

Right to Park in Front of Residential Private Driveways

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

City Council of the
City of Annapolis

Ordinance 17-26

Introduced by: Alderman Smith-Brown

Co-sponsored by: Alderwoman Contee, Alderman Savidge, Alderwoman Allsup-Johnson

Referred to:

- Transportation Committee
- Public Safety Committee

AN ORDINANCE concerning

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

- **Section 12.02.040**
- **Section 12.20.010**

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

Explanation Note:

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[Brackets] indicate instructions for the revisor.

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

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

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

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

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

Section 12.04.020 Definitions.

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

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

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

Section 12.20.010 Obstructing driveway.

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

~~B. A vehicle parked in violation of this section is subject to towing pursuant to Section 12.20.210, and a person violating this section, upon conviction, is subject to a fine as 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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- ii. A utility bill (electric, gas, or water) issued within the last 60 days, displaying both the service address and billing address of the subject property;
- iii. A current lease or rental agreement for the subject property; or
- iv. An active Maryland Vehicle Registration displaying the address of the subject property; or

4. **Special Residential Parking Districts.** This section applies within Special Residential Parking Districts established under Chapter 12.32.

- a. Within such a district, a legal occupant must hold a valid residential parking district permit to park, or allow a guest to park, on the curb cut apron of the private road or driveway.
- b. All other parking restrictions applicable within the Special Residential Parking District remain in effect.

C. Violations and Towing.

1. Violations.

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

2. Towing.

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

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

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