

0-37-17 Parking Places and Parking Lots

Proposed Amendments Alderman Budge September 20, 2017

Amendment 1:

Page 1 Line 2 and Line 22: Strike “repealing in its entirety” and insert “amending”.

As revised: “For the purpose of ~~repealing in its entirety~~ AMENDING Chapter 12.28 concerning registration of parking places and parking lots; and matters generally relating to parking places and parking lots.”

Amendment 2:

Page 1: Strike Line 28 and Line 32.

Page 1, Line 43: Insert “By repealing and reenacting the following portions of the Code of the City of Annapolis, 2016 Edition:

Section 12.28.010

Section 12.28.050”

Comment: Amends sections on Definitions and Information Signs

Amendment 3:

Page 1, Line 43: Insert “By inserting the following portions of the Code of the City of Annapolis, 2016 Edition:

Section 12.28.160

Section 12.28.170”

Comment: Inserts sections for Parking Operator Response and Violations.

Amendment 4:

Page 2: Unstrike Line 4

Comment: Retains chapter title.

Amendment 5:

Page 2: Unstrike Lines 7 through 29 and amend as follows:

12.28.010 - Definitions.

For the purpose of this chapter, the following words or terms shall have the meanings indicated:

A. "Parking place" means any PRIVATELY OWNED garage or other building or part of a building, or any PRIVATELY OWNED premises, plot, piece or parcel of land in or

upon which a business of storing more than ~~ten~~ THREE motor vehicles in a twenty-four-hour period is conducted for ~~eight~~ TWO months or more in any calendar year, where the owner or person storing a vehicle is charged a fee, but excluding rental of private garages and the all-night storing of vehicles upon the premises of and in connection with the operation of regularly established gasoline stations.

~~B. "Receiving station" means any garage or a parking lot which is guarded by an attendant at all times, to which cars may be removed, under regulations set forth in this chapter, when not called for by the owner before the hour of closing of a parking lot or before the hour at which the parking lot becomes unattended.~~

~~CB. "Sign" or "signs" means a durable and legible sign, the lettering of which shall be not less than five ONE inches in height and which shall be THAT IS erected in a conspicuous place. In outdoor parking places signs shall be not less than eight feet above the sidewalk level or more than twelve feet above the sidewalk level, and shall not bear any advertising or other matter than the substance required by this chapter.~~

Comments: Change to three or more vehicles aligns city code with Maryland Transportation Code Ann. § 21-10A-01 Towing or Removal of Vehicles from Parking Lots. Change to two months allows for boat shows, commissioning week and football games. One-inch lettering on signs is the standard used in City garages.

Amendment 6:

Page 3: Unstrike Lines 27 through 41 (Section 12.28.050 Information Sign) and amend as follows:

12.28.050 - Information sign.

A. Every person operating a parking place shall erect at each entrance to the parking place a sign bearing the following information:

A1. The rate by day or hour and whether or not there is a difference in rates on certain days or times of day;

B2. The name, TELEPHONE NUMBER and business address of the operator of the parking place, ~~together with the number of the operator's license or permit;~~

~~C. In case of an outdoor parking lot, the sign shall disclose what, if any, hours during the day the parking lot will be unguarded by an attendant and, if the operator of the lot provides a receiving station for cars left during unguarded hours, the sign shall indicate the address of the receiving station.~~

B. EVERY PERSON OPERATING A PARKING PLACE THAT IS GATED OR WHO IMMOBILIZES VEHICLES OR WHO PREVENTS VEHICLES FROM LEAVING THE

PARKING PLACE IN ANY OTHER WAY FOLLOWING UNPAID OR UNAUTHORIZED PARKING SHALL ERECT ONE OR MORE SIGNS THAT:

1. DESCRIBE THE METHOD OF VEHICLE RETENTION AT THE PARKING PLACE;
2. PROVIDE THE TELEPHONE NUMBER OF A PERSON WHO CAN BE CONTACTED TO ARRANGE FOR THE VEHICLE'S RELEASE;
3. STATE THE MAXIMUM AMOUNT THAT THE OWNER OF THE VEHICLE MAY BE CHARGED FOR ITS RELEASE; AND
4. PROVIDE AT LEAST 1 SIGN FOR EVERY 7,500 SQUARE FEET OF PARKING PLACE.

Comment: Sign density mimics Maryland Transportation Code Ann. § 21-10A-01 Towing or Removal of Vehicles from Parking Lots

Amendment 7:

Page 6, Line 33: Insert the following:

12.28.160 – Parking Operator Response.

EVERY PERSON OPERATING A PARKING PLACE THAT IS GATED OR WHO IMMOBILIZES VEHICLES OR WHO PREVENTS VEHICLES FROM LEAVING THE PARKING PLACE IN ANY OTHER WAY FOLLOWING UNPAID OR UNAUTHORIZED PARKING SHALL:

A. MAINTAIN AN ATTENDANT AT THE PARKING PLACE WHO IS AUTHORIZED TO RELEASE THE VEHICLE IMMEDIATELY UPON PAYMENT OF POSTED FEES; OR

B. MAINTAIN A TELEPHONE NUMBER THAT IS ANSWERED BY A HUMAN OPERATOR SEVEN DAYS PER WEEK AND 24 HOURS PER DAY AND DISPATCHES A REPRESENTATIVE TO COLLECT FEES, IF APPLICABLE, AND TO RELEASE VEHICLES WITHIN ONE HOUR OF RECEIVING A CALL.

12.28.170 PARKING PLACE VIOLATION

A PERSON WHO VIOLATES THIS CHAPTER IS GUILTY OF A MISDEMEANOR AND SUBJECT TO A FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.

Comment: 24/7 1-hour responses from 16 Texas Administrative Code, Chapter 89 Vehicle Booting and Immobilization Administrative Rules. 24-hour availability is also required by Maryland Transportation Code Ann. § 21-10A-01 Towing or Removal of Vehicles from Parking Lots.