

O-31-23

Certain Street Parking Updates and Corrections

AMENDMENT 1 – ALD. TIERNEY

Amendment Summary:

Amendment 1 is a 'sponsor's amendment' that includes recommendations from the City's Transportation Board.

- Requiring 15 days notice that a public hearing is scheduled for the public to comment on parking regulation changes proposed by the Transportation Director;
- The Transportation Director, rather than the City Manager, promulgates the rules *in consultation with* the City Manager and Transportation Board.
- Fixes a typo in the original Code and clarifies resident status for the purposes of getting a parking permit.

On page 4, in line 22, insert the following:

"12.32.050 Public hearing.

A.—In order to determine whether a residential parking district should be created, altered or eliminated, the City Council, upon receipt of a recommendation from the Transportation Board shall conduct a public hearing with regard to the proposed determination.

~~B.—The hearing shall be held only after notice has been published in a newspaper of general circulation in the City. The notice shall state the purpose of the hearing, the exact location and boundaries of the area under consideration and the permit fees. In addition, similar notification shall be posted prominently within the area under consideration.~~

Explanation:

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates an amendment (change) to the City Code.

Amendments:

Underlining & black - copyediting or reformatting of existing law

Underlining & red - new matter added to the code.

Underlining & blue - amendment or amendment to an amendment

1. **Notice.** The hearing shall be held only after notice has been published in a newspaper of general circulation in the City at least 15 days before the hearing.
2. **Criteria.** The notice shall state the purpose of the hearing, the exact location and boundaries of the area under consideration and the permit fees.
3. **Location.** Similar notification shall be posted prominently within the area under consideration."

On page 5, strike lines 1-7 and insert:

- "A. The Department of Transportation director shall implement and administer the City's residential parking permit program.
1. The Director shall promulgate rules and regulations as necessary to successfully implement the program;
 2. The Director shall consult with the City Manager, Transportation Board, and any authorized agent as defined in § 12.04.020 prior to promulgation of any rules and regulations.
- B. The Transportation Board shall hold a public hearing on proposed regulations per § 12.32.050 before issuance by the Director.
- C. Each regulation shall have the force and effect of law not less than 45 days after its issuance by the Director unless the City Council adopts a resolution objecting to the regulation within those 45 days."

On page 5, strike lines 9-23 and insert:

- " A. Resident status for purposes of obtaining a resident parking permit for a motor vehicle is established by meeting the following:
1. **Residence.** The applicant has a current Maryland vehicle registration and current Maryland driver's license with an address in parking district;
 2. **Non-resident Owner.** The applicant is owner of a residential property located in a Special Residential Parking District, and the property is designated as the owner's principal residence with the Maryland Department of Assessments and Taxation
 3. **Lessee Without Maryland-Licensed Vehicle.**
 - a. The applicant is the tenant of a residential property in a special residential parking district that is licensed as a rental unit.

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- b. Applicants must submit a copy of the lease and a copy of the current rental unit license. The parking permit expires with the lease.
4. **Active Military.** The applicant is on active military status and resides in the parking district, as reflected in documents issued by United States military authorities. "
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As the changes would look in the resolution:

Change 1:

12.32.050 Public hearing. **[This section would be added to O-31-23]**

- A.—In order to determine whether a residential parking district should be created, altered or eliminated, the City Council, upon receipt of a recommendation from the Transportation Board shall conduct a public hearing with regard to the proposed determination.
- ~~B.—The hearing shall be held only after notice has been published in a newspaper of general circulation in the City. The notice shall state the purpose of the hearing, the exact location and boundaries of the area under consideration and the permit fees. In addition, similar notification shall be posted prominently within the area under consideration.~~
1. **Notice.** The hearing shall be held only after notice has been published in a newspaper of general circulation in the City at least 15 days before the hearing.
 2. **Criteria.** The notice shall state the purpose of the hearing, the exact location and boundaries of the area under consideration and the permit fees.
 3. **Location.** Similar notification shall be posted prominently within the area under consideration.

Change 2:

12.32.070 - Regulations—Promulgation by ~~Mayor~~**City Manager**.

[Original language in the Code]

~~Upon the recommendation of the Transportation Board, and in coordination with the Director of Transportation and any authorized agent as defined in Section 12.04.020, the Mayor may promulgate regulations to implement and administer a residential parking permit program. These regulations shall be promulgated only upon the recommendation~~

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of the board after an advertised public hearing. Each regulation shall have the force and effect of law not less than forty five days after its issuance by the Mayor, provided no objection to any regulation has been registered by the City Council by a resolution adopted at a regular or special meeting of the City Council within the forty five day period.

[As changed by the ordinance, O-31-23]

- ~~A. The **City Manager**, in consultation with the Transportation Board, the Director of Transportation and any authorized agent as defined in Section 12.04.020 of this title, shall implement and administer the City's residential parking permit program.~~
- ~~B. These regulations shall be promulgated only after an advertised public hearing.~~
- ~~C. Each regulation shall have the force and effect of law not less than 45 days after its issuance by the **City Manager**, unless the City Council adopts a resolution objecting to the regulation within those 45 days.~~

[As changed by Amendment 1]

- A. The Department of Transportation director shall implement and administer the City's residential parking permit program.
1. The Director shall promulgate rules and regulations as necessary to successfully implement the program;
 2. The Director shall consult with the City Manager, Transportation Board, and any authorized agent as defined in § 12.04.020 prior to promulgation of any rules and regulations.
- B. The Transportation Board shall hold a public hearing on proposed regulations per § 12.32.050 before issuance by the Director.
- C. Each regulation shall have the force and effect of law not less than 45 days after its issuance by the **Director** unless the City Council adopts a resolution objecting to the regulation within those 45 days.

Change 3:

12.32.090 - Resident status.

- A. Resident status for purposes of obtaining a resident parking permit for a motor vehicle is established by meeting the criteria of any of the enumerated items:-

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- ~~1. Applicant has a current Maryland vehicle registration and current Maryland driver's license with an address in parking district. and~~
 - ~~2. Applicant is owner of a residential property located in a Special Residential Parking District and the property is designated as the owner's principal residence with the State Department of Assessments and Taxation. or~~
 - ~~3. Applicant is lessee of residential property located in a special residential parking district that is licensed as rental unit. Applicant must submit a copy of the lease, and a copy of the current rental unit license. Parking permit expires with lease. or~~
 - ~~4. Applicant is on active military status and resides in parking district as reflected in documents issued by United States military authorities.~~
- A. Resident status for purposes of obtaining a resident parking permit for a motor vehicle is established by meeting the following:
4. **Residence.** The applicant has a current Maryland vehicle registration and current Maryland driver's license with an address in parking district;
 5. **Non-resident Owner.** The applicant is owner of a residential property located in a Special Residential Parking District, and the property is designated as the owner's principal residence with the Maryland Department of Assessments and Taxation
 6. **Lessee Without Maryland-Licensed Vehicle.**
 - a. The applicant is the tenant of a residential property in a special residential parking district that is licensed as a rental unit.
 - b. Applicants must submit a copy of the lease and a copy of the current rental unit license. The parking permit expires with the lease.
 4. **Active Military.** The applicant is on active military status and resides in the parking district, as reflected in documents issued by United States military authorities.

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