

R-3-15
Staff Report

A Request to the Maryland General Assembly Regarding the Parking Authorities Act.

The Parking Authorities Act (Annotated Code of Maryland, Local Government Article, Section 18-101 et seq.) specifies in its legislative findings that establishment of a parking authority can promote economic development and public health, welfare and safety.

The Act provides authority for the establishment of an authority with the power to take steps attendant to developing, constructing and maintaining parking facilities, including the issuance of revenue bonds.

The Act specifies that counties may establish parking authorities; that is, there is no prohibition in the Act or Article XI-E of the Maryland Constitution that a municipality may act to create such an authority if authorized by the State.

For purposes of this request, the City of Annapolis presumes that the Act preempts independent creation of a Parking Authority without State approval.

The amendment would allow the City of Annapolis the authority to create a Parking Authority, not require it. As such, the City would be accorded additional tools currently available to Baltimore City and Montgomery and Prince George's Counties to foster economic development and public health, welfare and safety. The creation of such a Parking Authority would further allow the City of Annapolis to establish an independent authority to fund, develop and maintain parking facilities distinct from the City government.

The request will have no financial impact on the State or Anne Arundel County.

Prepared by Michael G. Leahy, City Attorney, Office of Law.