



Legislative Summary

O-17-26

Right to Park in Front of Residential Private Driveways

The City of Annapolis Office of Law created this summary for the use of Annapolis City Council members during their consideration of the legislation.

Note: This summary outlines the legislation as introduced and does not address any amendments.

Bill Summary

O-17-26 allows drivers to park in front of private driveway entrances, provided they have permission from the property owner or legal occupant.

Background

The Annapolis City Code prohibits parking in front of a driveway. However, State law allows parking in front of a private driveway if the vehicle driver has the consent of the property's owner or legal occupant.

Transportation Article, § 21-1003(l) of the Annotated Maryland Code states: "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."

Details

O-17-26 modifies § 12.20.010 (Obstructing Driveway) to permit parking in front of driveways in Annapolis under certain conditions and introduces a definition of "legal occupant" to § 12.04.020.

Subsection A maintains that it's generally unlawful for a driver to park or stop in front of a private road or driveway.



Subsection B provides an exception that allows the legal occupant of a residential property, or a guest of that occupant, to park parallel to the curb at the curb cut apron leading to a private road or driveway serving the property.

- The private road or driveway can serve only one dwelling unit;
- Authorization is limited to streets where parking is permitted on both sides of the roadway.

Property owners enforce the permission requirement by requesting that any vehicle blocking their driveway be towed without consent.

Other Requirements of O-17-26:

- Permission to park must be obtained each time a vehicle parks under this authorization. Continuous, standing, or blanket permissions are not valid or enforceable.
- Parking is allowed within red curb markings designated to maintain access to driveways. However, parking is prohibited in any section of a red curb designated for a fire hydrant or other public safety purposes. It is important for the person granting permission to understand this distinction.
- Parking authorized under this section remains subject to all other applicable parking regulations outlined in Title 12.
- The person who calls for a towing company must provide photo identification and proof of residence to the parking enforcement officer to demonstrate that they are the legal occupant of the property.
- This regulation applies within Special Residential Parking Districts established under Chapter 12.32. However, the legal occupant must also hold a valid residential parking district permit.
- Existing enforcement provisions are retained, including towing under § 12.20.210 of the City Code, as well as a fine established by the City Council for violations of this section.