

1 **..Title**  
2 **Vehicles and Traffic - Stopping, Standing and Parking - Parking Spaces Reserved** – For the  
3 purpose of reserving temporary assigned handicapped parking spaces in residential areas for City  
4 of Annapolis residents; and generally dealing with handicapped parking.

5  
6 **..Body**

7 **CITY COUNCIL OF THE**  
8 **City of Annapolis**

9  
10 **Ordinance 38-22**

11 **Introduced by: Alderman Tierney**

12 **Co-sponsored by:**

13  
14  
15 **Referred to**  
16 **Public Safety Committee**

17  
18 **AN ORDINANCE** concerning

19 **VEHICLES AND TRAFFIC - Stopping, Standing and Parking - Parking spaces reserved**

20  
21 **FOR** the purpose of reserving temporary assigned handicapped parking spaces in residential  
22 areas for City of Annapolis residents; and generally dealing with handicapped parking.

23  
24 **BY** enacting with amendments the following portions of the Code of the City of Annapolis,  
25 2022 Edition: 12.32.141

26  
27 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
28 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

29  
30 **Title 12 - VEHICLES AND TRAFFIC**

31 **Chapter 12.32 - Special Residential Parking District**

32  
33 **SECTION 12.32.141 - RESERVED TEMPORARY RESIDENTIAL DISABLED PARKING**  
34 **NEAR RESIDENCE.**

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36 **A. DEFINITIONS**

1 1. "DIRECTOR" MEANS THE CITY MANAGER OR THEIR DESIGNEE FROM  
2 A CITY DEPARTMENT OR CITY CONTRACTOR.

3  
4 2. "TEMPORARY DISABILITY" MEANS A DISABILITY AS DEFINED BY A  
5 CERTIFIED PHYSICIAN AND COMPLYING WITH HANDICAPPED  
6 PARKING PLACARD REQUIREMENTS IN MARYLAND CODE § 13-616.  
7

8 **B. ESTABLISHMENT OF TEMPORARY RESERVED RESIDENTIAL PARKING**  
9 **FOR THE DISABLED.**

10 1. **APPLICATION REQUIREMENTS.** AN APPLICATION FOR A  
11 TEMPORARY RESERVED PARKING SPACE FOR PERSONS WITH  
12 DISABILITIES IN THE PUBLIC RIGHT-OF-WAY IN RESIDENTIAL  
13 AREAS MUST PROVIDE THE FOLLOWING CRITERIA IN ORDER TO BE  
14 CONSIDERED:

- 15 a. A STATE OF MARYLAND-ISSUED PLACARD OR LICENSE  
16 PLATE FOR SHORT-TERM DISABILITY AND SHALL PROVIDE A  
17 COPY OF THE MEDICAL CERTIFICATION SUBMITTED TO THE  
18 DEPARTMENT OF MOTOR VEHICLES, OR A NEW SUCH  
19 CERTIFICATION, WHICH DEMONSTRATES ELIGIBILITY FOR A  
20 DMV DISABLED PARKING LICENSE PLATE OR PLACARD; AND
- 21 b. PROOF OF RESIDENCY AT AN ADDRESS IN THE CITY OF  
22 ANNAPOLIS; AND
- 23 c. PROOF THERE IS NO OFF-STREET PARKING AT THE  
24 APPLICANT'S RESIDENCE, OR THE APPLICANT MUST  
25 DEMONSTRATE THAT EXISTING OFF-STREET PARKING IS NOT  
26 FEASIBLE FOR USE BY THE APPLICANT; AND
- 27 d. SHOW THERE IS A LEGAL PARKING SPACE IN FRONT OF THE  
28 ADDRESS; AND
- 29 e. DEMONSTRATE THAT A VEHICLE IS REGISTERED IN THE CITY  
30 OF ANNAPOLIS TO A PERSON WHO RESIDES AT THE ADDRESS  
31 REQUESTED; AND

1 f. PAY A FEE TO BE DETERMINED BY THE DIRECTOR TO COVER  
2 THE COSTS OF THE PROGRAM.  
3

4 2. **APPROVAL REQUIREMENTS.** THE DIRECTOR MUST DETERMINE  
5 THAT LEGAL PARKING IS AVAILABLE IN FRONT OF THE  
6 APPLICANT'S ADDRESS, UNDER THE FOLLOWING CONDITIONS:

7 a. THE OWNER OF THE PROPERTY IN FRONT OF WHICH THE  
8 RESERVED SPACE IS PROPOSED TO BE LOCATED HAS  
9 CONSENTED, IN WRITING, TO SUCH LOCATION; AND

10 b. THERE IS NO:

11 i. FIRE HYDRANT;

12 ii. CITY NO-PARKING REGULATION; OR

13 iii. OTHER SIMILAR IMPEDIMENTS TO PARKING IN FRONT  
14 OF THE APPLICANT'S ADDRESS; AND

15 c. THE APPLICANT'S PROPERTY IS OF INSUFFICIENT WIDTH TO  
16 ACCOMMODATE THE RESERVED SPACE; AND

17 d. THE APPLICANT DEMONSTRATES TO THE SATISFACTION OF  
18 THE DIRECTOR THAT THE APPLICANT OTHERWISE MEETS  
19 THE CRITERIA.  
20

21 3. **WAIVERS.** IF AN APPLICATION FAILS TO MEET ANY OF THE  
22 CRITERIA, IT WILL NOT BE APPROVED UNLESS A WAIVER IS  
23 SOUGHT AND APPROVED BY THE DIRECTOR. IF THE APPLICATION  
24 IS DENIED, THE APPLICANT SHALL BE NOTIFIED IN WRITING AS TO  
25 THE SPECIFIC REASONS FOR THE DENIAL AND SHALL ALSO BE  
26 NOTIFIED OF ANY RIGHT TO APPEAL PROVIDED UNDER THIS  
27 SECTION. THE DIRECTOR MAY IMPOSE SUCH CONDITIONS ON ANY  
28 WAIVER AS THE DIRECTOR DEEMS REASONABLE.  
29

30 4. **CREATION OF RESERVES SPACE.** ONCE APPROVED, THE CITY  
31 SHALL INSTALL SIGNS MARKING THE SECTION RESERVED FOR

1 TEMPORARY RESIDENTIAL DISABLED PARKING WITH THE  
2 FOLLOWING CONDITIONS:

- 3 a. THE NUMBER ON THE SIGN SHALL MATCH THE NUMBER OF  
4 THE DESIGNEE'S MARYLAND DEPARTMENT OF  
5 TRANSPORTATION MOTOR VEHICLE ADMINISTRATION  
6 (MDOT MVA) ASSIGNED PLACARD
- 7 b. THE SPACE SHALL BE OF ENOUGH SIZE TO FIT THE  
8 DESIGNEE'S VEHICLE ONLY.
- 9 c. THE SPACE IS FOR TEMPORARY USE ONLY DURING THE  
10 DURATION OF THE DISABILITY; IF THE DISABILITY BECOMES  
11 PERMANENT, THE DESIGNEE MUST APPLY FOR PERMANENT  
12 HANDICAPPED PARKING THROUGH THE STATE.

13  
14 5. **USE OF RESERVED SPACES.** THE CITY-DESIGNATED RESERVED  
15 RESIDENTIAL PARKING FOR A DISABLED RESIDENT IS RESERVED  
16 FOR THE EXCLUSIVE USE OF THE APPROVED APPLICANT.

- 17 a. ONLY A VEHICLE WITH THE DESIGNATED PLACARD SHALL  
18 PARK IN THE RESERVED SPACE, AND THE PLACARD NUMBER  
19 MUST MATCH THE CITY-INSTALLED SIGN AT THE RESERVED  
20 SPACE.
- 21 b. THE APPLICANT'S VEHICLE IS EXPECTED TO USE THE  
22 RESERVED SPACE WHEN PARKED IN THE NEIGHBORHOOD.
- 23 c. RESERVED SPACES ARE NOT INTENDED FOR USE BY  
24 COMPANIONS EXCEPT WHEN TRANSPORTING PERSONS WITH  
25 DISABILITIES AND DISPLAYING A MVA PLATE OR PLACARD  
26 WITH THE SAME NUMBER AS ON THE SIGN OF THE  
27 DESIGNATED SPACE.
- 28 d. USE OF THE PARKING SPACE BY OTHER PERSONS WHEN NOT  
29 TRANSPORTING THE PERSON WITH A DISABILITY IS A  
30 PARKING VIOLATION THAT CARRIES A \$100 TO \$500 FINE.

- 1           **6. ADMINISTRATIVE PROCEDURES.** ALL APPLICATIONS MUST BE  
2           SUBMITTED TO THE DIRECTOR FOR CONSIDERATION AND REVIEW.  
3           a. THE DIRECTOR SHALL:  
4                 i. EVALUATE ELIGIBILITY CRITERIA; AND  
5                 ii. VERIFY THE VALIDITY OF THE DISABLED PARKING  
6                 LICENSE PLATE OR PLACARD; AND  
7                 iii. VERIFY VEHICLE REGISTRATION; AND  
8                 iv. CONFIRM RESIDENCY;  
9                 v. DETERMINE AVAILABILITY OF OFF-STREET AND ON-  
10                STREET PARKING; AND  
11                vi. ENSURE CONFORMANCE TO THE TERMS OF THIS  
12                SECTION IN MAKING A DECISION.  
13           b. CHALLENGES THAT AN EXISTING OFF-STREET PARKING  
14           SPACE IS NOT FEASIBLE FOR USE BY THE APPLICANT DUE TO  
15           A LACK OF AVAILABLE SPACE ON THE BLOCK SHALL BE  
16           SUBMITTED TO THE DIRECTOR FOR REVIEW;  
17           c. THE DIRECTOR SHALL IMPLEMENT PROCEDURES TO ENSURE  
18           THE CONFIDENTIALITY OF ANY MEDICAL INFORMATION  
19           SUBMITTED BY AN APPLICANT, INCLUDING MVA MEDICAL  
20           CERTIFICATIONS, WHICH SHALL AT MINIMUM PROVIDE FOR  
21           THE MAINTENANCE OF SUCH INFORMATION IN A SEALED  
22           FILE, WITH ACCESS PERMITTED ONLY TO THE DIRECTOR  
23           AND CERTAIN CITY EMPLOYEES ON A NEED-TO-KNOW BASIS;  
24           MEDICAL INFORMATION SUBMITTED BY AN APPLICANT IS  
25           EXEMPT FROM MANDATORY DISCLOSURE UNDER FREEDOM  
26           OF INFORMATION ACT (FOIA) REQUESTS, AND SHALL NOT BE  
27           SUBJECT TO DISCRETIONARY RELEASE.  
28           d. ONCE A DECISION HAS BEEN MADE ON AN APPLICATION,  
29           ACCESS SHALL BE PERMITTED ONLY ON THE WRITTEN  
30           AUTHORIZATION OF THE DIRECTOR OR ACTING DIRECTOR.  
31

1           **7. REVOCATION.** A RESERVED SPACE IS SUBJECT TO REVOCATION AS  
2           FOLLOWS:

- 3           a. IN THE EVENT THAT A COMPLAINT IS MADE TO THE  
4           DIRECTOR THAT:
- 5               i. THE APPLICANT NO LONGER SATISFIES THE  
6               ELIGIBILITY CRITERIA; OR
  - 7               ii. THE SPACE IS BEING REPEATEDLY USED IN A MANNER  
8               CONTRARY TO THE AGREEMENT BY PERSONS  
9               RESIDING IN OR VISITING THE APPLICANT'S  
10              HOUSEHOLD.
- 11          b. THE DIRECTOR WILL CONDUCT A PRELIMINARY INQUIRY TO  
12          DETERMINE IF THE COMPLAINT IS SUPPORTED BY  
13          SUBSTANTIAL AND CREDIBLE EVIDENCE.
- 14          c. IF THE DIRECTOR FINDS BY CLEAR AND CONVINCING  
15          EVIDENCE THAT THE SPACE IS BEING REPEATEDLY USED IN  
16          A MANNER CONTRARY TO THE AGREEMENT BY PERSONS  
17          RESIDING IN OR VISITING THE APPLICANT'S HOUSEHOLD:
- 18               i. THE APPLICANT WILL BE NOTIFIED IN WRITING OF THE  
19               NATURE AND SPECIFICS OF THE COMPLAINT AND  
20               MUST PROVIDE A RESPONSE WITHIN 45 DAYS TO THE  
21               CITY MANAGER OR DESIGNEE.
  - 22               ii. THE APPLICANT AND COMPLAINANT(S) SHALL HAVE  
23               THE RIGHT TO APPEAR BEFORE THE DIRECTOR, UPON  
24               15 DAYS' WRITTEN NOTICE OF THE TIME AND PLACE OF  
25               THE HEARING, AND BE HEARD IN PERSON OR BY  
26               COUNSEL, BUT SUCH HEARING SHALL BE CONDUCTED  
27               IN AN INFORMAL MANNER.
- 28          d. THE DIRECTOR SHALL REVOKE A RESERVED PARKING SPACE  
29          DESIGNATION IF THE DIRECTOR FINDS BY A  
30          PREPONDERANCE OF THE EVIDENCE THAT THE APPLICANT

1 DID NOT, OR DOES NOT CONTINUE TO, MEET THE REQUIRED  
2 CRITERIA.

3 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
4 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

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**Explanation:**

UPPERCASE indicates matter added to existing law.

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

Underlining indicates amendments.