) *6-month administrative regulation.*

7 (1) To adopt a Parking Management Plan, the [Executive] Director OF TRANSPORTATION
8 shall:

9 (i) issue an administrative regulation that sets forth all elements of the final Plan,
10 including any Residential Parking Area to be established under the Plan; and

11 (ii) publish this regulation once in a newspaper of general circulation in the City.

12 (2) Unless extended as provided in this section, the administrative regulation is effective
13 for a period of not more than 6 months.

14 (b) *Administrative extension.*

15 (1) The [Executive] Director may seek to extend the Plan indefinitely or for a term of
16 years, by giving written notice of the proposed extension, not less than 30 days before
17 the end of the 6-month period, to the President of the City Council.

18 (2) If no written objection to the extension is made by any member of the City Council
19 representing all or part of the affected area and forwarded to the [Executive] Director
20 within the 30-day period, the Plan is extended at the end of the 6-month period.

21 (c) *Ordinance to extend.*

22 If a timely written objection is received by the [Executive] Director, the Council
23 President shall introduce a proposed ordinance setting forth the provisions of the Plan
24 and, depending on the passage or failure of the ordinance, the Plan will become effective
25 in accordance with the terms of the ordinance or be of no further force or effect.

26 **§ 10-19. Parking Management Plan – Amendment.**

27 (b) *By [Executive] Director.*

28 (1) *In general.*

29 The [Executive] Director OF TRANSPORTATION may modify an established
30 Residential Permit Parking Plan at any time in accordance with the following
31 procedures.

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1 (3) *Major changes.*

2 (ii) Major changes must be presented at a public hearing conducted by the
3 [Executive] Director.

4 (iv) The City Council must also be notified of the intended changes and, if within 30
5 days following the public meeting and notice to the Council, a majority of the
6 members of the Council does not oppose the changes, the recommended changes
7 may be adopted by the [Executive] Director.

8 **§ 10-22. Eligibility to obtain.**

9 (b) *Resident permits – Limitations.*

10 (2) Except as authorized by a rule or regulation [of the Authority] ADOPTED UNDER THIS
11 SUBTITLE and for good cause shown, no more than 4 resident permits may be issued
12 to or for the benefit of persons residing in the same dwelling unit.

13 (c) *Visitor permits.*

14 In [its] THE rules and regulations ADOPTED UNDER THIS SUBTITLE, the [Authority]
15 DIRECTOR OF TRANSPORTATION may provide for the issuance of special permits for the
16 temporary use of bona fide visitors of residents of a Residential Parking Area.

17 **§ 10-23. Applications.**

18 (a) *In general.*

19 An application for a permit must be made on the form the [Executive] Director OF
20 TRANSPORTATION provides.

21 (b) *Contents; documentation.*

22 The application must contain the information and be accompanied by the documentation
23 that the [Executive] Director requires to assure compliance with the residency and other
24 requirements of this subtitle.

25 **§ 10-24. Fees.**

26 (a) *In general.*

27 The annual fee for a permit is as set by the [Authority] DIRECTOR OF TRANSPORTATION
28 from time to time.

29 (b) *Differential fees.*

30 The [Authority] DIRECTOR may set different fees for different Residential Parking Areas
31 based on the days and number of hours during which parking restrictions are imposed in
32 that Area.

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1 **§ 10-29. Hours when restrictions apply.**

2 (b) *Administrative adjustments.*

3 (1) The [Executive] Director OF TRANSPORTATION may adjust these hours or days if the
4 Director determines that the adjustment is required to prevent parking congestion.

5 **§ 10-37. Camden Yards Stadium Complex Area.**

6 (e) *Area Committee.*

7 (2) The Committee shall be composed of:

8 (i) representatives of existing residential permit parking areas, community
9 associations, business associations, and religious, educational, and nonprofit
10 institutions in the Camden Yards Stadium Complex area, to be appointed by
11 the [Executive] Director of [the Parking Authority] TRANSPORTATION;

12 (ii) the Commissioner of Police or the Commissioner’s designee;

13 (iii) the Director of Transportation or the Director’s designee; and

14 (iv) the Director of the Stadium Authority or the Director’s designee.

15 **§ 10-48. Suspension or revocation of permit.**

16 After notice and opportunity for a hearing, the [Executive] Director OF TRANSPORTATION
17 may suspend or revoke, as the circumstances warrant, all permits issued to or for the benefit
18 of:

19 (1) any person who violates any provision of Part VII {“Prohibited Conduct”} of this
20 subtitle; and

21 (2) all members of that person’s household.

22 **§ 10-49. Immobilizing vehicle.**

23 (c) *Notice, release, right to hearing.*

24 (2) For purposes of an immobilization under this section, however, references in
25 §§ 31-25 through 31-31 of this article to release of a vehicle on “payment of a
26 booting fee and other [accrued] charges” shall be taken to mean payment of a booting
27 fee and surrender OF THE INVALID PERMIT to the [Authority] DEPARTMENT of
28 TRANSPORTATION [the invalid permit].

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

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