



Legislation Text

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Special Residential Parking Districts - Parking Permits - For the purpose of transferring the residential parking permit program to the Department of Transportation; clarifying the eligibility requirements for resident, nonresident and temporary parking permits; and specifying the restrictions on parking permits issued under the residential parking permit program.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 4-19

Introduced by: Alderwoman Tierney

Referred to

Public Safety Committee
Transportation Committee

AN ORDINANCE concerning

Special Residential Parking Districts - Parking Permits

FOR the purpose of transferring the residential parking permit program to the Department of Transportation; clarifying the eligibility requirements for resident, nonresident and temporary parking permits; and specifying the restrictions on parking permits issued under the residential parking permit program.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2019 Edition

12.32.010
12.32.070
12.32.080
12.32.090
12.32.100
12.32.110
12.32.120
12.32.130
12.32.140

BY adding the following portion to the Code of the City of Annapolis, 2019 Edition
12.32.145

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:

TITLE 12 - VEHICLES AND TRAFFIC

Chapter 12.32 - SPECIAL RESIDENTIAL PARKING DISTRICTS

Section 12.32.010 - Purpose.

The health, safety and welfare of many residents are affected adversely by burdens placed on residents by virtue of the existence of major public facilities and programs. Frequently, the use of streets within residential areas for the parking of vehicles by persons using adjacent governmental, commercial, industrial, educational, and transit areas and other areas, facilities and programs emanating from planning, zoning and other decisions by government results in hazardous traffic conditions, the over burdening of existing streets, roads and other facilities, air and noise pollution, and the inability of residents of certain areas to obtain adequate parking adjacent to or close by their places of residence and to secure ease of access to their places of residence. In order to reduce, to the extent possible, the conditions described in this section, to foster the use of mass transit facilities AND RIDE-SHARING, TO ENCOURAGE USE OF UNDERUTILIZED CITY GARAGES, and to promote the safety, peace, good order, comfort, convenience, health and welfare of the residents of the City, it is essential that the parking permit authorization provided for in this chapter be enacted.

Section 12.32.070 - Regulations-Promulgation by Mayor.

Upon the recommendation of the Transportation Board, and in coordination with the DIRECTOR OF TRANSPORTATION ~~Police Chief~~ and any authorized agent as defined in Section 12.04.020, the Mayor may promulgate regulations to implement and administer a residential parking permit program. These regulations shall be promulgated only upon the recommendation of the board after an advertised public hearing. Each regulation shall have the force and effect of law not less than forty-five days after its issuance by the Mayor, provided no objection to any regulation has been registered by the City Council by a resolution adopted at a regular or special meeting of the City Council within the forty-five day period.

Section 12.32.080 - Permit-Application.

- A. An application for a residential parking district permit shall be made by a resident of a district to the DEPARTMENT OF TRANSPORTATION OR THE AUTHORIZED AGENT ~~Finance Department~~ at any ~~City office~~ designated by the ~~Finance Director~~ or by the authorized agent, on forms as are prescribed by the DIRECTOR OF TRANSPORTATION ~~Finance Director~~ or THE DIRECTOR'S his/her designee.
- B. The application for a permit shall contain information to verify that the applicant is a bona fide resident of the district for which application has been made and has legal title to or the right to possession of the motor vehicle to be registered. The information shall include, but not be limited to, the following:
1. Name and address of owner of motor vehicle;
 2. Applicant's address;
 3. The make, model, color, state of registration, and license number of the motor vehicle;
 4. The principal driver's name, operator's permit number, and state of issuance;

5. Applicant's operator's permit number and state of issuance; and
 6. The motor vehicle registration, operator's permit and any other relevant documents.
- C. A parking permit may not be issued or renewed for any motor vehicle for which one or more citations issued by the City for parking violations remain unpaid.
- D. The DIRECTOR OF TRANSPORTATION ~~Finance Director~~ or the authorized agent shall issue the parking permit, upon finding that the applicant meets the requirements specified in this chapter. The DIRECTOR OF TRANSPORTATION ~~finance director~~ or the authorized agent shall prepare the application form and may require the applicant to provide such additional information as may be necessary to determine eligibility for a parking permit.

Section 12.32.090 - Resident status.

- A. Resident status for purposes of obtaining a resident parking permit for a motor vehicle is established by meeting the criteria of any of the enumerated items:
1. Applicant has a current Maryland vehicle registration and current Maryland driver's license with an address in parking district,
 2. Applicant is owner ~~and occupant~~ of A residential property LOCATED IN A SPECIAL RESIDENTIAL PARKING DISTRICT AND THE PROPERTY IS DESIGNATED AS THE OWNER'S PRINCIPAL RESIDENCE WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION. ~~which is in parking district. Ownership can be established by records of Maryland Department of Assessments and Taxation. These records are on-line. Occupancy may be demonstrated by current utility bills, the absence of a City rental license, or some other means acceptable to the City.~~
 3. Applicant is lessee of residential property LOCATED in A SPECIAL RESIDENTIAL parking district THAT IS licensed as rental unit. Applicant must submit A copy of THE lease, AND A COPY OF THE CURRENT RENTAL UNIT LICENSE, AND EVIDENCE OF OCCUPANCY THAT IS ACCEPTABLE TO THE CITY. Parking permit expires with lease, or
 4. Applicant is on active military status and resides in parking district as reflected in documents issued by United States military authorities.
- B. The determination of whether an applicant has established resident status shall be made by the DIRECTOR OF TRANSPORTATION ~~Finance Director~~ or THE DIRECTOR'S ~~his~~ designee OR THE AUTHORIZED AGENT.

Section 12.32.100 - Permit-Void.

A permit is void when the licensee no longer resides within the district, as defined in this chapter. A licensee shall remove any permit sticker, tag or barcode from any vehicle registered to park within the district upon moving outside of the district and shall notify the City or the authorized agent. Permits shall be transferred from one vehicle to another during the permit year solely in accordance with regulations ESTABLISHED BY THE DIRECTOR OF TRANSPORTATION governing such transfers.

Section 12.32.110 - Permit-Fee-Renewal.

- A. The fee for a residential parking permit in special residential parking districts shall be established by resolution of the City Council.

- B. The fee shall be payable at the time of the submission of the application for the permit. The permit year shall commence on July 1st and terminate on June 30th. Residential parking permits may be renewed from year to year by qualified residents upon the payment of the annual fee on or before June 30th of each year. Residential parking permits may be renewed via mail by sending the completed and signed application form, copies of all required documents and the renewal fee. The fee shall be prorated based on the number of months that a resident requires the permit from the date of issue to the end of the fiscal year based on the number of months that a resident requires a permit. However, the City shall not refund any permit issued due to disuse.
- C. ~~Subject to the availability of funds, the Department of Finance and/or the authorized agent may develop the capability of renewing resident parking district permits online.~~

Section 12.32.120 - Permit-Display.

The permit shall be affixed to the vehicle as prescribed in the regulations. The design and content of the permit shall be prescribed in the regulations. Subject to the availability of funds, the Department of TRANSPORTATION ~~Finance and/or~~ the authorized agent may develop the capability of synchronizing the resident parking district permits with resident license plates so that no sticker, tag or barcode is required.

Section 12.32.130 - Permit-Replacement.

When a vehicle to which a permit is issued ~~and/or~~ to which a permit sticker, tag or barcode is affixed is sold, transferred, demolished, or in any other manner rendered unusable to the licensee, the licensee shall remove any permit sticker, tag or barcode from the vehicle and may request the issuance of a replacement permit. The licensee shall notify the DIRECTOR OF TRANSPORTATION ~~Police Chief OR~~ and the authorized agent of the change in status of the vehicle. An application for a replacement permit shall be in accordance with the provisions for an application for an original or renewal permit. The replacement permit shall be issued and be valid for the unexpired term of the original permit, except that a replacement permit may not be issued for any motor vehicle for which one or more citations issued by the City for parking violations remain unpaid. The original permit, upon the issuance of the replacement permit, is void. If evidence of the destruction of the original permit is not presented at the time the application for a replacement permit is made, the application shall be treated as though it is for an original permit.

Section 12.32.140 - Permit-Temporary.

- A. The DIRECTOR OF TRANSPORTATION OR THE DIRECTOR'S ~~Police Chief or his/her~~ designee, or the authorized agent shall issue a ~~multiple-day or single-day~~ temporary residential parking permitS TO AN APPLICANT WHO MEETS ANY OF THE RESIDENT STATUS REQUIREMENTSCRITERIA IN SECTION 12.32.090. ~~within a residential parking district. Multiple-day permits may be purchased by an applicant when needed and shall be used for predetermined dates.~~ A MAXIMUM OF FIVETEN Up to ten ~~single-day~~ TEMPORARY RESIDENTIAL PARKING permits PER RESIDENCE may be purchased per CALENDAR month, WHICH SHALL EXPIRE ON THE LAST DAY OF THE CALENDAR MONTH IN WHICH THE PERMITS WERE PURCHASED. ~~for undetermined dates; upon usage, the resident shall validate the single-day permit by entering the date of the day for which the single-day permit is being used.~~ AN APPLICANT WHO MEETS ANY OF THE RESIDENT STATUS REQUIREMENTSCRITERIA IN SECTION 12.32.090 MAY ALSO RECEIVE AN ADDITIONAL TWENTY-FIVE TEMPORARY RESIDENTIAL PARKING PERMITS PER RESIDENCE PER FISCAL YEAR, WHICH SHALL

EXPIRE ON THE LAST DAY OF THE FISCAL YEAR IN WHICH THE PERMITS WERE ISSUED. THE PROCESS FOR APPLYING FOR TEMPORARY RESIDENTIAL PARKING PERMITS ~~An~~ application for a temporary permit shall be made by a resident of a district on a form or online as shall be prescribed by the Director of Transportation or the authorized agent. The fee for a temporary residential parking permit shall be established by resolution of the City Council.

- B. A TEMPORARY RESIDENTIAL ~~multiple-day or single-day~~ parking permit may be issued for the vehicle of a person who is rendering medical care to a resident in a special residential parking district. The DIRECTOR OF TRANSPORTATION ~~Chief of Police~~, or the DIRECTOR'S ~~Chief's~~ designee, or the authorized agent shall determine eligibility for such a permit. In the discretion of the DIRECTOR OF TRANSPORTATION ~~Chief of Police~~ or the DIRECTOR'S ~~Chief's~~ designee OR THE AUTHORIZED AGENT, the permit is transferable. The permit is valid for up to one month, but may be renewed. The fee shall be established by RESOLUTION OF the City Council but may for good cause be waived BY THE DIRECTOR OF TRANSPORTATION.

Section 12.32.145 - NONRESIDENT PARKING PERMIT

- A. THE DIRECTOR OF TRANSPORTATION OR THE DIRECTOR'S DESIGNEE OR THE AUTHORIZED AGENT MAY ISSUE A NONRESIDENT PARKING PERMIT TO A PROPERTY OWNER WHOSE PROPERTY IS LOCATED IN A SPECIAL RESIDENTIAL PARKING DISTRICT, BUT ~~WHOSE PROPERTY IS NOT DESIGNATED AS THE OWNER'S PRINCIPAL RESIDENCE WITH THE STATE DEPARTMENT OF ASSESSMENT AND TAXATION DO NOT MEET ANY OF THE RESIDENT STATUS CRITERIA IN SECTION 12.32.090.~~ USE OF A NONRESIDENT PARKING PERMIT SHALL BE LIMITED TO THE PERIOD OF TIME THE OWNER OCCUPIES THE RESIDENCE. THE APPLICANT SHALL SUBMIT PROOF OF PROPERTY OWNERSHIP AND A DRIVER'S LICENSE AND VEHICLE REGISTRATION IN THE PROPERTY OWNER'S NAME OR A VEHICLE RENTAL CONTRACT IN THE PROPERTY OWNER'S NAME, AND INDICATE THE PERIOD OF OCCUPANCY. ~~NONRESIDENT PARKING PERMITS MAY NOT BE ISSUED TO PROPERTY OWNERS WHOSE PROPERTIES ARE LICENSED FOR RENTAL BY THE CITY.~~ THE FEE FOR A NONRESIDENTIAL PARKING PERMIT SHALL BE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect on July 1, 2019.

EXPLANATION

UPPERCASE indicates matter added to existing law.

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

Underlining indicates amendments.