



Legislation Details (With Text)

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File created: 6/11/2012 **In control:** City Council
On agenda: **Final action:** 2/8/2013
Enactment date: **Enactment #:** 13-92
Title: Residential Permit Parking Program

FOR the purpose of modifying the procedures and requisites for including an area in a new or existing Residential Permit Parking Area; modifying the procedures for amending a Residential Permit Parking Plan; adding certain vehicle types to those eligible for parking permits in a Residential Permit Parking Area; qualifying permit eligibility for residents of dwelling units added to an existing Residential Permit Parking Area; limiting parking durations for non-permit holders; establishing progressive fines for parking, stopping, or standing in violation of Residential Parking Area restrictions; modifying the composition of the Residential Permit Parking Advisory Board; providing for the election of Advisory Board officers; defining and redefining certain terms; prohibiting certain conduct; correcting, clarifying, and conforming related provisions; and generally relating to the Residential Permit Parking Program.

Sponsors: William H. Cole, IV, James B. Kraft, Bill Henry, Sharon Green Middleton, Warren Branch, Carl Stokes, Helen L. Holton, Nick Mosby, Brandon M. Scott, Rochelle Spector, William "Pete" Welch, Edward Reisinger, Mary Pat Clarke, Robert Curran, President Young

Indexes: Parking, Permit Parking, Residential, Residential Permit Parking Program

Code sections:

Attachments: 1. 12-0102 - 1st Reader.pdf, 2. Parking Authority - 12-0102.pdf, 3. Transportation - 12-0102.pdf, 4. Parking Authority - 12-0102 - amended report.pdf, 5. Finance - 12-0102.pdf, 6. Law - 12-0102.pdf, 7. Police - 12-0102.pdf, 8. 12-0102 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
2/8/2013	0	Mayor	Signed by Mayor	
2/4/2013	0	City Council	Approved and Sent to the Mayor	
1/28/2013	0	Land Use & Transportation Committee	Recommended Favorably with Amendment	
1/28/2013	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
1/16/2013	0	Land Use & Transportation Committee	Scheduled for a Public Hearing	
12/19/2012	0	Land Use & Transportation Committee	Scheduled for a Public Hearing	
12/3/2012	0	Land Use & Transportation Committee	Scheduled for a Public Hearing	
11/19/2012	0	Land Use & Transportation Committee	Scheduled for a Public Hearing	
9/24/2012	0	Land Use & Transportation Committee	Scheduled for a Public Hearing	
6/14/2012	0	The City Council	Referred for a Report	
6/14/2012	0	The City Council	Referred for a Report	
6/14/2012	0	The City Council	Referred for a Report	

6/14/2012	0	The City Council	Referred for a Report
6/14/2012	0	The City Council	Referred for a Report
6/11/2012	0	City Council	Assigned
6/11/2012	0	City Council	Introduced

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmembers Cole, Kraft

A BILL ENTITLED

AN ORDINANCE concerning
Residential Permit Parking Program

FOR the purpose of modifying the procedures and requisites for including an area in a new or existing Residential Permit Parking Area; modifying the procedures for amending a Residential Permit Parking Plan; adding certain vehicle types to those eligible for parking permits in a Residential Permit Parking Area; qualifying permit eligibility for residents of dwelling units added to an existing Residential Permit Parking Area; limiting parking durations for non-permit holders; establishing progressive fines for parking, stopping, or standing in violation of Residential Parking Area restrictions; modifying the composition of the Residential Permit Parking Advisory Board; providing for the election of Advisory Board officers; defining and redefining certain terms; prohibiting certain conduct; correcting, clarifying, and conforming related provisions; and generally relating to the Residential Permit Parking Program.

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic

Section(s) 1-1(f), 1-2(c) and (q), 6-26(a), (b)(1), and (c), 10-8, 10-9(b) and (d),
10-12(2)(ii), 10-13, 10-14(a), 10-16(d), 10-17(a)(3) and (b), 10-18(a)(1) and (b)(2),
10-19(b), 10-22, 10-25, 10-28, 10-40, 10-43, 10-44, 10-49(a), and 36-2(1)

Baltimore City Code
(Edition 2000)

BY repealing

Article 31 - Transit and Traffic

Section(s) 10-1(h) and 36-7(3)

Baltimore City Code
(Edition 2000)

BY adding

Article 31 - Transit and Traffic

Section(s) 10-1(h) and 36-9

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:

Baltimore City Code

Article 31. Transit and Traffic

Subtitle 1. Definitions; General Provisions

§ 11. Definitions - A to L.

(f) Commercial vehicle.

“Commercial vehicle” means:

- (1) every vehicle designed, maintained, and used primarily for the transportation [and/or] OR hauling of property, including but not limited to equipment, merchandise, parcels, earth, trash, refuse, scrap, or motor vehicles;
- (2) every vehicle, except a passenger car, [which] THAT has commercial advertising on the exterior of the body or on equipment attached [thereto] TO IT;
- (3) every vehicle [having] WITH a maximum gross vehicle weight of 7,000 pounds or more or a manufacturer’s rated capacity of [$\frac{3}{4}$ ton] $\frac{3}{4}$ TON or more; and
- (4) every vehicle that is designed to carry more than 10 passengers and is used to carry people.

§ 12. Definitions - M to R.

(c) Motor vehicle.

“Motor vehicle” means every vehicle [which] THAT is self-propelled and every vehicle [which] THAT is propelled by electric power obtained from overhead trolley wires, but not operated [upon] ON rails.

(q) Vehicle.

“Vehicle” means every device in, [upon] ON, or by which any person or property is or may be transported or drawn [upon] ON a highway, [excepting] EXCEPT devices moved by human power or used exclusively [upon] ON stationary rails or tracks.

Subtitle 6. Parking, Standing, and Stopping Regulations

§ 626. Commercial vehicles.

(a) “Commercial vehicle” limited.

In this section, “commercial vehicle” does not include a vehicle that:

- (1) has a maximum gross vehicle weight of less than 7,000 pounds [or] AND a manufacturer’s rated capacity of

[¾ ton] ¾ TON OR LESS;

- (2) has no commercial advertising on the exterior of the body or on any attached equipment, compartments, or apparatus;
- (3) is not visibly loaded with supplies or equipment; and
- (4) is designed to carry 15 or fewer passengers.

(b) Stopping by residence.

(1) Except as otherwise specified in this section, no vehicle [that exceeds] WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 20,000 pounds [gross vehicle weight] and no commercial vehicle may park, stand, or stop longer than 1 hour continuously on any street, lane, or alley in front of or adjacent to any property used or intended to be used as a residence.

(c) Nighttime hours.

Except as otherwise specified in this section, no vehicle [that exceeds] WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 20,000 pounds [gross vehicle weight] and no commercial vehicle may park, stand, or stop longer than 1 hour continuously between the hours of 1 a.m. and 7 a.m. on any street, lane, or alley of the City.

Subtitle 10. Residential Permit Parking Program

Part I. Definitions; General Provisions

§ 101. Definitions.

[(h) Motor vehicle.

“Motor vehicle” means a vehicle registered under the Maryland Vehicle Law as:

- (1) a passenger car;
- (2) a motorcycle; or
- (3) a multipurpose passenger vehicle.]

(H) PARKING MANAGEMENT PLAN.

“PARKING MANAGEMENT PLAN” MEANS A REGULATION ISSUED BY THE EXECUTIVE DIRECTOR TO ESTABLISH AND GOVERN A RESIDENTIAL PERMIT PARKING AREA UNDER THIS SUBTITLE.

Part II. Administration

§ 108. Rules and regulations.

(A) IN GENERAL.

The [Authority] AUTHORITY'S BOARD OF DIRECTORS, ESTABLISHED UNDER § 13-7 OF THIS ARTICLE, shall adopt rules and regulations to:

- (1) implement the Program; and
- (2) otherwise carry out this subtitle.

(B) FILING WITH LEGISLATIVE REFERENCE.

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

§ 109. Advisory Board.

(b) Membership.

- (1) The Advisory Board consists of [17] 11 members, to be appointed by the Executive Director of the Parking Authority.
- (2) Of these members:

(I) 2 MUST BE RESIDENTS OF A RESIDENTIAL PERMIT PARKING AREA THAT IS WITHIN DISTRICT 1 (THAT DISTRICT BEING BOUNDED AS FOLLOWS: BEGINNING AT THE POINT WHERE HARFORD ROAD MEETS THE CITY LINE, MOVING SOUTHWEST ON HARFORD ROAD TO NORTH AVENUE, THEN WEST ALONG NORTH AVENUE TO THE JONES FALLS EXPRESSWAY, THEN NORTH ON THE JONES FALLS EXPRESSWAY, THEN WEST ON WEST 28TH STREET CONTINUING ON TO DRUID PARK LAKE DRIVE, THEN NORTHWEST ON AUCHENTROLLY TERRACE, THEN NORTHWEST ON REISTERSTOWN ROAD, THEN NORTH ON PARK HEIGHTS AVENUE TO THE CITY LINE).

(II) 2 MUST BE RESIDENTS OF A RESIDENTIAL PARKING AREA WITHIN DISTRICT 2 (THAT DISTRICT BEING BOUNDED AS FOLLOWS: BEGINNING WHERE PARK HEIGHTS AVENUE MEETS THE NORTHERN CITY LINE, MOVING SOUTHEAST TO REISTERSTOWN ROAD, THEN SOUTHEAST ON AUCHENTROLLY TERRACE, THEN EAST ON DRUID PARK LAKE DRIVE, THEN SOUTH ON I-83, THEN WEST ON ORLEANS STREET/W. FRANKLIN STREET/RT. 40, THEN SOUTH ON N. HILTON ST., THEN WEST ON FREDERICK AVENUE/FREDERICK ROAD TO THE CITY LINE).

(III) 2 MUST BE RESIDENTS OF A RESIDENTIAL PARKING AREA WITHIN DISTRICT 3 (THAT DISTRICT BEING BOUNDED AS FOLLOWS: BEGINNING WHERE FREDERICK ROAD MEETS THE WESTERN CITY LINE, MOVING EAST ALONG FREDERICK ROAD CONTINUING ONTO FREDERICK AVENUE, THEN NORTH ON S. HILTON STREET, THEN EAST ON RT. 40/W. FRANKLIN STREET, THEN SOUTH ON N. CALVERT STREET, THEN WEST ON E. PRATT STREET, THEN SOUTH ON S. GREENE STREET/BALTIMORE WASHINGTON PARKWAY/RUSSELL STREET TO THE CITY LINE).

(IV) 2 MUST BE RESIDENTS OF A RESIDENTIAL PARKING AREA WITHIN DISTRICT 4 (THAT DISTRICT BEING BOUNDED AS FOLLOWS: BEGINNING WHERE BALTIMORE-WASHINGTON PARKWAY MEETS THE CITY LINE, MOVING NORTH CONTINUING ONTO RUSSELL STREET AND GREENE STREET, THEN EAST ON W. PRATT STREET TO S. CALVERT STREET, THEN SOUTH TO THE INNER HARBOR, THE FOLLOWING THE WESTERN BANKS OF THE INNER HARBOR TO THE CITY LINE, THEN FOLLOWING THE SOUTHERN CITY LINE TO THE BEGINNING POINT FOR DISTRICT 4).

(V) 2 MUST BE RESIDENTS OF A RESIDENTIAL PARKING AREA WITHIN DISTRICT 5 (THAT DISTRICT BEING BOUNDED AS FOLLOWS: BEGINNING AT THE POINT WHERE HARFORD ROAD MEETS THE NORTHERN CITY LINE, MOVING EAST TO THE EASTERN CITY LINE, THEN SOUTH ALONG THE CITY LINE TO THE EASTERN BANKS OF THE INNER HARBOR, THEN NORTHWEST ALONG THE BANKS OF THE INNER HARBOR TO THE POINT IMMEDIATELY BELOW S. CALVERT STREET, THEN NORTH TO S. CALVERT STREET, CONTINUING NORTH TO ORLEANS STREET, THEN EAST TO I-83, THEN NORTH TO NORTH AVENUE, THEN EAST TO HARFORD ROAD, THEN NORTH TO THE CITY LINE).

(VI) 1 IS AN AT-LARGE MEMBER, WHO MUST BE A RESIDENT OF ANY RESIDENTIAL PARKING AREA IN THE CITY.

(3) [(i) 13 must be residents of different Residential Parking Areas.] Each of [these] THE DISTRICT appointments MADE UNDER PARAGRAPH 2(I) TO (V) OF THIS SUBSECTION must be made from a list of 1 or more nominees submitted by the community [association or] associations that represent [the] A community LYING within [which the Residential Parking Area lies] ONE OR MORE OF THAT DISTRICT'S RESIDENTIAL PARKING AREAS.

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

[(iii) 1 is the Director of Transportation or the Director's designee.]

(d) [Chair] OFFICERS.

[The] FROM AMONG ITS MEMBERS, THE Advisory Board:

- (1) shall elect [one of its members to serve as] A Chair; AND
- (2) MAY ELECT A VICE-CHAIR, SECRETARY, AND OTHER OFFICERS.

Part III. Area Participation

§ 1012. Qualification requirements.

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

-
- (2) consist of 1 of the following:
 -
 - (ii) [mixed use] blocks that are impacted by an existing Residential Parking Area;
 -
-

§ 1013. Petition.

(a) In general.

(1) To [have an area] BE considered for participation in the Residential Permit Parking Program, a community association, neighborhood group, or group of residents must submit to the [Baltimore City] Parking Authority a [petition that contains the signature of an adult member of at least 60% of the households in the area] WRITTEN

REQUEST TO BE INCLUDED IN A NEW OR EXISTING RESIDENTIAL PERMIT PARKING AREA.

- (2) THE AUTHORITY WILL PROVIDE PETITIONS TO THE REQUESTING ASSOCIATION OR GROUP.
- (3) FOR A BLOCK FACE TO BE CONSIDERED FOR PARTICIPATION IN THE PROPOSED RESIDENTIAL PERMIT PARKING AREA, THE ASSOCIATION OR GROUP MUST OBTAIN SIGNATURES ON THE PETITION FROM AN ADULT MEMBER OF AT LEAST 60% OF THE HOUSEHOLDS ON THE BLOCK FACE,
- (4) TO BE CONSIDERED BY THE PARKING AUTHORITY, THE PETITIONS ISSUED BY THE AUTHORITY MUST BE RETURNED TO THE AUTHORITY WITHIN 120 DAYS OF THEIR ISSUANCE. THE AUTHORITY WILL NOT CONSIDER ANY PETITIONS THAT THE AUTHORITY HAS NOT PROVIDED.
- (5) THE AUTHORITY IS THE SOLE JUDGE OF THE VALIDITY OF THE SIGNATURES ON THE PETITIONS.
- (6) FAILURE TO MEET THE 60% REQUIREMENT FOR A BLOCK FACE ELIMINATES THE FAILING BLOCK FACE, BUT WITHOUT AFFECTING THOSE BLOCK FACES THAT MEET THE REQUIREMENT, SUBJECT TO SUBSECTION (B) OF THIS SECTION.

(b) Minimum size of area.

- (1) Except as provided in paragraph (2) of this subsection, [a petition] PETITIONS may only be considered for an area that contains at least 10 adjacent block faces or 100 curb parking spaces.
- (2) [A petition] PETITIONS from a smaller area shall be considered if:
 - (I) the area is completely surrounded by commercial, industrial, or institutional uses; OR
 - (II) THE SMALLER AREA IS IMPACTED BY AN EXISTING RESIDENTIAL PERMIT PARKING AREA.

[(c) Boundaries to be on petition.

The boundaries of and the streets within the proposed permit parking area must be clearly identified on each page of the petition.]

[(d) Cover letter.

A cover letter should accompany the petition to:

- (1) explain the reason for the request; and
- (2) specify the boundaries of and streets within the proposed permit parking area.]

§ 1014. Parking study.

(a) In general.

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

§ 1016. Parking Management Plan - Development.

(d) Off-street parking.

(1) “OFF-STREET PARKING SPACE” DEFINED.

IN THIS SUBSECTION, “OFF-STREET PARKING SPACE” MEANS AN AREA, WHETHER OPEN OR ENCLOSED, THAT:

(I) CAN ACCOMMODATE THE RESIDENTIAL OFF-STREET PARKING OF A MOTOR VEHICLE; AND

(II) COMPLIES WITH ALL APPLICABLE STANDARDS IMPOSED BY THE ZONING AND BUILDING CODES OF BALTIMORE CITY.

(2) CONTINUED MAINTENANCE AND USE.

The Executive Director [shall] MAY:

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

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

(A) [(i)] all [residential] off-street parking spaces [that are] required by the Zoning Code; and

(B) [(ii)] any additional[, usable residential] off-street parking spaces [then-existing] in the area.

§ 1017. Parking Management Plan - Review.

(a) Agency comment.

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

(b) Public comment.

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

(2) [Notice] AT LEAST 10 DAYS’ NOTICE of the public meeting [shall] MUST be [published in a newspaper of general circulation in the City at least 1 week before the meeting.] MAILED TO:

(I) ALL PROPERTIES IN THE PROPOSED RESIDENTIAL PARKING AREA;

(II) ALL PROPERTIES WITHIN 2 BLOCKS OF THE BOUNDARY LINES OF THE PROPOSED RESIDENTIAL PARKING AREA;

(III) THE COMMUNITY ASSOCIATIONS FOR THE AREAS IN OR WITHIN 2 BLOCKS OF THE PROPOSED RESIDENTIAL PARKING AREA;

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

(IV) [(i)] the Mayor;

(V) [(ii)] the members of the City Council; AND

(VI) [(iii)] all City agencies affected by the Plan[; and].

[(iv) any community organizations representing the affected area.]

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

§ 1018. Parking Management Plan - Adoption.

(a) 6-month administrative regulation.

(1) To adopt a Parking Management Plan, the Executive Director shall:

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

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

(b) Administrative extension.

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

§ 1019. Parking Management Plan - Amendment.

(b) By Executive Director.

(1) In general.

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

(2) PETITION REQUIRED.

(I) THE AUTHORITY WILL PROVIDE PETITIONS ON A WRITTEN REQUEST FOR A MAJOR OR MINOR CHANGE IN THE PARKING MANAGEMENT PLAN.

(II) FOR A MAJOR CHANGE IN THE SIZE OF THE RESIDENTIAL PERMIT PARKING AREA, THE PROPONENTS OF THE AMENDMENT MUST OBTAIN SIGNATURES ON THE PETITION FROM AN ADULT MEMBER OF AT LEAST 60% OF THE HOUSEHOLDS WITHIN THE AREA.

(III) FOR A MINOR CHANGE IN THE SIZE OF THE RESIDENTIAL PERMIT PARKING AREA, THE

PROponents OF THE AMENDMENT MUST OBTAIN SIGNATURES ON THE PETITION FROM AN ADULT MEMBER OF AT LEAST 60% OF THE HOUSEHOLDS ON THE AFFECTED BLOCK FACE.

(IV) TO BE CONSIDERED BY THE PARKING AUTHORITY, THE PETITIONS ISSUED BY THE AUTHORITY MUST BE RETURNED TO THE AUTHORITY WITHIN 120 DAYS OF THEIR ISSUANCE. THE AUTHORITY WILL NOT CONSIDER ANY PETITIONS THAT THE AUTHORITY HAS NOT PROVIDED.

(V) A PETITION FOR A MAJOR CHANGE MAY NOT BE CONSIDERED AT ANY TIME WITHIN 12 MONTHS AFTER A PREVIOUS PETITION, FOR THE SAME OR ANY DIFFERENT MAJOR CHANGE FOR THE AREA, HAS BEEN CONSIDERED AND APPROVED OR DENIED, IN WHOLE OR IN PART.

(VI) THE AUTHORITY IS THE SOLE JUDGE OF THE VALIDITY OF THE SIGNATURES ON THE PETITIONS.

(3) [(2)] Minor changes.

(i) In this paragraph, “minor change” includes:

(A) adding to or eliminating from a Residential Parking Area no more than 1 block face or 2 opposing block faces; or

(B) adding or eliminating permit authorization under [§ 10-22(a)(2)] § 1022(B)(2) of this subtitle for residents of corner properties.

(ii) [Minor] ON A QUALIFYING PETITION, MINOR changes may be made after consultation with:

(A) the residents of the affected block face or faces;

(B) the community [association(s)] ASSOCIATIONS for the Residential Parking Area; and

(C) the Residential Permit Parking Advisory Board.

(4) [(3)] Major changes.

(i) In this paragraph, “major change” includes:

(A) adding or eliminating 2 or more non-opposing block faces;

(B) changing the hours or days of operation;

(C) adding or modifying requirements for the use of [existing] off-street parking spaces; or

(D) terminating the Program.

(ii) [Major] ON A QUALIFYING PETITION BY THE AREA, MAJOR changes must be presented at a public [hearing] MEETING conducted by the Executive Director.

(iii) At least 10 days’ notice of the public [hearing] MEETING must be mailed to [all households in and to the community association(s) for]:

(A) ALL PROPERTIES IN the Residential Parking Area[;] and in any area proposed to be added to the Residential Parking Area;

(B) ALL PROPERTIES WITHIN 2 BLOCKS OF THE RESIDENTIAL PARKING AREA AND WITHIN 2 BLOCKS OF ANY AREA PROPOSED TO BE ADDED TO THE RESIDENTIAL PARKING AREA; AND

(C) THE COMMUNITY ASSOCIATIONS FOR THE AREAS IN OR WITHIN 2 BLOCKS OF THE RESIDENTIAL PARKING AREA AND IN OR WITHIN 2 BLOCKS OF ANY AREA PROPOSED TO BE ADDED TO THE RESIDENTIAL PARKING AREA.

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

Part IV. Permit Process

§ 1022. Eligibility [to obtain] FOR PERMIT.

(A) VEHICLES .

RESIDENT AND VISITOR PERMITS ISSUED UNDER THIS SUBTITLE MAY ONLY BE USED FOR MOTOR VEHICLES REGISTERED UNDER THE MARYLAND VEHICLE LAW AS ONE OF THE FOLLOWING:

- (1) A PASSENGER CAR OR STATION WAGON (CLASS A);
- (2) A MOTORCYCLE (CLASS D);
- (3) A MULTIPURPOSE PASSENGER VEHICLE (CLASS M);
- (4) A LOW-SPEED VEHICLE (CLASS R);
- (5) A VEHICLE WITH A MANUFACTURER'S RATED CAPACITY OF $\frac{3}{4}$ TON OR LESS (CLASS E); AND
- (6) A 2-AXLE LIGHT TRUCK WITH A MAXIMUM GROSS VEHICLE WEIGHT OF 10,000 POUNDS OR LESS (CLASS EPO).

(B) [(a)] Resident permits - Qualifications.

Except as otherwise limited by subsection [(b)] (C) of this section, the following PERSONS are eligible for a permit:

- (1) any resident of a Residential Parking Area who owns or operates a motor vehicle OF A CLASS DESCRIBED IN SUBSECTION (A) OF THIS SECTION; and
- (2) if expressly authorized by the applicable Parking Management Plan, any person who:
 - (I) resides in a corner property that, while outside a Residential Parking Area, abuts a block face within a Residential Parking Area; and
 - (II) [who] owns or operates a motor vehicle OF A CLASS DESCRIBED IN SUBSECTION (A) OF THIS

SECTION.

(C) [(b)] Resident permits - Limitations.

(1) Notwithstanding any other provision of this subtitle, [no permit may be issued to or for the benefit of any] A person IS NOT ELIGIBLE FOR A PERMIT [who] IF THE PERSON resides in a dwelling unit that:

- (i) is not authorized by the Zoning Code of Baltimore City; or
- (ii) is occupied by more than the number of people authorized by the Zoning Code of Baltimore City.

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

(3) RESIDENTS OF DWELLING UNITS ADDED TO AN EXISTING RESIDENTIAL PARKING AREA, WHETHER THROUGH NEW DEVELOPMENT OR THROUGH REDEVELOPMENT OR RENOVATION OF EXISTING BUILDINGS WITHIN THE BOUNDARIES OF THE AREA, ARE NOT ELIGIBLE FOR PERMITS UNLESS EXPRESSLY AUTHORIZED BY THE PARKING AUTHORITY, IN ITS SOLE DISCRETION.

(D) [(c)] Visitor permits.

[In its rules and regulations, the] THE Authority may provide IN ITS RULES AND REGULATIONS for the issuance of [special] VISITOR permits for the temporary use [of] BY bona fide visitors of residents of a Residential Parking Area.

(E) SPECIAL PERMITS.

AFTER CONSULTATION WITH THE REPRESENTATIVE FOR AN AFFECTED RESIDENTIAL PARKING AREA, THE AUTHORITY MAY PROVIDE IN ITS RULES AND REGULATIONS FOR THE ISSUANCE OF SPECIAL PERMITS FOR USE BY PATRONS OR EMPLOYEES OF PLACES OF WORSHIP, SCHOOLS, AND BUSINESSES IN OR NEAR THE RESIDENTIAL PARKING AREA.

§ 1025. Permit not assignable.

No permit issued under this subtitle may be SOLD, assigned, or transferred to or for the benefit of any person.

Part V. Non-Resident Parking Restrictions

§ 1028. Maximum parking durations.

(a) In general.

Except as otherwise provided in this subtitle OR AS AUTHORIZED IN THE PARKING MANAGEMENT PLAN FOR A RESIDENTIAL PARKING AREA, parking [durations] for non-permit holders [are] IS limited DURING ANY 1 CALENDAR DAY to 2 hours IN ANY 1 OR MORE PARKING SPOTS ANYWHERE WITHIN THE RESIDENTIAL PARKING AREA.

(b) Exceptions.

(1) [Area 1 (“Oakenshawe”).] {RESERVED}

[In the Residential Parking Area known as Area 1 (“Oakenshawe”), parking for non-permit holders is limited during any 1 calendar day to 2 hours in any 1 or more parking spots anywhere within the Residential Parking Area.]

(2) Area 2 (“Morgan”).

In the Residential Parking Area known as Area 2 (“Morgan”), parking for non-permit holders is limited during any 1 calendar day to 1 hour in any 1 or more parking spots anywhere within the Residential Parking Area between 7 a.m. and 9 p.m., Monday through Friday.

Part VII. Prohibited Conduct

§ 1040. Falsifying or concealing information.

No person may, in connection with any matter governed by this subtitle, [wilfully] WILLFULLY:

- (1) falsify, conceal, or cover up any material fact; or
- (2) submit any writing or document knowing that it contains a false or misleading statement or entry.

§ 1043. Using invalid permit.

(A) IN GENERAL.

No person may display in any vehicle:

- (1) any counterfeit or facsimile of a residential area parking permit;
- (2) any permit altered to change its expiration date or any condition of its use; or
- (3) a residential parking permit that has expired or is otherwise void.

(B) INELIGIBLE VEHICLE.

NO PERSON MAY DISPLAY ANY PERMIT IN A VEHICLE THAT IS NOT OF A CLASS DESCRIBED IN § 10-22(A) {“ELIGIBILITY FOR PERMIT: VEHICLES”} OF THIS SUBTITLE.

§ 1044. Misusing [visitor’s] VISITOR OR SPECIAL permit.

No person may:

- (1) charge any fee for the use of a [visitor’s] VISITOR OR SPECIAL permit;
- (2) allow another to use a [visitor’s] VISITOR OR SPECIAL permit in violation of any rule or regulation governing the use of [visitors’] THOSE permits; OR
- (3) SELL OR ADVERTISE FOR SALE A VISITOR OR SPECIAL PERMIT.

§ 1049. Immobilizing vehicle.

(a) In general.

If [a motor] AN UNATTENDED vehicle is found [unattended, locked, and] parked in violation of § 1043 {"Using invalid permits"} of this subtitle, the vehicle may be immobilized pending surrender of the invalid permit.

Subtitle 36. Parking, etc., Fines, Penalties, and Procedures

§ 362. \$500 fines.

(1) Parking or standing a commercial vehicle WITH A MAXIMUM GROSS VEHICLE WEIGHT of more than 20,000 pounds [gross vehicle weight] in violation of § 6-26(b) {"Stopping by residence"} or of § 6-26(c) {"Nighttime hours"} of this article is punishable by a fine of \$500.

§ 367. \$50 fines.

[(3) Except as otherwise provided in this subtitle for the Pimlico Race Track Area or the Camden Yards Stadium Complex Area, parking in violation of posted restrictions in a Residential Permit Parking Program Area is punishable by a fine of \$50.]

§ 36-9. PROGRESSIVE FINES.

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE FOR THE PIMLICO RACE TRACK AREA OR THE CAMDEN YARDS STADIUM COMPLEX AREA, PARKING IN VIOLATION OF POSTED PERMIT PARKING RESTRICTIONS IN A RESIDENTIAL PERMIT PARKING PROGRAM AREA IS PUNISHABLE BY THE FOLLOWING FINES:

(I) 1ST VIOLATION - \$50.

(II) 2ND VIOLATION WITHIN A 12-MONTH PERIOD - \$70.

(III) 3RD VIOLATION WITHIN A 12-MONTH PERIOD - \$100.

(IV) 4TH AND ANY SUBSEQUENT VIOLATION WITHIN A 12-MONTH PERIOD - \$150.

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.

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