

1 **Right to Park in Front of Residential Private Driveways**

2 For the purpose of amending § 12.20.010 (Obstructing Driveway) to authorize legal occupants of  
3 residential properties, and their guests, to park on public streets permitted for parking on both  
4 sides of the roadway directly in front of a private driveway serving their property, subject to  
5 specified conditions; defining “legal occupant”; and generally relating to parking under Chapter  
6 12.20.

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9 **City Council of the**  
10 **City of Annapolis**

11 **Ordinance 17-26**

12 **Introduced by: Alderman Smith-Brown**

13 **Co-sponsored by: Alderwoman Contee**

14 **Referred to:**

- 15 • Transportation Committee  
16 • Public Safety Committee  
17

18 **AN ORDINANCE** concerning

19  
20 **Right to Park in Front of Residential Private Driveways**

21  
22 **FOR** the purpose of amending § 12.20.010 (Obstructing Driveway) to authorize legal  
23 occupants of residential properties, and their guests, to park on public streets permitted  
24 for parking on both sides of the roadway directly in front of a private driveway serving  
25 their property, subject to specified conditions; defining “legal occupant”; and generally  
26 relating to parking under Chapter 12.20.

27  
28 **BY** repealing and reenacting with amendments the following portions of the Code of the City  
29 of Annapolis, 2026 Edition:

- 30 • **Section 12.02.040**  
31 • **Section 12.20.010**  
32

33 **WHEREAS,** Many residential properties in the City have limited on-street and off-street  
34 parking availability, and permitting legal occupants to utilize the street frontage  
35 directly in front of their private driveways, subject to reasonable conditions, will  
36 improve parking access for City residents without adversely affecting public  
37 safety or traffic flow; and  
38

**Explanation Note:** ~~Strikethrough~~ indicates matter stricken from existing law.  
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[Brackets] indicate instructions for the revisor.

1 **WHEREAS**, Maryland Code Ann., Transportation Article, § 21-1003 provides that a person  
2 may not stand or park a vehicle in front of a private driveway without the consent  
3 of the owner or occupant of the premises, thereby permitting such parking when  
4 the owner or occupant has given consent; and

5  
6 **WHEREAS**, Section 12.20.010 of the City Code is more restrictive than state law in that it  
7 prohibits parking in front of a driveway regardless of owner or occupant consent,  
8 and subjects violating drivers to a fine and towing; and

9  
10 **WHEREAS**, The City Council has determined that the current prohibition on parking in front  
11 of private driveways does not serve the public interest when the person is the legal  
12 occupant or a guest; now, therefore,

13  
14 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
15 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

16 **City Code Title 12 – VEHICLES AND TRAFFIC**  
17 **Chapter 12.04 – General Application Procedures and Fees**

18  
19 **Section 12.04.020 Definitions.**

20 *[Revisors Note: Add the following definitions in alphabetical order to Section 12.04.020 and*  
21 *renumber accordingly.]*

22  
23 “Legal Occupant” means any individual who maintains a legal and primary physical  
24 presence at a dwelling unit associated with the private driveway, including any  
25 individual residing on the premises with the express or implied consent of the owner of  
26 record.

27  
28 **City Code Title 12 – VEHICLES AND TRAFFIC**  
29 **Chapter 12.20 – Stopping, Standing, and Parking**

30  
31 **Section 12.20.010 Obstructing driveway.**

32  
33 ~~A. It is unlawful and a misdemeanor for a driver of any vehicle to park the vehicle in such~~  
34 ~~a manner that a driveway or any portion thereof is blocked so that free ingress and~~  
35 ~~egress to such driveway is hindered.~~

36 ~~B. A vehicle parked in violation of this section is subject to towing pursuant to Section~~  
37 ~~12.20.210, and a person violating this section, upon conviction, is subject to a fine as~~  
38 ~~established by resolution of the City Council.~~

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1  
2 **A. Prohibited.** It is unlawful and classified as a misdemeanor for a driver to park or stop a  
3 vehicle on the street in front of a private road or driveway, or any part of it, without the  
4 express permission of the legal occupant.

5 **B. Parking in Front of Driveway With Permission.**

6 1. **Permitted.**

- 7 a. Pursuant to subparagraph b (below), the legal occupant of a residential  
8 property may park, or allow a guest to park, parallel to the public street in  
9 front of the curb cut apron of the private road or driveway serving that  
10 property, subject to the conditions of this section, if the private road or  
11 driveway serves one dwelling unit exclusively.
- 12 b. This authorization shall apply exclusively to streets where parking is  
13 permitted on both sides of the roadway.

14 2. **Parking Permissions.**

- 15 a. Permission to park must be obtained each time a vehicle parks in front of a  
16 private road or driveway.
- 17 b. For the purposes of this section, parking is permitted within the red curb  
18 markings installed by the City to preserve ingress and egress for a private  
19 road or driveway. However, this authorization does not apply to any  
20 portion of a red curb required for a fire hydrant or other public safety  
21 purpose pursuant to § 12.20.020.
- 22 c. Parking permitted under this section remains subject to all other applicable  
23 regulations within this Title.

24 3. **Legal Occupancy.** The legal occupant shall provide photo identification and  
25 proof of residence.

- 26 a. **Proof of Identification.** Valid photo identification shall be required and  
27 include, but not limited to:
- 28 i. A Maryland driver's license displaying the address of the subject  
29 property; or
- 30 ii. A Maryland Motor Vehicle Administration identification card  
31 displaying the address of the subject property.
- 32 b. **Proof of Residence Address.** If the photo identification does not display  
33 the address of the subject property, the legal occupant shall also present  
34 one of the following:
- 35 i. A current Maryland voter registration card displaying the address  
36 of the subject property.

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- 1                   ii. A utility bill (electric, gas, or water) issued within the last 60 days,  
2 displaying both the service address and billing address of the  
3 subject property;
- 4                   iii. A current lease or rental agreement for the subject property; or
- 5                   iv. An active Maryland Vehicle Registration displaying the address of  
6 the subject property; or
- 7           4. Special Residential Parking Districts. This section applies within Special  
8 Residential Parking Districts established under Chapter 12.32.
- 9                   a. Within such a district, a legal occupant must hold a valid residential  
10 parking district permit to park, or allow a guest to park, on the curb cut  
11 apron of the private road or driveway.
- 12                   b. All other parking restrictions applicable within the Special Residential  
13 Parking District remain in effect.

14 **C. Violations and Towing.**

15           1. **Violations.**

- 16                   a. A legal occupant who finds an unauthorized vehicle parked or standing in  
17 front of their private road or driveway may request its removal by  
18 contacting the Annapolis Police Department.
- 19                   b. A vehicle parked in violation of this section is subject to towing pursuant  
20 to § 12.20.210, and an individual violating this section, upon conviction,  
21 is subject to a fine as established by resolution of the City Council.

22           2. **Towing.**

- 23                   a. Before initiating a tow, a responding police officer, parking enforcement  
24 officer, or authorized agent shall verify the status of the legal occupant  
25 using one of the methods specified in subsection B(3) and shall document  
26 that verification.
- 27                   b. A vehicle owner who believes their vehicle was towed in error may  
28 request a hearing pursuant to § 12.20.220.

29 **SECTION II: AND BE IT FINALLY ESTABLISHED AND ORDAINED BY THE**  
30 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect upon passage.

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