



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Details (With Text)

File #: 05-0253 **Version:** 0 **Name:** Metered Parking - New Technologies
Type: Ordinance **Status:** Enacted
File created: 9/19/2005 **In control:** City Council
On agenda: **Final action:** 4/11/2006
Enactment date: **Enactment #:** 06-198
Title: Metered Parking - New Technologies

FOR the purpose of authorizing the use of certain new parking meter technologies; repealing certain obsolete provisions relating to the use of meter revenues; correcting references to the agency and official responsible for administering metered parking; correcting, conforming, and clarifying certain language; increasing certain penalties; and generally relating to the administration and operation of metered parking.

Sponsors: City Council President (Administration)

Indexes: Metered Parking

Code sections:

Attachments: 1. 0253-1st Reader.pdf, 2. 05-0253 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
4/11/2006	0	Mayor	Signed by Mayor	
3/20/2006	0	City Council	Approved and Sent to the Mayor	
3/6/2006	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
3/1/2006	0	Land Use & Transportation Committee	Recommended Favorably with Amendment	
10/20/2005	0	Land Use & Transportation Committee	Scheduled for a Public Hearing	
9/22/2005	0	The City Council	Referred for a Report	Pass
9/22/2005	0	The City Council	Referred for a Report	
9/22/2005	0	The City Council	Referred for a Report	Pass
9/22/2005	0	The City Council	Referred for a Report	Pass
9/22/2005	0	The City Council	Referred for a Report	
9/22/2005	0	The City Council	Referred for a Report	
9/22/2005	0	The City Council	Referred for a Report	Pass
9/19/2005	0	City Council	Assigned	
9/19/2005	0	City Council	Introduced	
9/19/2005	0	The City Council	Assigned	

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: The Council President
At the request of: The Administration (Parking Authority)

A BILL ENTITLED

AN ORDINANCE concerning
Metered Parking - New Technologies

FOR the purpose of authorizing the use of certain new parking meter technologies; repealing certain obsolete provisions relating to the use of meter revenues; correcting references to the agency and official responsible for administering metered parking; correcting, conforming, and clarifying certain language; increasing certain penalties; and generally relating to the administration and operation of metered parking.

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic

Subtitle 7 - Metered Parking

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 7. Metered Parking

Part 1. Administration

§ 7-1. Authorizations.

(a) Installation of meters.

The purchase, leasing, installation, and operation of certain parking devices, known generally as parking meters, are [hereby] authorized [and required] on the streets, thoroughfares, and public places of [Baltimore] THE City[, which from time to time may be specified in this subtitle].

(b) Parking spaces.

Parking spaces are [hereby] authorized [and established] on all [such] OF THESE streets, thoroughfares, and public places, subject generally to the powers, authorizations, and conditions contained in this subtitle.

(c) Exceptions.

Parking meters [shall] MAY not be installed on either side of Madison Street between Charles Street and Howard Street.

§ 7-2. Contracts.

[(a) Authorized.]

[(1)] The Board of Estimates [of Baltimore City is hereby authorized and empowered to] MAY enter into [a contract or] ONE OR MORE contracts for:

(1) the leasing [and/or] OR purchasing and THE installation AND MAINTENANCE of parking meters [for the specified streets, thoroughfares, and public places of Baltimore City,] in accordance with the procedures outlined in the City Charter[.]; AND

(2) [The Board of Estimates is also authorized and empowered to enter into a contract or contracts for] the purchase of parts and equipment for the maintenance and operation of the parking meters, as the Board from time to time [shall determine may] DETERMINES TO be [for] IN the best interests of the City.

[(b) Payments from revenues.

(1) Any contract or contracts made under the provisions of this section shall provide for the payment of the cost of such parking meters and the initial cost of the parts and equipment, and for the installation and maintenance thereof, solely from the receipts obtained by the City of Baltimore from the operation of parking meters on the streets, thoroughfares, and public places of this City, without in any manner obligating the Mayor and City Council of Baltimore to pay for such parking meters, parts, or equipment or any portion thereof from any other source or sources of public funds.

(2) Any such contract or contracts shall contain a provision stipulating the percentage of receipts from the operation of such meters which shall be retained by the City of Baltimore and the percentage which shall be paid to the contractor, vendor, and/or lessor until the total cost of purchasing and installing the parking meters covered by the particular contract shall have been paid.

(3) Any such contract or contracts shall provide that after the total cost of purchasing and installing the particular set of parking meters shall have been paid, thereafter all the receipts shall be retained by the City of Baltimore as provided in this subtitle.]

[(c) Right to terminate.

(1) Any such contract or contracts shall contain a provision stipulating that the Board of Estimates, on the recommendation of the Director of Public Works, may, at its discretion, terminate the contract or contracts without any right of recovery against the City for damages against the City if, in the opinion of the Board of Estimates, there is no longer a need for the continued use of the parking meters purchased or leased under the said contract or contracts.

(2) In the event that the Board of Estimates of Baltimore City terminates any contract or contracts:

(i) it shall be the sole responsibility of the vendor and/or lessor of the parking meters to remove the said meters, the standard, and/or the supporting posts at its own expense and without any expense to the City of Baltimore; and

(ii) it shall be the further duty of the vendor and/or lessor to remove the base, if any, and to return the area in which the post, support, or base was installed to its original condition prior to said installation.]

§ 7-3. Types of meters.

(a) Director to install.

The Director of [Public Works] TRANSPORTATION [is hereby authorized and directed to] SHALL install[, to direct the installation,] or [order] CAUSE the installation of parking meters [on the portions of the streets, thoroughfares, and public places of the City of Baltimore which from time to time may be specified] AS PROVIDED in this subtitle.

(b) Time variations.

(1) In [his] THE DIRECTOR'S discretion [from time to time] and as [he may deem] THE DIRECTOR DETERMINES TO BE best suited for the traffic needs of [the] A particular [portion of the streets, thoroughfares, and public places of this City] AREA, the parking meters may be of a 15-minute, 30-minute, 1-hour, 1 1/2- hour, or 2 -hour type in the general parking areas of the City.

[(2) In Sam Smith Park and other special parking areas, the parking meters may be of a 1-hour or 10-hour type for ordinary parking (noncommercial), and of a 2-hour or 20-hour type for truck parking (commercial).]

(2) [(3)]The Director [of Public Works also is authorized to] MAY install parking meters with other variations of time, at rates comparable to those [specified in] SET UNDER this subtitle for the same type of parking area.

§ 7-4. Methods of installation.

(a) [For parallel parking] SINGLE-SPACE METERS.

(1) [Parking] SINGLE-SPACE PARKING meters [for parallel parking shall] MAY be installed [from time to time by the Department of Public Works under the direction of the Director of Public Works] in [such] A manner [as to divide] THAT DIVIDES the street [and sub area] into units or stalls [of] THAT ARE approximately 21 feet [in length].

(2) The meters shall be installed [in such manner as to be] at the forward end of [such] THE curb parking space.

(B) MULTI-SPACE METERS.

(1) MULTI-SPACE PARKING METERS MAY BE INSTALLED IN A MANNER THAT PERMITS PARKING WITHOUT DIVIDING THE STREET INTO DESIGNATED PARKING UNITS OR STALLS.

(2) AT LEAST ONE MULTI-SPACE METER SHALL BE INSTALLED AND MAINTAINED ON EACH STREET BLOCK WHERE THIS METHOD OF PARKING IS PERMITTED

(C) [(b)] Other.

Parking meters for other than parallel parking [shall] MAY be installed in a manner [as, in the discretion of] THAT the Director OF TRANSPORTATION[, is] DETERMINES TO BE best suited for designating the parking spaces in the particular area.

§ 7-5. Operation of meter.

(a) [Signal] SINGLE-SPACE METERS.

(1) Each SINGLE-SPACE parking meter shall be [so installed or set as] DESIGNED to display, upon [the deposit of the proper United States coin or coins alone or upon the deposit of the proper United States coin or coins and the manual operation of a lever to properly register the coin or coins for the period designated as being proper for parking at that place] PAYMENT AND ACTIVATION, a signal [indicating] THAT INDICATES legal parking for the [said period of time] DURATION PAID FOR.

(2) [(b) Expiration.] Each SINGLE-SPACE parking meter shall also be [equipped with a device which shall continue operation from the time of the depositing of the said coin or coins alone or from the time of the depositing of the said coin or coins and the manual operation of a lever to properly register the said coin or coins until the expiration of the designated legal parking period, when it will indicate by a proper mechanical operation and the dropping or showing of a proper signal, that the lawful period for parking, as prescribed, has expired] DESIGNED TO:

(I) TO DISPLAY CONTINUOUSLY THE TIME REMAINING UNTIL THE LEGAL PARKING DURATION EXPIRES; AND

(II) AT THE EXPIRATION OF THAT TIME, TO DISPLAY A SIGNAL THAT THE LEGAL PARKING DURATION HAS EXPIRED.

(B) MULTI-SPACE METERS.

(1) EACH MULTI-SPACE PARKING METER SHALL PRODUCE AND ISSUE, UPON PAYMENT AND ACTIVATION, A PRINTED RECEIPT THAT DISPLAYS:

(I) THE AMOUNT OF PARKING TIME PURCHASED; AND

(II) THE DATE AND TIME AT WHICH THE PAID PARKING WILL EXPIRE.

(2) THE METER SHALL CONTAIN CLEAR INSTRUCTIONS ON HOW AND WHERE THE RECEIPT MUST BE DISPLAYED ON OR IN THE PARKED VEHICLE.

(3) FAILURE TO DISPLAY THE RECEIPT IN THE MANNER SPECIFIED SUBJECTS THE PARKED VEHICLE TO A PARKING VIOLATION THE SAME AS IF THE PROPER PARKING FEE HAD NOT BEEN PAID.

§ 7-6. Display of [operational] hours, METHODS OF PAYMENT, and rates.

Each parking meter [mechanism] shall contain, in a conspicuous place, a plate or other device [which] THAT:

(1) [will] clearly [state] STATES the hours during which that meter [shall be legally] IS in operation and any exceptions [thereto] TO THOSE HOURS; and

(2) [shall also] clearly [indicate] INDICATES:

(i) the [type of coin or coins which] METHODS OF PAYMENT (E.G., COINS, BILLS, CREDIT CARDS, OR OTHER APPROVED METHOD) THAT must be [inserted therein] USED for the legal parking of a vehicle; and

(ii) the [period of time] DURATION during which it [shall be legally] IS permissible to park [in] AT that meter [area upon the] ON payment of the prescribed [coin or coins] AMOUNT.

§ 7-7. [Supporting-post colorings] COLORINGS.

(a) Color-parking length coordination.

[(1)] The [Director of Public Works shall have the] standards or supporting posts of [the] SINGLE-SPACE parking meters AND THE SIGNS ASSOCIATED WITH MULTI-SPACE PARKING METERS SHALL BE painted [in such manner as clearly and] uniformly to indicate the [length of time] MAXIMUM DURATION during which a [driver may legally park his] vehicle MAY BE LEGALLY PARKED in that place[, upon the payment of the prescribed coin or coins].

(B) DIRECTOR TO SPECIFY.

[(2)] The Director OF TRANSPORTATION shall[, in his discretion,] designate THE VARIOUS colors to be [painted upon the standards or supporting posts of the parking meters, each color to indicate the legal parking period at the particular parking space] USED FOR THIS PURPOSE.

[(b) Limited hours.

(1) On any street, thoroughfare, or public place where legal parking with parking meters is permitted only during specific periods of the day and not for a full 10-hour period, the meter standards or supporting posts shall be appropriately painted to so indicate.

(2) In such event, an appropriate sign shall be attached to each meter standard or post indicating the hours during which parking in that area is not legal.]

§ 7-8. Setting rates AND PAYMENT METHODS.

Notwithstanding any other provision of this article:

(1) the Director of [Public Works] TRANSPORTATION may set the rates for the operation of meters on all parking meter lots temporarily or permanently under the control of the City; [and]

(2) with the approval of the Board of Estimates, the Director may set the rates for all other parking meters in the City; AND

(3) WITH THE APPROVAL OF THE BOARD OF ESTIMATES, THE DIRECTOR MAY DESIGNATE THE METHODS OF PAYMENT TO BE USED FOR VARIOUS METERS.

§ 7-9. Rearrangements.

(a) No [binding] commitment.

[(1)] The installation of parking meters in any particular [part of the streets, thoroughfares, and public places] PLACE OR AREA of this City [and/or the maintenance and operation of such parking meters shall not be construed or applied as] IS NOT a [binding] commitment [upon] BY OR OBLIGATION ON the City [of Baltimore and/or the Department of Public Works] to continue the use of parking meters [at any part of those streets, thoroughfares, or

public places of this City, should traffic conditions or adjacent installations in the judgment of the Director of Public Works justify their removal] IN THAT PLACE OR AREA.

[(2) Nothing in this subtitle shall be construed or applied to affect the power of the Mayor and City Council of Baltimore from time to time to add or take away from those streets, thoroughfares, or public places specified in this subtitle for the installation, maintenance, and operation of parking meters, and the Director of Public Works and the Department of Public Works shall be required from time to time to maintain and operate parking meters only on those portions of the streets, thoroughfares, and public places which shall then be specified in this subtitle.]

(b) Authorization to change.

The Director of [Public Works] TRANSPORTATION [is authorized and empowered, and is given a continuing direction within the limits of this subtitle to,] MAY rearrange or otherwise change parking meters on the streets, thoroughfares, and public places [designated from time to time] OF THE CITY so as best to provide for the CITY'S traffic needs [of the City of Baltimore and for changing conditions and adjacent installations].

§ 7-10. Maintenance.

(a) Director responsible.

The Director of [Public Works] TRANSPORTATION shall [have the duty to] keep all parking meters installed under [the provisions of] this subtitle in a good operating condition, clean and properly painted.

(b) Meter identification.

(1) Each meter shall have A LOCATION NUMBER clearly marked [upon] ON it in a conspicuous place [a number to indicate its location].

(2) This number:

(i) shall be used [for the purpose of identifying] TO IDENTIFY the location of the meter [zone] and, THUS, [the] OF ANY vehicle [therein when the vehicle is] charged with a PARKING violation [of parking provisions] at that [place] LOCATION; and

(ii) will serve as a means of identification [which the public or the Police Department may use when] FOR reporting defective meters, violations, or other occurrences.

§§ 7-11 to 7-15. {Reserved}

Part 2. Compliance

§ 7-16. Lawful parking.

(a) In general.

Parking [shall be legal and] IS permissible, [upon the insertion of the designated coin or coins] ON PAYMENT OF THE APPLICABLE FEE, at the locations designated on the streets, thoroughfares, and public places [in this] OF THE City, for the [period] DURATION [respectively] indicated, as [enumerated] PROVIDED in [the following sections of] this subtitle.

(b) Exception for designated times.

No vehicle [shall be] IS permitted to stand in the space reserved for any parking meter during the time when parking or stopping is prohibited at [such] THAT location.

§ 7-17. Maximum time for parking.

(a) Permitted periods.

(1) At any location [on the streets, thoroughfares and public places of this City] where a parking meter is in active operation, it [shall be] IS lawful, [upon the] ON payment of the [designated coin or coins for that particular location] APPLICABLE FEE, to park a vehicle for the full [period] DURATION designated as the maximum [period] DURATION for legal parking.

(2) The vehicle may be parked for the unexpired time, if any, showing on [the] A SINGLE-SPACE parking meter OR ON A MULTI-SPACE RECEIPT from a previous [insertion of a coin or coins without the additional payment of any coin or coins for said unexpired term] VEHICLE.

(b) Prohibited period.

Any vehicle parked in [an area] A SPACE adjacent to a SINGLE-SPACE parking meter OR IN AN AREA CONTROLLED BY A MULTI-SPACE PARKING METER[, which is in active operation,] for a [period of time] DURATION longer than [as specified in this section] THAT DESIGNATED [shall be deemed to be] IS in violation of the parking provisions of this subtitle and subject to the penalties provided [herein] IN THIS SUBTITLE.

§ 7-18. [Parallel] METHOD OF parking.

(A) SINGLE-SPACE METERS.

[It shall be illegal for any] IN AN AREA SPECIFIED FOR SINGLE-SPACE METER PARKING, A driver [to] MAY NOT park a vehicle [in an area specified for parallel parking,] in a space adjacent to a SINGLE-SPACE parking meter [in active operation], other than with the front wheel of the vehicle approximately centered [upon] ON the standard or post supporting the parking meter.

(B) MULTI-SPACE METERS.

(1) IN AN AREA CONTROLLED BY A MULTI-SPACE METER, THE DRIVER MAY PARK ANYWHERE DESIGNATED FOR PARKING, BUT SHOULD PARK IN A MANNER THAT MAXIMIZES THE NUMBER OF VEHICLES ABLE TO PARK IN THE SAME AREA.

(2) TO THE EXTENT THAT ONLY A PORTION OF THE STREET, THOROUGHFARE, OR PUBLIC PLACE IS DESIGNATED FOR MULTI-SPACE METER PARKING, A DRIVER MAY NOT PARK OUTSIDE OF THE DESIGNATED AREA USING A MULTI-SPACE METER RECEIPT.

§ 7-19. Temporary stops.

(a) Passenger vehicles.

It [shall be] IS lawful for a passenger vehicle to stop in a vacant space adjacent to a SINGLE-SPACE parking meter THAT IS in active operation OR IN A VACANT SPACE IN AN AREA CONTROLLED BY A MULTI-SPACE

PARKING METER THAT IS IN ACTIVE OPERATION, [in order] to take on or discharge passengers or passengers' baggage transported on the same vehicle without [the] payment [of a coin or coins], [provided that such] AS LONG AS THE stopping is restricted to these purposes and is performed expeditiously.

(b) Commercial vehicles.

(1) Commercial vehicles [which are actually] engaged in the expeditious pick-up or delivery of merchandise may stop in such an area at any time [up to] BEFORE 10 a.m. without [the necessity for inserting a United States coin or coins in the meter] PAYMENT.

(2) [Any] FOR PURPOSES OF THIS SUBSECTION, ANY prolonged absence of the driver [of such a commercial vehicle] from the immediate vicinity of the vehicle [shall be deemed to be] IS CONCLUSIVE evidence that the vehicle is not engaged in the expeditious pick-up or delivery of merchandise[, and shall constitute a violation of the provisions of this section].

§ 7-20. Slugs or meter tampering prohibited.

(a) Using slugs.

It [shall be] IS unlawful for any person to deposit or cause to be deposited in a parking meter any slug, device, or substitute for a [1-cent, 5-cent, or other denomination of] coin of the United States.

(b) Tampering with meter.

(1) It [shall also be] IS unlawful for any person to deface, injure, tamper with, steal from, open, or wilfully break into, to destroy, to remove, or to impair the usefulness of any parking meter installed under [the provisions of] this subtitle.

(2) [Except that this] THIS subsection [shall] DOES not apply TO:

(i) [to persons duly designated] ANY PERSON AUTHORIZED by the Director of Finance [for the purpose of collecting the coins placed in] TO COLLECT MONEY OR OTHER PAYMENT PLACED IN [said] parking meters; or

(ii) [to persons duly] ANY PERSON authorized by the Director of [Public Works] TRANSPORTATION [for regulating, repairing, or maintaining such] TO REGULATE, REPAIR, OR MAINTAIN PARKING meters.

(c) Penalties.

Any person [violating the] WHO VIOLATES ANY provision of this section [shall be deemed] IS guilty of a misdemeanor and, [upon] ON conviction [thereof], [shall be] IS subject to a fine of not more than [\$500] \$1,000 or to imprisonment for not more than 12 months, or to both [such] fine and imprisonment [in the discretion of the court].

§ 7-21. Unlawful parking.

[It is unlawful for any] NO person [to] MAY permit a vehicle to park or remain in any space adjacent to a SINGLE-SPACE parking meter THAT IS in active operation [on one of the streets, thoroughfares, or public places of this City] OR IN ANY SPACE IN AN AREA CONTROLLED BY A MULTI-SPACE PARKING METER THAT IS IN ACTIVE OPERATION:

- (1) beyond the period [prescribed in this subtitle] during which vehicles [may be] ARE permitted [lawfully] to park or remain in [any such] THAT space;
- (2) in any manner except as specified in this subtitle; [or]
- (3) except as otherwise specifically provided in this subtitle, without [inserting the proper coin or coins in the parking meter] PAYING THE APPLICABLE FEE; OR
- (4) EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN THIS SUBTITLE, WITHOUT DISPLAYING A MULTI-SPACE PARKING RECEIPT WHEN AND IN THE MANNER REQUIRED BY THIS SUBTITLE.

§ 7-22. Exception for holidays.

This subtitle does not apply and may not be enforced on:

- (1) New Year's Day, January 1;
- (2) Independence Day, July 4;
- (3) Labor Day, the 1st Monday in September;
- (4) Thanksgiving Day, the fourth Thursday in November; and
- (5) Christmas Day, December 25.

§§ 7-23 to 7-25. {Reserved}

Part 3. Enforcement

§ 7-26. In general.

- (a) Police to enforce.

[It shall be the duty of the] THE Police Department of Baltimore City [to] SHALL enforce the parking provisions of this subtitle [applicable to vehicles stopped or parked in a space adjacent to a parking meter in active operation].

- (b) Citation.

[Such] EACH violation shall be recorded, and a notice [thereof] OF THE VIOLATION shall be left [upon] ON the vehicle [in the usual form and manner applying to traffic violations in this City].

[§ 7-27. Levy and collection of fees.

- (a) Levy.

The coins required to be deposited in parking meters are hereby levied as fees:

- (1) to provide for the proper regulation and control of traffic upon the public streets, thoroughfares, and in the public places of this City; and

(2) to cover the cost of the purchase, installation, inspection, maintenance, and control and operation of parking meters, including the cost of collecting coins and the establishment and maintenance of parking spaces.

(b) Collection and deposit.

The Director of Finance is hereby authorized and directed:

(1) to collect or cause to be collected at regular intervals the coins placed in the said parking meters;

(2) to keep a record of the collections made from said parking meters;

(3) to deposit all such monies to the credit of a special fund, to be known as the "Mayor and City Council of Baltimore - Baltimore City Parking Meter Fund"; and

(4) to account for such fund as in the case of taxes or other public monies collected by him.]

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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