ARTICLE 31
TRANSIT AND TRAFFIC

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TABLE OF SUBTITLES

Subtitle 1. Definitions; General Provisions
Subtitle 2. General Administration
Subtitle 3. General Prohibitions
Subtitles 4 to 5. *{Reserved}*
Subtitle 6. Parking, Standing, and Stopping Regulations
Subtitle 7. Metered Parking
Subtitle 8. Exceptions to Parking Regulations
Subtitle 9. Parking for Disabled Persons and Helpers
Subtitle 10. Residential Permit Parking Program
Subtitle 11. Miscellaneous Reserved Parking
Subtitle 12. Off-Street Parking Commission
Subtitle 13. Baltimore City Parking Authority
Subtitle 14. Valet Parking
Subtitle 15. BMore Streets for People
Subtitle 16. Use-of-the-Road Regulations
Subtitle 17. No-Cruising District
Subtitle 18. Bicycles
Subtitle 19. Grade Crossings
Subtitle 20. Bike Lanes
Subtitle 21. Towing Vehicles from Private Parking Facility
Subtitle 22. Towing Services – Accident Towing
Subtitles 23 to 25. *{Reserved}*
Subtitle 26. Miscellaneous Prohibitions
Subtitle 27. Reasonable Care
Subtitle 28. Special Regulations
Subtitles 29 to 30. *{Reserved}*
Subtitle 31. Clear Streets and Impoundment
Subtitle 32. *{Reserved}*
Subtitle 33. Speed Monitoring Systems
Subtitle 34. Commercial Vehicle Monitoring System
Subtitle 35. *{Reserved}*
Subtitle 36. Parking, etc., Fines, Penalties, and Procedures
Subtitle 37. General Penalties for Violations

TABLE OF SECTIONS

SUBTITLE 1
DEFINITIONS; GENERAL PROVISIONS

§ 1-1. Definitions - A to L.
§ 1-2. Definitions - M to R.
§ 1-3. Definitions - S to Z.
§ 1-4. *{Reserved}*
§ 1-5. Purpose of article.

SUBTITLE 2
GENERAL ADMINISTRATION

§ 2-1. Director of Transportation.
§ 2-2. Rules and regulations.
§ 2-3. Records.
§ 2-4. Employees, consultants, etc.
§ 2-5. General powers and duties.
§ 2-6. Parking restrictions and 1-way streets.
§ 2-6.1 Temporary parking restrictions.
§ 2-7. Request to nol pros citation.
§ 2-8. Review of plans for buildings and facilities.
§ 2-9. Street signs.
§ 2-10. *{Reserved}*
§ 2-11. Inconsistent laws ,etc.
§ 2-12. Severability.

SUBTITLE 3
GENERAL PROHIBITIONS

§ 3-1. Defacing, etc., imitating, traffic devices.
§ 3-2. Noncompliance with traffic devices.
§ 3-3. Violating rules.
§ 3-4. *{Reserved}*
§ 3-5. Penalties.

SUBTITLES 4 TO 5
{RESERVED}

SUBTITLE 6
PARKING, STANDING, AND STOPPING REGULATIONS

Part 1. Method of Parking

§ 6-1. In general.
§ 6-2. Motorcycles and motor bikes.
§ 6-3. Obstructing free passage.
§§ 6-4 to 6-5. *{Reserved}*

Part 2. Places Prohibited

§ 6-6. Fire hydrants, lanes, houses.
§ 6-7. Limited-access highways.
§ 6-8. Entrances to parking lots or garages.
§ 6-9. Space reserved for disabled persons.
§ 6-10. Space reserved for small cars.
§ 6-11. Private property.
§ 6-12. Private driveways.
§ 6-13. Public buildings.
§ 6-14. Street cleaning routes.
§ 6-15. Snow emergency routes.
§ 6-16. Passenger and freight curb loading zones.
§ 6-17. Valet parking zones.
§ 6-17.1. Mobile vending zones

Part 3. Waste Disposal

§ 6-18. Stopping, etc., for unlawful dumping.
§ 6-19. Stopping, etc., without license displayed.
§ 6-20. *{Reserved}*

Part 4. Continual or Continuous Parking

§ 6-21. Continually depriving occupant of parking spot.
§ 6-22. Continuously parking in 1 spot.
§§ 6-23 to 6-25. *{Reserved}*

Part 5. Commercial Vehicles, Trailers, Mobile Homes, etc.

§ 6-26. Commercial vehicles.
§ 6-27. Commercial trailers.
§ 6-28. Vendor trucks.
§ 6-20. Camping trailers, mobile home, motor homes, and travel trailers.
§ 6-30. *{Reserved}*

Part 6. Central Business District

§ 6-31. District established; boundaries.
§ 6-32. Advertising vehicles.
§ 6-33. Vehicles in narrow streets, etc.
§§ 6-34 to 6-35. *{Reserved}*

Part 7. Designated Municipal Property

§ 6-36. Stopping prohibited.
§ 6-37. Areas where applicable.
§ 6-38. Warning notices.
§ 6-39. Penalties.

SUBTITLE 7
METERED PARKING

Part 1. Administration

§ 7-1. Authorizations.
§ 7-2. Contracts.
§ 7-3. Types of metered parking.
§ 7-4. Methods of installation.
§ 7-5. Metered parking operations.
§ 7-6. Display of hours, payment methods, and rates.
§ 7-7. *{Repealed}*

§ 7-8. Setting rates and payment methods.
§ 7-9. Rearrangements.
§ 7-10. Maintenance.
§ 7-11. Notice to Councilmember.
§§ 7-12 to 7-15. *{Reserved}*

Part 2. Compliance

§ 7-16. Lawful parking.
§ 7-17. Maximum time for parking.
§ 7-18. Method of parking.
§ 7-19. Temporary stops by commercial vehicles.
§ 7-20. Slugs or meter tampering prohibited.
§ 7-21. Unlawful parking.
§ 7-22. Exceptions for holidays.
§§ 7-23 to 7-25. *{Reserved}*

Part 3. Enforcement

§ 7-26. In general.

SUBTITLE 8
EXCEPTIONS TO PARKING REGULATIONS

§ 8-1. Sundays and holidays.
§ 8-2. *{Reserved}*
§ 8-3. Funeral directors.
§ 8-4. Plate glass deliveries.
§ 8-5. Banks.

SUBTITLE 9
PARKING FOR DISABLED PERSONS AND HELPERS

Part 1. Reserved Parking for Disabled Persons

§ 9-1. Criteria for obtaining.
§ 9-2. Procedure.
§ 9-3. Use, renewal, termination.
§ 9-4. Forms, rules, and regulations; fees.
§§ 9-5 to 9-10. *{Reserved}*

Part 2. Reserved Parking for Helpers

§ 9-11. "Disabled person" defined.
§ 9-12. Criteria and procedure for obtaining.
§ 9-13. Assignment of space; restrictions.
§ 9-14. Annual permit.
§ 9-15. Forms, rules, and regulations; fees.
§§ 9-16 to 9-20. *{Reserved}*

Part 3. Towing Contracts for Parking Facilities

§ 9-21. Contracts required.

SUBTITLE 10
RESIDENTIAL PERMIT PARKING PROGRAM

Part I. Definitions; General Provisions

§ 10-1. Definitions.
§ 10-2. Findings and declarations.
§§ 10-3 to 10-5. *{Reserved}*

Part II. Administration

§ 10-6. Program established.
§ 10-7. Parking Authority to administer.
§ 10-8. Rules and regulations.
§ 10-9. Advisory Board.
§ 10-10. *{Reserved}*

Part III. Area Participation

§ 10-11. Participating areas.
§ 10-12. Qualification requirements.
§ 10-13. Petition.
§ 10-14. Parking study.
§ 10-15. Criteria for further consideration.
§ 10-16. Parking Management Plan - Development.
§ 10-17. Parking Management Plan - Review.
§ 10-18. Parking Management Plan - Adoption.
§ 10-19. Parking Management Plan - Amendment.
§ 10-20. Plan amendment costs.
§ 10-21. *{Reserved}*

Part IV. Permit Process

§ 10-22. Eligibility for permit.
§ 10-23. Applications.
§ 10-24. Fees.
§ 10-25. Permit not assignable.
§§ 10-26 to 10-27. *{Reserved}*

Part V. Non-Permit Parking Restrictions

§ 10-28. Maximum parking durations.
§ 10-29. Hours when restrictions apply.
§§ 10-30 to 10-32. *{Reserved}*

Part VI. Statutory Areas

§ 10-33. Pimlico Race Track Area.
§ 10-34. Little Italy Area.
§ 10-35. Fells Point Area.
§ 10-36. Cross Street Area.
§ 10-37. Camden Yards Stadium Complex Area.
§ 10-38. Guilford Area.
§ 10-39. *{Reserved}*

Part VII. Prohibited Conduct

§ 10-40. Falsifying or concealing information.
§ 10-41. Fraudulently obtaining, etc., permit.
§ 10-42. Counterfeiting or altering permit.
§ 10-43. Using invalid permit.
§ 10-44. Misusing visitor or special permit.
§ 10-45. Landlord abuse.
§ 10-46. Aiding another in violation.
§ 10-47. *{Reserved}*

Part VIII. Enforcement; Penalties

§ 10-48. Suspension or revocation of permit.
§ 10-49. Immobilizing vehicle.
§ 10-50. *{Reserved}*
§ 10-51. Prohibited conduct - Enforcement by citation.
§ 10-52. Prohibited conduct - Criminal penalties.

SUBTITLE 11
MISCELLANEOUS RESERVED PARKING

§ 11-1. Pratt bookmobiles.
§ 11-2. *{Repealed}*

SUBTITLE 12
OFF-STREET PARKING COMMISSION

§ 12-1. Commission; members.
§ 12-2. Terms; chair; compensation.
§ 12-3. Director; staff.
§ 12-4. Meetings, records, and regulations.
§ 12-5. Powers generally.
§ 12-6. Property acquisition.
§ 12-7. Additional powers.

SUBTITLE 13
BALTIMORE CITY PARKING AUTHORITY

§ 13-1. Definitions.
§ 13-2. Construction.
§ 13-3. Authority established; purposes.
§ 13-4. General powers.
§ 13-5. Management if City operations.
§ 13-6. Limitations.
§ 13-7. Board of Directors - In general.
§ 13-8. Board of Directors - Officers; staff; delegation.
§ 13-9. Board of Directors - Quorum; open meetings; public records.
§ 13-10. Executive Director.
§ 13-11. Financial plan; annual report.
§ 13-12. Deposit of funds; audits and examinations; financial statement.
§ 13-13. Tax exemption.
§ 13-14. Borrowing.
§ 13-15. Compliance with other City laws and regulations.

SUBTITLE 14
VALET PARKING

Part I. Definitions; General Provisions

§ 14-1. Definitions.
§ 14-2. Mandatory, prohibitory, and permissive terms.
§ 14-3. Rules and regulations.
§ 14-4. *{Reserved}*
§ 14-5. Exemptions for certain temporary operations.
§ 14-6. *{Reserved}*

Part II. Valet Operator's License

§ 14-7. License required.
§ 14-8. Qualifications.
§ 14-9. Applications.
§ 14-10. Issuance..
§ 14-11. Term and renewal.
§ 14-12. License fees.
§ 14-13. License not transferable.
§ 14-14. List of licensees.
§ 14-15. *{Reserved}*

Part III. Valet Parking Zone Permit

§ 14-16. Permit required.
§ 14-17. Qualifications.
§ 14-18. Applications.
§ 14-19. Valet Parking Plan.
§ 14-20. Public notice; objections; hearing.
§ 14-21. Review and considerations.
§ 14-22. Special conditions.
§ 14-23. Establishment of zone; issuance of permit.
§ 14-24. Posting of zone.
§ 14-25. Term and renewal.
§ 14-26. Permit fees.
§ 14-27. Permit not transferable or shareable.
§§ 14-28 to 14-30. *{Reserved}*

Part IV. Standards of Operation

§ 14-31. Licensed operator required.
§ 14-32. Locations and hours.
§ 14-33. Valet parking zones.
§ 14-34. Attendants.
§ 14-35. Transporting and parking vehicles.
§ 14-36. Signage.
§ 14-37. Permit inspection.
§§ 14-38 to 14-40. *{Reserved}*

Part V. Administrative Enforcement

§ 14-41. Denials, suspensions, or revocations - Operator's license.
§ 14-42. Denials, suspensions, or revocations - Host's parking zone permit.
§ 14-43. Cause for suspension or revocation - Enforcement by citation.

§§ 14-44 to 14-45. *{Reserved}*
§ 14-46. Administrative appeals.
§ 14-47. Judicial and appellate review.

Part VI. Penalties

§ 14-48. In general.
§ 14-49. Each day a separate offense.

SUBTITLE 15
BMORE STREETS FOR PEOPLE

Part I. Definitions

§ 15-1. Definitions.
§ 15-2. *{Reserved}*

Part II. Program Established; Purpose

§ 15-3. Program established.
§ 15-4. Purpose.
§ 15-5. *{Reserved}*

Part III. Administration

§ 15-6. DoT to administer.
§ 15-7. Rules and regulations.
§ 15-8. Designating routes, schedules.
§ 15-9. Exclusion of motor vehicles
§ 15-10. Regular processes to apply.

Part IV. Advisory Board

§ 15-11. Board established.
§ 15-12. Composition.
§ 15-13. Terms; Compensation; Vacancies.
§ 15-14. Officers; Committees.
§ 15-15. Meetings; Quorum.
§ 15-16. *{Reserved}*
§ 15-17. Budget.
§ 15-18. Powers and duties.
§§ 15-19 to 15-21. *{Reserved}*

Part V. Annual Reports

§ 15-22. Annual reports.

SUBTITLE 16
USE-OF-THE-ROAD REGULATIONS

Part 1. Obstructing Traffic

§ 16-1. Slowly moving vehicles.
§ 16-2. Snow tires on public passenger vehicles.
§ 16-3. Obstructions by certain public passenger vehicles for want of chains or snow tires.
§ 16-4. Obstructing railroad tracks.
§ 16-5. Repairing vehicles on streets.
§§ 16-6 to 16-10. *{Reserved}*

Part 2. Intersections, Crosswalks, Sidewalks

§ 16-11. Vehicles entering intersection or crosswalk.
§ 16-12. Vehicles on sidewalk.
§ 16-13. Vehicles on sidewalk, crosswalk, or intersection.
§ 16-14. Vehicles or horses on sidewalk.
§§ 16-15 to 16-20. *{Reserved}*

Part 3. Schools and School Vehicles

§ 16-21. School crossing guards.
§ 16-22. School roadways.
§ 16-23. *{Repealed}*
§ 16-24. Violations of Camera Monitoring Systems
§ 16-25. *{Reserved}*

Part 4. Motorcycles

§ 16-26. Helmets required.
§ 16-27. Safety goggles required.
§ 16-28. Must be able to achieve top legal speed.
§ 16-29. Penalties.
§ 16-30. *{Reserved}*

Part 5. Funeral Processions

§ 16-31. Crossing procession prohibited.
§§ 16-32 to 16-35. *{Reserved}*

Part 6. Pedestrians

§ 16-36. Pedestrian right-of-way.
§ 16-37. Emergency vehicles right-of-way.
§ 16-38. Crosswalks.
§ 16-39. "Walk/Don't Walk" signals.
§ 16-40. Controlled access highways.
§ 16-41. Solicitation on highways.
§ 16-42. Control of traffic by officers.
§ 16-43. Exercise of due care.
§ 16-44. Pedestrian traffic safety.
§ 16-45. *{Reserved}*

Part 7. Buses; Transit Loading Zones

§ 16-46. Maximum outside width.
§ 16-47. Maintenance of stops.
§§ 16-48 to 16-50. *{Reserved}*

Part 8. Trucks

§ 16-51. Prohibited on certain streets.
§§ 16-52 to 16-55. *{Reserved}*

Part 9. Taxicabs

§ 16-56. Passengers discharged at curb.
§ 16-57. Cab stands - Standing by others prohibited.
§ 16-58. Cab stands - Nondiscriminatory use by taxicabs.
§§ 16-59 to 16-60. *{Reserved}*

Part 10. Horses, Carriages, etc.

§ 16-61. General prohibitions.
§ 16-62. Speed.
§ 16-63. Horse racing.

SUBTITLE 17
NO-CRUISING DISTRICT

§ 17-1. Definitions.
§ 17-2. Findings; purpose.
§ 17-3. Exceptions.
§ 17-4. Boundaries of District
§ 17-5. Prohibited conduct.
§ 17-6. Posting.
§ 17-7. Penalties.

SUBTITLE 18
BICYCLES

§ 18-1. "Bicycle" defined.
§ 18-2. Removing, etc., identification number.
§ 18-3. Rules and regulations.
§ 18-4. Impounding bicycles.
§ 18-5. Night riding.
§ 18-6. Coasting; trick riding.
§ 18-7. 2 riders prohibited.
§ 18-8. Riding on sidewalk.
§ 18-9. *{Reserved}*
§ 18-10. Penalties.

SUBTITLE 19
GRADE CROSSINGS

§ 19-1. Administration of subtitle.
§ 19-2. Safety devices required.
§ 19-3. Implementation.
§ 19-4. Administrative review.
§ 19-5. Judicial review.
§ 19-6. Review of prior order.
§ 19-7. Enforcement.
§ 19-8. Penalties.

SUBTITLE 20
BIKE LANES

§ 20-1. Definitions.
§ 20-2. Rules and regulations.
§ 20-3. Designation of bike lanes.
§ 20-4. Markings.
§ 20-5. Parking restrictions.
§§20-6 to 20-7. *{Reserved}*
§ 20-8. "Bike-safe" grates required.

SUBTITLE 21
TOWING VEHICLES FROM
PRIVATE PARKING FACILITY

§ 21-1. Required signs.
§ 21-2. *{Reserved}*
§ 21-3. Reclaiming vehicle.
§ 21-4. Scope of subtitle.
§ 21-5. *{Reserved}*
§ 21-6. Penalties.

SUBTITLE 22
TOWING SERVICES – ACCIDENT TOWING

Part 1. Definitions; General Provisions

§ 22-1. Definitions.
§ 22-2. Declaration of policy.
§ 22-3. Rules and regulations.
§ 22-4. Severability.
§ 22-5. *{Reserved}*

Part 2. Licensing, Bonding, etc.

§ 22-6. License required.
§ 22-7. Qualifications of applicants.
§ 22-8. Surety bond.
§ 22-9. Schedule of charges.
§ 22-10. *{Reserved}*

Part 3. Towing Operations

§ 22-11. Owner's, operator's right to choose.
§ 22-12. Police assignments.
§ 22-13. *{Reserved}*
§ 22-14. Tow vehicle identification.
§ 22-15. Estimates and repairs.
§ 22-16. Delivery of vehicle.
§§ 22-17 to 22-20. *{Reserved}*

Part 4. Prohibited Conduct

§ 22-21. Solicitations prohibited.
§ 22-22. Bail services prohibited.
§ 22-23. Gratuities, etc., to City employees prohibited.
§ 22-24. Police radios prohibited.
§§ 22-25 to 22-30. *{Reserved}*

Part 5. Enforcement; Penalties

§ 22-31. Denial, suspension, etc., of licenses.
§ 22-32. Enforcement by citation.
§ 22-33. Penalties.

SUBTITLES 23 TO 25
{RESERVED}

SUBTITLE 26
MISCELLANEOUS PROHIBITIONS

§ 26-1. Unauthorized riding.
§ 26-2. Unauthorized driving.
§ 26-3. Failure to affix registration plates.
§ 26-4. Minors as parking attendants.

SUBTITLE 27
REASONABLE CARE

§ 27-1. Always required.

SUBTITLE 28
SPECIAL REGULATIONS

§ 28-1. Police Commissioner may adopt.

SUBTITLES 29 TO 30
{RESERVED}

SUBTITLE 31
CLEAR STREETS AND IMPOUNDMENT

Part 1. Definitions; General Provisions

§ 31-1. Definitions.
§ 31-2. Liability of lessors, other registered owners.
§§ 31-3 to 31-5. *{Reserved}*

Part 2. General Conditions Warranting Impoundment

§ 31-6. Vehicles obstructing traffic.
§ 31-7. Vehicles illegally parked, etc.
§ 31-8. Abandoned vehicles.
§ 31-9. Vehicles in accidents.
§ 31-10. Recovery of stolen, etc., vehicles.
§ 31-11. Maximum charges.
§§ 31-12 to 31-20. *{Reserved}*

Part 3. Impoundment or Immobilization for Outstanding Citations

§ 31-21. Impounding or immobilization authorized.
§ 31-22. Impoundment - Right to hearing.
§ 31-23. Same - Notices; Time for requesting hearing.
§ 31-24. Same - Hearing.
§ 31-25. Immobilization - Notice on vehicle.
§ 31-26. Same - Release on payment of booting fee, etc.
§ 31-27. Same - Right to hearing.
§ 31-28. Same - Notices.
§ 31-29. Same - Hearing.
§ 31-30. Same - Subsequent acquittal on citations.
§ 31-31. Same - Tampering prohibited.
§§ 31-32 to 31-40. *{Reserved}*

Part 4. Impoundment Procedures

§ 31-41. Auto pond.
§ 31-42. Employment of tow trucks.
§ 31-43. Notice and hearing - In general.
§ 31-44. Notice and hearing - Exception.
§ 31-45. Inability to find owner or secured party.
§ 31-46. Reclaim by owner.
§ 31-47. Storage charges.
§ 31-48. Subsequent acquittal on traffic charge.
§ 31-49. Claim for missing property.
§ 31-50. Unclaimed vehicle.
§§ 31-51 to 31-55. *{Reserved}*

Part 5. Sale of Unclaimed Vehicles

§ 31-56. In general.
§ 31-57. Auction sales - In general.
§ 31-58. Auction sales - Dirt bikes, unregistered motorcycles, etc.
§ 31-59. Disposition of funds.
§ 31-60. Purchaser to obtain new title.
§§ 31-61 to 31-65. *{Reserved}*

Part 6. When Charges Not Imposed

§ 31-66. Vehicles reported stolen.
§ 31-67. Impound for police investigation.
§ 31-68. No violations of subtitle.
§§ 31-69 to 31-70. *{Reserved}*

Part 7. Impounding Areas

§ 31-71. “A” streets and areas.
§ 31-72. “B” streets and areas.
§ 31-73. “C” streets and areas.
§ 31-74. “D” streets and areas.
§ 31-75. “E” streets and areas.
§ 31-76. “F” streets and areas.
§ 31-77. “G” streets and areas.
§ 31-78. “H” streets and areas.
§ 31-79. “I” streets and areas.
§ 31-80. *{Reserved}*
§ 31-81. “K” streets and areas.
§ 31-82. “L” streets and areas.
§ 31-83. “M” streets and areas.
§ 31-84. “N” streets and areas.
§ 31-85. “O” streets and areas.
§ 31-86. “P” streets and areas.
§ 31-87. *{Reserved}*
§ 31-88. “R” streets and areas.
§ 31-89. “S” streets and areas.
§ 31-90. “T” streets and areas.
§§ 31-91 to 31-92. *{Reserved}*
§ 31-93. “W” streets and areas.
§§ 31-94 to 31-100. *{Reserved}*
§ 31-101. Mid-block pedestrian crossings.
§ 31-102. Fire houses; emergency vehicle parking.
§ 31-103. Carpool parking.
§ 31-104. Fire lanes.

§ 31-105. Spaces reserved for disabled or helpers.
§ 31-106. Driveways, service drives, private ways.
§ 31-107. Car-sharing spaces.
§ 31-108. Passenger, freight, or valet parking zones.
§§ 31-109 to 31-110. *{Reserved}*

Part 8. Severability

§ 31-111. Severability.

SUBTITLE 32
{RESERVED}

SUBTITLE 33
SPEED MONITORING OR CONTROL SYSTEMS

§ 33-1. Definitions.
§ 33-2. Systems authorized.
§ 33-3. Governing standards, etc.
§ 33-4. Enforcement.
§ 33-5. Rules and regulations.

SUBTITLE 34
COMMERCIAL VEHICLE MONITORING SYSTEM

§ 34-1. Definitions.
§ 34-2. Systems authorized.
§ 34-3. Governing standards, etc.
§ 34-4. Enforcement.
§ 34-5. Fine proceeds.
§ 34-6. Rules and regulations.

SUBTITLE 35
{RESERVED}

SUBTITLE 36
PARKING, ETC., FINES, PENALTIES, AND PROCEDURES

§ 36-1. In general.
§ 36-2. $500 fines.
§ 36-3. $300 fines.
§ 36-4. $250 fines.
§ 36-5. $100 fines.
§ 36-6. $75 fines.
§ 36-7. $50 fines.
§ 36-8. $30 fines.
§ 36-9. RPP Violations - Progressive fines.
§ 36-10 to 36-20. *{Reserved}*
§ 36-21. Collection of fines.
§ 36-22. Imposition of penalties.
§ 36-23. Amnesties
§ 36-24. Powers of Director of Finance.

SUBTITLE 37
GENERAL PENALTIES FOR VIOLATIONS

§ 37-1. Penalties.

SUBTITLE 1
DEFINITIONS; GENERAL PROVISIONS

§ 1-1. Definitions — A to L.

(a) *In general*.

In this article, the following terms have the meanings indicated.

(b) *Alley*.

"Alley" means any roadway open to the general public primarily designed and used for the servicing of contiguous buildings through their rear or side entrances.

(c) *Authorized emergency vehicle*.

"Authorized emergency vehicle" means any vehicle of the fire department, police department, and such ambulances and emergency vehicles of municipal departments or public service corporations as are lawfully designated or authorized by the Police Commissioner of Baltimore City.

(d) *Bicycle*.

"Bicycle" means every device propelled by human power upon which any person may ride, having 2 tandem wheels either of which is more than 20 inches in diameter.

(e) *Bus*.

"Bus" means every motor vehicle which is at the same time a mass transportation vehicle.

(f) *Commercial vehicle*.

"Commercial vehicle" means:

(1) every vehicle designed, maintained, and used primarily for the transportation or hauling of property, including but not limited to equipment, merchandise, parcels, earth, trash, refuse, scrap, or motor vehicles;

(2) every vehicle, except a passenger car (as defined in Maryland Vehicle Law § 11-144.1), that has commercial advertising on the exterior of the vehicle or on equipment attached to the vehicle;

(3) every vehicle that has a maximum gross vehicle weight of 7,000 pounds or more or a manufacturer's rated capacity of ¾-ton or more; and

(4) every vehicle that is designed to carry more than 15 passengers and is used to carry people.

(g) *Crosswalk*

"Crosswalk" means:

(1) that part of a roadway at an intersection included between the prolongations of the lateral curb line and the building line; or

(2) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings.

(h) *Curb*.

"Curb" means the lateral boundary of a roadway, whether marked by curb stone or not.

(h-1) *Department.*

"Department" means the Baltimore City Department of Transportation.

(h-2) *Director.*

"Director" means the Director of the Baltimore City Department of Transportation or the Director's designee.

(i) *Driver*.

"Driver" means every person in actual physical control of a vehicle.

(j) *Driveway*.

"Driveway" means a communicating way between a roadway and an off-street facility designed in such manner as to permit a vehicle to leave said roadway at grade and enter entirely into said off-street facility.

(k) *Expressway*.

"Expressway" means:

(1) any limited-access through highway or freeway designated as an expressway by the Director of Transportation; or

(2) any highway designated as an expressway by ordinance of the Mayor and City Council in accordance with and for the purposes of that portion of the City Code that deals with the prohibition of advertising matter on or adjacent to an expressway.

(l) *Footway*.

"Footway" means that section beyond the vehicular path along a paved or unpaved roadway reserved for and normally used by pedestrians.

(m) *{Vacant}*

(n) *Highway*.

"Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(o) *Intersection*.

"Intersection" means:

(1) the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of 2 highways which join one another at, or approximately at, right angles; or

(2) the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(p) *Lane*.

"Lane" means any section of a roadway which is clearly delineated from the other sections of said roadway by lines, markings, or physical barriers.

(q) *Loading*.

"Loading" means the expeditious taking on or discharging of merchandise.
(City Code, 1966, art. 31, §38(1) - (17); 1976/83, art. 31, §28(1) - (17).)
(Ord. 66-815; Ord. 88-136; Ord. 13-092; Ord. 13-098; Ord. 15-349; Ord. 15-435.)

§ 1-2. Definitions — M to R.

(a) *Mass transportation vehicle*.

"Mass transportation vehicle" is any vehicle used primarily for the transportation of the general public, with a seating capacity of 10 or more persons.

(b) *Motorcycle*.

"Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground, but excluding a tractor.

(c) *Motor vehicle*.

"Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated on rails.

(d) *Park, parking*.

The terms "park" and "parking", when prohibited or regulated as to vehicles:

(1) mean the standing of a vehicle, whether or not occupied; but

(2) do not include the standing of a commercial vehicle while actually engaged in lawful, expeditious loading or unloading.

(e) *{Vacant}*

(f) *Pedestrian*.

"Pedestrian" means any person afoot.

(g) *Person*.

"Person" means:

(1) an individual;

(2) a partnership, firm, association, corporation, or other entity of any kind; or

(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.

(h) *Police officer*.

"Police officer" means:

(1) every officer of the municipal police department; or

(2) any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(i) *Private way*.

"Private way" means every way or place:

(1) in private ownership; and

(2) used for vehicular travel by the owner and those having the owner's express or implied permission from the owner, but not by other persons.

(j) *Public transportation vehicle*.

"Public transportation vehicle" means any vehicle used primarily for the transportation of the general public.

(k) *Railroad*.

"Railroad" means a carrier of persons or property, other than streetcars, operated upon stationary rails.

(l) *Railroad train*.

"Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

(m) *Residential district*.

"Residential district" means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

(n) *Right-of-way*.

"Right-of-way" means the privilege of the immediate use of the roadway.

(o) *Roadway*.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular traffic.

(City Code, 1966, art. 31, §38(18) - (32); 1976/83, art. 31, §28(18) - (32).)
(Ord. 66-815; Ord. 92-122; Ord. 13-092; Ord. 13-098; Ord. 15-435.)

§ 1-3. Definitions — S to Z.

(a) *Safety zone*.

"Safety zone" means the area or space:

(1) officially set apart within a roadway for the exclusive use of pedestrians; and

(2) which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(b) *School bus*.

"School bus" means any vehicle in use as a conveyance for students to or from a public, private, or parochial school, marked and equipped as specified in the Maryland Vehicle Law.

(c) *Sidewalk*.

"Sidewalk" means any paved footway.

(d) *Stand; standing*.

"Stand" or "standing" means to occupy or remain in 1 place.

(e) *Stop; stopping or stand; standing*.

(1) The terms "stop" and "stopping" or "stand" and "standing", when prohibited as to vehicles, refer to any stopping of a vehicle, whether or not occupied, except when necessary to avoid

conflict with other traffic or in compliance with the directions of a police officer or traffic control device.

(2) Public transportation vehicles shall be permitted to load passengers, when said passengers are at the curb and ready for immediate loading.

(f) *Street*.

"Street" means a highway.

(g) *Taxicab*.

The term "taxicab" as used in this article shall embrace any motor vehicle for hire, designed to carry 9 persons or less, including driver, operated upon any public street or highway in this City or, on call or demand, accepting or soliciting passengers, indiscriminately for transportation for hire between such points along public streets or highways in this City, as may be directed by the passenger or passengers so being transported.

(h) *Traffic*.

"Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and any other conveyances either singly or together while using any highway for purposes of travel.

(i) *Traffic control device.*

"Traffic control device" means any official device that controls or directs the movement of traffic.

(j) *Traffic control signal.*

"Traffic control signal" means any traffic control device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(k) *Transit loading zone*.

"Transit loading zone" means a space at a curb or any other place properly designated by official signs or markings, reserved for the use of transit vehicles.

(l) *Transit mall*.

A "transit mall" is a street so designated by the Director upon which vehicular traffic, other than transit vehicles, is prohibited during certain hours by rule or regulation adopted and promulgated by the Director.

(m) *Transit stop*.

"Transit stop" means a transit loading zone.

(n) *Transit vehicle*.

"Transit vehicle" means any mass transportation vehicle.

(o) *Truck*.

"Truck" means any commercial vehicle.

(p) *"U" turn.*

(1) "'U' turn" where prohibited means the reversal of the direction of travel by a vehicle without leaving the roadway upon which it is proceeding.

(2) Any person making a "U" turn shall also be presumed to have made a left turn.

(q) *Vehicle*.

"Vehicle" means every device in, on, or by which any person or property is or may be transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or tracks.

(City Code, 1966, art. 31, §38(33) - (38); 1976/83, art. 31, §28(33) - (48).) (Ord. 66-815; Ord. 73-428; Ord. 84-107; Ord. 13-092; Ord. 15-435.)

§ 1-4. *{Reserved}*

§ 1-5. Purpose of article.

The purpose of this article is to:

(1) provide for the safe and expeditious movement of traffic in the City of Baltimore;

(2) protect the safety of the citizens using its streets; and

(3) create conditions favorable to the safe and expeditious movement of mass transit vehicles in the City of Baltimore.

(City Code, 1950, art. 38, §1(a)(intro cl.);1966, art. 31, §1(a)(intro cl.); 1976/83, art. 31, §1(a)(1).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 99-526.)

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SUBTITLE 2
GENERAL ADMINISTRATION

§ 2-1. Director of Transportation.

(a) *To administer article*

Except as otherwise specifically stated, the Director of Transportation shall administer the provisions of this article.

(b) *To perform other assigned duties.*

The Director shall also perform the other duties that are imposed by ordinance or assigned by the Mayor.

(City Code, 1950, art. 38, §1(a)(bal.), (c)(1st sen.); 1966, art. 31, §1(a)(bal.), (c)(1st sen.); 1976/83, art. 31, §1(a)(2), (c)(1st sen.).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 99-526; Ord. 15-435.)

§ 2-2. Rules and regulations.

(a) *In general.*

The Director of Transportation may:

(1) adopt rules and regulations to carry out this article; and

(2) adopt rules, regulations, orders, and directives relating to or in connection with the movement of vehicular and pedestrian traffic in the City of Baltimore.

(b) *Filing.*

Copies of all these rules, regulations, orders, and directives shall be filed and kept on record in the Department of Transportation.

(City Code, 1950, art. 38, §2(k); 1966, art. 31, §1(b)(1st, 4th sens.), §2(24); 1976/83, art. 31, §1(b)(1st, 4th sens.), §2(24).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 15-435.)

§ 2-3. Records.

(a) *Director to keep.*

The Director of Transportation shall keep records of:

(1) the Department's proceedings; and

(2) all resolutions, transactions, findings, determinations, decisions, and administrative regulations.

(b) *Open to public.*

All the records of the Department of Transportation:

(1) are public records; and

(2) shall be kept in the Director's office.

(City Code, 1950, art. 38, §1(b)(6th sen.);1966, art. 31, §1(b)(2nd, 3rd sens.); 1976/83, art. 31, §1(b)(2nd, 3rd sens.).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 15-435.)

§ 2-4. Employees, consultants, etc.

(a) *Employees, etc.*

(1) The Director of Transportation may appoint, employ, hire, or engage assistants, aides, and employees as necessary for the proper performance of the Director's duties and functions.

(2) The compensation of those assistants, aides, and employees shall be as provided in the Ordinance of Estimates.

(b) *Consultants, etc*.

Subject to the prior approval of the Board of Estimates, the Director also may employ or hire, from time to time, on a temporary basis, by contract, consulting, planning, or designing engineers or other persons possessing technical or specialized skills in connection with the duties, powers, and function of the Department.

(City Code, 1950, art. 38, §1(d); 1966, art. 31, §1(c)(2nd, 3rd sens.), (d); 1976/83, art. 31, §1(c)(2nd, 3rd sens.), (d).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 99-526; Ord. 15-435.)

§ 2-5. General powers and duties.

The Director of Transportation has full power and authority to do any and all of the following:

(1) collect and analyze:

(i) all physical and economic data needed to measure existing, and to estimate future, street and highway traffic characteristics and needs, including parking needs; and

(ii) all data of whatsoever nature deemed helpful in expediting the flow of mass transportation traffic in the City of Baltimore;

(2) make such studies and collect data concerning the use of mass transportation systems operated in other municipalities located in the United States or any foreign nation, as he deems necessary or helpful;

(3) maintain records and information with respect to the operation of public mass transportation systems in the City of Baltimore;

(4) make studies relating to future needs and facilities for mass transportation systems in the City of Baltimore and its metropolitan area;

(5) cooperate fully with officials of surrounding political subdivisions to effectuate over-all transit and traffic coordination;

(6) make studies relating to the staggering of work hours of all businesses conducted in the City of Baltimore and the surrounding metropolitan area, to meet with and confer with the officials of the metropolitan area, officials of any company or business located in the metropolitan area, and to make recommendations as to work hours of the said establishments;

(7) study the routing or rerouting of existing or future mass transportation lines in the City of Baltimore and to recommend to the mass transportation companies and the Maryland Mass Transit Authority the adoption of said routes or reroutings;

(8) prepare plans and/or make recommendations to the proper officials for the removal of obstructions to the flow of traffic including transit traffic;

(9) reroute transit traffic in the City of Baltimore in the event of such contingencies as fire, flood, and other emergencies, in cooperation with the Police Department, Fire Department, and other municipal offices and agencies of Baltimore City;

(10)(i) designate portions of certain streets as transit lanes and to specify the type of vehicles and the particular use to which the lanes may be put; and

(ii) further, prohibit parking or stopping in the manner and subject to the conditions and limitations set forth in § 2-6 of this subtitle on portions of streets designated as transit lanes, and whenever the Director has prohibited stopping or parking in these lanes in accordance with § 2-6 of this subtitle and a vehicle is stopped or parked contrary to an administrative regulation, and signs are posted warning that stopping or parking in violation of the regulation will result in the impounding of the motor vehicle, the Police Department shall impound the vehicle in the manner and under the conditions set forth in Subtitle 31 of this article;

(11)(i) approve or disapprove the location of all transit loading zones, to locate and determine the size of all transit loading zones in the City of Baltimore used by mass transportation companies operating in the City of Baltimore, and, further, to rescind or modify any prior approval heretofore given for such transit loading zones; and

(ii) whenever any location has been designated as a transit loading zone, no vehicle other than a mass transit vehicle shall stop in said transit loading zone;

(12) require that all mass transportation vehicles before loading or unloading passengers must be, wherever possible, within 12 inches from the curb;

(13) direct that no transit vehicle shall stop at any point other than an established transit loading zone for the purpose of loading or unloading passengers, except as may be required by an emergency or at the direction of a police officer;

(14)(i) have and exercise all control over traffic that the Police Commissioner had prior to the time of the establishment of the former Traffic Commission of Baltimore City, including the power to establish special “no parking” spaces;

(ii) further, provided that whenever special conditions make it necessary or expedient to prepare plans for the integrated operation of traffic, the Director may make such special regulations with regard to traffic; and

(iii) nothing in this section may be construed to delimit the power of the Police Commissioner, as set forth in § 28-1 of this article, to act in emergencies or special situations;

(15) conduct engineering analyses of traffic accident causes and take such action, or submit recommendations to the proper persons for elimination of accident causes, make engineering, investigations and plans to improve traffic conditions;

(16) prepare and submit to the Mayor and City Council an annual report of the progress and operations of the Department of Transportation;

(17) make recommendations to the Mayor and City Council of Baltimore for improvements of traffic conditions that cannot be accomplished by the directives, orders, rules, or regulations adopted under § 2-2 of this article;

(18) hold public hearings as, in the Director's discretion, may be necessary in connection with the exercise of his or her powers, these hearings to be held and conducted in the manner determined by the Director;

(19) establish and determine the design, timing, type, size, and location of any and all signs, signals, markings, pylons, channelization, and other devices for guiding, directing, or otherwise regulating, controlling, and contributing to or detracting from the safety of vehicular and pedestrian traffic;

(20) design, install, and maintain traffic signs, signals, markings, pylons, channels, and other devices for the control of vehicles and pedestrians;

(21) make recommendations relating to the design of new public ways or traffic structures as they relate to traffic operations;

(22) designate any intersection as a "STOP" intersection or thoroughfares as "through highways";

(23) designate intersections where left and/or right hand turns are prohibited for any or all types of vehicles;

(24) prohibit stopping or parking on sections of roads, streets, lanes, or alleys or adjacent to structures or intersections where, in the opinion of the Director, the presence of grades, hills, curves, bridge approaches, underpasses, or inadequate sight-distances create hazardous, hazard-producing, or unusual parking conditions; and

(25) adopt and promulgate rules and regulations which prohibit certain types of vehicular traffic during certain hours in order to improve the movement of pedestrians and transit vehicles on certain streets designated by the Director as transit malls.

(City Code, 1950, art. 38, §2(a) - (j); 1966, art. 31, §2(1) - (23);1976/83, art. 31, §2(1) - (23), (25).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 65-455; Ord. 65-465; Ord. 68-161; Ord. 84-107; Ord. 15-435.)

§ 2-6. Parking restrictions and 1-way streets.

(a) *Basic limitations.*

(1) Except as provided in this section, the Director of Transportation does not have the power:

(i) to adopt rules, regulations, orders, or directives in the nature of general parking and stopping restrictions; or

(ii) to establish 1-way streets.

(2) Except as provided for in this section, the power to make general parking and stopping restrictions or to establish 1-way streets is specifically reserved to the Mayor and City Council, to be exercised by ordinance.

(b) *Temporary regulation.*

(1) By administrative regulation, the Director may establish temporary parking and stopping restrictions, including reserved parking for disabled persons, or temporary 1-way streets.

(2) Unless extended as provided in this section, the administrative regulation is effective for a period of not more than 6 months.

(c) *Procedure to extend regulation.*

(1) The Director may seek to extend the administrative regulation indefinitely or for a term of years by giving written notice of the proposed extension, not less than 30 days before the end of the 6-month period, to the President of the City Council and to each member of the City Council who represents all or part of the affected area.

(2) If, within the 30-day period, no written objection to the extension is made and submitted to the Director by the Council President or by a member of the City Council who represents all or part of the affected area, the regulation is extended at the end of the 6-month period.

(3) If a timely written objection is received by the Director, the Council President shall introduce a proposed ordinance setting forth the provisions of the administrative regulation and, depending on the passage or failure of the ordinance, the administrative regulation will become effective in accordance with the terms of the ordinance or be of no further force or effect.

(d) *Termination by ordinance.*

At any time after an administrative regulation is adopted or extended under this section, the Mayor and City Council may enact an ordinance rescinding or modifying the administrative regulation.

(e) *Section not binding on future legislatures.*

Nothing in this section may be construed or applied to limit the right of the Mayor and City Council by ordinance to legislate on the subject matter contained in this article.

(City Code, 1950, art. 38, §2(last par.); 1966, art. 31, §3; 1976/83, art. 31, §3(a), (b).) (Ord. 51-1678; Ord. 70-752; Ord. 15-435.)

§ 2-6.1. Temporary parking restrictions.

(a) *Scope of section.*

(1) Except as specified in paragraph (2) of this subsection, this section applies whenever parking on a street is to be temporarily discontinued or otherwise restricted by the City or other person to accommodate construction, repair, or other work to be done on or adjacent to the street, or a special event.

(2) This section does not apply in the case of an emergency, where the work on or adjacent to the street must be done immediately to protect life, health, safety, or property.

(b) *Prior notice – Posting.*

(1) The City agency or other person responsible for work to be done shall post the affected area with advance notice of the parking restrictions at least 3 calendar days before the restrictions become effective.

(2) The posted notice shall include:

(i) the dates and times when the restrictions will be effective;

(ii) the name of the City agency or other person responsible for the work to be done or special event;

(iii) a brief description of the work to be done or special event; and

(iv) a phone number and email address at which further information can be obtained.

(c) *Prior notice – Delivery.*

(1) If a violation of the temporary parking restrictions will authorize impoundment, the City agency or other person responsible for *{the}* work to be done shall also give written notice to the occupants of the properties abutting the affected area at least 3 calendar days before the restrictions become effective.

(2) This written notice shall include:

(i) the information required by subsection (b) of this section for the posted notice; and

(ii) a prominent warning that the parking restrictions may be enforced by impoundment.

(Ord. 11-490.)

§ 2-7. Request to nol pros citation.

(a) *In general.*

The Director of Transportation may request the State's Attorney to enter a nolle prosequi on any citation for a stopping, standing, or parking violation that was issued:

(1) due to a defect in the traffic control device regulating stopping, standing, or parking; or

(2) where there has been insufficient or improper notice of violation insofar as stopping, standing, or parking is concerned.

(b) *Limitations.*

The Director may not request a nolle prosequi for any citation where the reasons for the request are dependent on the testimony of parties directly concerned.

(c) *Reasons to be documented.*

In all cases where the Director requests a nolle prosequi, the reasons for the request shall be fully documented.

(City Code, 1976/83, art. 31, §3(c).) (Ord. 74-768; Ord. 15-435.)

§ 2-8. Review of plans for buildings and facilities.

(a) *Public structures.*

All designs, drawings, and plans prepared by any department or agency of the City for the construction or location of any public building, park, recreational area, or structure that may affect the movement of traffic in the City shall be submitted to the Director of Transportation for review and recommendation before any actual construction operations are commenced.

(b) *Private commercial or industrial.*

In all cases where designs, drawings, or plans are submitted to any department or agency of the City in connection with an application for a permit or authorization to construct or locate any proposed privately owned commercial or industrial building or structure, including but not limited to any off-street parking facility or garage to be used by the public, that may affect the movement of traffic in the City, the department or agency receiving designs, drawings, or plans shall immediately notify the Director of Transportation so that the Director may have an opportunity to review the designs, drawings, or plans and make recommendations relative to them.

(City Code, 1950, art. 38, §4; 1966, art. 31, §4; 1976/83, art. 31, §4.) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 15-435.)

§ 2-9. Street signs.

The function of placing and maintaining suitable signs bearing names of streets throughout the City is removed from the Bureau of Mechanical-Electrical Service and placed under the Director of Transportation.

(City Code, 1966, art. 31, §8; 1976/83, art. 31, §8.) (Ord. 66-827; Ord. 75-920; Ord. 15-435.)

§ 2-10. *{Reserved}*

§ 2-11. Inconsistent laws, etc.

Any and all laws, ordinances, and regulations and any and all parts of any and all laws, ordinances, and regulations in force in the City that are inconsistent with the provisions of this subtitle or with any rule, regulation, order, or directive adopted by the Director of Transportation under this subtitle are repealed to the extent of the inconsistency, and any and all laws, ordinances, and regulations and any and all parts of any and all laws, ordinances, and regulations in force in the City not inconsistent, amended, or superseded by the provisions of this subtitle or any rule, regulation, order, or directive adopted by the Director of Transportation remain in full force and effect.

(City Code, 1966, art. 31, §6; 1976/83, art. 31, §6.) (Ord. 57-1006; Ord. 15-435.)

§ 2-12. Severability.

In case it is judicially determined that any word, phrase, clause, item, sentence, paragraph, section, or part in or of this subtitle, or the application thereof to any person or circumstances, is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this subtitle without the word, phrase, clause, item, sentence, paragraph, section, or part, or the application thereof, so held invalid.

(City Code, 1966, art. 31, §7; 1976/83, art. 31, §7.) (Ord. 57-1006.)

SUBTITLE 3
GENERAL PROHIBITIONS

§ 3-1. Defacing, etc., imitating, traffic devices.

It is unlawful for any person, without lawful authority, to wilfully deface, injure, imitate, move, or interfere with any signs, standards, post, safety zone, semaphore, tower, automatic signal, or any other traffic device, or any part of them, or with any directing lines or marks painted in the roadway, or on any curb or pavement, erected by authority of the City, or any directions, lines, or marks painted by authority of the City on any pavement, curb, or roadway for the purpose of directing traffic or parking vehicles.

(City Code, 1950, art. 38, §7(a); 1966, art. 31, §5(a); 1976/83, art. 31, §5(a).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920; Ord. 15-435.)

§ 3-2. Noncompliance with traffic devices.

It is unlawful for any person to fail, neglect, or refuse to comply with any instruction or direction on any post, standard, sign, or with any directing lines or marks painted in the roadway, or on any curb or pavement, or other device erected by authority of the City for the regulation of traffic or parking on public highways.

(City Code, 1950, art. 38, §7(b); 1966, art. 31, §5(b); 1976/83, art. 31, §5(b).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920; Ord. 15-435.)

§ 3-3. Violating rules.

It is unlawful for any person to violate any rule, regulation, order, or direction adopted by the Director of Transportation under this subtitle.

(City Code, 1950, art. 38, §7(c); 1966, art. 31, §5(c); 1976/83, art. 31, §5(c).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920; Ord. 15-435.)

§ 3-4. *{Reserved}*

§ 3-5. Penalties.

Any person violating any of the provisions of this subtitle shall be guilty of a misdemeanor and, upon conviction thereof in any court of competent jurisdiction, shall be fined for each and every offense not more than $100.

(City Code, 1950, art. 38, §7(d); 1966, art. 31, §5(d); 1976/83, art. 31, §5(d).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920.)

SUBTITLES 4 TO 5
{RESERVED}

SUBTITLE 6
PARKING, STANDING, AND STOPPING REGULATIONS

PART 1. METHOD OF PARKING

§ 6-1. In general.

(a) *2-way streets.*

In all cases where any vehicle is stopped or parked upon a 2-way roadway, the right-hand wheels of said vehicle shall be parallel to and within 12 inches of the right-hand curb or edge of the roadway.

(b) *1-way streets.*

In all cases where any vehicle is stopped or parked upon a 1-way roadway:

(1) the right hand wheels of said vehicle shall be within 12 inches of the right-hand curb or edge of the roadway; or

(2) the left-hand wheels shall be within 12 inches of the left-hand curb or edge of the roadway.

(c) *Angle-parking.*

Where it has been determined that a roadway is of sufficient width to permit angle-parking without interfering with free movement of traffic, the Director of Transportation may permit angle-parking by the erection of signs so stating.

(d) *Distance from other vehicles.*

No vehicle shall be stopped or parked on any roadway in such manner that its front or rear is less than 4 feet distant from the front or rear of any other vehicle.

(City Code, 1927, art. 4, §81; 1950, art. 38, §64; 1966, art. 31, §76; 1976/83, art. 31, §55.)
(Ord. 26-823; Ord. 37-524; Ord. 74-765; Ord. 15-435.)

§ 6-2. Motorcycles and motor bikes.

Notwithstanding the provisions of § 6-1 of this subtitle, in all cases where motor-driven 2- or 3-wheel vehicles known generally as motorcycles or motor bikes shall stand upon the streets of the City:

(1) they shall be so placed that either their front or rear wheels or both front and rear wheels are next to the curb and not more than 12 inches therefrom; and

(2) said motor-driven 2- or 3-wheel vehicles known generally as motorcycles or motor bikes shall not protrude into the roadway for a distance of more than 5 feet.

(City Code, 1976/83, art. 31, §56.) (Ord. 68-182; Ord. 75-920.)

§ 6-3. Obstructing free passage.

No vehicle shall be so parked or otherwise stopped as to prevent the free passage of other vehicles or street cars in both directions at the same time.

(City Code, 1927, art. 4, §83; 1950, art. 38, §66; 1966, art. 31, §78; 1976/83, art. 31, §58.) (Ord. 26-823.)

§§ 6-4 to 6-5. *{Reserved}*

PART 2. PLACES PROHIBITED

§ 6-6. Fire hydrants, lanes, houses.

(a) *Fire hydrants.*

No vehicle shall stand within 15 feet of any fire plug or fire hydrant in any part of the City unless in actual charge of a person capable of running or operating the same.

(b) *Fire lanes.*

(1) *Prohibited stopping.*

No vehicle shall stop within any designated fire lane on private property open to the use of the general public.

(2) *Designation and posting.*

(i) The Fire Chief shall designate the lanes to be utilized as fire lanes.

(ii) The owner of the property shall post these lanes in a manner approved by the Director of Transportation.

(c) *Engine houses.*

No vehicle may stop in front of or opposite to any fire engine house in spaces designated by the Director of Transportation.

(City Code, 1927, art. 4, §§77, 78; 1950, art. 38, §§41, 42; 1966, art. 31, §§55, 56; 1976/83, art. 31, §§42, 43, 43A.) (Ord. 26-823; Ord. 75-920; Ord. 77-306; Ord. 15-435.)

§ 6-7. Limited-access highways.

No vehicle shall be permitted to stop at any limited-access highway within the confines of Baltimore City.

(City Code, 1976/83, art. 31, §53A.) (Ord. 78-884.)

§ 6-8. Entrances to parking lots or garages.

No vehicle shall be permitted to stand, at any time, on a street adjacent to the entrance to a public parking lot or garage, for a distance of 8 feet from each side of said entrance.
(City Code, 1950, art. 38, §77; 1966, art. 31, §91; 1976/83, art. 31, §67.) (Ord. 47-904.)

§ 6-9. Space reserved for disabled persons.

(a) *Sign required.*

Each space restricted to the use of disabled persons must be marked by a sign that complies with this section.

(b) *Parking and stopping restricted.*

A vehicle without special registration plates for disabled persons or not displaying a disabled person's parking permit issued by the Motor Vehicle Administration may not be stopped in a space or zone marked in accordance with this section as restricted to the use of disabled persons, on private or City-owned property open to the use of the general public.

(c) *Sign specifications.*

(1) The space or zone must be marked by a sign that meets the following specifications:

(i) Sign size 18"x 24".

(ii) Wheelchair symbol, white on blue background.

(iii) Sign to read:

Parking for (Wheelchair Symbol) vehicles displaying
handicapped tags or Motor Vehicle Administration permit.
Other cars towed away and owner subject to fine.

(iv) Red letters on white background and red border.

(2) Signs must be approved by the Director of Transportation.

(d) *Notice of posting.*

After erection of a handicapped parking sign, the owner of the property shall notify the Director of Transportation that a sign has been posted in accordance with this section.
(City Code, 1976/83, art. 31, §67A.) (Ord. 78-856; Ord. 79-1104; Ord. 97-163; Ord. 15-435.)

§ 6-10. Space reserved for small cars.

(a) *Maximum size.*

No vehicle larger than 5' 6" wide and 15' 6" long shall be permitted to be stopped or parked in any place marked as a parking space for small cars only.

(b) *Maximum extension.*

A vehicle occupying such a parking space shall not extend beyond the painted parking stall markings.

(City Code, 1976/83, art. 31, §67B.) (Ord. 84-150.)

§ 6-11. Private property.

(a) *Prohibited without permission.*

A person may not stop or stand a vehicle on any private property not owned by the owner or driver of the vehicle, unless the person has express or implied permission from the property owner, his tenant, or his agent to stop or stand the vehicle, as the case may be.

(b) *Enforcement*.

In Baltimore City, upon request of the owner, his agent, or his tenant, a police officer may issue a citation for a violation of the provisions of this section.

(City Code, 1976/83, art. 31, §146A.) (Ord. 83-1043.)

§ 6-12. Private driveways.

(a) *Stopping prohibited.*

No vehicle may stop in or in front of any private driveway, without consent of the owner of the premises, in such manner as to obstruct or interfere with vehicles entering or leaving the premises.

(b) *Marking or signing area.*

On request of the owner or occupant of the premises, the Director of Transportation:

(1) shall determine the distance from the driveway in question, not to exceed a distance of 10 feet, in which parking should be prohibited in order to prevent obstruction or interference with vehicles entering and leaving the premises or in order to expedite the free movement of traffic; and

(2) either:

(i) may authorize the owner or occupant of the premises to paint the curbs adjacent to the driveway for the distance so determined and with the type of paint specified by the Director; or

(ii) if the owner of the premises so requests in writing and also agrees in writing to waive his or her right to consent to the obstruction of the driveway, may place signs that prohibit stopping during the hours that the Director finds necessary.

(c) *Posting for impounding.*

(1) On the written request of the owner or occupant and if the owner or occupant pays the complete cost of inspection, fabrication, and erection, the Director of Transportation shall:

(i) determine, on a case-by-case basis, in the case of nonresidential property, the times when stopping is prohibited; and

(ii) erect signs on either side of the entrance to a private way, driveway, or service drive.

(2) Signs posted for residential property shall read “No Stopping Any Time – Cars Towed Away”.

(3) Signs posted for nonresidential property shall read "No stopping from ____ to ____. Cars Towed Away”, or “No Stopping Any Time – Cars Towed Away”, as determined by the Director of Transportation.

(4) These signs are and shall remain the property of the City of Baltimore.

(d) *Implementation not a dedication.*

Nothing in this section is intended nor shall it be construed as an acceptance of dedication by the City of any private driveway, lane, alley, or street as public property.

(City Code, 1950, art. 38, §29; 1966, art. 31, §41; 1976/83, art. 31, §§31, 31A.) (Ord. 50-1386; Ord. 51-1691; Ord. 62-1345; Ord. 65-464; Ord. 81-425; Ord. 95-506; Ord. 15-435.)

§ 6-13. Public buildings.

(a) *In general.*

In the following locations, no vehicle is permitted to stand longer than actually necessary to take on or discharge passengers, baggage, freight, or merchandise:

(1) in front of the entrance to any church, theater, public dance or entertainment hall, or driveway (public or private);

(2) within 25 feet to any entrance to any hospital; or

(3) in front of any theater or place of amusement or in front of any exits or fire escapes from a theater or place of amusement, where performances or amusements are being held, or where persons in large numbers are assembled.

(b) *Shipping entrances.*

No vehicle is permitted to stand longer than actually necessary to take on or discharge passengers, baggage, merchandise, or freight in front of any shipping or receiving entrance to business houses and other places where "No Parking" spaces have been established by the Director of Transportation and designated by proper signs or markings.

(c) *Municipal property.*

No vehicle, not belonging to the Police Department, Fire Department, or other municipal departments, is permitted to stand longer than actually necessary to take on or discharge passengers, baggage, merchandise, or freight in any space reserved by appropriate signs or markings, provided by the Director of Transportation, in front of any public building or other places for the parking of vehicles belonging to the a municipal department.

(City Code, 1927, art. 4, §79; 1950, art. 38, §79; 1966, art. 31, §95; 1976/83, art. 31, §71.) (Ord. 26-823; Ord. 15-435.)

§ 6-14. Street cleaning routes.

(a) *Posting signs.*

The Director of Transportation shall, at the request of the Director of Public Works, post "Street Cleaning" signs on certain streets, lanes, or alleys throughout the City.

(b) *Parking prohibited during specified hours.*

Whenever such signs are posted, no vehicle shall be permitted to park during the hours designated on such signs.

(c) *Enforcement.*

Any vehicle parked in violation of the aforesaid signs:

(1) shall be subject to the impounding provisions set forth in § 31-7 of this article; but

(2) shall be subject to the fine generally applicable to violations of this article.

(City Code, 1950, art. 38, §89; 1966, art. 31, §107; 1976/83, art. 31, §79.) (Ord. 37-523; Ord. 68-131; Ord. 73-457; Ord. 15-435.)

§ 6-15. Snow emergency routes.

(a) *Parking prohibited during snow emergency*.

Whenever the Director of Transportation has declared that an emergency exists due to the covering or partial covering of any of the streets in Baltimore City by snow, sleet, or freezing rain, no vehicle is permitted to park on any of the streets of the City that the Director has designated as "snow emergency routes".

(b) *Removal of vehicles.*

When a snow emergency has been declared by the Director of Transportation, the Police Commissioner may take possession of and remove any vehicle parked or abandoned so as to obstruct traffic on any street that has been designated as a "snow emergency route".

(c) *Assessment of costs.*

To defray the cost of removing or towing any such vehicle, the Police Commissioner is hereby authorized to charge and collect:

(1) the sum of $5 for each vehicle so removed, to cover the cost of removal and storage for a period, not exceeding 48 hours; with

(2) an additional charge of $1 for each day or fraction thereof which said vehicle is stored in excess of the first 48 hours said vehicle is impounded,

these charges to be in addition to any fine or other penalty imposed for the violation of any traffic ordinance.

(City Code, 1966, art. 31, §102; 1976/83, art. 31, §76.)
(Ord. 58-1234; Ord. 58-1364; Ord. 61-1060; Ord. 99-526; Ord. 15-435.)

§ 6-16. Passenger and freight loading zones.

(a) *Definitions.*

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Freight loading zone.*

"Freight loading zone" means a space adjacent to a curb that, during specified times, is reserved exclusively for the use of commercial vehicles during the expeditious loading or unloading of property.

(3) *Passenger loading zone.*

(i) "Passenger loading zone" means a space adjacent to a curb that, during specified times, is reserved exclusively for the use of vehicles that are loading or unloading passengers and their baggage.

(ii) "Passenger loading zone" does not include:

(A) a valet parking zone established under Title 14 {"Valet Parking"} of this article; or

(B) a mobile vending zone designated under Article 15, § 17-5 {"Mobile vending zones"} for the use of mobile vendors.

Editor's Note: Paragraph (3)(ii)(B) of this subsection was added by Ordinance 14-237, in conjunction with that Ordinance's comprehensive revision of Article 15, Subtitle 17 {"Street Vendors"}. The addition here is effective February 28, 2015, the 30th day after the General Services Department filed its rules and regulations under revised Art. 15, § 17-4.

(b) *Establishment of zones; signs*.

(1) The Director of Transportation may determine the location of and operational hours for passenger loading zones and freight loading zones.

(2) The Director shall place and maintain at each passenger loading zone and freight loading zone appropriate signs that:

(i) indicate the location of the zone; and

(ii) state the operational hours during which the restrictions of this section apply.

(c) *Freight loading zones*.

(1) No person may park a vehicle in a freight loading zone for any purpose or period of time during its operational hours.

(2) No vehicle person may stop a vehicle in a freight loading zone for any purpose or period of time during its operational hours unless:

(i) the vehicle is a commercial vehicle actually in the process of expeditiously loading or unloading property; or

(ii) the vehicle is a passenger vehicle stopping for the purpose of and while actually engaged in expeditiously loading or unloading passengers, as long as its stopping does not interfere with any commercial vehicle that is waiting to enter or about to enter that zone.

(d) *Passenger loading zones*.

(1) No person may park a vehicle in a passenger loading zone for any purpose or period of time during its operational hours.

(2) No person may stop a vehicle in a passenger loading zone for any purpose or period of time during its operational hours unless the vehicle is a passenger vehicle stopping temporarily for the purpose of and while actually engaged in expeditiously loading or unloading of passengers and their baggage.

(City Code, 1927, art. 4, §84; 1950, art. 38, §68; 1966, art. 31, §93; 1976/83, art. 31, §68.)
(Ord. 26-823; Ord. 54-1179; Ord. 56-461; Ord. 76-006; Ord. 13-098; Ord. 14-237.)

§ 6-17. Valet parking zones.

Editor's Note: This section and § 6-17.1 were added by Ordinance 14-237, in conjunction with that Ordinance's comprehensive revision of Article 15, Subtitle 17 {"Street Vendors"}. These sections are effective February 28, 2015, the 30th day after the General Services Department filed its rules and regulations under revised Art. 15, § 17-4.

(a) *"Valet parking zone" defined.*

In this section, "valet parking zone" has the meaning stated in § 14-1 of this article.

(b) *Parking prohibited.*

No person may park a vehicle in a valet parking zone for any purpose or period of time during its operational hours unless the person:

(1) is in the process of seeking valet parking services then being provided there; and

(2) has been instructed by the valet parking attendant to park there.

(c) *Stopping prohibited.*

No person may stop a vehicle in a valet parking zone for any purpose or period of time during its operational hours unless:

(1) the person is in the process of seeking the valet parking services being offered there; or

(2) the vehicle is a passenger vehicle stopping temporarily for the purpose of and while actually engaged in expeditiously loading or unloading passengers, as long as its stopping does not interfere with any other vehicle that is waiting to enter or about to enter the zone for valet parking services.

(Ord. 13-098.)

§ 6-17.1. Mobile vending zones.

Editor's Note: *See* Editor's Note to § 6-17.

(a) *"Mobile vending zone" defined.*

In this section, "mobile vending zone" means an area designated in accordance with Article 15, § 17-5 {"Mobile vending zones"} for the use of mobile vendors.

(b) *Parking prohibited.*

No person may park a motor vehicle in a mobile vending zone for any purpose or period of time during its operational hours unless the motor vehicle is a vendor truck as defined in Article 15, § 17-1(k) {"Definitions – Vendor truck"}.

(Ord. 14-237.)

PART 3. WASTE DISPOSAL

§ 6-18. Stopping, etc., for unlawful dumping.

A person may not park, stop, or stand any vehicle on any street, highway, or alley of Baltimore City for the purpose of disposing waste or other material in violation of the Health Code of Baltimore City.

(City Code, 1976/83, art. 31, §151A.) (Ord. 92-122; Ord. 99-548.)

§ 6-19. Stopping, etc., without solid waste license displayed.

A person may not park, stop, or stand any vehicle being used by a small hauler, as defined in Title 7 {"Waste Control"}, Subtitle 2 {"Solid Waste Collection"} of the Health Code, on any street, highway, or alley of Baltimore City unless its small hauler's license is displayed as required by that subtitle.

(City Code, 1976/83, art. 31, §151B.) (Ord. 92-123; Ord. 99-548.)

§ 6-20. *{Reserved}*

PART 4. CONTINUAL OR CONTINUOUS PARKING

§ 6-21. Continually depriving occupant of parking spot.

No specific vehicles shall be habitually parked in front of a building to the detriment of its use by the owner or occupant of such building.

(City Code, 1927, art. 4, §82; 1950, art. 38, §65; 1966, art. 31, §77; 1976/83, art. 31, §57.)
(Ord. 26-823.)

§ 6-22. Continuously parking in 1 spot.

(a) *Prohibited conduct.*

No vehicle shall be permitted to stand more than 48 hours continuously in the same location.

(b) *Exceptions.*

(1) Provided, however, that nothing herein contained shall be applicable to:

(i) vehicles of the Police Department or the Fire Department;

(ii) any emergency vehicle belonging to the City or to any public utility;

(iii) vehicles belonging to physicians or undertakers; or

(iv) vehicles with disabled person registration plates.

(2) And provided further that nothing herein contained shall be construed to modify in any way the restrictions or provisions of any ordinance or regulation as to parking of vehicles on any

boulevard or through street, but such restrictions and provisions shall continue in effect as if this section had not been passed.

(c) *Violation not an abandonment*.

A vehicle that is in violation of subsection (a) of this section is not, solely because of that violation, an "abandoned vehicle" under this article or the State Transportation Article.

(City Code, 1950, art. 38, §67; 1966, art. 31, §80; 1976/83, art. 31, §60.) (Ord. 26-823; Ord. 32-279; Ord. 48-326; Ord. 75-920; Ord. 86-808; Ord. 88-136; Ord. 89-262; Ord. 93-191; Ord. 06-347.)

§§ 6-23 to 6-25. ***{Reserved}***

PART 5. COMMERCIAL VEHICLES AND TRAILERS

§ 6-26. Commercial vehicles.

(a) *"Commercial vehicle" limited*.

In this section, "commercial vehicle" does not include a vehicle that:

(1) has a maximum gross vehicle weight of less than 7,000 pounds and a manufacturer's rated capacity of ¾ ton or less;

(2) except for a passenger car (as defined in Maryland Vehicle Law § 11-144.1), has no commercial advertising on the exterior of the vehicle or on any equipment attached to the vehicle;

(3) is not visibly loaded with supplies or equipment; and

(4) is designed to carry 15 or fewer passengers.

(b) *Stopping by residence.*

(1) Except as otherwise specified in this section, no vehicle with a maximum gross vehicle weight of more than 20,000 pounds and no commercial vehicle may park, stand, or stop longer than 1 hour continuously on any street, lane, or alley in front of or adjacent to any property used or intended to be used as a residence.

(2) This subsection does not apply to a commercial vehicle that is parked for the purpose of doing any public or private work for or on behalf of any person located within a radius of 1 block from the property used or intended to be used as a residence.

(c) *Nighttime hours.*

Except as otherwise specified in this section, no vehicle with a maximum gross vehicle weight of more than 20,000 pounds and no commercial vehicle may park, stand, or stop longer than 1 hour continuously between the hours of 1 a.m. and 7 a.m. on any street, lane, or alley of the City.

(d) *Exceptions.*

This section does not apply to:

(1) vehicles of the Police Department or the Fire Department; or

(2) emergency vehicles belonging to:

(i) the City;

(ii) any public utility; or

(iii) any volunteer ambulance service.

(City Code, 1950, art. 38, §90; 1966, art. 31, §124; 1976/83, art. 31, §83.) (Ord. 48-232; Ord. 48-378; Ord. 88-136; Ord. 03-591; Ord. 11-506; Ord. 11-507; Ord. 13-092; Ord. 15-349.)

§ 6-27. Commercial trailers.

(a) *"Commercial trailer" defined.*

In this section, "commercial trailer" means a vehicle that:

(1) is a trailer;

(2) has no motive power;

(3) is designed to be towed by a motor vehicle; and

(4) is designed for the transportation of property.

(b) *Prohibited conduct.*

Except as otherwise specified in this section, a person may not park, stand, or stop a detached commercial trailer on any public street or highway in the City, except when the vehicle is being expeditiously loaded or unloaded.

(c) *Exceptions.*

This section does not apply to:

(1) authorized emergency vehicles;

(2) vehicles owned or operated by the City; or

(3) vehicles owned or operated by a public service company, as defined in State Public Utility Companies Article, § 1-101 of the Maryland Code, while engaged in construction or repair services associated with supplying necessary service to its customers.

(City Code, 1976/83, art. 31, §84A.) (Ord. 79-986; Ord. 03-591; Ord. 04-672.)

§ 6-28. Vendor trucks.

Editor's Note: This section was added by Ordinance 14-237, in conjunction with that Ordinance's comprehensive revision of Article 15, Subtitle 17 {"Street Vendors"}. In accordance with Section 4 of Ord. 14-237, the effective date of the section is February 28, 2015, the 30th day after the General Services Department filed its rules and regulations under revised Art. 15, § 17-4.

(a) *Definitions*.

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Mobile vendor.*

"Mobile vendor" has the meaning stated in Article 15, § 17-1 {"Definitions"}.

(3) *Vendor truck.*

"Vendor truck" has the meaning stated in Article 15, § 17-1 {"Definitions"}.

(b) *No parking in prohibited areas*.

A mobile vendor may not park a vendor truck within 2 blocks in any direction of:

(1) a mobile vending zone;

(2) a City market designated in Article 16, § 1-2 {"Scope of article"};

(3) the grounds of any building used as a public or private kindergarten, elementary school, or secondary school; or

(4) the perimeter of any farmers' market authorized by the Commissioner of Housing and Community Development when the farmers' market is in operation, unless the vendor truck prominently displays a document issued in accordance with the rules and regulations adopted under Article 15, § 17-4 {"Rules and Regulations"} that permits a waiver from this paragraph.

(Ord. 14-237; Ord. 14-307.)

§ 6-29. Camping trailers, mobile homes, motor homes, and travel trailers.

(a) *Definitions*.

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Camping trailer.*

"Camping trailer" has the meaning stated in State Transportation Article, § 11-106 {"Camping trailer"}.

(3) *Mobile home.*

"Mobile home" has the meaning stated in State Transportation Article, § 11-134 {"Mobile home"}.

(4) *Motor home.*

"Motor home" has the meaning stated in State Transportation Article, § 11-134.3 {"Motor home"}.

(5) *Travel trailer.*

"Travel trailer" has the meaning stated in State Transportation Article, § 11-170 {"Travel trailer"}.

(b) *Stopping by residence.*

Except as otherwise specified in this section, no camping trailer, mobile home, motor home, or travel trailer may park, stand, or stop longer than 1 hour continuously on any street, lane, or alley in front of, across from, or adjacent to any property used or intended to be used as a residence.

(c) *Exceptions.*

This section does not apply to:

(1) vehicles of the Police Department or the Fire Department; or

(2) emergency vehicles belonging to:

(i) the City;

(ii) any public utility; or

(iii) any volunteer ambulance service.

(Ord. 16-508.)

§ 6-30. *{Reserved}*

PART 6. CENTRAL BUSINESS DISTRICT

§ 6-31. District established; boundaries.

A district is hereby established, to be designated and known as the "Central Business District", and this district shall embrace that portion of the City lying within and bounded by the following named streets, the boundary streets to be included – that is to say:

Beginning at the northwest corner of Centre Street and the Fallsway; north side of Centre Street to west side of Howard Street; west side of Howard Street to north side of Druid Hill Avenue; north side of Druid Hill Avenue to west side of Eutaw Street; west side of Eutaw Street to north side of Franklin Street; north side of Franklin Street to west side of Greene Street; west side of Greene Street to south side of Pratt Street; south side of Pratt Street to east side of West Falls Avenue; east side of West Falls Avenue to east side of the Fallsway; east side of the Fallsway to a point opposite the north side of Centre Street, thence to the place of beginning.

(City Code, 1927, art. 4, §62; 1950, art. 38, §22; 1966, art. 31, §33; 1976/83, art. 31, §22.)
(Ord. 26-823; Ord. 41-668.)

§ 6-32. Advertising vehicles.

No vehicle designed or employed for the express purpose of advertising any exhibition, performance, article, or thing shall be permitted to park on any of the streets, lanes, or alleys included in the territory herein designated and described as the Central Business District.

(City Code, 1927, art. 4, §71; 1950, art. 38, §23; 1966, art. 31, §34; 1976/83, art. 31, §23.)
(Ord. 26-823.)

§ 6-33. Vehicles in narrow streets, alleys.

(a) *Standing prohibited.*

Within the territory described in the Central Business District, no vehicle shall be permitted to stand in any streets or alleys, or portions of streets or alleys (between curb lines) of 20 feet in width, or less.

(b) *Conditioned on signage.*

Provided, however, that this section shall not be enforced or applied unless and until appropriate signs are posted in conformance with the provisions of this section.

(c) *Exception.*

Provided that this section shall not apply to vehicles using such streets or alleys for the purpose of loading or unloading baggage, merchandise, or freight.

(City Code, 1927, art. 4, §73; 1950, art. 38, §24; 1966, art. 31, §35; 1976/83, art. 31, §24.)
(Ord. 26-823; Ord. 52-385.)

§§ 6-34 to 6-35. ***{Reserved}***

PART 7. DESIGNATED MUNICIPAL PROPERTY

§ 6-36. Stopping prohibited.

No motor vehicle may stop or be permitted to stop, at any time, on any of the areas that, from time to time, are specified in this subtitle, unless the vehicle conspicuously displays a permit, approved by the Director of Transportation and issued by the head, chairman, or president, as the case may be, of the municipal agency having jurisdiction over the particular area, authorizing the motor vehicle to stop on the particular area.

(City Code, 1966, art. 31, §260; 1976/83, art. 31, §147.) (Ord. 60-427; Ord. 15-435.)

§ 6-37. Areas where applicable.

(a) *In general.*

The areas to which this Part applies shall be as provided from time to time hereinbelow in this section.

(b) *By Druid Health District Building*.

The 2 areas adjoining or in close proximity to the Druid Health District Building, located on the southwest corner of North Avenue and Cumberland Street, and described as follows:

> Beginning for the first area at the corner formed by the intersection of the northwest side of Cumberland Street, 66 feet wide and the northeast side of Pennsylvania Avenue, 66 feet wide and running thence binding on the northeast side of said Pennsylvania Avenue North 42°-139'-00" West 139.0 feet; thence North 86°-50'-20" East 77.0 feet to intersect the line of the northeast side of the bituminous concrete bumpers, there situate; thence binding on the line of the northeast side of said bituminous concrete bumpers and producing the same course, in all, South 42°-26'-40" East 81.0 feet to intersect a line drawn parallel with and distant 9.0 feet northwesterly, measured at right angles from the northwest side of said Cumberland Street; thence binding on said line so drawn South 47°-33'-20" West 16.0 feet; thence South 42°-26'-40" East 9.0 feet to intersect the northwest side of said Cumberland Street and thence binding on the northwest side of said Cumberland Street South 47°-33'-20" West 42.0 feet to the place of beginning.
>
> Beginning for the second area at a point on the west side of Cumberland Street, as now laid out at the distance of South 03°-09'-40" East about 6.50 feet from the southwest corner of Cumberland Street and North Avenue, 100 feet wide, said point being formed by the intersection of the west side of said Cumberland Street and the line of the north side of the bituminous concrete bumpers, there situate, produced easterly and running thence binding on the west and northwest sides of said Cumberland Street the two following courses and distances, namely, South 03°-09'-40" East 16.40 feet and South 47°-33'-20" West 60.0 feet to intersect a line drawn parallel with and distant 4.11 feet easterly, measured at right angles from the east face of the east wall of the Druid Health District Building, there situate; thence binding on said line so drawn North 03°-09'-40" West 54.5 feet to intersect the line of the north side of the aforesaid bituminous concrete bumpers and thence binding on the line of the north side of said bituminous concrete bumpers and parallel with said North Avenue North 86°-50'-20" East 46.0 feet to the place of beginning.

(c) *By Western Health District Building*.

The areas adjoining or in close proximity to the Western Health District Building, located on the northwest corner of Lombard and Penn Streets, and described as follows:

> Beginning for the first area at a point on the north side of Lombard Street, 66 feet wide, at the distance of 79.56 feet westerly from the northwest corner of Lombard and Penn Streets and running thence binding on the north side of said Lombard Street South 87°-10'-20" West 20.67 feet to intersect a line drawn parallel with and distant 100.17 feet westerly, measured at right angles from the west side of Penn Street, 55 feet wide thence binding on said line so drawn North 02°-49'-40" West 108.96 feet, to intersect a line drawn parallel with and distant 108.96 feet northerly, measured at right angles from the north side of said Lombard Street; thence reversing said line so drawn and binding thereon North 87°-10'-20" East 42.17 feet, to intersect a line

drawn parallel with and distant 42.17 feet easterly, measured at right angles from the second line of this description; thence reversing said line so drawn and binding thereon South 02°-49'-40" East 59.63 feet, to intersect a line drawn parallel with and distant 49.33 feet northerly from the north side of said Lombard Street, thence binding on said line so drawn South 87°-10'-20" West 21.50 feet to intersect a line drawn parallel with and distant 20.67 feet easterly, measured at right angles from the second line of this description and thence reversing said line so drawn and binding thereon South 02°-49'-40" East 49.33 feet to the place of beginning.

Beginning for the second area at a point on the east face of the westernmost wall of the Western Health District Building, known as No. 700 West Lombard Street, said point being distant North 02°49'-40" West 111.05 feet from the north side of Lombard Street, 66 feet wide, and South 87°-10'-20" West 99.20 feet from the west side of Penn Street, 55 feet wide and running thence binding on the east face of the westernmost wall of said building and parallel with said Penn Street North 20°-49'-40" West 42.05 feet; to intersect the south face of the northernmost wall of said building; thence binding on the south face of the north wall of said building and parallel with said Lombard Street North 87°-10'-20" East 79.6 feet to intersect a line drawn parallel with and distant 19.60 feet, westerly, measured at right angles from the west side of said Penn Street; thence reversing said line so drawn and binding thereon South 02°-49'-40" East 43.60 feet to intersect a line drawn parallel with and distant 109.50 feet northerly from the north side of said Lombard Street, thence binding on said line so drawn North 87°-10'-20" East 18.46 feet to intersect the west face of the easternmost wall of said building: thence binding on the west face of the easternmost wall of said building South 02°-49'-40" East 64.49 feet to intersect a line drawn parallel with and distant 45.01 feet northerly, measured at right angles from the north side of said Lombard Street; thence reversing said line so drawn and binding thereon South 87°-10'-20" West 55.75 feet to intersect a line drawn parallel with and distant 57.06 feet westerly, measured at right angles from the west side of said Penn Street; thence binding on said line so drawn North 02°-49'-40" West 65.75 feet to intersect a line drawn parallel with and distant 111.05 feet northerly measured at right angles from said Lombard Street and thence reversing said line so drawn and binding thereon South 87°-10'-20" West 42.14 feet to the place of beginning.

(d) *By Municipal Art Museum.*

Those parking areas and driveways in close proximity to the Municipal Art Museum located within the following boundaries:

Beginning at a point located 20 feet west of the westerly service drive median in Charles Street and 8 feet north of a point in line with the end of said median at the northerly entry into Art Museum Drive from Charles Street thence extending S. 89°-28'-29" W. a distance of 479.8 feet, thence extending S. 45°-30'-46" W. a distance of 424.88 feet, thence S. 14°-43'-12" a distance of 375 feet, thence in a northeasterly direction following the northerly building line of Art Museum Drive to the point of departure.

(City Code, 1966, art. 31, §261; 1976/83, art. 31, §148.) (Ord. 60-427; Ord.72-086.)

§ 6-38. Warning notices.

(a) *Notice to be posted.*

Notice of the possible removal of motor vehicles stopping on any 1 of the areas hereinbefore mentioned or described in violation of any provision of this subtitle shall be posted on signs prominently located on the particular area, and shall read as follows:

"CARS TOWED AWAY"

(b) *Translation.*

The phrase "cars towed away", for the purpose of this subtitle, shall mean the removal of a motor vehicle by the Baltimore City Police Department.

(City Code, 1966, art. 31, §263; 1976/83, art. 31, §150.) (Ord. 60-427.)

§ 6-39. Penalties.

(a) *In general.*

Any motor vehicle stopping on, and any person causing any motor vehicle to stop on, any of the areas hereinbefore mentioned or described, in violation of the provisions of this subtitle shall be subject to the provisions of, and the fines and penalties imposed by Subtitle 31 of this article.

(b) *Evening hours*.

Any person causing any motor vehicle to stop on any of the areas hereinbefore mentioned or described, in violation of the provisions of this subtitle, between the hours of 6 p.m. of any particular day and 7 a.m. of the following day, or at any other time when the services and facilities operated by the Police Commissioner for the City of Baltimore in connection with the removal and impounding of motor vehicles found in violation of law are not available for the enforcement of the provisions of this subtitle, shall be fined not less than $15 nor more than $25 for each and every day, or any part thereof, that any such violation continues.

(c) *Alternative provisions*.

Any person causing any motor vehicle to stop on any of the areas hereinbefore mentioned or described, in violation of any provision of this subtitle shall be subject to either the provisions of subsection (a) or subsection (b) of this section, but not both, in connection with any such violation.

(City Code, 1966, art. 31, §262; 1976/83, art. 31, §149.) (Ord. 60-427.)

SUBTITLE 7
METERED PARKING

PART 1. ADMINISTRATION

§ 7-1. Authorizations.

(a) *Installation of meters.*

The purchase, leasing, installation, and operation of certain parking devices, known generally as parking meters, are authorized on the streets, thoroughfares, and public places of the City.

(b) *Establishment of Mobile-Payment Systems*.

The purchase, leasing, establishment, and operation of Mobile-Payment Systems for metered parking are authorized on the streets, thoroughfares, and public places of the City.

(c) *Parking spaces.*

Paid metered parking spaces are authorized on these streets, thoroughfares, and public places, subject generally to the powers, authorizations, and conditions contained in this subtitle.

(d) *Exceptions.*

Parking meters may not be installed on either side of Madison Street between Charles Street and Howard Street.

(City Code, 1966, art. 31, §185; 1976/83, art. 31, §§129, 132A.) (Ord. 55-1346; Ord. 94-289; Ord. 06-198; Ord. 16-537.)

§ 7-2. Contracts.

The Board of Estimates, in accordance with the procedures outlined in the City Charter, may enter into one or more contracts for:

(1) the leasing or purchasing and the installation and maintenance of parking meters;

(2) the purchase of parts and equipment for the maintenance and operation of the parking meters, as the Board from time to time determines to be in the best interests of the City; and

(3) the establishment and operation of Mobile-Payment Systems for metered parking.

(City Code, 1966, art. 31, §186; 1976/83, art. 31, §130.) (Ord. 55-1346; Ord. 06-198; Ord. 16-537.)

§ 7-3. Types of metered parking.

(a) *Director to install.*

The Director of Transportation shall install or cause the installation of parking meters and establish or cause the establishment of Mobile-Payment Systems, as provided in this subtitle.

(b) *Time variations.*

In the Director's discretion and as the Director determines to be best suited for the traffic needs of a particular area, metered parking may be for a 15-minute, 30-minute, 1-hour, 1½-hour, 2-hour, or other time period.

(City Code, 1966, art. 31, §187; 1976/83, art. 31, §131.) (Ord. 55-1346; Ord. 57-1108; Ord. 68-249; Ord. 69-416; Ord. 06-198; Ord. 16-537.)

§ 7-4. Methods of installation.

(a) *Single-space meters.*

(1) Single-space parking meters may be installed in a manner that divides the street into units or stalls that are approximately 21 feet.

(2) The meters shall be installed at the forward end of the curb parking space.

(b) *Multi-space parking.*

(1) Multi-space metered parking may be installed in a manner that permits parking without dividing the street into designated parking units or stalls.

(2) At least one multi-space meter shall be installed and maintained on each street block where multi-space metered parking is permitted.

(c) *Other.*

Metered parking for other than parallel parking may be installed in a manner that the Director of Transportation determines to be best suited for designating the parking spaces in the particular area.

(City Code, 1966, art. 31, §188; 1976/83, art. 31, §132.) (Ord. 55-1346; Ord. 06-198; Ord. 16-537.)

§ 7-5. Metered parking operations.

(a) *Single-space meters.*

(1) Each single-space parking meter shall be designed to display, on payment and activation, a signal that indicates legal parking for the duration paid for.

(2) Each single-space parking meter shall also be designed:

(i) to display continuously the time remaining until the legal parking duration expires; and

(ii) at the expiration of that time, to display a signal that the legal parking duration has expired.

(b) *Multi-space parking.*

(1) *In general.*

Multi-space metered parking shall operate in accordance with one of the systems described in this subsection.

(2) *"Pay-and-Display-Receipt" System.*

(i) A Pay-and-Display-Receipt System operates through a multi-space meter that, on payment and activation, issues a printed receipt that displays:

(A) the amount of parking time purchased; and

(B) the date and time at which the paid parking will expire.

(ii) The meter shall contain clear instructions on how and where the receipt must be displayed on or in the parked vehicle.

(iii) Failure to display the receipt in the manner specified subjects the parked vehicle to a parking violation the same as if the proper parking fee had not been paid.

(3) *"Pay-and-Register-Tag" system.*

(i) A Pay-and-Register-Tag System operates through a multi-space meter that, on payment and activation, records and transmits to parking enforcement:

(A) the multi-space parking zone in which the vehicle is parked;

(B) the license plate number of the vehicle;

(C) the amount of parking time purchased; and

(D) the date and time at which the paid parking will expire.

(ii) Failure to register the correct license plate number subjects the parked vehicle to a parking violation the same as if the proper parking fee had not been paid.

(4) *"Mobile-Payment" System*.

(i) A Mobile-Payment System allows for payment of multi-space metered parking through one's own mobile phone or other mobile communication device.

(ii) On connection with the system and payment, the system records and transmits to parking enforcement:

(A) the multi-space parking zone in which the vehicle is parked;

(B) the license plate number of the vehicle;

(C) the amount of parking time purchased; and

(D) the date and time at which the paid parking will expire.

(iii) Failure to register the correct license plate number subjects the parked vehicle to a parking violation the same as if the proper parking fee had not been paid.

(City Code, 1966, art. 31, §189; 1976/83, art. 31, §133.) (Ord. 55-1346; Ord. 06-198; Ord. 16-537.)

§ 7-6. Display of hours, payment methods, and rates

Each parking meter or multi-space parking zone shall contain a conspicuous notice that:

(1) clearly states the hours during which that meter or multi-space parking zone is in operation and any exceptions to those hours; and

(2) clearly indicates:

(i) the methods of payment (e.g., coins, bills, credit cards, or other approved method) that must be used for the legal parking of a vehicle; and

(ii) the duration during which it is permissible to park at that meter on payment of the prescribed amount.

(City Code, 1966, art. 31, §190; 1976/83, art. 31, §134.) (Ord. 55-1346; Ord. 06-198; Ord. 16-537.)

§ 7-7. *{Repealed by Ord. 16-537}*

§ 7-8. Setting rates and payment methods.

Notwithstanding any other provision of this article:

(1) the Director of Transportation may set the rates for metered parking on all metered-parking lots temporarily or permanently under the control of the City; and

(2) with the approval of the Board of Estimates, the Director may:

(i) set the rates for all other metered parking in the City; and

(ii) designate the methods of payment to be used for the various parking systems.

(City Code, 1966, art. 31, §192; 1976/83, art. 31, §136.) (Ord. 55-1346; .... Ord. 81-388; Ord. 99-526; Ord. 06-198; Ord. 16-537.)

§ 7-9. Rearrangements.

(a) *No commitment.*

The establishment of metered parking in any particular place or area of this City is not a commitment by or obligation on the City to continue the use of metered parking in that place or area.

(b) *Authorization to change.*

The Director of Transportation may discontinue, rearrange, or otherwise change metered parking systems on the streets, thoroughfares, and public places of the City so as best to provide for the City's traffic needs.

(City Code, 1966, art. 31, §193; 1976/83, art. 31, §137.) (Ord. 55-1346; Ord. 06-198; Ord. 16-537.)

§ 7-10. Maintenance.

(a) *Director responsible.*

The Director of Transportation shall keep all parking meters installed under this subtitle in a good operating condition, clean and properly painted.

(b) *Meter identification.*

(1) Each meter shall have a location number clearly marked on it in a conspicuous place.

(2) This number:

(i) shall be used to identify the location of the meter and, thus, of any vehicle charged with a parking violation at that location; and

(ii) will serve as a means of identification for reporting defective meters, violations, or other occurrences.

(City Code, 1966, art. 31, §194; 1976/83, art. 31, §138.) (Ord. 55-1346; Ord. 06-198.)

§ 7-11. Notice to Councilmember.

No new parking meter may be installed and no rate schedule may be established or modified until at least 30 days after written notice of the proposed action is given to the Councilmember who represents the affected area.

(Ord. 06-198.)

§§ 7-12 to 7-15. ***{Reserved}***

PART 2. COMPLIANCE

§ 7-16. Lawful parking.

(a) *In general.*

Parking is permissible, on payment of the applicable fee, at the locations designated on the streets, thoroughfares, and public places of the City, for the duration indicated, as provided in this subtitle.

(b) *Exception for designated times.*

No vehicle is permitted to stand in the space reserved for any parking meter during the time when parking or stopping is prohibited at that location.

(City Code, 1966, art. 31, §201(1st sen., 2nd sen.(2nd cl.), 3rd sen.); 1976/83, art. 31, §145(1st sen., 2nd sen.(2nd cl.), 3rd sen.).) (Ord. 55-1346; Ord. 70-905; Ord. 03-550; Ord. 06-198.)

§ 7-17. Maximum time for parking.

(a) *Permitted periods.*

(1) At any location where a parking meter is in active operation, it is lawful, on payment of the fee, to park a vehicle for the full duration designated as the maximum duration for legal parking.

(2) The vehicle may be parked for the unexpired time, if any, showing on a single-space parking meter or on a multi-space receipt from a previous vehicle.

(b) *Prohibited period.*

Any vehicle parked in a space adjacent to a single-space parking meter or in an area controlled by a multi-space parking meter for a duration longer than that designated is in violation of the parking provisions of this subtitle and subject to the penalties provided in this subtitle.

(City Code, 1966, art. 31, §195; 1976/83, art. 31, §139.) (Ord. 55-1346; Ord. 06-198.)

§ 7-18. Method of parking.

(a) *Single-space meters.*

In an area specified for single-space meter parking, a driver may not park a vehicle in a space adjacent to a single-space parking meter, other than with the front wheel of the vehicle approximately centered on the standard or post supporting the parking meter.

(b) *Multi-space meters.*

(1) In an area controlled by a multi-space meter, the driver may park anywhere designated for parking, but should park in a manner that maximizes the number of vehicles able to park in the same area.

(2) To the extent that only a portion of the street, thoroughfare, or public place is designated for multi-space meter parking, a driver may not park outside of the designated area using a multi-space meter receipt.

(City Code, 1966, art. 31, §196; 1976/83, art. 31, §140.) (Ord. 55-1346; Ord. 06-198.)

§ 7-19. Temporary stops by commercial vehicles.

Commercial vehicles engaged in the expeditious pick-up or delivery of merchandise may stop in a vacant space adjacent to a single-space parking meter that is in active operation or in a vacant space

controlled by a multi-space parking meter that is in active operation, at any time before10 a.m., without payment.

(City Code, 1966, art. 31, §197; 1976/83, art. 31, §141.) (Ord. 55-1346; Ord. 06-198.)

§ 7-20. Slugs or meter tampering prohibited.

(a) *Using slugs*.

It is unlawful for any person to deposit or cause to be deposited in a parking meter any slug, device, or substitute for a coin of the United States.

(b) *Tampering with meter*.

(1) It is unlawful for any person to deface, injure, tamper with, steal from, open, or wilfully break into, to destroy, to remove, or to impair the usefulness of any parking meter installed under this subtitle.

(2) This subsection does not apply to:

(i) any person authorized by the Director of Finance to collect money or other payment placed in parking meters; or

(ii) any person authorized by the Director of Transportation to regulate, repair, or maintain parking meters.

(c) *Penalties.*

Any person who violates any provision of this section is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than $1,00 or to imprisonment for not more than 12 months, or to both fine and imprisonment.

(City Code, 1966, art. 31, §200(b); 1976/83, art. 31, §144(b).) (Ord. 55-1346; Ord. 60-347; Ord. 06-198.)

§ 7-21. Unlawful parking.

No person may permit a vehicle to park or remain in any space adjacent to a single-space parking meter that is in active operation or in any space in an area controlled by a multi-space parking meter that is in active operation:

(1) beyond the period during which vehicles are permitted to park or remain in that space;

(2) in any manner except as specified in this subtitle;

(3) except as otherwise specifically provided in this subtitle, without paying the applicable fee; or

(4) except as otherwise specifically provided in this subtitle, without displaying a multi-space parking receipt when and in the manner required by this subtitle..

(City Code, 1966, art. 31, §200(a); 1976/83, art. 31, §144(a).) (Ord. 55-1346; Ord. 99-526; Ord. 06-198.)

§ 7-22. Exception for holidays.

This subtitle does not apply and may not be enforced on:

(1) New Year's Day, January 1;

(2) Independence Day, July 4;

(3) Labor Day, the 1st Monday in September;

(4) Thanksgiving Day, the fourth Thursday in November; and

(5) Christmas Day, December 25.

(City Code, 1966, art. 31, §201(2nd sen.(1st cl.).); 1976/83, art. 31, §145(2nd sen.(1st cl.).) (Ord. 70-905; Ord. 02-437; Ord. 06-198.)

§§ 7-23 to 7-25. *{Reserved}*

PART 3. ENFORCEMENT

§ 7-26. In general.

(a) *Police and others to enforce.*

The parking provisions of this subtitle shall be enforced by:

(1) Baltimore City police officers; and

(2) other persons authorized by law to issue citations for violations of parking laws.

(b) *Citation.*

Each violation shall be recorded, and a notice of the violation shall be left on the vehicle or delivered to the driver of the vehicle.

(City Code, 1966, art. 31, §198; 1976/83, art. 31, §142.) (Ord. 55-1346; Ord. 06-198.)

§ 7-27. *{Repealed by Ord. 06-198}*

SUBTITLE 8
EXCEPTIONS TO PARKING REGULATIONS

§ 8-1. Sundays and holidays.

(a) *Director may adopt exceptions.*

(1) If a provision of this article governing the stopping, standing, or parking of vehicles does not contain an exception for Saturdays, Sundays, or legal holidays, the Director of Transportation may establish an exception to that provision for Saturdays, Sundays, or legal holidays.

(2) An exception established under this section becomes effective when notice of the exception is posted on the street concerned.

(b) *Holidays.*

Citations for stopping, standing, or parking may not be issued on any city, state, or federal holiday if the traffic control signs in the area state that parking restrictions do not apply on holidays.

(City Code, 1966, art. 31, §58; 1976/83, art. 31, §52.) (Ord. 55-079; Ord. 02-437; Ord. 15-435.)

§ 8-2. *{Reserved}*

§ 8-3. Funeral directors.

It shall be lawful for any person, firm, or corporation, engaged in the business of funeral directing and licensed as such by the State Board of Funeral Directors and Embalmers of Maryland to park his, its, or their automotive equipment and vehicles on any street, alley, or highway, when answering calls for funeral services and when such automotive equipment and vehicles are being used in conducting a funeral, in the immediate vicinity of the home from which the deceased is being buried or in the immediate vicinity of a church wherein religious services in connection with a funeral are being held.

(City Code, 1950, art. 38, §43; 1966, art. 31, §57; 1976/83, art. 31, §44.) (Ord. 43-875.)

§ 8-4. Plate glass deliveries.

(a) *Permitted parking.*

Vehicles operated by glass companies are permitted to stand by locations where parking is otherwise prohibited, including truck loading zones, while installing large plate glass windows or doors.

(b) *Limitations.*

(1) These vehicles are not permitted to stand at locations where stopping is prohibited or where they will obstruct the free movement of vehicles or pedestrians unless they have a permit to do so from the Director of Transportation.

(2) These permits shall be issued by the Director and shall be renewable yearly.

(3) No more than 1 permit may be issued to each glass company.

(City Code, 1976/83, art. 31, §70A.) (Ord. 77-224; Ord. 15-435.)

§ 8-5. Banks.

(a) *Director to issue permits.*

On the joint application of a banking institution and a person or entity conducting a bank courier business in the City, the Director of Transportation may issue a permit authorizing that person or entity, or his or its agent or appointee, to park his or its vehicles, as provided in this section.

(b) *Standing with permit.*

Vehicles with permits under this section may stand for a period of not more than 5 minutes at any 1 time, between the hours of 11 a.m. and 1 p.m. on weekdays, in front of or on the side of the premises of the banking institution specified in the permit, for the purpose of the withdrawal or deposit of substantial amounts of currency and evidences of indebtedness.

(City Code, 1950, art. 38, §11; 1966, art. 31, §10; 1976/83, art. 31, §9.) (Ord. 45-261; Ord. 15-435.)

SUBTITLE 9
PARKING FOR DISABLED PERSONS AND HELPERS

PART 1. RESERVED PARKING FOR DISABLED PERSONS

§ 9-1. Criteria for obtaining.

(a) *In general.*

A disabled person may be eligible for a reserved parking space if the person meets the following criteria:

(1) the disability of the applicant must be permanent or of a nature expected to adversely affect the applicant for at least 1 year;

(2) the applicant must be unable to use public transportation, leaving a personal vehicle as the only means of transportation;

(3) the applicant must be the sole operator of the vehicle or, if the applicant is dependent upon a non-handicapped driver for transportation, the driver must reside in the same household;

(4) parking space must be available that is not restricted by other parking regulations;

(5) off-street parking is not available, such as a driveway, garage, or parking pad, on the applicant's property; and

(6) the applicant submits an application in the form that the Director of Transportation requires.

(b) *Required statements.*

(1) The application shall be accompanied by:

(i) a physician's statement, dated within the previous 6 months, describing the nature and anticipated duration of the disability and the disability's effect on the mobility of the applicant; and

(ii) signed statements approving the designation of reserved parking for the applicant from the 2 abutting property owners and from 4 additional property owners in the block.

(2) The Director may waive the requirements of paragraph (1)(ii) of this subsection if:

(i) the Director determines that there are not enough properties in the block to supply the necessary signatures; or

(ii) the Director, in consultation with the Director of the Community Relations Commission, determines that the applicant meets all other criteria for obtaining a reserved parking space.

(City Code, 1976/83, art. 31, §157.) (Ord. 88-041; Ord. 97-129; Ord. 09-211; Ord. 15-435.)

§ 9-2. Procedure.

(a) *Application to Department.*

(1) Any person desiring a reserved parking space and meeting the criteria of § 9-1 of this subtitle may submit an application for a reserved parking permit to the Department of Transportation.

(2) The Department shall review each application.

(b) *Approvals.*

If a determination is made that the applicant meets the criteria for a space, then:

(1) a temporary permit shall be issued; and

(2) an administrative regulation describing the location of the reserved space shall be submitted to the City Council and shall be processed as described in § 2-6 of this article.

(c) *Denials.*

(1) If the Department determines that the applicant does not meet the criteria for a reserved parking space, the Department shall so notify the applicant in writing stating the reason for the denial of space.

(2) If the Department denies the permit, the applicant may appeal the decision to the Director. The Director shall review the case and may, in the Director's discretion, reverse the denial and grant a temporary permit.

(City Code, 1976/83, art. 31, §158.) (Ord. 88-041; Ord. 15-435.)

§ 9-3. Use, renewal, and termination.

(a) *Permit to be displayed.*

The permit must be clearly displayed whenever the vehicle is parked in the reserved parking space.

(b) *Validation and renewal*

Reserved parking permits must be:

(1) validated upon the expiration of 6 months from their date of issue; and

(2) renewed each year in the manner and form determined by the Department.

(c) *Notice when no longer needed.*

The holder of a reserved parking permit or the holder's heirs shall notify the Department when a reserved parking space is not longer needed.

(d) *Revocation.*

A reserved parking permit shall be revoked if:

(1) false statements are made in the application;

(2) the parking permit is misused;

(3) new parking regulations are imposed which prohibit parking at any time;

(4) the City Council rescinds an administrative regulation pursuant to § 2-6 of this article; or

(5) the disabled person dies, moves from the premises, or no longer needs the space.

(City Code, 1976/83, art. 31, §159(a) - (d).) (Ord. 88-041; Ord. 15-435.)

§ 9-4. Forms, rules, and regulations; fees.

(a) *Forms, rules, and regulations.*

(1) The Director shall develop forms and adopt rules and regulations to carry out this Part 1.

(2) A copy of all rules and regulations adopted under this section shall be filed with the Department of Legislative Reference before they take effect.

(b) *Fees.*

(1) The Director may set and impose reasonable application and annual permit fees to help defray the cost of manufacturing, installing, and removing signs and otherwise administering this Part 1.

(2) The fees set under this subsection do not apply to and may not be imposed if the applicant-permittee's disability is, as shown on the physician's statement, permanent.

(City Code, 1976/83, art. 31, §159(e).) (Ord. 88-041; Ord. 09-211.)

§§ 9-5 to 9-10. *{Reserved}*

PART 2. RESERVED PARKING FOR HELPERS

§ 9-11. "Disabled person" defined.

In this Part, "disabled person" means a person who meets the physical criteria for obtaining a reserved parking space for a disabled person.

(City Code, 1976/83, art. 31, §160(a).) (Ord. 95-537; Ord. 96-023.)

§ 9-12. Criteria and procedure for obtaining

(a) *In general.*

A person who regularly renders assistance to a disabled person may apply to the Department of Transportation for a permit for 1 reserved parking space at the disabled person's home.

(b) *Application.*

(1) The application shall be made jointly by the disabled person and the disabled person's designated helper.

(2) The application shall be in the form that the Director requires and shall be accompanied by:

(i) a physician's statement, dated within the previous 6 months, describing the nature and anticipated duration of the disabled person's disability and the disability's effect on the disabled person's mobility; and

(ii) signed statements approving the designation of reserved parking for the applicant from the 2 abutting property owners and from 4 additional property owners in the block.

(3) The Director may waive the requirements of paragraph (2)(ii) of this subsection if the Director determines that there are not enough properties in the block to supply the necessary signatures.

(c) *Review.*

The Department shall review each application to determine that:

(1) suitable off-street parking, such as a driveway, garage, or parking pad, is not available;

(2) suitable parking space not restricted by other parking regulations is available; and

(3) the disabled person meets the criteria for a reserved parking space.

(City Code, 1976/83, art. 31, §160(b), (c).) (Ord. 95-537; Ord. 09-211; Ord. 15-435.)

§ 9-13. Assignment of space; restrictions.

(a) *Assignment.*

On acceptance of the application, the Director shall designate and mark 1 space at a location to be determined by the Director.

(b) *Restrictions.*

(1) The Director may specify the days, times, location, and other restrictions the Director considers necessary in order to provide adequate parking in the neighborhood.

(2) Any reserved parking space may be designated by the Director for use by more than 1 helper.
(City Code, 1976/83, art. 31, §160(d).) (Ord. 95-537.)

§ 9-14. Annual permit.

(a) *Issuance.*

The Director shall issue to the designated helper a permit which shall be displayed in the manner prescribed by the Director.

(b) *Renewal.*

Permits shall be renewed each year in the manner and form determined by the Director.
(City Code, 1976/83, art. 31, §160(e).) (Ord. 95-537.)

§ 9-15. Forms, rules, and regulations; fees.

(a) *Forms, rules, and regulations.*

(1) The Director may develop forms and adopt rules and regulations to carry out this Part 2.

(2) A copy of all rules and regulations adopted under this section shall be filed with the Department of Legislative Reference before they take effect.

(b) *Fees.*

(1) The Director may set and impose reasonable application and annual permit fees to help defray the cost of manufacturing, installing, and removing signs and otherwise administering this Part 2.

(2) The fees set under this subsection do not apply to and may not be imposed if the disability of the person being assisted is, as shown on the physician's statement, permanent.
(City Code, 1976/83, art. 31, §160(f).) (Ord. 95-537; Ord. 99-211.)

§§ 9-16 to 9-20. *{Reserved}*

PART 3. TOWING CONTRACTS FOR PARKING FACILITIES

§ 9-21. Contracts required.

By October 1, 1997, and annually thereafter, the owner of any parking facilities with parking spaces required by law to be designated for the use of disabled persons must certify to the Mayor's Commission on Disabilities that:

(1) the owner has a contract for towing service to remove from the designated spaces any vehicle that does not display special registration plates for disabled persons or a disabled person's parking permit; and

(2) the contract is effective for the period of certification.

(City Code, 1976/83, art. 31, §161.) (Ord. 97-163).)

SUBTITLE 10
RESIDENTIAL PERMIT PARKING PROGRAM

PART I. DEFINITIONS; GENERAL PROVISIONS

§ 10-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Authority.*

"Authority" means the Baltimore City Parking Authority.

(c) *Block face.*

"Block face" means all of 1 side of a given street between 2 consecutive intersecting streets.

(d) *Dwelling unit.*

"Dwelling unit" has the meaning stated in Zoning Code § 1-137.

(e) *Executive Director*.

"Executive Director" means the Executive Director of the Baltimore City Parking Authority or the Executive Director's designee.

(f) *Household*.

"Household" means all persons occupying a single dwelling unit as a "family", within the meaning stated in Zoning Code § 1-142.

(g) *Includes; including*.

"Includes" or "including" means by way of illustration and not by way of limitation.

(h) *Parking management plan.*

"Parking management plan" means a regulation issued by the Executive Director to establish and govern a Residential Permit Parking Area under this subtitle.

(i) *Residential Permit Parking Program Area; Residential Parking Area*.

"Residential Permit Parking Program Area" or "Residential Parking Area" means an area designated under this subtitle in which resident vehicles displaying a valid permit are exempt from the parking time restrictions established under this subtitle.

(City Code, 1976/83, art. 31, §156(b).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-519; Ord. 05-118; Ord. 06-316; Ord. 13-092.)

§ 10-2. Findings and declarations.

(a) *In general.*

The Mayor and City Council finds and declares that serious adverse conditions in certain residential areas of the City result from motor vehicle congestion, particularly long-term parking of motor vehicles on the streets of those areas by nonresidents.

(b) *Program intent.*

The Permit Parking Program established by this subtitle is intended:

(1) to reduce hazardous traffic conditions resulting from the use of streets within these areas by nonresidents;

(2) to protect these areas from polluted air and thereby assist in attaining national ambient air quality standards as required by the Federal Clean Air Act;

(3) to protect these areas from excessive noise, trash and refuse caused by the entry of nonresident vehicles;

(4) to protect the residents of these areas from unreasonable burdens in gaining access to their residences;

(5) to preserve the residential character of those areas;

(6) to preserve the value of the property in those areas;

(7) to preserve the safety of children and other pedestrians; and

(8) for the peace, good order, comfort, convenience, and welfare of the inhabitants of the City.

(City Code, 1976/83, art. 31, §156(a).)
(Ord. 79-999; Ord. 79-1193; Ord.80-142; Ord. 99-519; Ord. 06-316.)

§§ 10-3 to 10-5. ***{Reserved}***

PART II. ADMINISTRATION

§ 10-6. Program established.

There is a Residential Permit Parking Program.
(City Code, 1976/83, art. 31, §156(c)(1st sen.)(1st cl.).)
(Ord. 79-999; Ord. 79-1192; Ord. 80-142; Ord. 99-519; Ord. 06-316.)

§ 10-7. Parking Authority to administer.

The Residential Permit Parking Program is administered by the Baltimore City Parking Authority.
(City Code, 1976/83, art. 31, §156(f)(1st cl.).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 06-316.)

§ 10-8. Rules and regulations.

(a) *In general.*

The Authority's Board of Directors, established under § 13-7 of this article, shall adopt rules and regulations to:

(1) implement the Program;

(2) provide for the payment of major change costs under § 10-20 of this subtitle;

(3) allow for the issuance of special permits under § 10-22(d) of this subtitle; and

(4) otherwise carry out this subtitle.

(b) *Filing with Legislative Reference.*

A copy of all rules and regulations must be filed with the Department of Legislative Reference before they may take effect.
(City Code, 1976/83, art. 31, §156(f)(2nd cl.).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 06-316; Ord. 13-092.)

§ 10-9. Advisory Board.

(a) *Established.*

There is a Residential Permit Parking Advisory Board.

(b) *Membership.*

(1) The Advisory Board consists of 11 members, to be appointed by the Executive Director of the Parking Authority.

(2) Of these members:

(i) 2 must be residents of a Residential Permit Parking Area that is within District 1, nominated by a neighborhood association representing a Residential Permit Parking Area in that district (that district being bounded as follows: beginning at the point where Harford Road meets the City Line, moving southwest on Harford Road to North Avenue, then west along North Avenue to the Jones Falls Expressway, then north on the Jones Falls Expressway, then west on West 28th Street continuing on to Druid Park Lake Drive, then northwest on Auchentrolly Terrace, then northwest on Reisterstown Road, then north on Park Heights Avenue to the City Line).

(ii) 2 must be residents of a Residential Parking Area within District 2, nominated by a neighborhood association representing a Residential Permit Parking Area in that district (that district being bounded as follows: beginning where Park Heights Avenue meets the northern City line, moving southeast to Reisterstown Road, then southeast on Auchentrolly Terrace, then east on Druid Park Lake Drive, then south on I-83, then west on Orleans Street/W. Franklin Street/Rt. 40, then south on N. Hilton St., then west on Frederick Avenue/Frederick Road to the City Line).

(iii) 2 must be residents of a Residential Parking Area within District 3, nominated by a neighborhood association representing a Residential Permit Parking Area in that district (that district being bounded as follows: beginning where Frederick Road meets the western City Line, moving east along Frederick Road continuing onto Frederick Avenue, then north on S. Hilton Street, then east on Rt. 40/W. Franklin Street, then south on N. Calvert Street, then west on E. Pratt Street, then south on S. Greene Street/Baltimore Washington Parkway/Russell Street to the City Line).

(iv) 2 must be residents of a Residential Parking Area within District 4, nominated by a neighborhood association representing a Residential Permit Parking Area in that district (that district being bounded as follows: beginning where Baltimore-Washington Parkway meets the City Line, moving north continuing onto Russell Street and Greene Street, then east on W. Pratt Street to S. Calvert Street, then south to the Inner Harbor, the following the western banks of the Inner Harbor to the City Line, then following the southern City Line to the beginning point for District 4).

(v) 2 must be residents of a Residential Parking Area within District 5, nominated by a neighborhood association representing a Residential Permit Parking Area in that district (that district being bounded as follows: beginning at the point where Harford Road meets the northern City Line, moving east to the eastern City Line, then south along the City Line to the eastern banks of the Inner Harbor, then northwest along the banks of the Inner Harbor to the point immediately below S. Calvert Street, then north to S. Calvert Street, continuing north to Orleans Street, then east to I-83, then north to North Avenue, then east to Harford Road, then north to the City Line).

(vi) 1 is an at-large member, who must be a resident of any Residential Parking Area in the City.

(3) If, within 30 days after requesting nominees from a district, the Executive Director receives fewer than 2 nominees from any district, the Executive Director may appoint any resident or residents of an RPP area in that district as needed to bring the number of members from each district up to 2, exclusive of the at-large member appointed under paragraph (2)(vi) of this subsection.

(c) *Tenure; vacancies.*

(1) The term of a member is 2 years.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(3) A member who is appointed to fill a vacancy after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(d) *Officers*.

From among its members, the Advisory Board:

(1) shall elect a Chair; and

(2) may elect a Vice-Chair, Secretary, and other officers.

(e) *Duties*.

In addition to any duties specified elsewhere in this subtitle, the Advisory Board shall:

(1) seek to ensure that the Residential Permit Parking Program is effective and responsive to those it serves;

(2) review and comment on proposed changes in the Residential Permit Parking Program, its policies, procedures, or enforcement;

(3) investigate problem areas and recommend solutions to them; and

(4) generally monitor, evaluate, and propose improvements to the Residential Permit Parking Program.

(Ord. 06-316; Ord. 13-092; Ord. 13-175.)

§ 10-10. *{Reserved}*

PART III. AREA PARTICIPATION

§ 10-11. Participating areas.

(a) *In general.*

Except as otherwise provided in this section, participation in the Program is available to the following areas:

(1) the "Pimlico Race Track Area", as described in § 10-33 of this subtitle;

(2) the "Little Italy Area", as described in § 10-34 of this subtitle;

(3) the "Fells Point Area", as described in § 10-35 of this subtitle;

(4) the "Cross Street Area", as described in § 10-36 of this subtitle;

(5) the "Camden Yards Stadium Complex Area", as described in § 10-37 of this subtitle;

(6) the "Guilford Area", as described in § 10-38 of this subtitle; and

(7) all other residential areas of the City that qualify under this subtitle.

(b) *Moratorium for Canton area.*

(1) In this subsection, "Canton Area" means the area bounded by the outer limits of the following: Eastern Avenue to the north; S. Haven Street to the east; Boston Street to the south; and S. Patterson Park Avenue to the west.

(2) Until December 31, 2017, the Parking Authority may not:

(i) entertain any petition for the creation of a new Residential Parking Area that would include any part of the Canton Area; or

(ii) approve any amendment to an existing Parking Management Plan that would extend an existing Residential Parking Area into any part of the Canton Area.

(City Code, 1976/83, art. 31, §156(c)(1st sen.)(2nd cl.).)
(Ord. 79-999; Ord. 79-1192; Ord. 80-142; Ord. 99-519; Ord. 06-316; Ord. 13-092; Ord. 13-175; Ord. 14-238.)

§ 10-12. Qualification requirements.

To qualify for participation in the Program, an area must:

(1) be a contiguous or nearly contiguous area that contains all or part of a public street or highway at least 1 side of which is primarily abutted by:

(i) residential property; or

(ii) residential and nonbusiness property, including schools, parks, churches, hospitals, and nursing homes;

(2) consist of 1 of the following:

(i) an area zoned as a residence district;

(ii) blocks that are impacted by an existing Residential Parking Area;

(iii) an area in which an entire block face is residential in use, including any block face that adjoins that area; or

(iv) an area subject to a recorded master plan for subdivision and development into an area to be zoned as a residence district, where:

(A) at least 50% of the development sites have been leased or conveyed to developers, rehabilitators, restorers, or occupants with lease, deed, or disposition agreement restrictions limiting improvements to residential uses only;

(B) at least 50% of the planned development has been completed; and

(C) at least 50% of the planned improvements are in fact used and occupied as residences; and

(3) meet any additional criteria that the Authority establishes consistent with the guidelines and standards of this subtitle.

(City Code, 1976/83, art. 31, §156(c)(2nd sen.).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-519; Ord. 06-316; Ord. 13-092.)

§ 10-13. Petition.

(a) *In general.*

(1) To be considered for participation in the Residential Permit Parking Program, a community association, neighborhood group, or group of residents must submit to the Parking Authority a written request to be included in a new or existing Residential Permit Parking Area.

(2) The Authority will provide petitions to the requesting association or group.

(3) For a block face to be considered for participation in the proposed Residential Permit Parking Area, the association or group must obtain signatures on the petition from an adult member of at least 60% of the households on the block face,

(4) To be considered by the Parking Authority, the petitions issued by the Authority must be returned to the Authority within 120 days of their issuance. The Authority will not consider any petitions that the Authority has not provided.

(5) The Authority must validate the signatures on the petitions by confirming the identities and addresses of the persons signing.

(6) Failure to meet the 60% requirement for a block face eliminates the failing block face, but without affecting those block faces that meet the requirement, subject to subsection (b) of this section.

(b) *Minimum size of area.*

(1) Except as provided in paragraph (2) of this subsection, petitions may only be considered for an area that contains at least 10 adjacent block faces or 100 curb parking spaces.

(2) Petitions from a smaller area shall be considered if:

(i) the area is completely surrounded by commercial, industrial, or institutional uses; or

(ii) the smaller area is impacted by an existing Residential Permit Parking Area.

(City Code, 1976/83, art. 31, §156(c)(1).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-519; Ord. 06-316; Ord. 13-092.)

§ 10-14. Parking study.

(a) *In general.*

On receipt of valid petitions, the Executive Director shall conduct a parking study within the area.

(b) *Additional areas.*

(1) In this subsection, "influence area" means the area surrounding a facility in which it could reasonably be expected that nonresident motor vehicle owners or operators using the facility would seek parking spaces.

(2) Additional areas may be included in the study to cover:

(i) adjacent areas of parking congestion; and

(ii) influence areas of known parking congestion generators.

(City Code, 1976/83, art. 31, §156(c)(2)(1st par.).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-519; Ord. 06-316; Ord. 13-092.)

§ 10-15. Criteria for further consideration.

(a) *"Peak period" defined.*

In this section, "peak period" means:

(1) the hours of 7 a.m. and 7 p.m. on weekdays ; or

(2) that period during which the highest percentage of overall resident and nonresident parking utilization occurs.

(b) *Required findings.*

(1) The area will be further considered for a Parking Management Plan if the results of the study demonstrate that the criteria specified in paragraphs (2) and (3) of this subsection are both satisfied:

(2) At least 80% of the curb parking spaces in an adjacent 10-block area or area containing not less than 100 curb parking spaces were utilized during peak periods. The area identified need not coincide with the boundaries of the area identified in the petition if the study area was expanded to include known parking congestion nearby.

(3) At least 25% of the curb parking spaces in the area identified in paragraph (2) of this subsection were utilized by nonresident parkers who were parked for 2 or more hours.

(City Code, 1976/83, art. 31, §156(c)(2)(bal.).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-519; Ord. 06-316.)

§ 10-16. Parking Management Plan – Development.

(a) *Director to develop.*

If the criteria specified in § 10-15 {"Criteria for further consideration"} of this subtitle are satisfied, the Executive Director shall use the parking study to design a Parking Management Plan that addresses the identified problem.

(b) *General considerations.*

In designing the Parking Management Plan, special attention will be given to:

(1) the definition of a permit area boundary; and

(2) the impact on various population groups.

(c) *Alternatives.*

The Executive Director will consider alternatives to permit parking, including:

(1) parking time limits;

(2) special meter zones;

(3) 1-way streets; and

(4) alternate-side-of-the-street parking.

(d) *Off-street parking.*

(1) *"Off-street parking space" defined.*

In this subsection, "off-street parking space" means an area, whether open or enclosed, that:

(i) can accommodate the residential off-street parking of a motor vehicle; and

(ii) complies with all applicable standards imposed by the Zoning and Building Codes of Baltimore City.

(2) *Continued maintenance and use.*

The Executive Director may:

(i) consider the extent to which off-street parking spaces in the area are underutilized; and

(ii) require in the Plan, as a condition of the establishment or modification of a Residential Parking Area and the issuance or renewal of parking permits, continued maintenance and use of:

(A) all off-street parking spaces required by the Zoning Code for a specific dwelling or dwelling unit within the Residential Parking Area; and

(B) any additional accessible off-street parking spaces located on the property of a dwelling or dwelling unit within the Residential Parking Area.

(City Code, 1976/83, art. 31, §156(c)(3)(1st par.).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 99-526; Ord. 13-092.)

§ 10-17. Parking Management Plan – Review.

(a) *Agency comment.*

(1) The Executive Director shall transmit the proposed Parking Management Plan to the Department of Planning for review and comment.

(2) The Department of Planning shall review the economic impact of the plan on the nonresidential uses in the area. This review shall consider, among other things, the adequacy of available and future off-street parking for these nonresidential uses.

(3) If there are special districts, historic areas or other special designations in or near the area, the Department of Planning shall transmit the proposed Plan to the appropriate City agencies for their comments.

(4) All comments shall be submitted to the Executive Director within 30 days.

(b) *Public comment.*

(1) The Executive Director shall present the proposed Parking Management Plan at a public meeting.

(2) At least 21 days' notice of the public meeting must be posted on the website of the Baltimore City Parking Authority and mailed to:

(i) all properties in the proposed Residential Parking Area;

(ii) all properties within 2 blocks of the boundary lines of the proposed Residential Parking Area;

(iii) the community associations for the areas in or within 2 blocks of the proposed Residential Parking Area;

(iv) the Mayor;

(v) the members of the City Council; and

(vi) all City agencies affected by the Plan.

(3) The Executive Director may seek additional neighborhood comment on the proposed plan before he or she adopts a final Plan.

(City Code, 1976/83, art. 31, §156(c)(3)(2nd, 3rd pars.), (4).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 99-526; Ord. 06-316; Ord. 13-092.)

§ 10-18. Parking Management Plan – Adoption.

(a) *6-month administrative regulation.*

(1) To adopt a Parking Management Plan, the Executive Director shall:

(i) issue an administrative regulation that sets forth the final Plan, including any Residential Parking Area to be established under the Plan; and

(ii) publish this regulation once in a newspaper of general circulation in the City.

(2) Unless extended as provided in this section, the administrative regulation is effective for a period of not more than 6 months.

(b) *Administrative extension*.

(1) The Executive Director may seek to extend the Plan indefinitely or for a term of years, by giving written notice of the proposed extension, not less than 30 days before the end of the 6-month period, to the President of the City Council.

(2) If no written objection to the extension is made by any member of the City Council representing all or part of the affected area and forwarded to the Executive Director within 30 days of receipt of the written notice, the Plan is extended at the end of the 6-month period.

(c) *Ordinance to extend.*

If a timely written objection is received by the Executive Director, the Council President shall introduce a proposed ordinance setting forth the provisions of the Plan and, depending on the passage or failure of the ordinance, the Plan will become effective in accordance with the terms of the ordinance or be of no further force or effect.

(City Code, 1976/83, art. 31, §156(c)(5)(1st, 2nd pars.).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 99-526; Ord. 06-316; Ord. 09-217; Ord. 13-092.)

§ 10-19. Parking Management Plan – Amendment.

(a) *By Ordinance*.

At any time after a Parking Management Plan has been adopted by administrative regulation, the Mayor and City Council may enact an Ordinance rescinding or modifying the administrative regulation and the Parking Management Plan created by it.

(b) *By Executive Director.*

(1) *In general.*

The Executive Director may modify an established Residential Permit Parking Plan in accordance with the following procedures.

(2) *Petition required.*

(i) The Authority will provide petitions on a written request for a major or minor change in the Parking Management Plan.

(ii) For a major change in the size of the Residential Permit Parking Area, the proponents of the amendment must obtain signatures on the petition from an adult member of at least 60% of the households within the Area.

(iii) For a minor change in the size of the Residential Permit Parking Area, the proponents of the amendment must obtain signatures on the petition from an adult member of at least 60% of the households on the affected block face.

(iv) To be considered by the Parking Authority, the petitions issued by the Authority must be returned to the Authority within 120 days of their issuance. The Authority will not consider any petitions that the Authority has not provided.

(v) A petition for a major change may not be considered at any time within 12 months after a previous petition, for the same or any different major change for the Area, has been considered and approved or denied, in whole or in part.

(vi) The Authority must validate the signatures on the petitions by confirming the identities and addresses of the persons signing.

(3) *Minor changes.*

(i) In this paragraph, "minor change" includes:

(A) adding to or eliminating from a Residential Parking Area no more than 1 block face or 2 opposing block faces; or

(B) adding or eliminating permit authorization under § 10-22(b)(2) of this subtitle for residents of corner properties.

(ii) On a qualifying petition, minor changes may be made after consultation with:

(A) the residents of the affected block face or faces;

(B) the community associations for the Residential Parking Area; and

(C) the Residential Permit Parking Advisory Board.

(4) *Major changes.*

(i) In this paragraph, "major change" includes:

(A) adding or eliminating 2 or more non-opposing block faces;

(B) changing the hours or days of operation;

(C) adding or modifying requirements for the use of off-street parking spaces;

(D) providing permit eligibility for residents of dwelling units added to an existing Residential Parking Area, whether through new development or through redevelopment or renovation of existing buildings within the boundaries of the Area, when more than 5 dwelling units will be added to the Area by a project;

(E) allowing for the new issuance of special permits in accordance with the rules and regulations established under § 10-22 (d) of this subtitle; or

(F) terminating the Program.

(ii) On a qualifying petition by the Area, major changes must be presented at a public meeting conducted by the Executive Director.

(iii) At least 21 days' notice of the public meeting must be mailed to:

(A) all properties in the Residential Parking Area and in any area proposed to be added to the Residential Parking Area;

(B) all properties within 2 blocks of the Residential Parking Area and within 2 blocks of any area proposed to be added to the Residential Parking Area; and

(C) the community associations for the areas in or within 2 blocks of the Residential Parking Area and in or within 2 blocks of any area proposed to be added to the Residential Parking Area.

(iv) The City Council must also be notified of the intended changes and, if within 30 days following the public meeting and journalized notice to the Council, no councilmember who represents the existing or proposed Residential Parking Area subject to the changes opposes the changes, the recommended changes may be adopted by the Executive Director.

(City Code, 1976/83, art. 31, §156(c)(5)(3rd par.), (g).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-526; Ord. 04-672; Ord. 06-316; Ord. 13-092.)

§ 10-20. Plan amendment costs.

(a) *In general*.

A developer, property owner, or establishment seeking a major change to a Residential Permit Parking Plan under § 10-19 of this subtitle that would allow for the issuance of new permits of any type is responsible for the costs of the major change process, as determined by the Executive Director.

(b) *Rules and regulations*.

The rules and regulations adopted under § 10-8 of this subtitle must include rules and regulations to:

(1) determine the costs of a major change process that must be paid under this section,

(2) determine what parties are responsible for costs under this section, and

(3) otherwise carry out this section.

(Ord. 13-092.)

§ 10-21. *{Reserved}*

PART IV. PERMIT PROCESS

§ 10-22. Eligibility for permit.

(a) *Vehicles* .

Resident and visitor permits issued under this subtitle may only be used for motor vehicles that:

(1) are not prohibited from parking in residentially zoned areas; and

(2) are registered under the Maryland Vehicle Law as one of the following:

(i) a passenger car or station wagon (Class A);

(ii) a motorcycle (Class D);

(iii) a multipurpose passenger vehicle (Class M), other than a commercial vehicle;

(iv) a low-speed vehicle (Class R);

(v) a vehicle with a manufacturer's rated capacity of ¾ ton or less (Class E); and

(vi) a 2-axle light truck with a maximum gross vehicle weight of 10,000 pounds or less (Class EPO).

(b) *Resident permits – Qualifications*.

Except as otherwise limited by subsection (c) of this section and the applicable Parking Management Plan, the following persons are eligible for a permit:

(1) any resident of a Residential Parking Area who owns or operates a motor vehicle of a class described in subsection (a) of this section; and

(2) if expressly authorized by the applicable Parking Management Plan, any person who:

(i) resides in a corner property that, while outside a Residential Parking Area, abuts a block face within a Residential Parking Area; and

(ii) owns or operates a motor vehicle of a class described in subsection (a) of this section.

(c) *Resident permits – Limitations*.

(1) Notwithstanding any other provision of this subtitle, a person is not eligible for a permit if the person resides in a dwelling unit that:

(i) is not authorized by the Zoning Code of Baltimore City; or

(ii) is occupied by more than the number of people authorized by the Zoning Code of Baltimore City.

(2) Except as authorized by a rule or regulation of the Authority and for good cause shown, no more than 4 resident permits may be issued to or for the benefit of persons residing in the same dwelling unit.

(3) Residents of dwelling units added to an existing Residential Parking Area, whether through new development or through redevelopment or renovation of existing buildings within the boundaries of the Area, are not eligible for permits unless:

(i) 5 or fewer dwelling units are added as a result of the development, redevelopment, or renovation; or

(ii) if more than 5 dwelling units are added as a result of the development, redevelopment, or renovation, permit eligibility for residents of the additional units is approved as a major change through the amendment process set out in § 10-19 of this subtitle.

(d) *Visitor permits*.

The Authority may provide in its rules and regulations for the issuance of visitor permits for temporary use by bona fide visitors of residents of a Residential Parking Area.

(e) *Special permits.*

After consultation with the representative for an affected Residential Parking Area, the Authority may provide in its rules and regulations for the issuance of special permits for use by patrons or employees of places of worship, schools, and businesses in the Residential Parking Area.

(City Code, 1976/83, art. 31, §156(e)(parts).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 06-316; Ord. 13-092.)

§ 10-23. Applications.

(a) *In general.*

An application for a permit must be made on the form the Executive Director provides.

(b) *Contents; documentation.*

The application must contain the information and be accompanied by the documentation that the Executive Director requires to assure compliance with the residency and other requirements of this subtitle.

(c) *Verification.*

Each application must be signed under oath or affirmation, subject to the penalties of perjury.

(d) *Convenience.*

Provisions must be made to enable all applicants, including those who lack internet access, to timely and conveniently submit their applications.

(Ord. 06-316; Ord. 09-217.)

§ 10-24. Fees.

(a) *In general.*

The annual fee for a permit is as set by the Authority from time to time.

(b) *Differential fees.*

The Authority may set different fees for different Residential Parking Areas based on the days and number of hours during which parking restrictions are imposed in that Area.

(c) *Fees nonrefundable.*

Permit fees are not refundable.

(d) *Areas exempt from fees.*

No fee may be charged for any permit to an eligible resident in Areas A and B of the Camden Yards Stadium Complex Area, as described in § 10-37 of this subtitle.

(City Code, 1976/83, art. 31, §156(e)(parts).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 06-316.)

§ 10-25. Permit not assignable.

No permit issued under this subtitle may be sold, assigned, or transferred to or for the benefit of any person.

(Ord. 06-316; Ord. 13-092.)

§§ 10-26 to 10-27. *{Reserved}*

PART V. NON-PERMIT PARKING RESTRICTIONS

§ 10-28. Maximum parking durations.

(a) *In general.*

Except as otherwise provided in this subtitle or as authorized in the Parking Management Plan for a Residential Parking Area, parking for non-permit holders is limited during any 1 calendar day to 2 hours in any 1 or more parking spots anywhere within the Residential Parking Area.

(b) *Exceptions.*

(1) *Area 1 ("Oakenshawe").*

In the Residential Parking Area known as Area 1 ("Oakenshawe"), parking for non-permit holders is limited during any 1 calendar day to 2 hours in any 1 or more parking spots anywhere within the Residential Parking Area.

(2) *Area 2 ("Morgan").*

In the Residential Parking Area known as Area 2 ("Morgan"), parking for non-permit holders is limited during any 1 calendar day to 1 hour in any 1 or more parking spots anywhere within the Residential Parking Area between 7 a.m. and 9 p.m., Monday through Friday.

(City Code, 1976/83, art. 31, §156(d)(parts).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 05-118; Ord. 06-316; Ord. 11-405; Ord. 13-092.)

§ 10-29. Hours when restrictions apply.

(a) *In general.*

Except as otherwise provided in this section, the hours during which parking is restricted in a Residential Permit Parking Program Area are 7 a.m. to 7 p.m., weekdays only.

(b) *Administrative adjustments.*

(1) The Executive Director may adjust these hours or days if the Director determines that the adjustment is required to prevent parking congestion.

(2) For the purpose of this determination, the levels specified in § 10-15 {"Criteria for further consideration"} for overall parking utilization (80%) and nonresident utilization (25%) must be used.

(City Code, 1976/83, art. 31, §156(d)(parts).)
(Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 05-118; Ord. 06-316; Ord. 09-217.)

§§ 10-30 to 10-32. *{Reserved}*

PART VI. STATUTORY AREAS

§ 10-33. Pimlico Race Track Area.

(a) *Area delineated.*

The Pimlico Race Track Area is the area bounded by a point beginning at the intersection of Greenspring Avenue and Oakley Avenue and continuing westerly on Oakley Avenue to its point of intersection with Park Heights Avenue; then northerly on Park Heights Avenue to its point of intersection with Glen Avenue; then easterly on Glen Avenue to its point of intersection with the west side of Key Avenue; then southerly along the west side of Key Avenue (excluding both sides of Key Avenue itself, but encompassing all properties west of Key Avenue) to its point of intersection with W. Northern Parkway; then easterly on W. Northern Parkway to its point of intersection with Greenspring Avenue; then southerly on Greenspring Avenue to the point of beginning..

(b) *Sections inapplicable.*

The Pimlico Race Track Area is not subject to § 10-14 {"Parking study"}, § 10-15 {"Criteria for further consideration"}, or Part V {"Non-Resident Parking Restrictions"} of this subtitle.

(c) *Hours of operation.*

The hours during which parking may be restricted under a residential permit parking program may not exceed the period from 7:00 a.m. to 7:00 p.m.

(d) *Days of operation.*

A residential permit parking program developed under this section:

(1) may be in effect only on a day when a racing meet is being held at the Pimlico Race Track, but

(2) may not be in effect on Preakness Day.

(City Code, 1976/83, art. 31, §156(h).)
(Ord. 79-1193; Ord. 06-316; Ord. 11-498.)

§ 10-34. Little Italy Area.

(a) *Area delineated.*

The Little Italy Area is the area bounded by the outer limits of Pratt Street, Central Avenue, Duker Alley, and President Street.

(b) *Businesses also eligible.*

The residential permit parking program for this area shall provide permits for the businesses located within the area to the same extent that they are provided to the residents.

(c) *Hours of operation.*

The hours during which parking is restricted are 8:00 a.m. to midnight.

(d) *Parking duration.*

The parking duration for non-permit holders is limited to 3 hours.

(City Code, 1976/83, art. 31, §156(i).)
(Ord. 83-1120; Ord. 85-483; Ord. 06-316; Ord. 13-092.)

§ 10-35. Fells Point Area.

The Fells Point Area is the area bounded by the outer limits of Caroline Street, Wolfe Street, Fleet Street, and Thames Street.

(City Code, 1976/83, art. 31, §156(j).)
(Ord. 86-641; Ord. 06-316.)

§ 10-36. Cross Street Area.

The Cross Street Area is the area consisting of the 100 block of East Cross Street.

(City Code, 1976/83, art. 31, §156(k).)
(Ord. 91-703; Ord. 06-316.)

§ 10-37. Camden Yards Stadium Complex Area.

(a) *Area delineated.*

The Camden Yards Stadium Complex Area is the area bounded by the outer limits of North Avenue, the western bank of the Jones' Falls, the outer limits of Lawrence Street, Interstate I-95, and Monroe Street.

(b) *Sections inapplicable.*

(1) The Camden Yards Stadium Complex Area is not subject to § 10-13 {"Petition"}, § 10-14 {"Parking study"}, § 10-15 {"Criteria for further consideration"}, or Part V {"Non-Resident Parking Restrictions"} of this subtitle.

(2) For each block face to be considered, a petition must be submitted that contains the signature of an adult member of at least 60% of the households on the affected block face.

(c) *Parking restrictions.*

In the Camden Yards Stadium Complex Area, parking durations for non-permit holders may be restricted in whole or in part.

(d) *Persons eligible.*

(1) In the Camden Yards Stadium Complex Area, block faces that are residential in use are eligible for residential permit parking privileges.

(2) The residential permit parking program for stadium event restricted parking program - Area A (South Baltimore), Area B (Washington Village), and Area 5 (Ridgely's Delight) shall provide permits for the businesses located within Area A, Area B, and Area 5 to the same extent that they are provided to the residents.

(e) *Area Committee.*

(1) There shall be a Camden Yards Stadium Complex Area Committee.

(2) The Committee shall be composed of:

(i) representatives of existing residential permit parking areas, community associations, business associations, and religious, educational, and nonprofit institutions in the Camden Yards Stadium Complex area, to be appointed by the Executive Director of the Parking Authority;

(ii) the Commissioner of Police or the Commissioner's designee;

(iii) the Director of Transportation or the Director's designee; and

(iv) the Director of the Stadium Authority or the Director's designee.

(3) The Committee shall consider and make recommendations concerning any changes to the Camden Yards Stadium Complex Area.

(f) *Application of section to other designated areas.*

Any other Residential Permit Parking Area that falls, in whole or in part, within the Camden Yards Stadium Complex Area is subject to all provisions of this section.

City Code, 1976/83, art. 31, §156(l).)
(Ord. 92-109; Ord. 93-193; Ord. 06-316.)

§ 10-38. Guilford Area.

(a) *Area delineated.*

The Guilford Area consists of:

(1) the unit blocks of St. Martin's Road and East Bishops Road; and

(2) 3701, 3703, 3705, and 3801 N. Charles Street.

(b) *Hours of operation.*

Parking is restricted at all times.

(c) *Parking duration.*

(1) Except only as provided in paragraph (2) of this subsection, no parking is permitted for non-permit holders.

(2) This subsection does not apply to a commercial vehicle that:

(i) is parked for purposes of making a delivery or providing a service to a person in the Area; and

(ii) for that purpose, during any 1 day is parked for no longer than 1 hour in any 1 or more parking spots within the Area.

(Ord. 14-238; Ord. 15-324; Ord. 16-544.)

§ 10-39. *{Reserved}*

PART VII. PROHIBITED CONDUCT

§ 10-40. Falsifying or concealing information.

No person may, in connection with any matter governed by this subtitle, willfully:

(1) falsify, conceal, or cover up any material fact; or

(2) submit any writing or document knowing that it contains a false or misleading statement or entry.

(Ord. 06-316; Ord. 13-092.)

§ 10-41. Fraudulently obtaining, etc., permit.

No person may fraudulently obtain, keep, or attempt to obtain or keep a permit issued under this subtitle.

(Ord. 06-316.)

§ 10-42. Counterfeiting or altering permit.

No person may:

(1) copy, create, or otherwise produce any counterfeit or facsimile of a residential area parking permit; or

(2) alter any permit issued under this subtitle to change its expiration date or any condition of its use.

(Ord. 06-316.)

§ 10-43. Using invalid permit.

(a) *In general.*

No person may display in any vehicle:

(1) any counterfeit or facsimile of a residential area parking permit;

(2) any permit altered to change its expiration date or any condition of its use; or

(3) a residential parking permit that has expired or is otherwise void.

(b) *Ineligible vehicle.*

No person may display any permit in a vehicle that is not of a class described in § 10-22(a) {"Eligibility for permit: Vehicles"} of this subtitle.

(Ord. 06-316; Ord. 13-092.)

§ 10-44. Misusing visitor or special permit.

No person may:

(1) charge any fee for the use of a visitor or special permit;

(2) allow another to use a visitor or special permit in violation of any rule or regulation governing the use of those permits; or

(3) sell or advertise for sale a visitor or special permit.

(Ord. 06-316; Ord. 13-092.)

§ 10-45. Landlord abuse.

No landlord or other person may, directly or indirectly, require a tenant or other resident of a dwelling to allow the landlord or other person to use or control any permit issued to the tenant or other resident.
(Ord. 06-316.)

§ 10-46. Aiding another in violation.

No person may knowingly aid another in violating any provision of this Part VII.
(Ord. 06-316.)

§ 10-47. *{Reserved}*

PART VIII. ENFORCEMENT; PENALTIES

§ 10-48. Suspension or revocation of permit.

After notice and opportunity for a hearing, the Executive Director may suspend or revoke, as the circumstances warrant, all permits issued to or for the benefit of:

(1) any person who violates any provision of Part VII {"Prohibited Conduct"} of this subtitle; and

(2) all members of that person's household.
(Ord. 06-316; Ord. 09-217.)

§ 10-49. Immobilizing vehicle.

(a) *In general.*

If an unattended vehicle is found parked in violation of § 10-43 {"Using invalid permits"} of this subtitle, the vehicle may be impounded or immobilized pending surrender of the invalid permit.

(b) *Method of immobilization.*

The method of immobilization shall be the same as that used under § 31-21 {"Impounding or immobilization authorized"} of this article.

(c) *Notice, release, right to hearing.*

(1) Except as otherwise provided in paragraph (2) of this subsection, the provisions of §§ 31-25 through 31-31 of this article, governing notices, release of vehicle, right to a hearing, and prohibited tampering apply to an immobilization under this section.

(2) For purposes of an immobilization under this section, however, references in §§ 31-25 through 31-31 of this article to release of a vehicle on "payment of a booting fee and other charges" shall be taken to mean payment of a booting fee and surrender to the Authority of the invalid permit.
(Ord. 06-316; Ord. 06-316.)

§ 10-50. ***{Reserved}***

§ 10-51. Prohibited conduct – Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, Part VII {"Prohibited Conduct"} of this subtitle may be enforced by issuance of a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) *Process not exclusive.*

The issuance of a citation to enforce Part VII of this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(Ord. 06-316.)

§ 10-52. Prohibited conduct – Criminal penalties.

Any person who violates any provision of Part VII {"Prohibited Conduct"} of this subtitle is guilty of a misdemeanor and, on conviction, is subject to fine of not more than $1,000 or to imprisonment for not more than 12 months or to both fine and imprisonment for each offense.

(Ord. 06-316.)

Editor's Note: This subtitle was substantially amended by Ordinance 13-092, effective March 10, 2013. Sections 3 and 4 of that Ordinance ordained the following additional requirements:

> **SECTION 3. AND BE IT FURTHER ORDAINED**, That, within 12 months of the effective date of this Ordinance, the Baltimore City Parking Authority must restate in writing all Parking Management Plans subject to Article 31, Subtitle 10 {Residential Permit Parking Program} of the Baltimore City Code, as last amended by this Ordinance.
>
> **SECTION 4. AND BE IT FURTHER ORDAINED,** That the written restatements required by Section 3 of this Ordinance must include provision for the issuance of Special Permits ... to [those] non-resident permit holders that the Parking Authority determines were customarily receiving parking permits under unwritten Parking Management Plans prior to the enactment of this Ordinance.

SUBTITLE 11
MISCELLANEOUS RESERVED PARKING

§ 11-1. Pratt bookmobiles.

(a) *In general.*

The Enoch Pratt Free Library may park its vehicles for the display and lending of books, commonly known as bookmobiles, in areas where parking is permitted for limited periods of time, for the periods and at the locations that the Director of Transportation approves.

(b) *Application.*

Permission to park under this section may be granted only on written application by a duly authorized representative of the Enoch Pratt Free Library to the Director of Transportation.

(c) *Permit required.*

There shall be attached to each vehicle a special parking permit, as required by the Director of Transportation, showing the approval for each location where the bookmobile may be parked and the hours during which it may be parked at that location.

(d) *Notice to Police Commissioner.*

Sufficient notice of an intention to park a bookmobile in such a location shall be provided to the Police Commissioner in advance of the time when the bookmobile will be at a particular place, in order to facilitate the warning of other vehicles that the space will be reserved for the bookmobile for a specific time and location.

(City Code, 1966, art. 31, §28; 1976/83, art. 31, §19.) (Ord. 55-1430; Ord. 15-435.)

§ 11-2. *{Repealed by Ord. 15-435}*

SUBTITLE 12
OFF-STREET PARKING COMMISSION

§ 12-1. Commission; members.

(a) *Commission established.*

Pursuant to the power and authority vested in the Mayor and City Council of Baltimore by Chapter 611, Laws of Maryland 1947, and Chapter 28, Laws of Maryland 1948, Special Session, and by Ordinance 48-338, approved July 2, 1948, there is a commission to be known as "The Off-Street Parking Commission of Baltimore City".

(b) *Composition.*

(1) The Commission consists of 11 members.

(2) 7 of the members shall be the following:

(i) the Mayor or the Mayor's designee;

(ii) a member of the City Council, who shall be elected by that body;

(iii) the Commissioner of Housing and Community Development or the Commissioner's designee;

(iv) the Director of Planning or the Director's designee;

(v) the Director of Transportation or the Director's designee;

(vi) the Director of Finance or the Director's designee; and

(vii) the Director of General Services or the Director's designee.

(3) 4 of the members shall be persons interested in the development and establishment of off-street parking facilities and other matters relating to parking, to be appointed by the Mayor in the manner prescribed by Article IV, § 6 of the City Charter.

(c) *Appointed members.*

None of the persons appointed by the Mayor under subsection (b)(3) of this section may, either at the time of appointment or during his or her term of office:

(1) hold any other public office; or

(2) be an officer, employee, agent, or representative of any individual, partnership, corporation, or association engaged in the business of storing, parking, or servicing motor vehicles.

(City Code, 1950, art. 38, §73(a); 1966, art. 31, §87(a); 1976/83, art. 31, §63(a).)
(Ord. 48-134; Ord. 48-506; Ord. 74-584; Ord. 81-327; Ord. 15-435.)

§ 12-2. Terms; chair; compensation

(a) *Terms - ex-officio members.*

The person holding the particular public office stated in § 12-1(a)(1) of this subtitle shall serve until he ceases to hold office or until the particular office is abolished.

(b) *Terms - appointed members.*

(1) The members appointed by the Mayor shall hold office for a term of 4 years, but in no event shall such term continue beyond the term of the Mayor who appointed them.

(2) The members appointed by the Mayor shall continue in office until their respective successors are appointed.

(3) Members of the Commission appointed by the Mayor shall be eligible for reappointment.

(4) The members of the Commission appointed by the Mayor may be removed from office for cause in accordance with the provisions of Article IV, § 6 of the Baltimore City Charter.

(c) *Chair.*

One of the members shall be designated by the Mayor as Chairman of the Commission to serve for 4 years.

(d) *Compensation.*

No member of the Commission shall receive any compensation for his services to the Commission.

(City Code, 1950, art. 38, §73(b), (c); 1966, art. 31, §87(b), (c); 1976/83, art. 31, §63(b), (c).)
(Ord. 48-134; Ord. 48-506; Ord. 65-514; Ord. 74-584.)

§ 12-3. Director; staff.

(a) *Commission to appoint.*

The Commission may appoint a Director and such other personnel as are necessary for the proper performance of the duties of the Commission, said personnel to receive such compensation as has been approved by the Board of Estimates and provided for in the annual Ordinance of Estimates.

(b) *Civil Service.*

The Director and any other personnel employed by the Commission shall be subject to the provisions of the Classified Civil Service of the City of Baltimore.

(City Code, 1950, art. 38, §73(e); 1966, art. 31, §87(e); 1976/83, art. 31, §63(e).)
(Ord. 48-134; Ord. 48-506; Ord. 74-584.)

§ 12-4. Meetings, records, and regulations.

(a) *Meetings.*

(1) The majority of the Commission shall constitute a quorum to transact any business.

(2) All sessions or meetings of the Commission except executive sessions shall be open to the public.

(3) The Commission shall keep records of its proceedings, showing the vote of each member and each question, or if absent or failing to vote, indicating such fact.

(b) *Records.*

The Commission shall keep a record of any resolutions, transactions, findings, terminations, and decisions, and all of the records of the Commission shall be filed in the Department of Legislative Reference and shall be public records.

(c) *Rules and regulations.*

The Commission may adopt such rules and regulations as it may deem necessary for the proper transaction of any business.

(City Code, 1950, art. 38, §73(d); 1966, art. 31, §87(d); 1976/83, art. 31, §63(d).)
(Ord. 48-134; Ord. 48-506; Ord. 74-584.)

§ 12-5. Powers generally.

(a) *Charter authority.*

The Commission is hereby granted full power and authority to exercise and perform any and all of the powers and authority granted to, and conferred upon, the Mayor and City Council of Baltimore by Article II, § (20) of the City Charter.

(b) *Legislative authorizations.*

The Commission is hereby granted full power and authority:

(1) to administer and supervise the proceeds derived from the sale of the certificates of indebtedness authorized to be issued by Chapter 28, Laws of Maryland 1948, Special Session, and Ordinance 48-338, approved by the Mayor on July 2, 1948, and by the voters of Baltimore City on November 2, 1948, including, but not limited to, the expenditure and disposition of such proceeds; and

(2) to exercise all of the powers and perform all of the duties mentioned in Sections 2, 3, and 4, inclusive, of Chapter 28, Laws of Maryland 1948, Special Session, and Sections 4, 5, and 8, inclusive, of Ordinance 48-338, approved July 2, 1948, which were contemplated

and intended to be exercised and performed by an agency of the Mayor and City Council of Baltimore to be created by it, all as provided in said Act and Ordinance.

(City Code, 1950, art. 38, §§74(a), 75; 1966, art. 31, §§88(a), 89; 1976/83, art. 31, §§64(a), 65.) (Ord. 48-134; Ord. 48-506; Ord. 74-584.)

§ 12-6. Property acquisition.

(a) *Condemnation.*

The Commission is hereby authorized and empowered to institute or cause to be instituted, from time to time, in the name of, and for, the Mayor and City Council of Baltimore, such condemnation proceedings as may be necessary to acquire any and all lands or property of any kind, or any interest therein, in order to accomplish any and all of the purposes set forth in this subtitle.

(b) *Purchase; Ordinance for condemnation.*

(1) Where it is possible for the Off-Street Parking Commission to acquire sufficient land for a feasible project without exercising the powers of condemnation, the Commission shall have full authority to acquire the necessary property.

(2) But where it is necessary for the Commission to condemn in order to acquire an area sufficient for a feasible off-street parking project, it shall be necessary to have the site approved by an Ordinance of the Mayor and City Council.

(City Code, 1950, art. 38, §§74(b), 76; 1966, art. 31, §§88(b), 90; 1976/83, art. 31, §§64(b), 66.) (Ord. 48-134; Ord. 48-506; Ord. 74-584.)

§ 12-7. Additional powers.

In addition to the foregoing, the Commission shall have the following powers:

(1) to prepare and be responsible for a comprehensive parking policy for Baltimore City;

(2) to study patterns of available parking facilities;

(3) to study and ascertain how available parking facilities influence and affect mass transit and other modes of transportation;

(4) to study and make recommendations to appropriate City, State, or Federal agencies with regard to parking policy in Baltimore City;

(5) to study parking fees and make recommendations in regard thereto;

(6) to study general design criteria for parking facilities and recommendations in regard thereto;

(7) to develop and implement a comprehensive downtown parking facility;

(8) to assist any, and all public or private segments of the community involved in on-street or off-street parking; and

(9) to study parking lot operations in Baltimore City.

(City Code, 1966, art. 31, §88(c); 1976/83, art. 31, §64(c).) (Ord. 74-584.)

SUBTITLE 13
BALTIMORE CITY PARKING AUTHORITY

§ 13-1. Definitions.

(a) *In general.*

In this subtitle, the following words have the meanings indicated.

(b) *Acquire.*

"Acquire" means to obtain by gift, purchase, lease, devise, or other legal means.

(c) *Authority.*

"Authority" means the Baltimore City Parking Authority.

(d) *Board.*

"Board" means the Board of Directors of the Authority.

(e) *Borrowings.*

(1) "Borrowings" means the financing of capital needs by the Authority through revenue bonds or any other form of financing authorized by law.

(2) "Borrowings" includes:

(i) revenue bonds or notes;

(ii) obligations issued in anticipation of revenue bonds or notes;

(iii) certificates of participation;

(iv) conditional purchase agreements;

(v) purchase money instruments; and

(vi) any other instrument delivered by the Authority to evidence a borrowing of funds.

(f) *Contract.*

"Contract" means any written note, bond, mortgage, indenture, lease, sublease, license, contract, agreement, instrument, financial arrangement, obligation, or other legally binding commitment.

(g) *Demand management strategies.*

"Demand management strategies" means measures used to control and reduce the demand for existing and new parking facilities.

(h) *Develop.*

"Develop", when used in connection with a parking project, means to plan, design, construct, improve, expand, renovate, rehabilitate, equip, furnish, or convert property to create a parking project, either directly by the Authority or through the use of other persons.

(i) *Enabling Act.*

"Enabling Act" means the State Parking Authorities Act, codified at Article 41, Title 14, Subtitle 3 of the Maryland Code, as amended from time to time.

(j) *Operate.*

"Operate", when used in connection with a parking project, means to maintain, manage, repair, improve, expand, alter, modify, regulate, or otherwise control the operation of the parking project, either directly by the Authority or through the use of other persons.

(k) *Parking Project.*

"Parking Project" means all or part of any property in the City that the Authority is authorized to acquire, develop, or operate under the Enabling Act and this subtitle.

(l) *Person.*

"Person" includes:

(1) an individual;

(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind;

(3) a partnership, firm, association, corporation, or other entity of any kind; and

(4) a governmental entity or an instrumentality or unit of a governmental entity.

(m) *Property.*

"Property" includes:

(1) any real or personal property, tangible or intangible; and

(2) any interest in real or personal property, including any franchise, license, or easement.

(n) *Public Bonds.*

"Public Bonds" means any borrowing evidenced by the issuance of bonds, notes, certificates, or other instruments that are sold or structured for sale to retail purchasers of municipal or public obligations and that are typically accompanied by the preparation of a prospectus, offering statement, or similar disclosure document.

(Ord. 00-071.)

§ 13-2. Construction.

This subtitle and the powers granted under it must be broadly interpreted to allow the Authority to achieve the purposes of:

(1) the Enabling Act; and

(2) this subtitle.

(Ord. 00-071.)

§ 13-3. Authority established; purposes.

(a) *Authority established.*

There is a Baltimore City Parking Authority, established under the Enabling Act as a body corporate and politic.

(b) *Corporate powers*.

The Authority may:

(1) sue and be sued; and

(2) adopt, use, and alter at will a corporate seal.

(c) *Purposes.*

The Authority is created for the purposes set forth in the Enabling Act.

(Ord. 00-071.)

§ 13-4. General powers.

(a) *In general.*

(1) The Authority may exercise any of the following powers, either singly or in any combination, in each instance to the extent the Board determines is necessary or convenient to achieve the purposes of the Authority.

(2) The powers enumerated in this section are in addition to any other powers or authorizations specifically granted to the Authority by law.

(b) *Acquisition of property.*

The Authority may acquire property:

(1) to develop parking projects; or

(2) otherwise as necessary or desirable for carrying out its purposes.

(c) *Acquisition of projects.*

The Authority may acquire already-existing parking projects.

(d) *Funding, development, or construction of projects.*

(1) The Authority may fund, develop, or construct parking projects.

(2) The final design of any parking structure that the Authority funds, develops, or constructs is subject to the approval of the Planning Commission.

(e) *Operation of projects*.

The Authority may operate the parking projects that it acquires or develops.

(f) *Use of projects*

The Authority may:

(1) contract with any person for the use, by persons other than the Authority, of all or part of any parking project; and

(2) subject to the approval of the Board of Estimates, set the rates, tolls, rents, fees, charges, or other financial or non-financial impositions for any parking project.

(g) *Disposition of property.*

To the extent permitted by the Enabling Act, the Authority may sell or otherwise transfer to the City or other persons its interest in any property or parking project.

(h) *Contracts.*

(1) The authority may enter into contracts necessary or convenient to the exercise of its powers.

(2) The Authority's contracts are not subject to Article VI, § 11 of the City Charter.

(3) However, any contract involving an expenditure of $10,000 or more is subject to the approval of the Board of Estimates.

(i) *Research and studies.*

The Authority may:

(1) conduct research and studies relating to parking and demand management strategies, including the preparation of short-term or long-terms plans; and

(2) contract with persons to assist in these studies and plans.

(j) *Grants*.

The Authority may accept grants from any governmental entity, including the State and the City, or any political subdivision of the State, and from any other person.

(k) *Bylaws.*

The Authority may adopt bylaws for the management and regulation of its affairs.

(l) *Rules and regulations.*

(1) Subject to the approval of the Board of Estimates, the Authority may adopt rules and regulations governing the operation and use of its parking projects.

(2) A copy of all rules and regulations must be filed with the Department of Legislative Reference before they take effect.

(m) *General.*

The Authority may do all other acts and things necessary or convenient to carry out the powers granted by this subtitle or by any other law.

(n) *Exemptions.*

To the extent not specifically made subject to laws and procedures that otherwise apply to units of the City government, the Authority is exempt from those laws and procedures.

(Ord. 00-071; Ord. 06-253.)

§ 13-5. Management of City operations.

(a) *Scope.*

The functions authorized by this section may be exercised as necessary or appropriate to improve efficiency and maximize revenues, subject, however, to the limitations of applicable State and local laws and existing contractual obligations of the City.

(b) *In general.*

Subject to the limitations specified in subsection (a) of this section, the City and the Authority may contract for the Authority's undertaking any 1 or more of the following functions:

(1) operation of 1 or more parking projects owned or controlled by the City;

(2) installation and maintenance of City parking meters;

(3) enforcement of City parking ordinances and regulations; and

(4) otherwise managing part or all of the City's parking operations.

(c) *Management and operations plan and report*.

(1) At least 45 days before it assumes any new function or any new part of a function under this section, the Authority must submit a written management and operations plan to the City Council and the Board of Estimates.

(2) As long as the Authority is performing any function under this section, the Authority must submit an annual written report to the City Council and the Board of Estimates on its management and operations under this section.

(Ord. 00-071.)

§ 13-6. Limitations.

(a) *In general.*

The Authority is not an agency of the Mayor and City Council of Baltimore, and its officers and employees are not agents or employees of the Mayor and City Council of Baltimore.

(b) *In particular.*

The Authority:

(1) may not pledge the full faith and credit of the City or otherwise obligate the City to any borrowing or contract;

(2) does not have any taxing authority;

(3) may not exercise the power of eminent domain; and

(4) may not issue any public bonds.

(c) *City to be held harmless.*

The Authority must indemnify and hold harmless the Mayor and City Council of Baltimore and its officers, agents, and employees against all acts, conditions, damages, suits, claims, and

liabilities arising out of or in connection with any activities of the Authority or of its Board, Executive Director, officers, agents, or employees.

(Ord. 00-071.)

§ 13-7. Board of Directors — In general.

(a) *Established.*

(1) The powers of the Authority are exercised by a Board of Directors.

(2) The Board consists of 5 members, of which:

(i) 4 are appointed by the Mayor and confirmed by the City Council; and

(ii) 1 is a member of the City Council appointed by the City Council President.

(b) *Qualifications.*

(1) Each member of the Board must be:

(i) a resident of Baltimore City; and

(ii) a person of ability, experience, and integrity.

(2) At least 1 member of the Board must have mass transit involvement.

(c) *Term.*

(1) The term of a member is 3 years.

(2) The terms of the members are staggered as required by the terms provided for the members first appointed to the Board.

(d) *Vacancies*.

(1) At the end of a term, a member continues to serve until his or her successor is appointed and qualifies.

(2) A member who is appointed after a term has begun serves only for the rest of the term and until his or her successor is appointed and qualifies.

(3) Members may be appointed to succeed themselves. However, a member may not serve more than 2 consecutive full terms.

(e) *Removal*.

The Mayor or City Council President, as the case may be, may remove at will any member of the Board appointed by him or her.

(f) *Compensation; expenses.*

The members of the Board:

(1) serve without compensation; but

(2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Board's rules governing expenses.

(Ord. 00-071; Ord. 16-503.)

§ 13-8. Board of Directors — Officers; staff; delegation.

(a) *Officers.*

(1) The Mayor designates the Chair of the Board.

(2) From among its members, the Board must select a treasurer, a secretary, and any other officers that the Board determines.

(b) *Staff.*

(1) The Board must select an executive director, as provided in § 13-10 of this subtitle.

(2) The Board may:

(i) employ attorneys, accountants, technical experts, agents, and employees, permanent or temporary, as the Board requires;

(ii) determine their qualifications and duties; and

(iii) fix their compensation.

(c) *Delegation.*

The Board may delegate to one or more of its agents or employees any of the Board's powers that the Board considers necessary to carry out this subtitle.

(d) *No personal liability.*

No member of the Board may be held personally liable for the obligations of the Authority, and the rights of creditors may be exercised solely against the Authority.

(Ord. 00-071.)

§ 13-9. Board of Directors — Quorum; open meetings; public records.

(a) *Quorum.*

Three members of the Board constitute a quorum.

(b) *Open meetings.*

All meetings of the Board must be conducted in accordance with the State Open Meetings Act, Title 3 of the State General Provisions Article.

(c) *Public records.*

All records of the Authority must be open to public inspection in accordance with the State Public Information Act, Title 4 of the State General Provisions Article.

(Ord. 00-071; Ord. 16-503.)

§ 13-10. Executive Director.

(a) *Chief Administrative Officer.*

The Executive Director is the chief administrative officer of the Authority.

(b) *Qualifications; tenure.*

(1) The Executive Director may not be a member of the Board.

(2) The Executive Director serves at the pleasure of the Board.

(3) Any employment contract with the Executive Director may not exceed 3 years, but may be renewed up to 3 years at a time by agreement between the Board and the Executive Director.

(c) *Duties.*

In addition to any other rights, powers, and duties granted by the Board, the Executive Director:

(1) supervises and manages the day-to-day operations of the Authority and its employees and contractors;

(2) prepares the Authority's various plans and reports for review and approval by the Board;

(3) implements the approved financial plan and arranges for the collection, deposit, and disbursement of all charges and revenues of the Authority; and

(4) establishes the procedures and processes needed to perform the functions called for under the financial plan.

(Ord. 00-071.)

§ 13-11. Financial plan; annual report.

(a) *Fiscal year.*

The Authority's fiscal year is the same as the City's fiscal year.

(b) *Annual plan required.*

(1) Annually, the Board of Directors must develop and, subject to the approval of the Board of Estimates, adopt a financial plan for the ensuing fiscal year.

(2) The financial plan for each fiscal year:

(i) must contain the Authority's proposed plan for both operations and capital expenditures in that fiscal year; and

(ii) may include a narrative of initiatives to be undertaken by the Authority in its effort to develop parking projects and demand management strategies.

(c) *Submission of proposed plan to Board of Estimates.*

At least 2 months before the start of a new fiscal year, the Board of Directors must submit its proposed financial plan and all background material to the Board of Estimates for its review and approval.

(d) *Annual report*.

Within 6 months after the end of each fiscal year, the Authority must publish and make available to the public an annual report that summarizes, in a non-technical, readable format:

(1) the Authority's activities during the preceding fiscal year;

(2) the Authority's future plans ; and

(3) the Authority's consideration and use of demand management strategies and the effectiveness of those strategies in reducing the need for new parking.

(Ord. 00-071.)

§ 13-12. Deposit of funds; audits and examinations; financial statement.

(a) *Deposits.*

The Authority's treasurer must deposit and invest all moneys received by the Authority in one or more financial institutions, consistent with the requirements of State Code Article 95, § 22F {"Local government investment guidelines"}.

(b) *Audits.*

(1) The Authority must:

(i) maintain adequate books and records; and

(ii) within 90 days after the end of each fiscal year, prepare audited financial statements in accordance with generally accepted governmental accounting principles.

(2) A copy of the audited financial statements must be delivered to the Mayor, the President of the City Council, and the Board of Estimates.

(c) *Examination by Board of Estimates.*

The Board of Estimates may examine, at any time, the Authority's books, accounts, and records.
(Ord. 00-071.)

§ 13-13. Tax exemption.

To the fullest extent permitted under the Enabling Act, all of the Authority's property is exempt from taxation of every kind and nature whatsoever.
(Ord. 00-071.)

§ 13-14. Borrowing.

(a) *In general.*

(1) Subject to the requirements of this section, the Authority may engage in borrowings in furtherance of its purposes and powers.

(2) No borrowing may involve the issuance by the Authority of any public bonds.

(b) *Security for a borrowing.*

The Authority may secure any borrowing to the fullest extent permitted by the Enabling Act.

(c) *Required approvals.*

(1) Each borrowing must be approved by resolution of the Authority's Board of Directors in accordance with the procedures in the Enabling Act for the approval of revenue bonds.

(2) Each borrowing must also be approved by the Board of Estimates and the Board of Finance, which approval must specify all material matters with respect to the borrowing (e.g., issue date, maturity, interest rate, terms, form, denominations, manner of execution, place of payment, redemption, refunding, and security provided).
(Ord. 00-071.)

§ 13-15. Compliance with other City laws and regulations.

(a) *Building, zoning, and similar requirements.*

Any parking project developed by the Authority must be built under the laws, rules, and regulations of the City. The Authority must obtain all building, zoning, and other similar permits, where required, and must pay all applicable permit fees.

(b) *Historical and architectural preservation*.

For any parking project on or proposed for a site that is located within an Historical and Architectural Preservation District or that is on the Landmark List or Potential-Landmark List, the Authority must comply with all requirements of City Code Article 6 {"Historical and Architectural Preservation"}.

(c) *Minority and Small Business Opportunity Program*.

The Authority is subject to and must comply with the City's Minority and Small Business Opportunity Program.

(Ord. 00-071; Ord. 15-408.)

SUBTITLE 14
VALET PARKING

PART I. DEFINITIONS; GENERAL PROVISIONS

§ 14-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Attendant*.

"Attendant" means any individual who directs, drives, parks, or otherwise assumes control of a vehicle as part of a valet parking service.

(c) *Authority.*

"Authority" means the Baltimore City Parking Authority.

(d) *Board of Directors*.

"Board of Directors' means the Authority's Board of Directors.

(e) *Contract-operator.*

"Contract-operator" means an operator that provides valet parking services under contract with a host.

(f) *Director of Transportation*.

"Director of Transportation" means the Director of the Department of Transportation or the Director's designee.

(g) *Executive Director*.

"Executive Director" means the Executive Director of the Authority or the Executive Director's designee.

(h) *Host*.

"Host" means any business establishment or other person that offers valet parking services to its patrons, whether:

(1) directly through its own employees or agents; or

(2) indirectly by contract with another person.

(i) *Host-operator.*

"Host-operator" means a host that provides valet parking services directly through its own employees or agents.

(j) *Includes; including.*

"Includes" or "including" means by way of illustration and not by way of limitation.

(k) *Operator.*

(1) "Operator" means any person that, through its employees or agents, provides or offers to provide valet parking services, whether as a contract-operator or a host operator.

(2) "Operator" includes any host that provides or offers to provide valet parking services through its own employees or agents.

(l) *Person.*

(1) *In general.*

"Person" means:

(i) an individual;

(ii) a partnership, firm, association, corporation, or other entity of any kind; or

(iii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.

(2) *Exclusions.*

"Person" does not include, unless otherwise expressly provided, a governmental entity or an instrumentality or unit of a governmental entity.

(m) *Principal.*

"Principal", as used with respect to an operator or host, means:

(1) a sole proprietor of the operator or host;

(2) a partner, officer, or director of the operator or host; or

(3) any stockholder of the operator or host who:

(i) owns more than 25% of the voting stock of the operator or host; or

(ii) notwithstanding the percentage of shares owned, has the power to direct or control the direction of the operator's or host's management or policies.

(n) *Valet parking service.*

(1) "Valet parking service" means, except as specified in paragraph (3) of this subsection, any of the following acts performed for the benefit of a vehicle's driver:

(i) moving a vehicle from one location to another location for parking; or

(ii) returning a vehicle from its parked location to another location for pick-up.

(2) "Valet parking service" includes any act described in paragraph (1) of this subsection, whether:

(i) a fee is charged for the service or not; or

(ii) the service is provided by the host directly or by another person under contract with the host.

(3) "Valet parking service" does not include attendant parking at an off-street parking facility.

(o) *Valet parking zone*.

"Valet parking zone" means a space adjacent to a curb that, during specified times, is reserved exclusively for valet parking services.

(Ord. 13-098.)

§ 14-2. Mandatory, prohibitory, and permissive terms.

(a) *Mandatory terms.*

"Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

(b) *Prohibitory terms.*

"Must not" and "may not" are each mandatory negative terms used to establish a prohibition.

(c) *Permissive terms.*

"May" is permissive.

(Ord. 13-098.)

§ 14-3. Rules and regulations.

(a) *Adoption*.

(1) The Director of Transportation, in consultation with the Authority, must adopt rules and regulations to carry out this subtitle.

(2) The Director of Transportation must obtain prior approval of the Board of Estimates for any rule or regulation that sets an application, license, permit, or other fee to be imposed under this subtitle.

(b) *Filing with Legislative Reference.*

A copy of all rules and regulations must be filed with the Department of Legislative Reference before they take effect.

(Ord. 13-098.)

§ 14-4. *{Reserved}*

§ 14-5. Exemptions for certain temporary operations.

(a) *Full exemption.*

This subtitle does not apply to a temporary valet parking service if:

(1) no professional operator is being used for the service;

(2) no fee is charged to drivers or passengers using the service;

(3) the service is being provided:

(i) at a private residence; or

(ii) for a public entity; and

(4) the service is being provided by the host for no more than 3 days in any 12-month period.

(b) *Partial exemption.*

If a professional operator is being used for the service, but all of the other conditions specified in subsection (a) of this section are met:

(1) a parking zone permit under Part III of this subtitle is not required for the service;

(2) the operator must be licensed under Part II of this subtitle and, except as provided in item (3) of this subsection, must comply with all other applicable requirements of this subtitle; and

(3) with the approval of the Director of Transportation, the Executive Director may allow the operator to use public rights-of-way for parking, subject to the issuance of all permits otherwise required for the use of public rights-of-way.

(Ord. 13-098.)

§ 14-6. *{Reserved}*

PART II. VALET OPERATOR'S LICENSE

§ 14-7. License required.

No operator may provide or offer to provide any valet parking service without first having obtained an operator's license from the Authority.
(Ord. 13-098.)

§ 14-8. Qualifications.

(a) *In general.*

To qualify for an operator's license, an applicant must meet the requirements of this section.

(b) *Prior infractions.*

Neither the applicant nor any of the applicant's principals, employees, attendants or other agents may have committed an act or omission within the preceding 12 months that, under § 14-41 of this subtitle, is cause for the denial, suspension, or revocation of an operator's license.

(c) *Liability insurance.*

(1) The applicant must have and maintain liability insurance coverage that covers, as insured parties:

(i) the applicant;

(ii) all hosts for which the operator is or may become under contract during the term of the license; and

(iii) the Mayor and City Council of Baltimore.

(2) The coverage provided must be of the type and for the amount that the City's Office of Risk Management reasonably prescribes.
(Ord. 13-098.)

§ 14-9. Applications.

(a) *Form.*

An application for an operator's license must be submitted in the form required by the rules and regulations adopted under this subtitle.

(b) *Application fee*.

(1) The application must be accompanied by a non-refundable application fee to cover the cost of investigating and processing the application.

(2) The amount of the fee is as set forth in the rules and regulations adopted under this subtitle.

(c) *Contents.*

The application must contain:

(1) the applicant's full legal name and any trade name(s) under which it operates;

(2) the street address, telephone number, and email address of the applicant's principal place of business;

(3) the street address, telephone number, and email address of any other of the applicant's places of business in the City;

(4) the names, street addresses, telephone numbers, and email addresses of the applicant's principals;

(5) proof of insurance in the form and amount required under § 14-8(c) {"Qualifications: Liability insurance"} of this subtitle;

(6) a statement as to whether the applicant proposes to provide valet parking services as a host-operator or as a contract-operator;

(7) a listing of all valet parking licenses or valet parking permits issued to the applicant or to any principal of the applicant within the preceding 5 years, whether by the City or any other jurisdiction;

(8) a list of all hosts in the City or any other jurisdiction that have used the applicant's services within the preceding 2 years;

(9) certification that neither the applicant nor any of the applicant's principals, employees, attendants or other agents have committed an act or omission within the preceding 12 months that, under § 14-41 of this subtitle, is cause for the denial, suspension, or revocation of an operator's license;

(10) certification that each attendant employed by the applicant:

(i) possesses a valid driver's license; and

(ii) is 18 years old or older; and

(11) any other information required by the rules and regulations adopted under this subtitle.

(d) *Signature and verification.*

The application must be signed, under oath or affirmation, subject to the penalties of perjury, by the applicant as follows:

(1) if for a sole proprietorship, by its owner;

(2) if for a partnership, by an authorized partner; and

(3) if for a corporation, limited liability company, or similar entity, by an authorized officer.
(Ord. 13-098; Ord. 13-175.)

§ 14-10. Issuance.

The Authority must issue a license to any applicant who :

(1) meets the requirements of this subtitle; and

(2) pays the applicable license fee.
(Ord. 13-098.)

§ 14-11. Term and renewal.

(a) *Term.*

An operator's license expires on the 1st anniversary of its effective date and is renewable as provided in this section.

(b) *Application for renewal.*

(1) To renew an operator's license, the licensee must apply no less than 60 nor more than 90 days before the license expires.

(2) The application for renewal must be in the form and contain the information required by the rules and regulations adopted under this subtitle.
(Ord. 13-098.)

§ 14-12. License fees.

The annual license fee is as set forth in the rules and regulations adopted under this subtitle.
(Ord. 13-098.)

§ 14-13. License not transferable.

An operator's license issued under this part is not assignable or transferable to any other person.
(Ord. 13-098.)

§ 14-14. List of licensees.

The Parking Authority must:

(1) maintain a list of all current licensees; and

(2) provide the Department of Transportation with a copy the list whenever it is updated.
(Ord. 13-098.)

§ 14-15. *{Reserved}*

PART III. VALET PARKING ZONE PERMIT

§ 14-16. Permit required.

(a) *In general.*

No host may provide or offer to provide any valet parking service that uses any portion of a public right-of-way for drop-off, pick-up, parking, or temporary stopping or standing, except in compliance with a valet parking zone permit issued under this subtitle.

(b) *Issuance.*

A valet parking zone permit may be issued by the Authority, with the approval of the Director of Transportation.

(Ord. 13-098.)

§ 14-17. Qualifications.

(a) *In general.*

To qualify for a valet parking zone permit, a host must meet the requirements of this Part III.

(b) *Operator's license.*

The host must:

(1) hold a valid operator's license issued under Part II of this subtitle; or

(2) provide all valet parking services under contract with an operator that holds a valid operator's license issued under Part II of this subtitle.

(c) *Prior infractions.*

Neither the host, operator, nor any of the host's or operator's principals, employees, attendants, or other agents may have committed an act or omission within the preceding 12 months that, under § 14-41 or § 14-42 of this subtitle, is cause for the denial, suspension, or revocation of an operator's license or a valet zone parking permit.

(Ord. 13-098.)

§ 14-18. Applications.

(a) *Form.*

An application for a valet parking zone permit must be submitted by the host in the form required by the rules and regulations adopted under this subtitle.

(b) *Application fee*.

(1) The application must be accompanied by a non-refundable application fee to cover the cost of investigating and processing the application.

(2) The amount of the fee is as set forth in the rules and regulations adopted under this subtitle.

(c) *Contents*.

The application must contain:

(1) the host's full legal name and any trade name(s) under which it operates;

(2) the street address, telephone number, and email address of the host's principal place of business;

(3) the location at which the host proposes to provide valet parking services;

(4) the nature of the business or other activity conducted by the host at that location;

(5) if the host will be providing the valet parking services through its own employees and agents, the identification number of its host-operator's application or license under Part II of this subtitle;

(6) if the host will be providing the valet parking services under contract with an operator, the identification number of the contract-operator's license issued under Part II of this subtitle;

(7) a valet parking plan for the location that complies with § 14-19 {"Valet parking plan"} of this subtitle;

(8) certification that neither the applicant nor any of the applicant's principals, employees, attendants or other agents have committed an act or omission within the preceding 12 months that, under § 14-41 of this subtitle, is cause for the denial, suspension, or revocation of an operator's license; and

(9) any other information required by the rules and regulations adopted under this subtitle.

(d) *Signature and verification.*

(1) The application must be signed, under oath or affirmation, subject to the penalties of perjury, by:

(i) the host; and

(ii) any contract-operator to be used to provide the service.

(2) The individual signing on behalf of the host or a contract-operator must be:

(i) if for a sole proprietorship, its owner;

(ii) if for a partnership, an authorized partner; and

(iii) if for a corporation, limited liability company, or similar entity, an authorized officer.

(Ord. 13-098.)

§ 14-19. Valet parking plan.

(a) *In general.*

The application must be accompanied by a valet parking plan that contains the following information.

(b) *Times of operation; occupancy.*

The plan must specify:

(1) the days of the week and the hours of those days during which valet parking services will be provided; and

(2) the host's seating or other occupancy capacity.

(c) *Photos of location.*

(1) The plan must include photographs of the proposed valet parking zone, including the curb space and roadway.

(2) The number of photographs and the views to be shown are as set forth in the rules and regulations adopted under this subtitle.

(d) *Pattern of drop-off and pick-up.*

The Plan must describe the proposed pattern of drop-off and pick-up of vehicles.

(e) *Location of off-street parking facility.*

(1) The plan must identify, by name, address, telephone number, and, if available, email address, the off-street parking facility at which vehicles will be parked.

(2) The parking facility must be:

(i) licensed to the extent required by City Code Article 15, Subtitle 12 {"Parking Facilities"}; and

(ii) located within a 1-mile radius of the valet parking zone.

(3) (i) Unless the parking facility is on the host's premises or otherwise owned or controlled by the host, the plan must include a copy of the lease or other agreement that authorizes the facility's use for valet parking services.

(ii) The lease or other agreement must specify:

(A) the total number of parking spaces at the facility; and

(B) the number of those spaces that are set aside for the exclusive use of vehicles from the valet parking service.

(f) *Traffic flow.*

The plan must specify the route(s) to be driven between the valet parking zone and the off-street parking facility.

(g) *Number of vehicles, employees.*

The plan must state:

(1) the estimated number of vehicles that will be valet parked during each hour of operation; and

(2) the estimated number of employees or agents that will provide valet parking services during each hour of operation.

(h) *Site manager*.

The plan must provide the name(s), the daytime and nighttime telephone numbers, and the email address(es) of the individual(s) who will manage the valet parking services at the location.

(i) *Notice to public.*

The plan must contain verification that advance written notice of the application and valet parking plan has been provided to:

(1) the owners of the properties adjoining the host property;

(2) the owners of the properties immediately across the street from the host property;

(3) the neighborhood associations on file with the Department of Planning as representing the affected area; and

(4) the Councilmember(s) who represent the affected area..

(j) *Other information*.

The plan must include any other information required by the rules and regulations adopted under this subtitle.

(Ord. 13-098.)

§ 14-20. Public notice; objections; hearing.

(a) *Posting required.*

On filing an application and valet parking plan for a permit (other than a renewal permit), the applicant must post the proposed host property for 15 days, in accordance with the rules and regulations adopted under this subtitle.

(b) *9 or fewer objections.*

If, within the 15-day posting period, the Director of Transportation receives no more than 9 written objections from property owners or residents within the same election precinct as the proposed host property, the valet parking zone permit may be issued as provided in this subtitle.

(c) *10 or more objections.*

(1) If, within the 15-day posting period, the Director of Transportation receives 10 or more written objections from property owners or residents within the same election precinct as the proposed host property, the Director of Transportation must hold a hearing on the matter.

(2) Unless the applicant agrees to a later date, the hearing must be held within 15 days after the last day of the 15-day posting period.

(3) Written notice of the hearing shall be provided by first class mail at least 15 days prior to the hearing to all persons listed in § 14-19(i) of this subtitle.

(4) At the hearing, parties in interest and citizens must be given an opportunity to be heard.

(d) *Decision.*

(1) The Director of Transportation must notify the applicant in writing of his or her decision to grant or deny the permit as follows:

(i) if no hearing is held under § 14-20(c) of this subtitle, within 15 days after the last day of the 15-day posting period; and

(ii) if a hearing is held under § 14-20(c) of this subtitle, within 15 days after conclusion of the hearing.

(2) Any denial of a permit must be based solely on the qualifications, standards, and considerations set forth in this subtitle.

(3) A notice of denial must:

(i) specify the reasons for the denial; and

(ii) notify the applicant of the opportunity to appeal the denial of the permit under § 14-46 {"Administrative appeals"} of this subtitle.

(Ord. 13-098.)

§ 14-21. Review and considerations.

(a) *Review*.

The Executive Director must:

(1) review the valet parking plan for compliance with this subtitle; and

(2) submit the plan, together with his or her findings and recommendations, to the Director of Transportation for approval or disapproval.

(b) *Minimum findings.*

A valet parking plan may be approved only if:

(1) the valet parking services will not unreasonably disrupt vehicular and pedestrian traffic;

(2) the valet parking services will not pose a threat to public safety; and

(3) the valet parking plan provides for enough attendants and other employees and agents to efficiently handle the projected number of vehicles during all hours of valet parking services.

(c) *Additional considerations.*

The following criteria may also be considered in deciding whether to approve a valet parking plan:

(1) the number of off-street parking spaces that will be available during valet parking services;

(2) normal traffic conditions at the time of valet parking services;

(3) the time required to travel safely, on foot and by vehicle, to and from the valet parking zone and the off-street parking facility in which vehicles will be parked;

(4) the estimated number of vehicles that will be parked during each hour of valet parking services;

(5) the average length of time a vehicle will be parked during valet parking hours; and

(6) the distance between the valet parking zone and the off-street parking facility in which vehicles will be parked.

(d) *Final determination*.

In approving a plan, the Director of Transportation makes the final determination of:

(1) the location of the valet parking zone;

(2) the size of the zone;

(3) the hours of operation; and

(4) the conditions of operation.

(Ord. 13-098.)

§ 14-22. Special conditions.

(a) *Indemnification.*

The issuance of a valet parking zone permit is conditioned on receipt of a written agreement by the host and by any contract-operator providing services under the permit that they each, jointly and severally, will save harmless and indemnify the Parking Authority of Baltimore City the Mayor and City Council of Baltimore, and their officers, agents, and employees from all suits, losses, claims, liabilities, damages, or expenses to which any of them is subjected as a result of a valet parking zone permit or the operation of valet parking services.

(b) *Other conditions*.

The Director of Transportation may impose reasonable limitations and conditions on any valet parking zone permit issued under this part as necessary or proper to:

(1) protect the public safety;

(2) protect the public's right to equal access of public property; and

(3) ensure that normal vehicular and pedestrian traffic flow is not unreasonably disrupted.

(Ord. 13-098.)

§ 14-23. Establishment of zone; issuance of permit.

On approval of the application and the valet parking plan, the Director of Transportation may establish a valet parking zone for and issue a valet parking zone permit to any host who:

(1) commits to abide by an approved valet parking plan;

(2) commits to meet all of the other requirements of this subtitle; and

(3) pays the applicable permit fee.

(Ord. 13-098.)

§ 14-24. Posting of zone.

As soon as practical after the approval of a valet parking zone, the Director of Transportation shall place appropriate signs that:

(1) indicate the location of the zone; and

(2) state the operational hours during which restrictions apply.

(Ord. 13-098.)

§ 14-25. Term and renewal.

(a) *Term.*

(1) Except as provided in paragraph (2) of this subsection, a permit issued under this part expires on the 1st anniversary of its effective date and is renewable as provided in this section.

(2) By rule or regulation adopted under this subtitle, the Director of Transportation may provide for the issuance of short-term permits for special events.

(b) *Annual renewal.*

(1) To renew an annual permit, the host must apply no less than 60 nor more than 90 days before the license expires.

(2) The application for renewal must be in the form and contain the information required by the rules and regulations adopted under this subtitle.

(c) *Protest and hearing.*

(1) If, before the end of the renewal period, 10 or more written objections from property owners or residents within the same election precinct as the permitted premises are filed with the Director of Transportation, the Director of Transportation must hold a public hearing on the proposed renewal.

(2) Parties in interest and citizens must be given an opportunity to be heard.

(3) Any denial of a renewal permit must be based solely on the qualifications, standards, and considerations set forth in this subtitle.

(Ord. 13-098.)

§ 14-26. Permit fees.

The amount of the permit fees are as set forth in the rules and regulations adopted under this subtitle.

(Ord. 13-098.)

§ 14-27. Permit not transferable or shareable.

A permit issued under this part to any host is not assignable or transferable to, or shareable with, any other host not identified in the permit.

(Ord. 13-098.)

§§ 14-28 to 14-30. ***{Reserved}***

PART IV. STANDARDS OF OPERATION

§ 14-31. Licensed operator required.

No host may use the valet parking services of any entity that is not a licensed operator or of any individual who is not an employee or agent of a licensed operator.
(Ord. 13-098.)

§ 14-32. Locations and hours.

Valet parking services may be offered only in the locations and during the hours specified on the valet parking zone permit.
(Ord. 13-098.)

§ 14-33. Valet parking zones.

(a) *Pick-up, drop-off only in zone.*

The drop-off and pick-up of vehicles for valet parking services may be conducted only in a designated valet parking zone.

(b) *Other uses* of *zone prohibited.*

During the hours specified in the valet parking zone permit, a valet parking zone may be used only for the immediate drop-off and pick-up of vehicles.
(Ord. 13-098.)

§ 14-34. Attendants.

(a) *Qualifications.*

Every attendant must:

(1) possess a valid driver's license; and

(2) be 18 years old or older.

(b) *Uniforms.*

Each attendant must wear a uniform top that clearly identifies the operator of the valet service.
(Ord. 13-098.)

§ 14-35. Transporting and parking vehicles.

(a) *Removal to parking facility*.

Attendants must immediately remove vehicles from the valet parking zone and take them directly to the applicable off-street parking facility.

(b) *No leaving in right-of-way.*

The operator, its attendants or other employees or agents, may not park, stop, or leave a vehicle:

(1) on any right-of-way, even if on-street public parking is generally allowed; or

(2) anywhere else other than in the off-street parking facility designated in the valet parking plan.

(c) *Compliance with traffic laws.*

The operator, its attendants or other employees or agents, must comply with all applicable traffic laws and parking regulations when providing valet parking services.
(Ord. 13-098.)

§ 14-36. Signage.

(a) *Required.*

During all hours of operation, the operator must prominently display at least 1 sign that identifies:

(1) the operator;

(2) the host for which the operator is working; and

(3) any fee being charged for the valet parking services.

(b) *Placement, etc.*

All signage must comply with all laws, rules, and regulations governing signs and permits.
(Ord. 13-098.)

§ 14-37. Permit and operator's license inspection.

At all times, the valet parking zone permit and a copy of the operator's license must be available for inspection at the host's establishment.
(Ord. 13-098.)

§§ 14-38 to 14-40. *{Reserved}*

PART V. ADMINISTRATIVE ENFORCEMENT

§ 14-41. Denials, suspensions, or revocations – Operator's license.

The Parking Authority, subject to the approval of the Director of Transportation, may deny, suspend, or revoke an operator's license or renewal license for any of the following causes:

(1) making any material false statement in any application for an operator's license or in any application or accompanying valet parking plan for a valet parking zone permit;

(2) failing to pay the applicable license fee on or before its due date;

(3) providing valet parking services in a way that endangers public safety;

(4) providing valet parking services that unreasonably disrupt vehicular or pedestrian traffic;

(5) violating any other provision of this subtitle, of a rule or regulation adopted under this subtitle, or of a limitation or condition imposed on a license or permit issued under this subtitle; or

(6) otherwise failing to meet the qualifications or other requirements of this subtitle for a license.

(Ord. 13-098; Ord. 16-587.)

§ 14-42. Denials, suspensions, or revocations – Host's parking zone permit.

The Director of Transportation may deny, suspend, or revoke a valet parking zone permit or renewal permit for any of the following causes:

(1) making any material false statement in any application or accompanying valet parking plan for a valet parking zone permit;

(2) failing to pay the applicable permit fee on or before its due date;

(3) providing or knowingly or negligently allowing a contract-operator to provide valet parking services in a way that endangers public safety;

(4) providing or knowingly or negligently allowing a contract-operator to provide valet parking services that unreasonably disrupt vehicular or pedestrian traffic;

(5) violating any other provision of this subtitle, of a rule or regulation adopted under this subtitle, or of a limitation or condition imposed on a license or permit issued under this subtitle; or

(6) otherwise failing to meet the qualifications or other requirements of this subtitle for a permit.

(Ord. 13-098; Ord. 16-587.)

§ 14-43. Cause for suspension or revocation – Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, any violation that is cause for suspending or revoking a license or a permit may be enforced, instead of or in addition to suspending or revoking the license or permit, by issuance of an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}.

(b) *Process not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(Ord. 13-098.)

§§ 14-44 to 14-45. *{Reserved}*

§ 14-46. Administrative appeals.

(a) *Right of appeal.*

An aggrieved party may appeal to the Board of Municipal and Zoning Appeals:

(1) the denial, suspension, or revocation of a license or permit;

(2) the imposition of a fine; or

(3) any other decision or ruling under this subtitle.

(b) *How and when taken.*

The appeal must be taken in writing within 15 days from the date of notice of the denial, suspension, or revocation, fine imposition, or other decision or ruling.

(c) *Hearing and decision.*

The Board of Municipal and Zoning Appeals:

(1) must hold a hearing on the appeal as soon as practicable but no later than 60 days from the filing of the appeal;

(2) must provide written notice of the hearing by first class mail at least 15 days prior to the hearing to all persons listed in § 14-19(i) of this subtitle; and

(3) may affirm, modify, or reverse the action from which the appeal was taken.

(Ord. 13-098.)

§ 14-47. Judicial and appellate review.

(a) *Judicial review.*

A party aggrieved by a final decision of the Board of Municipal and Zoning Appeals under § 14-46 {"Administrative appeals"} of this subtitle may seek judicial review of that decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

(b) *Appellate review*.

A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.
(Ord. 13-098.)

PART VI. PENALTIES

§ 14-48. In general.

Any person who violates any provision of this subtitle, of a rule or regulation adopted under this subtitle, or of a limitation or condition imposed on a license or permit issued under this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than $1,000 for each offense.

§ 14-49. Each day a separate offense.

Each day that a violation continues is a separate offense.
(Ord. 13-098.)

Editor's Note: This subtitle was enacted by Ordinance 13-098, effective February 19, 2013. Sections 3 and 4 of Ord. 13-098 provide as follows:

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance applies to all valet parking services to be provided or offered on or after [August 19, 2013].

SECTION 4. AND BE IT FURTHER ORDAINED, That rules and regulations to carry out Article [31], Subtitle 14, as enacted by this Ordinance, shall be adopted [on or before May 21, 2013]. These rules and regulations may provide that, for applications submitted during the 1st year following [February 19, 2013] by hosts or operators who were providing valet parking services before the [February 19, 2013], the Baltimore City Parking Authority may issue short-term, provisional valet parking licenses and the Department of Transportation may issue short-term provisional valet parking zone permits, pending their respective reviews and considerations of the applications, valet parking plans, applicant qualifications, etc. The rules and regulations may further provide that, on approval of an application, full-term licenses shall be issued. Fees for any short-term licenses shall be prorated.

SUBTITLE 15
BMORE STREETS FOR PEOPLE

PART I. DEFINITIONS

§ 15-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Advisory Board.*

"Advisory Board" means the BMore Streets for People Advisory Board established under this subtitle.

(c) *BMore Streets for People; Program.*

"BMore Streets for People" or "Program" means the BMore Streets for People Program established under this subtitle.

(d) *Director*.

"Director" means the Director of Transportation or the Director's designee.
(Ord. 10-279.)

§ 15-2. *{Reserved}*

PART II. PROGRAM ESTABLISHMENT; PURPOSE

§ 15-3. Program established.

There is a BMore Streets for People Program.
(Ord. 10-279.)

§ 15-4. Purpose of program.

The purpose of the BMore Streets for People Program is to create economic, health, and community benefits by periodically restricting motorized traffic on certain streets in order to encourage residents to enjoy camaraderie, bicycle riding, walking, and exercise on main roads in their neighborhoods.
(Ord. 10-279.)

§ 15-5. *{Reserved}*

PART III. ADMINISTRATION

§ 15-6. DoT to administer.

The Program is administered by the Department of Transportation, with the advice of the BMore Streets for People Advisory Board.
(Ord. 10-279.)

§ 15-7. Rules and regulations.

The Department of Transportation may adopt rules and regulations to:

(1) implement the Program; and

(2) otherwise carry out this subtitle.
(Ord. 10-279.)

§ 15-8. Designating routes, schedules.

(a) *In general.*

In consultation with the Advisory Board, the Director may designate routes and schedules on City streets for the BMore Streets for People Program.

(b) *"Lake to lake" route.*

In consultation with the Advisory Board, the Director will designate an initial "lake to lake" route running from Lake Montebello to Druid Hill Lake.

(c) *Additional routes.*

Additional routes may be designated under this section if a neighborhood association requests that it be allowed to host a BMore Streets for People event in its neighborhood.
(Ord. 10-279.)

§ 15-9. Exclusion of motor vehicles.

The Director may exclude motor vehicles from streets along designated BMore Streets for People routes during Program events, in accordance with the Department of Transportation's permit process.
(Ord. 10-279; Ord. 15-435.)

§ 15-10. Regular processes to apply.

Nothing in this subtitle should be constructed as waiving the usual permitting processes, or fees for public services required to ensure safety, that would otherwise be required to conduct the Program.
(Ord. 10-279.)

PART IV. ADVISORY BOARD

§ 15-11. Board established.

There is a BMore Streets for People Advisory Board.
(Ord. 10-279.)

§ 15-12. Composition.

(a) *In general.*

(1) The Advisory Board consists of 26 members.

(2) Of these:

(i) 19 members are appointed by the Mayor in accordance with Article IV, § 6 of the Baltimore City Charter; and

(ii) 7 members are agency representatives.

(b) *Appointed members.*

The 19 appointed members of the Advisory Board are as follows:

(1) 2 at-large members;

(2) 4 members nominated by community organizations and appointed by the Mayor, 1 from each of the following organizations:

(i) One Less Car;

(ii) Roland Park Civic League;

(iii) Mayor's Bicycle Advisory Committee; and

(iv) a non-profit organization or foundation with a history of support for the BMore Streets for People Program, the Program's cyclovia model, and the Program's Sunday Streets predecessor.

(3) 3 members nominated by neighborhood associations representing neighborhoods along any proposed BMore Streets for People Route and appointed by the Mayor.

(4) 10 members recommended by the President of the City Council, as follows:

(i) 1 from the neighborhoods along the proposed "lake -to-lake" (Montebello to Druid Hill) route;

(ii) 4 from neighborhood associations;

(iii) 1 from local business associations;

(iv) 2 from local religious institutions, non-profit organizations, or foundations with knowledge of and support for the BMore Streets for People Program; and

(v) 2 from schools.

(c) *Agency representatives.*

The 7 agency representatives are the following, or their designated representatives:

(1) the Director of Transportation;

(2) the Health Commissioner;

(3) the Director of the Baltimore Office of Promotion and the Arts;

(4) the Director of the Office of Sustainability;

(5) the Director of the Office of Neighborhoods;

(6) the Police commissioner; and

(7) the Executive Director of the Baltimore City Parking Authority.

(Ord. 10-279; Ord. 15-435.)

§ 15-13. Terms; Compensation; Vacancies.

(a) *Terms of office.*

(1) Advisory Board Members serve for a term of 4 years, concurrent with the terms of the Mayor and the City Council.

(2) At the end of a term, an Advisory Board member continues to serve until a successor is appointed and qualifies.

(b) *Compensation; expenses.*

The members of the Advisory Board:

(1) serve without compensation; but

(2) are entitled to reimbursement for reasonable expenses incurred in the performance of their duties, as provided in the Ordinance of Estimates.

(c) *Vacancies.*

A member appointed to fill a vacancy in an unexpired term serves only for the remainder of that term

(Ord. 10-279; Ord. 16-503.)

§ 15-14. Officers; Committees.

(a) *Officers.*

(1) The Mayor must designate a member of the Advisory Board to serve as its Chair.

(2) Members of the Advisory Board may select any other officers they consider necessary or appropriate.

(b) *Committees.*

The Chair may appoint committees to assist the Advisory Board in carrying out its functions and duties.

(Ord. 10-279.)

§ 15-15. Meetings; Quorum.

(a) *In general.*

(1) The Advisory Board may meet, at the call of the Chair, as frequently as required to perform its duties.

(2) A majority of the members of the Advisory Board constitutes a quorum for the transaction of business.

(3) An affirmative vote by the majority of a quorum is needed for any official action.

(b) *Rules of procedure.*

The Advisory Board may adopt rules of procedure to govern its meetings and procedures.

(c) *Failure to attend meetings.*

If any member is absent from regularly scheduled meetings more than 3 times in 1 year, not counting absences excused by the Chair:

(1) the member is considered to have resigned; and

(2) the Chair must recommend for appointment by the Mayor, a replacement member with similar qualifications to the resigning member.

(Ord. 10-279.)

§ 15-16. *{Reserved}*

§ 15-17. Budget.

The Advisory Board may expend funds as authorized in the Ordinance of Estimates.

(Ord. 10-279.)

§ 15-18. Powers and duties.

(a) *In general.*

The BMore Streets for People Advisory Board may undertake the activities described in this section.

(b) *Routing and programming.*

The Advisory Board may:

(1) propose pilot and permanent routes for the BMore Streets for People Program; and

(2) recommend programming enhancements and other services when a need for them is determined by the Advisory Board.

(c) *Advice.*

The Advisory Board may make recommendations about solutions and alternatives for routing challenges, programming, communication strategies, and the cost effective use of City personnel.

(d) *Research and education.*

To gauge the impact of the BMore Streets for People Program on participating communities, the Advisory Board must research and measure the following in neighborhoods along Program routes:

(1) level of community participation in BMore Streets for People planning and implementation;

(2) diversity of participation among age groups and nonprofit organizations; and

(3) evidence of enhanced sociability and healthy activities.

(e) *Monitor program.*

The Advisory Board may:

(1) review and monitor the successes and lessons learned in conducting the BMore Streets for People Program in Baltimore City; and

(2) make recommendations for promoting the efforts of the Program.

(f) *Advise and counsel.*

The Advisory Board may:

(1) provide education to the residents of Baltimore City, the City Council, the Mayor, and the various departments and agencies of the City on Program activities and outcomes; and

(2) recommend programs and legislation to promote and ensure the continued success and expansion of the Program throughout Baltimore City.

(g) *Evaluate policies and programs*.

The Advisory Board may review and evaluate the impact of existing and proposed policies, programs, and legislation affecting the BMore Streets for People Program.
(Ord. 10-279.)

§§ 15-19 to 15-21. ***{Reserved}***

PART V. ANNUAL REPORTS

§ 15-22. Annual reports.

The Director and the Advisory Board must submit an annual report on their activities to the Mayor and City Council.
(Ord. 10-279.)

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SUBTITLE 16
USE-OF-THE-ROAD REGULATIONS

PART 1. OBSTRUCTING TRAFFIC

§ 16-1. Slowly moving vehicles.

Vehicles moving slowly along streets having no car tracks shall keep as close as practicable to the curb line on the right so as to allow faster moving vehicles free passage on the left.
(City Code, 1927, art. 4, §43; 1950, art. 38, §35; 1966, art. 31, §47; 1976/83, art. 31, §36.) (Ord. 08-139.)

§ 16-2. Snow tires on public passenger vehicles.

(a) *Winter-type mud and snow tire defined.*

For the purposes of this section, a winter-type mud and snow tire is any new, recapped, retreaded, or rebuilt tire for the rear wheels of motor vehicles or trackless trolleys having anti-skid patterns impressed or cut into the treaded surfaces to form bars, buttons, or blocks which may contain perforations, ingredients, or metallic elements specially designed to give effective traction on snow-, mud-, or ice-covered streets; and which tire is subject to approval as to type and condition by the Director of Transportation.

(b) *When required.*

It is unlawful for any non-fixed wheel vehicle for the public transportation of passengers for a fee or charge, including the vehicles commonly referred to as buses, trackless trolley, and taxicabs, to be or operate on any street or public place in Baltimore City during the period in any year commencing on November 1 and ending on the following April 1 without being properly equipped with winter-type mud and snow tires.

(c) *Penalties.*

Any person, firm, or corporation violating the provisions of this section shall be subject to the general penalties provided in this article, and a violation as to each and every vehicle is a separate violation.
(City Code, 1966, art. 31, §86; 1976/83, art. 31, §62.) (Ord. 58-1226; Ord. 15-435.)

§ 16-3. Obstructions by certain public passenger vehicles for want of chains or snow tires.

(a) *Director to regulate.*

The Director of Transportation may adopt rules and regulations to require that, whenever certain named streets in the City are covered or partially covered with snow, sleet, or freezing rain, no non-fixed wheel vehicle for the public transportation of 10 or more people may operate on those streets in a manner that stalls, impedes, or obstructs traffic, if that stalling, impeding, or obstructing is caused by the failure to equip the vehicle with effective skid chains or effective snow tread tires.

(b) *Penalties.*

(1) Every separate stalling, impeding, or obstructing on such named streets and in violation of any applicable such rules or regulation, shall be considered a separate offense.

(2) Upon conviction thereof, the person, firm, or corporation which owns and/or manages the public transportation business in which the particular vehicle is operated shall be subject to a fine of not exceeding $50 for each and every offense.

(City Code, 1966, art. 31, §85; 1976/83, art. 31, §61.) (Ord. 54-944; Ord. 15-435.)

§ 16-4. Obstructing railroad tracks.

(a) *Morning hours.*

Between the hours of 6 a.m. and 7:30 a.m., no vehicle shall be placed to load thereon or unload therefrom in which the rails of any railroad or street railway company are laid, so as to obstruct or hinder the passing of cars of any such railroad or street railway.

(b) *Other times.*

Nor at any other time shall any such vehicle be permitted to obstruct such tracks for a longer period than may be reasonably necessary for the purpose of loading or unloading said vehicle.

(City Code, 1927, art. 4, §110; 1950, art. 38, §62; 1966, art. 31, §74; 1976/83, art. 31, §54.) (Ord. 21-664.)

§ 16-5. Repairing vehicles on streets.

(a) *Prohibited conduct.*

(1) It shall be unlawful for any person to make any repairs to a motor vehicle or to replace or repair any tire or other part of a motor vehicle on any public street where the standing of such vehicle or vehicles will wholly or partially obstruct any lane of traffic.

(2) It shall be unlawful for any vehicle in the process of being repaired or waiting to be repaired or any vehicle on which a tire or other part thereof is being replaced or waiting for a tire or other part thereof to be replaced to stand double or to do any work or place any tools or equipment on any sidewalk in connection with the repair of any vehicle or the replacement or repair of any tire or other part thereof.

(b) *Emergency repairs excepted.*

The provisions of this section shall not apply to emergency repairs, which are defined as repairs necessary as the result of an unexpected malfunction or breakdown and which are necessary in order to move the vehicle safely and without damage to same.

(c) *Penalties.*

Any person violating any of the provisions of this section shall be subject to:

(1) a penalty of not less than $5 or more than $25 for the 1st offense; and

(2) a fine of not less than $25 nor more than $100 for subsequent offenses.

(City Code, 1950, art. 24, §36; 1966, art. 19, §72; 1976/83, art. 19, §84.)
(Ord. 46-657; Ord. 47-814; Ord. 74-527.)

§§ 16-6 to 16-10. ***{Reserved}***

PART 2. INTERSECTIONS, CROSSWALKS, SIDEWALKS

§ 16-11. Vehicles entering intersection or crosswalk.

(a) *In general.*

It shall be unlawful for the driver of any vehicle to enter a street intersection or a marked crosswalk or to drive across a sidewalk in entering or leaving a garage or parking lot unless there is sufficient space beyond the intersection or crosswalk on the right half of the roadway or in the garage or on the parking lot to accommodate the vehicle he is driving or operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(b) *Exception for 1-way streets.*

Except that on a 1-way street, drivers shall not be restricted to the use of the right half of the road but may have access to the entire width thereof beyond the intersection or crosswalk provided sufficient space be available.

(City Code, 1950, art. 38, §46; 1966, art. 31, §59; 1976/83, art. 31, §53.) (Ord. 56-692.)

§ 16-12. Vehicles on sidewalk.

(a) *Prohibited conduct.*

No person may back, draw, move, propel, drive, or operate any motor vehicle of any kind or any vehicle of any kind that is drawn by a horse or mule on or over any sidewalk or curbing of the City unless:

(1) the curbing is lowered to grade and the sidewalk so paved and arranged as to allow the passage of these vehicles; or

(2) the person has special permission to do so from the Director of Transportation.

(b) *Enforcement by citation.*

(1) In addition to any other civil or criminal remedy or enforcement procedure, this section may be enforced by issuance of:

(i) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or

(ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(2) The issuance of a citation to enforce this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(c) *Penalties.*

Any person who violates any provision of this section is guilty of a misdemeanor, and on conviction, is subject to a fine of not more than $100 for each offense.

(City Code, 1893, art. 48, §138; 1927, art. 32, §52; 1950, art. 24, §96; 1966, art. 19, §135; 1976/83, art. 19, §160.) (Ord. 1885-033; Ord. 26-756; Ord. 45-267; Ord. 77-573; Ord. 99-548; Ord. 15-435.)

§ 16-13. Vehicles on sidewalk, crosswalk, or intersection.

(a) *Prohibited conduct.*

It shall not be lawful for any public cartman, or for any person driving or having charge of any public cart, wagon, or other vehicle, to:

(1) drive or back any such public cart or any other cart, wagon, or other vehicle on to the sidewalk of any of the streets of said City, except as hereinafter provided;

(2) stop any such cart, or any other vehicle, on any of the crosswalks or intersections of streets so as to obstruct or hinder the travel along such crosswalks or intersections of street; or

(3) place any such carts or other vehicles crosswise of any street of said city except to load thereon or unload therefrom, but in no case shall it be lawful for any person to permit such cart or other vehicle to remain so crosswise of any street for a longer period than may be actually necessary for such purposes.

(b) *Exception.*

But it shall be lawful for the owner or occupant of any store, warehouse, or building in any street or avenue in which the rails of any railroad company are laid so close to the curbstones as to prevent the owners or occupants from keeping any such cart or other vehicle in the carriageway in front of his place of business without interference with the passing cars of any such railroad company, to occupy with such cart or other vehicle during business hours so much of the sidewalk as may be necessary for such cart or other vehicle, provided that sufficient space be

retained for the passage of pedestrians between the cart or other vehicle so permitted to occupy such portion of the sidewalk and the front of every such store, warehouse, or other building.

(City Code, 1927, art. 4, §3; 1950, art. 38, §33; 1966, art. 31, §45; 1976/83, art. 31, §34.)
(Ord. 08-139.)

§ 16-14. Vehicles or horses on sidewalk.

No horse or vehicle shall be driven, backed, led, or allowed to stand on any sidewalk, or on any driveway across a sidewalk, whether with or without curbs, except that wares or merchandise in process of loading and unloading, shipment, or being received from shipment, may be transferred from trucks or other vehicles over the sidewalk by the use of skids, provided a passageway be kept open for the free passage of pedestrians.

(City Code, 1927, art. 4, §53; 1950, art. 38, §34; 1966, art. 31, §46; 1976/83, art. 31, §35.)
(Ord. 08-139; Ord. 55-1428.)

§§ 16-15 to 16-20. ***{Reserved}***

PART 3. SCHOOLS AND SCHOOL VEHICLES

§ 16-21. School crossing guards.

(a) *Compliance with directions. required.*

The driver of every vehicle and the operator of every street car and trackless trolley on the streets and public ways of this City shall comply with any lawful order or direction of any school crossing guard vested with authority by the Police Commissioner to direct, control, or regulate pedestrian or vehicular traffic.

(b) *Penalties.*

Any person failing to comply with any such lawful order or direction or in any other manner violating the provisions of this section, shall be subject to a fine not to exceed $100 for each offense.

(City Code, 1966, art. 31, §97; 1976/83, art. 31, §73.) (Ord. 53-793.)

§ 16-22. School roadways.

(a) *Subject to traffic rules.*

Where the Board of School Commissioners and the Director of Transportation jointly designate particular public school properties, the roadways on those properties that are open to the use of the public are, on the placing of appropriate traffic-control devices, subject to the same vehicle and traffic laws, rules, and regulations that apply to highways within the City.

(b) *Section not a dedication.*

Nothing herein contained shall be construed as dedicating the aforementioned roadways by the City or as meaning that any City or State agency other than the Department of Education of the

City of Baltimore shall defray or aid in defraying the costs of maintaining or marking the roadways.

(City Code, 1976/83, art. 31, §74.) (Ord. 72-207; Ord. 15-435.)

§ 16-23. *{Repealed}*

Editor's Note: Ordinance 04-854 repealed former § 16-23 {"Selling food near schools"} and rewrote City Code Article 15, Subtitle 17, to include a similar provision.

§ 16-24. School vehicle violations of camera monitoring systems.

(a) *"School vehicle" defined.*

(1) *In general.*

In this section, "school vehicle" means any motor vehicle that:

(i) is used for the transportation of children, students, or teachers for educational purposes; and

(ii) is either:

(i) registered as a Type I school vehicle, as defined in State Transportation Article § 11-173, or as a Type II school vehicle, as defined in State Transportation Article § 11-174; or

(ii) otherwise discernable by color or markings as a school vehicle.

(2) *Inclusions.*

"School vehicle" includes any motor vehicle that is of a type described in paragraph (1) of this section, whether owned and operated by a non-governmental entity or owned or leased by or under contract with a governmental entity.

(b) *Periodic reports required.*

The Department of Transportation, with assistance from the Department of Finance, shall prepare and submit to the Mayor, the President of the City Council, and the City Board of School Commissioners, or their respective designees, periodic reports on all citations or warnings issued to school vehicles under:

(1) State Transportation Article § 21-202.1 {"Traffic control signal monitoring systems"}; and

(2) City Code Article 32, Subtitle 33 {"Speed Monitoring Systems"}.

(c) *Contents of reports.*

Each report shall contain:

(1) a copy of all citations or warnings issued for violations by school vehicles during the reporting period;

(2) the disposition of the citations (e.g., pending, paid, overdue, on appeal, or charges dismissed); and

(3) any changes in the disposition of citations that had been the subject of previous reports.

(d) *Reporting periods.*

Each report shall be submitted on a quarter-annual basis, within 30 days after the end of each quarter, for the quarters ending September 30, December 31, March 31, and June 30 of each fiscal year.

(Ord. 13-096.)

§ 16-25. ***{Reserved}***

PART 4. MOTORCYCLES

§ 16-26. Helmets required.

Every person who is driving, or riding on as a passenger, a moving motor-driven 2- or 3-wheel vehicle known generally as a motorcycle or motor bike shall at such time be wearing a firm and durable protective helmet or headgear.

(City Code, 1976/83, art. 31, §39(a).) (*Ord. 68-250.)*

§ 16-27. Safety goggles required.

Every person who is driving or riding as a passenger on a moving motor-driven 2- or 3-wheel vehicle known generally as a motorcycle or motor bike shall at all times be wearing safety goggles or a face shield approved by the Director of Transportation.

(City Code, 1976/83, art. 31, §39(b).) (*Ord. 68-250; Ord. 25-435.)*

§ 16-28. Must be able to achieve top legal speed.

No person shall operate a motor-driven 2- or 3-wheel vehicle known generally as a motorcycle or motor bike on the streets or highways of Baltimore City unless its speed capability is at least equal to the posted speed limit on said highway.

(City Code, 1976/83, art. 31, §39(c).) (*Ord. 68-250.)*

§ 16-29. Penalties.

A violation of any provision of this subtitle is a misdemeanor, punishable upon conviction by a fine of not less than $10 or more than $100 for each such violation.

(City Code, 1976/83, art. 31, §39(d).) (*Ord. 68-250.)*

§ 16-30. ***{Reserved}***

PART 5. FUNERAL PROCESSIONS

§ 16-31. Crossing procession prohibited.

It shall be unlawful for any person to drive any vehicle across the line of a funeral procession in the streets, lanes, or alleys of the City, under a penalty for each and every offense of $2.

(City Code, 1879, art. 8, §24; 1893, art. 8, §24; 1927, art. 4, §112; 1950, art. 38, §38; 1966, art. 31, §50; 1976/83, art. 31, §37.) (Rev. Ords. 1858-032; Ord. 75-920.)

§§ 16-32 to 16-35. *{Reserved}*

PART 6. PEDESTRIANS

§ 16-36. Pedestrian right-of-way.

(a) *In general.*

The driver of a vehicle shall yield the right-of-way, slowing or stopping if need be, in order to yield to a pedestrian lawfully crossing a roadway within a crosswalk when:

(1) the pedestrian is upon the half of the roadway upon which the vehicle is traveling; or

(2) the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger from the vehicle.

(b) *Turning vehicle.*

The driver of a vehicle making a right or left turn shall yield the right-of-way, slowing or stopping if need be, in order to yield to a pedestrian lawfully crossing a roadway within a crosswalk when:

(1) the pedestrian is upon the half of the roadway upon which said turning vehicle is entering, or

(2) the pedestrian is approaching so closely from the half of the roadway opposite to that upon which said turning vehicle is entering as to be in danger from the vehicle.

(c) *Pedestrian's duty.*

A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield as otherwise required in this section.

(City Code, 1976/83, art. 31, §69(a), (c).) (Ord. 68-187.)

§ 16-37. Emergency vehicles right-of-way.

Pedestrians shall yield the right-of-way to authorized emergency vehicles provided that these vehicles are operating with siren and/or bell.

(City Code, 1976/83, art. 31, §69(b).) (Ord. 68-187.)

§ 16-38. Crosswalks.

(a) *Overtaking stopped vehicle prohibited.*

If a vehicle is stopped at a marked or unmarked crosswalk to permit a pedestrian to cross a roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(b) *Obstructing crosswalk prohibited.*

No person shall stop or park any vehicle in such manner as to obstruct a crosswalk.
(City Code, 1976/83, art. 31, §69(d).) (Ord. 68-187.)

§ 16-39. "Walk/Don't Walk" signals.

(a) *"Walk" signal.*

While a "Walk" signal indication is displayed:

(1) pedestrians may proceed across the roadway toward said indication within any marked or unmarked crosswalk; or

(2) where an exclusive all-pedestrian interval is provided, pedestrians may proceed across the roadway in any direction within the intersection.

(b) *"Wait" or "Don't Walk" signal — pedestrian not yet on roadway.*

(1) While a "Wait" or "Don't Walk" signal indication, whether flashing or steady, controlling their direction of travel is displayed, pedestrians shall not enter the roadway.

(2) In the case of an exclusive all-pedestrian interval, pedestrians shall not enter a roadway while any "Wait" or "Don't Walk" signal indication, whether flashing or steady, is displayed.

(3) This provision is to be effective between the hours of 7 a.m. and 7 p.m. only.

(c) *"Wait" or "Don't Walk" signal — pedestrian already on roadway.*

Any pedestrian who has entered an intersection on the "Walk" signal indication shall proceed without delay to a sidewalk or safety zone while the "Wait" or "Don't Walk" signal indication is showing.
(City Code, 1976/83, art. 31, §69(e).) (Ord. 68-187.)

§ 16-40. Controlled access highways.

(a) *"Controlled access highway" defined.*

For the purpose of this section, "controlled access highway" shall mean every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no

legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

(b) *Entry by pedestrian prohibited.*

No pedestrian shall be permitted to enter upon any controlled access highway nor any ramp or access road leading to or from any controlled access highway.

(c) *Leaving vehicle prohibited absent emergency.*

(1) No pedestrian shall debark from any vehicle proceeding upon any controlled access highway nor any ramp or access road leading to or from any controlled access highway except under emergency circumstances which preclude the possibility that the vehicle in which he is riding proceed in a reasonable and proper manner.

(2) In such case, said pedestrian may proceed only to the nearest emergency telephone. He may not solicit a ride or assistance from any passing vehicle.

(City Code, 1976/83, art. 31, §69(f).) (Ord. 68-187.)

§ 16-41. Solicitation on highways.

(a) *Prohibited conduct – In general.*

No person shall stand within a highway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle or for the purpose of presenting a gift to or performing a service, whether gratuitous or for a fee, for the occupant of a vehicle.

(b) *Prohibited conduct – Parents or guardians of minors.*

No parent or guardian shall knowingly permit any minor under the age of 18 years to violate the provisions of subsection (a) of this section.

(c) *Exception.*

This section does not prohibit the solicitation by any person for lawful employment or business from the occupant of any vehicle which is properly and lawfully parked or properly and lawfully standing out of the free flow of traffic.

(d) *Enforcement – Adult offenders.*

(1) A police officer who finds any person 18 years of age or older violating provisions of subsection (a) of this section shall order the person to cease and desist. Persons failing to comply with this order may be issued a citation containing their signed promise to pay the fine provided or to appear in court for trial.

(2) The officer is not required to take the person into physical custody for the violation unless:

(i) the person charged does not furnish satisfactory evidence of identity; or

(ii) the officer has reasonable grounds to believe the person charged will disregard a written promise to appear.

(3) A person receiving a citation under this section shall pay the fine provided for in the citation to the District Court of Maryland for Baltimore City, or stand trial for the violation.

(e) *Enforcement – Minors.*

(1) A police officer who finds any person under 18 years of age violating provisions of subsection (a) of this section shall order the person to cease and desist.

(2) Any person under 18 years of age who fails to comply with this order:

(i) may be taken into custody; and

(ii) subsequent to recording information necessary to carry out the purposes of this section, shall be promptly released to their parent or guardian.

(3) The released person under 18 years of age shall be referred to the Baltimore City Police Department's court sanctioned pre-intake adjustment program.

(f) *Penalties.*

(1) Any parent or guardian who shall violate subsection (b) of this section after having received written notice of their child or ward having committed a violation of subsection (a) occurring within the preceding 12 months, may receive a written citation and is subject to a fine of $50 for each offense.

(2) Any person 18 years of age or older violating the provisions of subsection (a) of this section after being ordered to cease and desist is guilty of a misdemeanor and, upon conviction, shall be fined $50.

(City Code, 1976/83, art. 31, §69(g), (j).) (Ord. 68-187; Ord. 85-449.)

§ 16-42. Control of traffic by officers.

Nothing in this subtitle affects or limits the right of police officers or school crossing guards to control vehicular and pedestrian traffic in cases of emergency, special events, or other unusual traffic conditions.

(City Code, 1976/83, art. 31, §69(h).) (Ord. 68-187; Ord. 85-449.)

§ 16-43. Exercise of due care.

In addition to the foregoing provisions of this subtitle, every driver of a vehicle shall:

(1) exercise due care to avoid colliding with any pedestrian upon any highway; and

(2) exercise proper precautions upon observing any child or confused or incapacitated person upon a highway.

(City Code, 1976/83, art. 31, §69(i).) (Ord. 68-187; Ord. 85-449.)

§ 16-44. Pedestrian traffic safety.

The Director of Transportation shall:

(1) identify intersections commonly used by the elderly, the disabled, or other persons who may need extra time to cross an intersection;

(2) conduct studies of those intersections, using pedestrian accident statistics, direct observation, or other sources of information, to determine the need for extra time for pedestrian crossing and the length of time needed; and

(3) wherever feasible, reset the timing of traffic signals or make other adjustments to the intersection to accommodate the need for extra time for pedestrian crossing.

(City Code, 1976/83, art. 31, §69A.) (Ord. 95-589; Ord. 15-435.)

§ 16-45. *{Reserved}*

PART 7. BUSES; TRANSIT LOADING ZONES

§ 16-46. Maximum outside width.

Pursuant to the provisions of § 24-102(d) of the State Transportation Article, the operation within the corporate limits of Baltimore City of a motor bus or trackless trolley with a maximum outside width of not to exceed 102 inches is permitted.

(City Code, 1966, art. 31, §32; 1976/83, art. 31, §21.) (Ord. 52-242.)

§ 16-47. Maintenance of stops.

(a) *Company to maintain.*

(1) The Company or companies operating public passenger vehicles, trackless trolleys, or street railway cars discharging passengers within Baltimore City at bus, trackless trolley, or street railway car "Stops", heretofore or hereafter established, by public motor vehicles, trackless trolleys, or by street railway cars upon fixed routes shall, at its or their expense, maintain at each "Stop" the area or space of ground within the footway area of the streets adjacent to or within said "Stops", as designated and approved by the Director of Transportation and in a manner and with material approved by the Director, for the protection, safety, health, and welfare of the public of Baltimore City.

(b) *Work by City on noncompliance.*

(1) Upon the failure of any company or companies operating public passenger motor vehicles, trackless trolleys, or street railway cars receiving and discharging passengers within Baltimore City at bus, trackless trolley, or street railway car "Stops" heretofore or hereafter established, by public motor vehicles, trackless trolleys, or by street railway cars upon fixed routes, at its or their expense, to maintain at each "Stop" the area or space of ground within the footway area of the streets adjacent to or within said "Stops", as required by this section and after written notice from the Director of Transportation, the Director of Transportation is hereby authorized and directed to place the area or space in a safe and satisfactory condition and to charge the cost thereof to company or companies in default.

(2) The Mayor and City Council of Baltimore is hereby authorized to recover, by suit or action at law, from the company or companies in default the cost of the work necessary to place said "Stops" in a satisfactory condition.

(City Code, 1966, art. 31, §31; 1976/83, art. 31, §20.) (Ord. 55-1379; Ord. 75-920; Ord. 15-435.)

§§ 16-48 to 16-50. ***{Reserved}***

PART 8. TRUCKS

§ 16-51. Prohibited on certain streets.

No trucks and no tractor-trailer or tractor-semitrailer combination with a registered maximum gross weight in excess of 39,000 pounds shall be permitted to use or traverse in any way:

(1) Odell Street between Hilltop Avenue and the northerly end of Odell Street; or

(2) Woodruff Street between Hilltop Avenue and the northerly end of Woodruff Street.

(City Code, 1976/83, art. 31, §84.) (Ord. 68-101.)

§§ 16-52 to 16-55. ***{Reserved}***

PART 9. TAXICABS

§ 16-56. Passengers discharged at curb.

(a) *Prohibited conduct.*

It is unlawful for the operator of any taxicab to take on or discharge passengers except at the curb of any street, lane, alley, or other public way, unless no reasonably adequate space at the curb is available therefor.

(b) *Penalties.*

Any person violating the provisions of this section shall be subject to a penalty of not exceeding $10 for each and every such violation.

(City Code, 1976/83, art. 31, §80.) (Ord. 75-896.)

§ 16-57. Cab stands – Standing by others prohibited.

(a) *"Taxicab" defined.*

Only those vehicles licensed as taxicabs by the Public Service Commission of the State of Maryland shall be deemed to be a taxicab within the meaning of this section.

(b) *Standing by others prohibited.*

No vehicle, other than a taxicab, may stand at any time in those places set aside and designated by the Director of Transportation, to be occupied and used as public or private stands for taxicabs.

(c) *Standing by taxicabs.*

But nothing in this section shall be construed to authorize any taxicab to stand in any place so designated during the hours when parking is prohibited at such location, except where such taxicab stands have been established at hotels.

(d) *Penalties.*

Any person violating the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction, forfeit and pay a fine of not exceeding $10.

(City Code, 1976/83, art. 31, §81.) (Ord. 75-896; Ord. 15-435.)

§ 16-58. Cab stands – Nondiscriminatory use by taxicabs.

(a) *No company exclusive.*

Spaces designated by the Director of Transportation as taxicab stands in front of hotels and other places may not be for the exclusive use of the person, firm, or corporation given the permit, but shall be open to any person operating a taxicab, who has equal rights to enter these spaces and secure or solicit patrons.

(b) *Penalties for interfering.*

Any person interfering with any taxicab operator in entering or standing in these places is guilty of a misdemeanor and, on conviction, is subject to a penalty of not more than $100 for each violation.

(City Code, 1976/83, art. 31, §82.) (Ord. 75-896; Ord. 15-435.)

§§ 16-59 to 16-60. *{Reserved}*

PART 10. HORSES, CARRIAGES, ETC.

§ 16-61. General prohibitions.

(a) *Prohibited conduct.*

(1) No person shall:

(i) sit or stand in or upon any carriage, or any horse or beast harnessed thereto, in order to drive the same, unless he shall have strong reins or lines fastened to the bridle of his beasts and held in his hands, sufficient to guide and restrain them;

(ii) while driving any carriage, or riding any horse, mare, gelding, or other beast in or through the said City, permit or suffer the beast or beasts he shall so ride or drive to go at an immoderate gait;

(iii) turn any horse, mare, or gelding loose within the City or drive such horse, mare, or gelding loose through any of the streets, lanes, or alleys of the said City; or

(iv) drive, lead, or place any horse or beast of burden, or any horse attached to a cart, dray, or other carriage, laden or unladen, on any of the footways of the City.

(2) And all porters, carters, and other persons having the care of any carriage who shall not hold reins in their hands to guide or restrain their beasts, shall walk by the head of the shaft or wheel-horse, holding, or within reach of the bridle or halter of the said horse.

(b) *Exception.*

Provided that nothing herein contained shall prevent any person from riding, driving, or leading across any of the footways any horse or beast of burden into or out of any lot or tenement.

(c) *Penalties.*

Every person offending in any or either of the cases aforesaid shall forfeit and pay for every such offense a sum not exceeding $20.

(City Code, 1879, art. 8, §3; 1893, art. 8, §3; 1927, art. 4, §3; 1950, art. 38, §31; 1966, art. 31, §43; 1976/83, art. 31, §32.) (Rev. Ords. 1858-032.)

§ 16-62. Speed.

(a) *Prohibited conduct.*

It shall be unlawful for any person to ride on horseback on any street, alley, or highway, or over any bridge other than those on bridle paths in the parks, within the City limits, at a gait other than a walk.

(b) *Exception.*

Provided, however, that the provisions of this section shall not apply to police or military officers or employees when engaged in the performance of their duties.

(City Code, 1976/83, art. 31, §78.)

§ 16-63. Horse racing.

Any rider of any horse, mare, or gelding, and any driver of any vehicles engaged in any contest of speed, within the limits of the City, shall be subjected to a fine of $20.

(City Code, 1879, art. 8, §7; 1893, art. 8, §7; 1927, art. 4, §7; 1950, art. 38, §32; 1966, art. 31, §44; 1976/83, art. 31, §33.) (Rev. Ords. 1858-032.)

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SUBTITLE 17
NO-CRUISING DISTRICT

§ 17-1. Definitions.

(a) *In general.*

In this subtitle, the following words have the meanings indicated.

(b) *Cruising.*

"Cruising" means driving a motor vehicle on a street past a traffic control point more than once in any 2-hour period.

(c) *District.*

"District" means the No-Cruising District described in § 17-4 of this subtitle.

(d) *Traffic control point.*

"Traffic control point" means a clearly identified reference point in the No-Cruising District as determined and marked by the Police Department.

(City Code, 1976/83, art. 31, §164.) (Ord. 97-169.)

§ 17-2. Findings; purpose.

(a) *Findings.*

The Mayor and City Council find that unnecessary repetitive driving in the area designated the "No-Cruising District" creates a threat to the public health, safety, and welfare.

(b) *Purpose.*

The purpose of this subtitle is:

(1) to reduce dangerous traffic congestion, excessive noise, littering, and pollution; and

(2) to ensure access for emergency vehicles in the designated area.

(City Code, 1976/83, art. 31, §162.) (Ord. 97-169.)

§ 17-3. Exceptions.

The prohibitions of this subtitle do not apply to:

(1) any municipal, emergency, police, fire, ambulance, or other governmental vehicle when it is operated in its official capacity;

(2) any licensed public transportation vehicle; or

(3) any vehicle when it is operated for business or commercial purposes.
(City Code, 1976/83, art. 31, §163.) (Ord. 97-169.)

§ 17-4. Boundaries of District.

The No-Cruising District is the area bounded by and including:

(1) Franklin Street on the north;

(2) Liberty Street and Hopkins Place on the east;

(3) Lombard Street on the south; and

(4) Greene Street on the west.
(City Code, 1976/83, art. 31, §165.) (Ord. 97-169.)

§ 17-5. Prohibited conduct

(a) *Cruising.*

(1) A person may not cruise in the District between the hours of:

(i) 10 p.m. Friday and 5 a.m. Saturday;

(ii) 10 p.m. Saturday and 5 a.m. Sunday; or

(iii) 10 p.m. Sunday and 5 a.m. Monday.

(2) The prohibition specified in paragraph (1) of this subsection applies to both:

(i) the operator of the vehicle; and

(ii) the owner, if present, or, if the owner is not present, any person present who has the owner's permission to use the vehicle.

(b) *Stopping, etc.*

A person may not stop, stand, or park a vehicle on a street in the District between the hours of:

(1) 10 p.m. Friday and 5 a.m. Saturday;

(2) 10 p.m. Saturday and 5 a.m. Sunday; or

(3) 10 p.m. Sunday and 5 a.m. Monday.
(City Code, 1976/83, art. 31, §166.) (Ord. 97-169.)

§ 17-6. Posting.

The Director of Transportation shall post signs in the District that specify the hours during which cruising, stopping, standing, and parking are prohibited.

(City Code, 1976/83, art. 31, §167.) (Ord. 97-169; Ord. 15-435.)

§ 17-7. Penalties.

(a) *Cruising.*

(1) A person who violates § 17-5(a) of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than $200.

(2) Violations of § 17-5(a) of this subtitle may be enforced by citation under Maryland Rule 4-201(b)(3).

(b) *Stopping. etc.*

A person who violates § 17-5(b) of this subtitle is guilty of a parking violation punishable by a fine of $50.

(City Code, 1976/83, art. 31, §168.) (Ord. 97-169.)

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SUBTITLE 18
BICYCLES

§ 18-1. "Bicycle" defined.

For the purposes of this subtitle, a bicycle is defined as a mechanical device, propelled by human power and having 2 tandem wheels.

(City Code, 1966, art. 31, §11; 1976/83, art. 31, §10.) (Ord. 58-1352; Ord. 69-469.)

§ 18-2. Removing, etc., identification number.

It is unlawful for any person, wilfully or maliciously, to remove, destroy, mutilate, or alter the number on any bicycle frame or sprocket.

(City Code, 1966, art. 31, §18; 1976/83, art. 31, §11.) (Ord. 58-1352; Ord. 69-469.)

§ 18-3. Rules and regulations.

The Police Department of Baltimore City is authorized and empowered, by reasonable rules and regulations not inconsistent with the provisions of this subtitle, to provide for its administration and enforcement.

(City Code, 1966, art. 31, §21; 1976/83, art. 31, §12.) (Ord. 58-1352.)

§ 18-4. Impounding bicycles.

(a) *Holding period.*

A bicycle which is impounded and possessed by the Police Department under the provisions of law shall be held by the Department for at least 45 days during which time efforts shall be made to locate the owner thereof.

(b) *Subsequent disposition.*

(1) At any time following the end of such period, and if the owner cannot be located or ascertained, the Department is authorized and empowered to dispose of the bicycle.

(2) The bicycle may be:

(i) given to any charitable, nonprofit, or eleemosynary agency or institution in Baltimore City; or

(ii) in the discretion of the Department, disposed of at a public sale, at least 3 days' notice of which shall have been given to the public.

(3) In the latter event, the proceeds of the sale shall be paid into the special fund constituted by § 16-19 of the Public Local Laws of Baltimore City.

(City Code, 1966, art. 31, §22; 1976/83, art. 31, §13.) (Ord. 58-1352; Ord. 69-469; Ord. 76-011.)

§ 18-5. Night riding.

It is unlawful for any person to propel a bicycle upon any of the streets, lanes, alleys, or public ways of this City at night, unless it is provided with a head lamp and with a rear lamp or reflector.
(City Code, 1966, art. 31, §23; 1976/83, art. 31, §14.) (Ord. 58-1352.)

§ 18-6. Coasting; trick riding.

It is unlawful for any person riding a bicycle on any of the streets, lanes, alleys, or public ways of this City:

(1) to coast by inertia or momentum without having both feet on the pedals;

(2) to ride without at least 1 hand firmly gripping the handlebars;

(3) to perform any trick or fancy riding; or

(4) to ride in any manner so as not to have the bicycle under control.
(City Code, 1966, art. 31, §24; 1976/83, art. 31, §15.) (Ord. 58-1352.)

§ 18-7. 2 riders prohibited.

It is unlawful for more persons than 1 to be on a bicycle simultaneously while it is in motion on any of the streets, lanes, alleys, or public ways of this City.
(City Code, 1966, art. 31, §25; 1976/83, art. 31, §16.) (Ord. 58-1352.)

§ 18-8. Riding on sidewalk.

(a) *Riding prohibited.*

It is unlawful for any person to ride a bicycle on any sidewalk or footway of this City.

(b) *Walking, standing permitted.*

However, when dismounted and on foot, a person may:

(1) lead the bicycle on a sidewalk or footway in a manner that does not obstruct the sidewalk or footway; and

(2) allow the bicycle to remain standing on the sidewalk or footway in a manner that does not obstruct the sidewalk or footway.

(c) *Enforcement by citation.*

(1) In addition to any other civil or criminal remedy or enforcement procedure, this section may be enforced by issuance of a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(2) The issuance of a civil citation to enforce this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(City Code, 1966, art. 31, §26; 1976/83, art. 31, §17.) (Ord. 58-1352; Ord. 04-683.)

§ 18-9. *{Reserved}*

§ 18-10. Penalties.

(a) *Violation of § 18-2.*

Any person violating § 18-2 {"Removing, etc., identification number"} of this subtitle shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $100 or imprisoned for not more than 3 months, or both fined and imprisoned, in the discretion of the court.

(b) *Violation of other sections.*

Any person violating any other provision of this subtitle shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding $10 for each such offense.

(c) *Juvenile offenders.*

The laws relating to control and punishment of persons under 16 years of age shall apply, in all respects, to a violation of this subtitle by any such person.

(City Code, 1966, art. 31, §27; 1976/83, art. 31, §18.) (Ord. 58-1352; Ord. 69-469.)

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SUBTITLE 19
GRADE CROSSINGS

§ 19-1. Administration of subtitle.

(a) *Director to enforce.*

The Director of Transportation shall enforce the provisions of this subtitle.

(b) *Rules and regulations.*

The Director may adopt procedural rules and regulations as necessary or proper to carry out the intent and purpose of this subtitle.

(City Code, 1976/83, art. 31, §§46, 49.) (Ord. 75-919; Ord. 15-435.)

§ 19-2. Safety devices required.

In order to protect the health, safety, and security of the public at locations within the boundary lines of the City of Baltimore, now or as hereafter existing, where the tracks of any railroad company cross a public street at grade, the railroad company shall install and maintain at such crossing one of the types of signaling, warning, or safety devices, in the manner, of the type, and as required under and in accordance with the provisions of § 19-3 hereof.

(City Code, 1976/83, art. 31, §45.) (Ord. 75-919.)

§ 19-3. Implementation.

(a) *Notice of needed protection.*

Whenever the Director of Transportation determines, after adequate investigation and consultation with the railroad, that the crossing of a public street or highway at grade by the tracks of the railroad creates a condition that reasonably requires more adequate protection in addition to that already provided by the railroad, the Director shall:

(1) notify in writing the railroad company owning or operating over the tracks at the location that the crossing reasonably requires further protection; and

(2) order the railroad company either:

(i) to erect or install and maintain at the crossing:

(A) automatic gates;

(B) automatic flashing lights; or

(C) appropriate warning signs;

(ii) to provide train crew protection; or

(iii) to do any combination of these.

(b) *Contents of notice.*

Every such notice issued by the Director shall set forth in writing:

(1) the pertinent facts relative to the particular location;

(2) the requirements that must be complied with by the railroad;

(3) the reasons for the Director's findings, conclusions, and orders; and

(4) a reasonable period of time within which the order must be complied.

(c) *Factors to be considered*.

In determining whether or not a particular railroad grade crossing creates a condition that reasonably requires further protection, and in determining which warning or safety measure, if any, set forth in subsection (a) of this section shall be provided by the railroad company at a particular location, the Director shall consider the following:

(1) the number of tracks involved at the particular location;

(2) the usual or general speed of the rolling equipment operated over the tracks at the particular location;

(3) the number and frequency of trains or other rolling equipment operated over the tracks at the particular location;

(4) the type or character of the neighborhood surrounding the particular location;

(5) the volume and type of vehicular and pedestrian traffic using the street or highway at the particular location at various times;

(6) the transportation requirements and facilities;

(7) the topography of the surrounding land and the grade, width, course, and location of the railroad tracks and the street or highway at the particular location;

(8) the existence of any signaling, warning, or safety device or devices which have been constructed, installed, or placed by the railroad company at the particular location;

(9) the number and character of collisions that have occurred at the particular location; and

(10) any other pertinent facts or matters.

(d) *Allocation of cost*.

(1) The cost and expenses for the installation of the devices required by the Director of Transportation under this section may be apportioned by the Board of Estimates between

the railroad company and the City on the basis of the Board's judgment of the benefits accruing to the railroad and the public respectively.

(2) In any determination of the allocation of costs, the Board of Estimates may, in addition to all other pertinent factors, consider the relative use of the crossing by railroad traffic and other vehicular traffic.

(3) The determination of the apportionment by the Board of Estimates shall be final and not subject to appeal.

(4) The apportionment may apply only to future installations ordered under this section. In no event may any part of the cost of restoring, repairing, or maintaining the protective devices provided by the railroad at these crossings or of installing crossings signs or providing train crew protection be apportioned by the Board of Estimates to the City.

(City Code, 1976/83, art. 31, §47.) (Ord. 75-919; Ord. 15-435.)

§ 19-4. Administrative review.

(a) *Request for review*.

If the railroad company or the City disagrees or is dissatisfied with any order issued or made by the Director of Transportation under this subtitle, it may, within 15 days after the date of the order, submit a written request to the Director of Transportation to review the order.

(b) *Hearing; decision.*

(1) Within 15 days after the Director has received the written request for review, the Director shall grant a public hearing to the persons requesting the review, at which time the parties shall have a right to introduce testimony and be fully heard, and the said proceedings shall be a matter of record.

(2) The Director shall, within 15 days after the hearing, render a decision in writing, including the reasons for the decision.

(c) *Stay pending decision*.

(1) A timely request for review stays all proceedings on the order appealed.

(2) But, whenever in the opinion of the Director of Transportation, a stay would cause imminent peril to life or property, the Director may request the Circuit Court for Baltimore City for an order vacating the stay.

(City Code, 1976/83, art. 31, §48(a), (b).) (Ord. 75-919; Ord. 15-435.)

§ 19-5. Judicial review.

(a) *Appeals*.

(1) The railroad company or the City, being dissatisfied with a final decision of the Director of Transportation, may appeal on the record to the Circuit Court for Baltimore City by an appropriate petition duly verified, with the right in the parties to offer additional testimony.

(2) The petition shall be presented to the court within 15 days after the final decision of the Director of Transportation.

(b) *Answer; decision.*

(1) On presentation of the petition, the Court shall prescribe the time, not less than 15 days, within which an answer shall be filed and served on the petitioner or its attorney.

(2) The Court may reverse, affirm, or modify, in whole or in part, the final decision of the Director of Transportation that has been brought up for review.

(c) *No stay pending decision.*

Compliance with the decision of the Director of Transportation may be stayed only on order of the court, on application and after notice to the Director and for good cause shown.

(d) *Further appeal.*

(1) An appeal may be taken from the determination of the Circuit Court for Baltimore City to the Court of Special Appeals of Maryland.

(2) Compliance with the decision of the Director of Transportation or of the Circuit Court may be stayed while the appeal is pending only on order of the trial court, after due notice to the parties and on good cause shown.

(City Code, 1976/83, art. 31, §48(c) - (e).) (Ord. 75-919; Ord. 15-435.)

§ 19-6. Review of prior order.

(a) *Petition to review.*

At any time after 1 year or more has elapsed from the date of any final order or decision made or rendered by the Director of Transportation or any court, as the case may be, in connection with any 1 particular location, the railroad company owning or operating over the tracks at the particular location, may file a petition requesting the Director to review the last final order or decision made or rendered in connection with the particular location.

(b) *Hearing.*

Within 10 days after the receipt of the petition, the Director shall set a time for holding a hearing concerning the subject matter set forth in the petition, not sooner than 30 days nor more than 90 days after the petition is received in the office of the Director of Transportation, at which time all interested parties have a right to be heard.

(c) *Director's prerogatives; decision.*

(1) The Director of Transportation may amend, change, modify, affirm, or repeal, in whole or in part, the last final order or decision.

(2) Within 15 days after the the hearing has been completed, the Director shall render a written decision, including the reasons for the decision.

(d) *Appeals.*

If the railroad company or the City is dissatisfied with the decision of the Director, that party may appeal in the same manner as provided in the case of original decisions of the Director of Transportation.

(City Code, 1976/83, art. 31, §48(f).) (Ord. 75-919; Ord. 15-435.)

§ 19-7. Enforcement.

(a) *Compliance required.*

(1) Every person and other legal entity subject to this subtitle shall fully comply at all times with all of the terms and provisions of this subtitle and any order issued under this subtitle by the Director of Transportation.

(2) Any act or actions that are contrary to any provision or requirement of, and any and all failures to comply with, any provision or requirement of this subtitle or any order issued under this subtitle is a violation of this subtitle.

(b) *Actions by Director.*

(1) The Director of Transportation may institute or cause to be instituted any and all legal, equitable, or criminal actions or proceedings that may be necessary or proper to enforce any and all of the provisions of this subtitle or any order issued under this subtitle.

(2) Nothing contained in this subtitle may be taken or construed to estop or prevent the Director of Transportation from instituting or causing to be instituted or fully prosecuting any and all legal or equitable actions or proceedings of any kind or character that may be necessary or proper to compel a full compliance with any and all of the provisions of this subtitle or any order issued under this subtitle, even though criminal proceedings may be pending or may have been completed.

(City Code, 1976/83, art. 31, §50(a), (b), §51.) (Ord. 75-919; Ord. 15-435.)

§ 19-8. Penalties.

(a) *In general.*

Every person or other legal entity who commits a violation of this subtitle shall be guilty of a misdemeanor and, upon conviction thereof in any court of competent jurisdiction, shall be fined $25.

(b) *Each day a separate offense.*

Every such person or other legal entity shall be deemed guilty of a separate offense for each and every day that any such violation continues.

(City Code, 1976/83, art. 31, §50(c).) (Ord. 75-919.)

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SUBTITLE 20
BIKE LANES

§ 20-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Bike Lane.*

"Bike Lane" means a portion of a City street designated exclusively for single directional bicycle flow.

(c) *Director.*

"Director" means the Director of Transportation.
(Ord. 10-366.)

§ 20-2 Rules and regulations.

(a) *DoT to adopt.*

The Director may adopt rules and regulations to implement this subtitle.

(b) *Filing with Legislative Reference.*

A copy of all rules and regulations adopted under this subtitle must be filed with the Department of Legislative Reference before they become effective.
(Ord. 10-366.)

§ 20-3. Designation of bike lanes.

The Director may designate 4' to 5' wide strips on City streets as bike lanes.
(Ord. 10-366.)

§ 20-4. Markings.

(a) *On Street.*

(1) Bike lanes must be clearly marked on the street in accordance with the United States Department of Transportation's Federal Highway Administration Manual on Uniform Traffic Control Devices or other nationally recognized standards.

(2) Materials for marking bike lanes must be selected to minimize the loss of traction for bicycles in wet conditions.

(b) *Signage.*

The application and placement of signs marking bike lanes must conform to the United States Department of Transportation's Federal Highway Administration Manual on Uniform Traffic Control Devices.

(Ord. 10-366.)

§ 20-5. Parking restrictions.

No motor vehicle may park or stand in an area designated and marked as a bike lane.

(Ord. 10-366.)

§§ 20-6 to 20-7. *{Reserved}*

§ 20-8. "Bike-safe" grates required.

After an area has been designated as a bike lane by the Director, the Director must ensure that all drainage grates within the bike lane:

(1) have bars running perpendicular to the flow of traffic;

(2) consist of a grating composed of intersecting bars; or

(3) use another design that both the Director and the State Department of Transportation have approved as meeting bicycle safety design criteria as well as engineering and structural design demands.

(Ord. 10-366.)

SUBTITLE 21
TOWING VEHICLES FROM PRIVATE PARKING FACILITY

§ 21-1. Required signs.

(a) *In general.*

(1) This section applies to any private property that:

(i) has a parking facility with 3 or more spaces accessible to the public; and

(ii) makes this facility available to customers, clientele, employees, residents, lessees, or guests.

(2) Unless a parking facility is posted in accordance with this section:

(i) the owner, manager, or other person in charge of the parking facility may not use towing services to enforce parking restrictions; and

(ii) no towing company may tow a vehicle from the parking facility for a violation of parking restrictions.

(b) *Contents.*

Each sign must:

(1) indicate that vehicles parked without authorization may be towed; and

(2) state:

(i) the exact location to which the vehicle will be towed;

(ii) the hours during which the vehicle may be reclaimed;

(iii) the maximum amount that will be charged for the towing and for per diem storage of a vehicle;

(iv) the telephone number that the vehicle's owner or operator may call to reclaim the vehicle; and

(v) the name and City license number of the towing company.

(c) *Size, number, and placement.*

(1) Each sign must be at least 24" x 30".

(2) At least 1 sign must be conspicuously posted:

(i) at each entrance to the parking facility; and

(ii) at each exit from the parking facility.

(3) Additional signs must be conspicuously posted throughout the facility as follows:

(i) for a surface lot in the Tourist Parking District, so that there is at least 1 additional sign for each 25 parking spaces (or fraction of 25 parking spaces); and

(ii) for all other parking facilities and areas, so that there is at least 1 additional sign for each 7,500 square feet of parking (or fraction of 7,500 square feet).

(4) Each sign must be clearly readable and visible at all times.

(d) *Tourist Parking District.*

(1) There is a Tourist Parking District.

(2) The District comprises the following area of the City:

Beginning at North Avenue and Greenmount Avenue, south on Greenmount to Monument Street, then east on Monument to Central Avenue, then south on Central to Fleet Street, then east on Fleet to Essex Street, then southeast on Essex to Montford Avenue, then south on Montford to Hudson Street, then east on Hudson to Highland Avenue, then south on Highland to Eastbourne Avenue, then west on Eastbourne to Clinton Street, then south on Clinton to I-95, then west on I-95 to Monroe Street, then northwest on Monroe to Washington Boulevard, then northeast on Washington to South Carey Street, then north on South Carey to Lombard Street, then east on Lombard to Martin Luther King Boulevard, then north on Martin Luther King to Pennsylvania Avenue, then northwest on Pennsylvania to North Avenue, then east on North to Greenmount Avenue.

(City Code, 1976/83, art. 31, §67½(a).) (Ord. 87-976; Ord. 94-409; Ord. 01-231.)

§ 21-2. *Repealed by Ord. 01-231.*

§ 21-3. Reclaiming vehicle.

(a) *Opportunity to be 24/7.*

When a vehicle has been towed from private property, the towing company or owner of the property from which the vehicle was removed must provide the owner of the vehicle or the owner's authorized agent the opportunity to retake possession of the vehicle at any time, 24 hours a day, 7 days a week.

(b) *ATM to be on premises.*

An automatic teller machine must be available at any location where persons seeking to reclaim their vehicles will be required to pay the tower.

(c) *Complaint information to be provided.*

For any vehicle towed from private property, the receipt given to the owner or owner's agent must contain the following statement:

"Towing from private parking facilities is regulated by City Code Article 31, Subtitle 21. For complaints, please call the Baltimore City Towing Board at *{Telephone Number}*.".

(City Code, 1976/83, art. 31, §67½(c).) (Ord. 87-976; Ord. 01-231.)

§ 21-4. Scope of subtitle.

This subtitle does not:

(1) authorize or confer any right upon property owners to have vehicles which trespass upon their property removed or towed; or

(2) grant to any towing company or operator the right to impose any charge upon the vehicle towed in addition to any such rights that they might otherwise have under applicable law.

(City Code, 1976/83, art. 31, §67½(e).) (Ord. 87-976.)

§ 21-5. *{Reserved}*

§ 21-6. Penalties.

(a) *In general.*

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, subject to a sum of not more than $200 for each offense.

(b) *Each towed vehicle a separate offense.*

Each vehicle that is towed from a parking facility that is not posted as required by this section is a separate offense.

(City Code, 1976/83, art. 31, §67½(d).) (Ord. 87-976; Ord. 01-231.)

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SUBTITLE 22
TOWING SERVICES – ACCIDENT TOWING

Editor's Note: For provisions governing trespass towing services, *see* Article 15, Subtitle 22 {"Towing Services – Trespass Towing"}.

PART 1. DEFINITIONS; GENERAL PROVISIONS

§ 22-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Disabled vehicle*.

"Disabled vehicle" means a motor vehicle that:

(1) has been damaged or rendered inoperative as the result of a collision or other accident;

(2) is found to be stolen;

(3) is being held for evidence; or

(4) is otherwise disabled and impeding the free flow of traffic or movement of pedestrians.

(c) *Medallion towing company.*

"Medallion towing company" means a towing company that:

(1) is licensed under this subtitle; and

(2) owns or operates 1 or more medallion towing vehicles.

(d) *Medallion towing vehicle.*

"Medallion towing vehicle" means a towing vehicle that:

(1) is owned or operated by a medallion towing company; and

(2) has been specifically authorized to tow vehicles under this subtitle.

(e) *Person.*

(1) "Person" means any individual, partnership, firm, association, corporation, or fiduciary, or any other entity of any kind.

(2) "Person" does not include a governmental entity or an instrumentality or unit of a governmental entity.

(3) Whenever used in imposing a penalty, the term "person":

(i) as applied to any partnership or association, includes its partners or members; and

(ii) as applied to any corporation, limited liability company, or similar entity, includes its officers.

(f) *Police Commissioner; Commissioner.*

"Police Commissioner" or "Commissioner" means the Baltimore City Police Commissioner or the Commissioner's designee.

(g) *Towing.*

(1) "Towing" means moving, removing, or preparing to move or remove a disabled vehicle by another vehicle, for which a charge is imposed directly or indirectly.

(2) For purposes of this definition, dues or other charges by clubs or associations that provide towing services are indirect charges.

(h) *Towing company.*

"Towing company" means any person that owns or operates a business for the disentangling or towing of disabled vehicles.

(i) *Towing vehicle.*

"Towing vehicle" means a vehicle that tows a disabled vehicle.

(City Code, 1966, art. 31, §110; 1976/83, art. 19, §201.) (Ord. 57-998; Ord. 75-921; Ord. 08-077; Ord. 13-175.)

§ 22-2. Declaration of policy.

The purposes of this subtitle are:

(1) to safeguard the public interests against fraud, discrimination, deceptions, and similar abuses;

(2) to eliminate traffic delays, unnecessary street congestion, and traffic hazards; and

(3) generally, to protect the general welfare and public interests of the community.

(City Code, 1966, art. 31, §108; 1976/83, art. 19, §199.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-3. Rules and regulations.

(a) *Police Commissioner to adopt.*

The Police Commissioner shall adopt and enforce rules and regulations to carry out this subtitle.

(b) *Filing with Legislative Reference.*

A copy of all rules and regulations must be filed with the Department of Legislative Reference before they take effect.

(City Code, 1966, art. 31, §117; 1976/83, art. 19, §208.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-4. Severability.

All provisions of this subtitle are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

(City Code, 1966, art. 31, §123; 1976/83, art. 19, §214.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-5. *{Reserved}*

PART 2. LICENSING, BONDING, ETC.

§ 22-6. License required.

(a) *In general.*

No person may tow a disabled vehicle from any location in the City unless:

(1) the person is licensed by the Police Commissioner under this subtitle as a medallion towing company; or

(2) the person has been summoned by the vehicle owner's or operator's automobile or motor club or automobile insurance company.

(b) *Applications.*

Applications for a license must be in the form and contain the information that the Police Commissioner requires.

(c) *Application fee.*

The application must be accompanied by a non-refundable application fee of $250.

(d) *Term and renewal.*

(1) Each medallion towing license expires annually on the anniversary of its issuance and is renewable as provided in this subsection.

(2) To renew a license, the licensee must apply no less than 30 days nor more than 60 days before the license expires.

(3) The renewal application must be in the form and contain the information that the Police Commissioner requires.

(e) *License fees.*

(1) Except as provided in paragraph (2) of this subsection, the annual license fee is:

(i) $250 for the medallion towing company license, plus

(ii) $100 for each medallion towing vehicle to be operated under that license.

(2) For the 1st license year, the fee is $100 for each medallion towing vehicle to be operated under that license.

(City Code, 1966, art. 31, §111; 1976/83, art. 19, §202.)
(Ord. 57-998; Ord. 75-921; Ord. 90-509; Ord. 08-077.)

§ 22-7. Qualifications of applicants.

(a) *In general.*

(1) The rules and regulations adopted by the Police Commissioner shall specify the qualifications required for licensing under this subtitle.

(2) Among other qualifications, these rules and regulations must seek to assure that:

(i) an applicant has a significant business presence in the City and is thus capable of providing the services required by the Commissioner; and

(ii) all towing vehicles to be operated under the license are adequate for the services required.

(b) *Commissioner to investigate*.

On receipt of an application for an initial license, the Police Commissioner shall investigate the qualifications of the applicant.

(Ord. 08-077.)

§ 22-8. Surety bond.

(a) *Bond required.*

Every person licensed under this subtitle shall file with the Police Commissioner a bond to save harmless the owner of any vehicle for any property damage occurring while the vehicle is in that person's possession.

(b) *Amount.*

The bond shall be in an amount of at least $20,000.

(City Code, 1966, art. 31, §120; 1976/83, art. 19, §211.) (Ord. 57-998; Ord. 58-1271; Ord. 75-921; Ord. 08-077.)

§ 22-9. Schedule of charges.

(a) *Schedule to be filed.*

(1) When applying for a license, the applicant shall file with the Police Commissioner a schedule that clearly sets forth that person's proposed charges for towing and for services incident to towing.

(2) These charges may be measured by mileage, time, and type of service.

(b) *Maximum charges.*

(1) *Towing.*

No matter how calculated, the towing charges may not exceed the amount of $150 per tow unless:

(i) the vehicle is a commercial vehicle under § 1-1(f) {"Definitions – A to L: Commercial Vehicle"} of this article; or

(ii) the tow of the vehicle:

(A) requires removal from an embankment, ditch, waterway, trench, hole, or heavily wooded area; or

(B) otherwise requires specialized and exceptional services for the vehicle's removal.

(2) *Storage.*

The schedule must set a maximum storage fee of no more than $50 per day.

(c) *No change without amended schedule.*

A licensee may not change the charges without filing with the Police Commissioner an amended schedule that shows the proposed changes.

(d) *Rejection of schedule.*

(1) The Police Commissioner may reject any proposed charges if, in the Commissioner's opinion, the charges are excessive for the service to be performed.

(2) In that case, the Commissioner shall return the proposed schedule or amended schedule to the applicant or licensee, as the case may be, with suitable notice of the reasons for rejecting it.

(City Code, 1966, art. 31, §113; 1976/83, art. 19, §204.) (Ord. 57-998; Ord. 75-921; Ord. 08-077; Ord. 14-266; Ord. 14-307.)

§ 22-10. *{Reserved}*

PART 3. TOWING OPERATIONS

§ 22-11. Owner's, operator's right to choose.

(a) *In general.*

Whenever a disabled vehicle needs to be towed from a City street:

(1) if the vehicle is impeding the free flow of traffic or movement of pedestrians or if some other emergency pertains, as determined by the police officer on the scene, the police officer shall request the Police Commissioner to summons a medallion towing vehicle; and

(2) in all other situations:

(i) the police officer on the scene shall permit the owner or operator, if available, to contact a bona fide automobile or motor club of which he or she is a member or an automobile insurance company with which she or he is insured; and

(ii) if the owner or operator declines or is unavailable to do so, the police officer shall request the Police Commissioner to summons a medallion towing vehicle.

(b) *Required response time.*

If the towing company contacted by an automobile or motor club or automobile insurance company under subsection (a)(2)(i) of this section cannot or does not respond within 20 minutes or a reasonable period of time, as determined by the police officer under the circumstances, the police officer shall request the Police Commissioner to summons a medallion towing vehicle.

(c) *Assurance of compliance*.

To the extent possible under the circumstances, the police officer at the scene shall verify that the towing vehicle arriving at the scene and preparing to tow the disabled vehicle:

(1) is not there in violation of § 22-21 {"Solicitations prohibited"}or § 22-24 {"Police radios prohibited"} of this subtitle; and

(2) either:

(i) is a medallion towing vehicle summoned by the Police Commissioner; or

(ii) is a towing vehicle summoned by the owner's or operator's automobile or motor club or automobile insurance company.

(d) *Priorities.*

Once a medallion towing vehicle has been summonsed under this section, it is to be given priority over any other towing vehicle that may arrive at the scene.

(e) *Destination.*

(1) This subsection does not apply to a vehicle that is being held for evidence.

(2) The owner or operator of a disabled vehicle, if available, retains full discretion to determine the destination to which the vehicle is to be towed, even if the tow is by a medallion towing vehicle summoned under this section.

(City Code, 1976/83, art. 19, §202A.) (Ord. 93-231; Ord. 08-077.)

§ 22-12. Police assignments.

(a) *Commissioner to retain list.*

The Police Commissioner shall maintain a current list of all medallion towing companies licensed under this subtitle.

(b) *Allocation by proximity.*

(1) Subject to § 22-11 {"Owner's, operator's right to choose"} of this subtitle, whenever the services of a towing vehicle are required and a request is made to the Commissioner's office for towing services, the Commissioner shall summons the medallion towing company whose place of business is closest to the scene of the accident.

(2) If the towing company that is closest to the scene does not then have a medallion towing vehicle available, the Commissioner shall summons the next closest towing company, and so on until a medallion towing vehicle has been secured.

(City Code, 1966, art. 31, §115(1st - 4th sens.); 1976/83, art. 19, §206(1st - 4th sens.).) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-13. *{Reserved}*

§ 22-14. Tow vehicle identification.

(a) *In general.*

Every medallion towing vehicle shall be identified as specified in this section and the Police Commissioner's rules and regulations.

(b) *Information required.*

The name, address, and telephone number of the towing company shall be legibly inscribed or painted, on both sides of the towing vehicle, in lettering not less than 4 inches high.

(c) *Medallion display.*

The towing vehicle shall carry and display the medallion or other certification issued by the Commissioner for that vehicle.

(City Code, 1966, art. 31, §112; 1976/83, art. 19, §203.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-15. Estimates and repairs.

(a) *Agreement required.*

(1) A towing company may not make any repairs for consideration on a disabled vehicle towed by it without first entering into a signed agreement with the owner of the disabled vehicle or the owner's authorized representative.

(2) The signed agreement must include an estimates of the cost of repairs.

(b) *Copies.*

(1) 1 copy of an agreement entered into under this section shall be given to the owner of the disabled vehicle or the owner's authorized representative.

(2) 1 copy of an agreement entered into under this section shall be retained by the towing company for a period of at least 2 years.

(City Code, 1966, art. 31, §114; 1976/83, art. 19, §205.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-16. Delivery of vehicle.

(a) *To police.*

(1) A towing company that acquires custody and control of a vehicle under this subtitle shall deliver custody and control to the Police Commissioner, unless a signed agreement to the contrary is executed by the owner of the vehicle.

(2) If the vehicle is delivered into the custody and control of the Commissioner, the Commissioner is responsible for the safety of the vehicle while it is in the Commissioner's custody and control.

(b) *Recovery by owner.*

Nothing in this section prevents the owner of a vehicle or the owner's authorized representative from reacquiring custody and control of the vehicle on payment to the towing company or to the Police Commissioner, as the case may be, of the applicable fees, as established in the schedule filed with the Commissioner.

(City Code, 1966, art. 31, §121; 1976/83, art. 19, §212.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§§ 22-17 to 22-20. *{Reserved}*

PART 4. PROHIBITED CONDUCT

§ 22-21. Solicitations prohibited.

No person may:

(1) in any way solicit towing business; or

(2) attempt or offer to take any disabled vehicle in tow unless:

(i) the person is operating a medallion towing vehicle summoned by the Police Commissioner; or

(ii) the person has been summoned by a bona fide automobile or motor club or automobile insurance company on behalf of the owner or operator of the disabled vehicle.

(City Code, 1966, art. 31, §115(5th sen.);1976/83, art. 19, §206(5th sen.).)
(Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-22. Bail services prohibited.

(a) *Exception.*

This section does not apply to a bona fide automobile or motor club, association, or insurance company.

(b) *Prohibition.*

No person towing a disabled vehicle may:

(1) offer to secure or provide bail for any person involved in the incident;

(2) enter into an agreement, oral or written, to secure or provide bail for any person involved in the incident; or

(3) arrange for the providing of bail for any person involved in the incident.

(City Code, 1966, art. 31, §116; 1976/83, art. 19, §207.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-23. Gratuities, etc., to City employees prohibited.

No person may offer or give any bribe, gift, gratuity, or inducement of any kind to any public official or employee in order to obtain business or recommendations for towing, storing, repairing, or providing repair estimates for disabled vehicles.

(City Code, 1966, art. 31, §118; 1976/83, art. 19, §209.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§ 22-24. Police radios prohibited.

No towing company nor any owner, operator, employee, or agent of a towing company, whether licensed under this subtitle or not, may:

(1) possess at his, her, or its garage, repair shop, or other place of business any radio-receiving set capable of receiving signals or messages transmitted on frequencies allocated for use by the Police Department; or

(2) in connection with any towing operations, make use of any signals or messages transmitted by the Police Department on frequencies allocated for its use.

(City Code, 1966, art. 31, §119; 1976/83, art. 19, §210.) (Ord. 57-998; Ord. 75-921; Ord. 08-077.)

§§ 22-25 to 22-30. ***{Reserved}***

PART 5. ENFORCEMENT; PENALTIES

§ 22-31. Denial, suspension, etc., of licenses.

(a) *In general.*

The Police Commissioner may deny, refuse to renew, revoke, or suspend the license of any person who:

(1) violates any provision of this subtitle or of the rules or regulations adopted under this subtitle; or

(2) fails to comply with any of the terms or provisions of any towing or repair agreement entered into under this subtitle.

(b) *Judicial and appellate review.*

(1) A person whose license has been denied, refused renewal, revoked, or suspended by the Police Commissioner may seek judicial review of that action by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

(2) A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

(City Code, 1966, art. 31, §119(2nd, 3rd sens.); 1976/83, art. 19, §213(2nd, 3rd sens.).)
(Ord. 57-998; Ord. 59-1749; Ord. 75-921; Ord. 04-672; Ord. 08-077.)

§ 22-32. Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) *Process not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(Ord. 08-077.)

§ 22-33. Penalties.

(a) *In general.*

Any person who violates any of the provisions of this subtitle or of the rules and regulations adopted under this subtitle is guilty of a misdemeanor and, on conviction, is subject to fine of not

more than $1,000, imprisonment for not more than 12 months, or both fine and imprisonment for each offense.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

(City Code, 1966, art. 31, §119(1st sen.); 1976/83, art. 19, §213(1st sen.).)
(Ord. 57-998; Ord. 59-1749; Ord. 75-921; Ord. 08-077.)

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SUBTITLES 23 TO 25
{RESERVED}

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SUBTITLE 26
MISCELLANEOUS PROHIBITIONS

§ 26-1. Unauthorized riding.

(a) *Prohibited conduct; penalty.*

It shall not be lawful for any unauthorized person or persons to ride on locomotives, tenders, or cars of steam railroads, street cars, stages, omnibuses, hacks, or any licensed conveyance for passengers or merchandise on any street, lane, or alley opened for public use within the limits of the City of Baltimore under a penalty of $1 for each offense, to be recovered as other fines and penalties are now recoverable.

(b) *Exception.*

Provided, however, that the provisions of this section shall not apply to newboys *{sic}* pursuing their vocation.

(City Code, 1893, art. 8, §26; 1927, art. 4, §114; 1950, art. 38, §91; 1966, art. 31, §125; 1976/83, art. 31, §85.) (Ord. 1879-004.)

§ 26-2. Unauthorized driving.

If any person shall enter upon or into any vehicle or conveyance, or remain therein, or drive or remove the same from the place where the same may then be, without the authority or permission of the owner or the party in charge thereof, such person so entering, remaining, driving away, or removing without authority or permission as aforesaid, shall be subject to a fine of not less than $1, nor more than $20, to be collected as other fines and penalties are collected.

(City Code, 1879, art. 8, §25; 1893, art. 8, §25; 1927, art. 4, §113; 1950, art. 38, §39; 1966, art. 31, §51; 1976/83, art. 31, §38.) (Ord. 1877-085.)

§ 26-3. Failure to affix registration plates.

No motor vehicle shall be permitted to stand on the streets and highways of the City of Baltimore unless said motor vehicle has affixed thereto registration plates which are neither expired nor fictitious, and are displayed in the manner set forth in the Maryland Vehicle Law, and shall be subject to such penalties as are set forth in § 37-1 of this article.

(City Code, 1976/83, art. 31, §151.) (Ord. 68-110.)

§ 26-4. Minors as parking attendants.

It shall be unlawful for any minor, under the age of 18 years, to assist or in any way to participate in the parking of vehicles on vacant lots, driveways, or any other private property, unless the minor has the written permission of the property owner for such parking.

(City Code, 1966, art. 31, §79; 1976/83, art. 31, §59.) (Ord. 55-1455.)

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SUBTITLE 27
REASONABLE CARE

§ 27-1. Always required.

Nothing contained herein or omitted herefrom shall be construed or held to relieve any person using or traveling or being upon any street, for any purpose whatever, from exercising all reasonable care to avoid or prevent injury through collision with all other persons and vehicles.

(City Code, 1927, art. 4, §57; 1950, art. 38, §80; 1966, art. 31, §96; 1976/83, art. 31, §72.)
(Ord. 08-139.)

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SUBTITLE 28
SPECIAL REGULATIONS

§ 28-1. Police Commissioner may adopt.

The Police Commissioner is hereby authorized and empowered to make and enforce special regulations with regard to the traffic, at certain hours, when the safety or convenience of the public will best be subserved thereby.

(City Code, 1927, art. 4, §60; 1950, art. 38, §87; 1966, art. 31, §105; 1976/83, art. 31, §77.)
(Ord. 08-139.)

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SUBTITLES 29 TO 30
{RESERVED}

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SUBTITLE 31
CLEAR STREETS AND IMPOUNDMENT

PART 1. DEFINITIONS; GENERAL PROVISIONS

§ 31-1. Definitions.

(a) *Abandoned vehicle.*

(1) *In general.*

"Abandoned vehicle" has the meaning stated in State Transportation Article ("Maryland Vehicle Law") § 25-201, except as provided in paragraph (2) of this subsection.

(2) *Exception.*

"Abandoned vehicle" does not include a vehicle solely because it is in violation of § 6-22 of this article.

(b) *Commissioner.*

"Commissioner" means the Police Commissioner of Baltimore City or the Commissioner's designee.

(c) *Private property.*

(1) "Private property" includes all property not included within subsection (d) of this section, where the owner can be readily ascertained by reference to the records of the Bureau of Assessments or elsewhere.

(2) In case:

(i) the owner of property:

(A) cannot be so located; or

(B) if located, is out of the City or cannot be reached by certified mail or does not respond to it; or

(C) otherwise is beyond the jurisdiction of City authorities; or

(ii) the property is apparently abandoned,

then, for the purposes of this subtitle that property is deemed public property included within subsection (d) of this section.

(d) *Street.*

(1) "Street" includes all public ways, streets, lanes, alleys, footways, and public places in the City.

(2) Specifically, it includes publicly-owned vacant lots or public property part of which is vacant.

(City Code, 1976/83, art. 31, §86.) (Ord. 69-343; 99-421; Ord. 06-347; Ord. 15-435.)

§ 31-2. Liability of lessors and other registered owners.

(a) *Lessors' liability.*

(1) In this subsection, "lessor" means a person, corporation, firm, agency, association, or organization that rents or leases motor vehicles.

(2) A lessor, together with any customer or operator who rents or leases a motor vehicle from it, is jointly and severally liable for fines or penalties imposed for violations of parking ordinances that have been committed by that customer or operator.

(3) Nothing in this section may be construed to prevent the lessor from recovering from the customer or operator the amount of any fine or penalty paid under this section.

(b) *Registered owner's liability.*

In any prosecution of a violation of any parking or standing law or regulation, proof that the vehicle described in the citation was parked in violation of the law or regulation, together with proof that the defendant named in the citation was at the time of violation the registered owner of the vehicle, constitutes a prima facie presumption that the registered owner of the vehicle was the person who parked the vehicle at the point where and for the time during which the violation occurred.

(City Code, 1976/83, art. 31, §89.) (Ord. 69-343; Ord. 74-768; Ord. 99-399; Ord. 06-247.)

§§ 31-3 to 31-5. *{Reserved}*

PART 2. GENERAL CONDITIONS WARRANTING IMPOUNDMENT

§ 31-6. Vehicles obstructing traffic.

(a) *Prohibited conduct.*

(1) It shall be unlawful for any person to use City streets to park, stop, store, or operate a vehicle or part thereof in such a manner as to obstruct or impede the free flow of traffic thereon or the movement of pedestrians.

(2) Determination by the Commissioner that such a vehicle is actually obstructing traffic as aforesaid shall be considered prima facie evidence of a violation hereof.

(b) *Removal of vehicle.*

(1) The Commissioner is authorized to cause such vehicle to be removed immediately so as to clear the streets.

(2) Such removal may be:

(i) to another part of the same street;

(ii) to a side street; or

(iii) effected in the manner hereinafter provided for impounded and abandoned motor vehicles.

(City Code, 1976/83, art. 31, §87.) (Ord. 69-343; Ord. 86-772.)

§ 31-7. Vehicles illegally parked, etc.

(a) *Prohibited conduct.*

(1) It is unlawful for any person to park, stand, or stop a vehicle or part of a vehicle on any street, lane, or alley:

(i) during the hours when parking, standing, or stopping is restricted or prohibited; or

(ii) for longer than the time permitted for parking, standing, or stopping.

(2) A violation of this subsection is a misdemeanor, punishable by the fine specified in Subtitle 36 of this article.

(b) *Removal of vehicles – Impounding areas.*

(1) In the impounding areas designated in Part 7 of this subtitle, the Department of Transportation shall post conspicuous signs warning the public of the restricted hours and bearing the statement “Cars Towed Away” or “Tow Away Zone”.

(2) In an impounding area in which the required signs have been clearly posted, the Police Commissioner may cause vehicles that are illegally parked, standing, or stopped to be removed and impounded.

(c) *Removal of vehicles — Semitrailers near residence.*

(1) In this subsection, “semitrailer” has the meaning given in State Transportation Article § 11-158.

(2) If a semitrailer, whether attached or detached, is parked, standing, or stopped in violation of § 6-26(b) {“Commercial vehicles: Stopping by residence”} of this article, the Police Commissioner may cause that semitrailer, together with any other vehicle attached to it, to be removed and impounded.

(City Code, 1976/83, art. 31, §88.)
(Ord. 69-343; Ord. 70-925; Ord. 75-920; Ord. 84-023; Ord. 03-591; Ord. 15-435.)

§ 31-8. Abandoned vehicles.

(a) *"Department" defined.*

In this section, "Department" means:

(1) the Department of Transportation, if that agency has been designated for these purposes by the Board of Estimates, as provided in State Transportation Article ("Maryland Vehicle Law") § 25-201(e)(3); or

(2) otherwise, the Baltimore City Police Department.

(b) *Abandonment prohibited.*

The abandonment of a vehicle on the streets of the City, on any other public property, or on any private property without the consent of the owner or person in control of that private property is prohibited by State Transportation Article ("Maryland Vehicle Law") § 25-202, subject to the penalties provided in Maryland Vehicle Law Title 27.

(c) *Removal of vehicle — on public property.*

If a vehicle has been abandoned on a street or any other public property, the Department may have the vehicle removed as provided in this subtitle.

(d) *Removal of vehicle — on private property.*

(1) If a vehicle has been abandoned on private property, the Department shall first ascertain who owns or controls the property and make a reasonable effort to discover whether the vehicle is parked or stored on the property with the consent of the owner or person in control of the property.

(2) The vehicle is deemed abandoned and may be towed or otherwise removed, as provided for vehicles found abandoned on public property, if:

(i) by reasonable investigation, the Department determines that the vehicle is parked on the property without the consent of the owner or person in control;

(ii) the owner or person in control cannot be located within a reasonable period of time; or

(iii) the storage of the vehicle is in violation of the zoning laws or regulations of the City as applied to that property.

(City Code, 1976/83, art. 31, §91.)
(Ord. 69-343; Ord. 71-1162; Ord. 83-1000; Ord. 99-421; Ord. 06-347; Ord. 15-435.)

§ 31-9. Vehicles in accidents.

When a motor vehicle has been involved in an accident or other disablement so that:

(1) it cannot be operated under its own power; or

(2) the owner or operator thereof is unable to operate it; or

(3) such vehicle is obstructing traffic,

the Commissioner is authorized to cause such vehicle to be removed to the auto pound hereinafter referred to or put in some other place where it will not obstruct, interfere with, or impede the free flow of traffic.

(City Code, 1976/83, art. 31, §92.) (Ord. 69-343; Ord. 70-806.)

§ 31-10. Recovery of stolen, etc., vehicles.

(a) *Removal of vehicle.*

When the Commissioner recovers a vehicle which has been reported stolen or has been used without authorization, he may cause such vehicle to be removed to the said auto pound.

(b) *Reporting to MVA.*

(1) The Commissioner, upon receiving a report of a stolen vehicle, shall report such alleged theft at once to the Motor Vehicle Administration as required by State law.

(2) Upon recovery of such car reported stolen, the Commissioner shall at once notify said Motor Vehicle Administration as so required.

(City Code, 1976/83, art. 31, §93.) (Ord. 69-343.)

§ 31-11. Maximum charges.

(a) *Towing.*

The owner of a vehicle removed or impounded under this Part 2 may be charged a maximum of $150 for the tow of the vehicle unless:

(1) the vehicle is a commercial vehicle under § 1-1(f) {"Definitions – A to L: Commercial Vehicle"} of this article; or

(2) the tow of the vehicle:

(i) requires removal from an embankment, ditch, waterway, trench, hole, or heavily wooded area; or

(ii) otherwise requires specialized and exceptional services for the vehicle's removal.

(b) *Other charges.*

Additional storage fees, administrative fees, and fines for outstanding parking violations may also be charged as allowed by applicable laws and regulations.

(Ord. 14-266; Ord. 14-307.)

§§ 31-12 to 31-20. ***{Reserved}***

PART 3. IMPOUNDMENT OR IMMOBILIZATION FOR OUTSTANDING CITATIONS

§ 31-21. Impounding or immobilization authorized.

(a) *In general.*

If an unattended motor vehicle is found parked at any time on any City street and the vehicle has 3 or more unsatisfied citations against it for parking violations, and if a period of 30 days or more has elapsed since the 3rd unsatisfied citation, the Commissioner is authorized to cause that vehicle:

(1) either by towing or otherwise, to be removed or conveyed to and impounded in any place designated by the Director of Transportation; or

(2) immobilized so as to prevent its operation.

(b) *Method of immobilization.*

Except that no such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.

(c) *Governing rules.*

(1) When the vehicle has been removed and impounded pursuant to the provisions of this section, it shall be subject to the impounding provisions of this subtitle and the penalties applicable thereto.

(2) An immobilized vehicle which is thereafter impounded shall not be subject to the booting fee hereinafter provided for in this subtitle.

(City Code, 1976/83, art. 31, §90(a), (b)(1).) (Ord. 69-343; Ord. 74-768; Ord. 83-864; Ord. 15-435.)

§ 31-22. Impoundment – Right to hearing.

(a) *In general.*

(1) The owner of a vehicle impounded under this Part 3, has the same right to contest the validity of the impoundment by requesting a hearing in the same manner as is provided for owners of vehicles impounded as abandoned under Part 4 of this subtitle, the provisions of which shall also apply to vehicles impounded under this Part 3.

(2) The hearing for the owner of a vehicle impounded pursuant to this Part 3 shall be provided within 72 hours, excluding Sundays and holidays, from the time said owner files an application for such hearing.

(b) *Scope.*

The right to the hearing provided for under this section applies equally to:

(1) an owner who elects to be heard prior to payment of any towing or storage charges and posting collateral equivalent to the maximum fines and penalties for unsatisfied parking violation citations; and

(2) to an owner who elects to pay such amounts and secure immediate release of the impounded vehicle.

(City Code, 1976/83, art. 31, §90(b)(2)(1st, 2nd sens.).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

§ 31-23. Impoundment – Notices; Time for requesting hearing.

(a) *In general.*

(1) Posted notice of this right shall be given said owner as provided in Part 4 of this subtitle. Said owner shall also be notified in writing of this right should said owner appear to claim the vehicle impounded and elect to secure immediate release of the impounded vehicle by payment of all charges which have accrued thereon.

(2) The application for the hearing shall be filed by the owner of the vehicle impounded under the provisions of this Part 3, and said owner shall be so advised, within 10 days from :

(i) the receipt by the owner of the notice posted to such owner; or

(ii) from the date said owner is notified in writing of his right to said hearing, should said owner appear to claim the vehicle impounded.

(b) *Immobilized vehicle later impounded.*

The owner of an immobilized vehicle which is thereafter impounded pursuant to the provisions of this Part 3 shall be advised that said owner's right to the hearing provided under this Part shall be deemed to have been waived if said owner:

(1) fails to return the application for the hearing within 10 days from the receipt of the notice posted to such owner;

(2) fails to return the application for the hearing within 10 days from the date said owner is notified in writing of his right to said hearing should said owner appear to claim the vehicle impounded pursuant to the provisions of this Part 3; or

(3) executes a written document waiving said owner's right to the hearing provided for under this Part 3.

(City Code, 1976/83, art. 31, §90(b)(2)(3rd, 4th sens.), (3), (4).)
(Ord. 69-343; Ord. 74-768; Ord. 83-864.)

§ 31-24. Impoundment – Hearing.

(a) *Matters to be determined.*

Applications for a hearing contesting the validity of the impoundment or immobilization under this Part 3 shall be heard to determine:

(1) whether or not there were, at the time such vehicle was impounded or immobilized, 3 or more unsatisfied citations for parking violations against such vehicle; and

(2) whether a period of 30 days or more had elapsed since the 3rd unsatisfied citation.

(b) *Relevant facts and circumstances.*

The hearing officer may also consider such other relevant facts and circumstances, as he deems necessary, in making a determination as to the validity of the impoundment.

(City Code, 1976/83, art. 31, §90(c).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

§ 31-25. Immobilization – Notice on vehicle.

(a) *Warning of potential damage.*

Whenever a vehicle is immobilized under this Part 3, the Commissioner shall cause to be placed on the vehicle, in a conspicuous manner, a notice sufficient to warn any individual that the vehicle has been immobilized and that any attempt to move the vehicle might result in damage to it.

(b) *Additional information to be given.*

The notice shall also advise the owner or operator:

(1) that the vehicle has been immobilized by the City for violations of this article;

(2) that the owner of an immobilized vehicle has the right to contest the validity of the immobilization at a hearing, to be convened within 72 hours, excluding Sundays and holidays, from the submission of a hearing application;

(3) where hearing application forms can be obtained by or requested to be mailed to the owner;

(4) how release of the vehicle may be obtained on payment of the booting fee and other charges specified in this Part 3; and

(5) that this payment does not affect the owner's right to a hearing or to contest the validity of the immobilization.

(City Code, 1976/83, art. 31, §90(d).) (Ord. 69-343; Ord. 74-768; Ord. 83-864; Ord. 08-049.)

§ 31-26. Immobilization – Release on payment of booting fee, etc.

(a) *In general.*

The owner of an immobilized vehicle may secure release of the vehicle on payment of:

(1) a booting fee of $150; and

(2) all charges that have accrued on the vehicle, including collateral equivalent to the maximum fines and penalties for all unsatisfied parking violation citations.

(b) *Owner's right to contest preserved.*

This payment does not affect the owner's right to a hearing under this Part 3 nor does it waive the owner's right to contest the validity of the immobilization.

(City Code, 1976/83, art. 31, §90(f).)
(Ord. 69-343; Ord. 74-768; Ord. 83-864; Ord. 08-049; Ord. 14-267.)

§ 31-27. Immobilization – Right to hearing.

(a) *In general.*

(1) The owner of a vehicle immobilized under this Part 3 has the right to contest the validity of the immobilization at a hearing within 72 hours, excluding Sundays and holidays, from the time said owner files an application for such hearing with a hearing officer.

(2) Said owner may also secure a hearing, as provided for herein, within 72 hours, excluding Sundays and holidays, from the time said owner files the application required, before payment of the booting fee and all charges which have accrued thereon by virtue of the immobilization, and before the immobilized vehicle is released.

(b) *Application form and deadline.*

(1) The form of the application shall be prescribed by the Director of Transportation.

(2) The application shall be filed within 10 days from:

(i) the date the owner has been provided notice of immobilization, as specified in § 31-25 of this subtitle;

(ii) the receipt of written notice to be provided the owner, as prescribed in § 31-28 of this subtitle; or

(iii) the date the owner is notified in writing of his or her right to a hearing if the owner appears to claim the immobilized vehicle.

(City Code, 1976/83, art. 31, §90(g)(1).) (Ord. 69-343; Ord. 74-768; Ord. 83-864; Ord. 15-435.)

§ 31-28. Immobilization – Notices.

(a) *In general.*

(1) Unless the owner of a vehicle immobilized under the provisions of this Part 3 appears to secure release of the vehicle within 24 hours after the vehicle has been immobilized, in addition to the notice given the owner of the vehicle, as provided for under § 31-25 of this subtitle, the Director of Transportation shall give the owner written notice, by certified mail within 48 hours after the vehicle has been immobilized, that the owner has the right to contest the validity of the immobilization at a hearing within 72 hours, excluding Sundays and holidays, from the submission of an application.

(2) A copy of the application shall be included with the notice posted to the owner.

(b) *Warning of waiver.*

The owner of a vehicle immobilized pursuant to this section shall be advised that said owner's right to a hearing provided herein shall be deemed to have been waived if said owner:

(1) fails to return the application for a hearing within 10 days from the receipt of notice provided for in § 31-25 or within 10 days from the receipt of any certified mail notice sent to said owner;

(2) fails to return the application for the hearing within 10 days from the date said owner is notified of his right to said hearing, should said owner appear to claim the vehicle immobilized under this section; or

(3) executes a written waiver whereby he waives the hearing provided for under this Part 3.

(City Code, 1976/83, art. 31, §90(g)(2), (3).) (Ord. 69-343; Ord. 74-768; Ord. 83-864; Ord. 15-435.)

§ 31-29. Immobilization – Hearing.

(a) *Director to set procedures.*

The Director of Transportation shall establish by regulations the procedures for the holding of the hearings provided for under this Part 3.

(b) *Hearing officers to conduct.*

The hearing officers appointed in accordance with the provisions of Part 4 of this subtitle shall receive the applications and conduct the hearings provided for under this Part 3.

(c) *Decision.*

(1) If it is determined by the hearing officer, after consideration of the criteria prescribed for the hearing as set forth in § 31-24 of this subtitle, that the vehicle should not have been immobilized:

(i) the owner shall not be required to pay the booting fee provided for under § 31-26 to secure release of said vehicle; or

(ii) if the booting fee was paid prior to the hearing a refund of said booting fee shall be made to the owner who paid said fee.

(2) The hearing officer's ruling in no way has any bearing on the fine, penalty, or charge imposed by the District Court of Maryland for parking violations.

(City Code, 1976/83, art. 31, §90(g)(4), (5).) (Ord. 69-343; Ord. 74-768; Ord. 83-864; Ord. 15-435.)

§ 31-30. Immobilization – Subsequent acquittal on citations.

(a) *Charges rebated.*

If following trial in the District Court of Maryland or other tribunal, a not guilty verdict is entered upon any of the parking violations charged against the vehicle immobilized, notwithstanding the ruling of the hearing officer with respect to the immobilization of the vehicle, all charges advanced as having accrued upon the vehicle by virtue of its immobilization, including the collateral advanced, for such parking violation upon which a not guilty verdict was entered, shall be returned to the person who advanced such sums upon presentation of the official receipt issued at the time said vehicle was released.

(b) *Booting fee rebated.*

It is further provided that if, as the result of the Court's decision, the number of parking violations charged against the vehicle previously immobilized, is reduced to 2 or less, and provided no refund has previously been made, the booting fee shall also be returned to the person who advanced such fee, upon presentation of the official receipt issued at the time said vehicle was released.

(City Code, 1976/83, art. 31, §90(h).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

§ 31-31. Immobilization – Tampering prohibited.

(a) *Prohibited conduct.*

It shall be unlawful for any person:

(1) to tamper with or remove or attempt to remove the immobilization device without authorization; or

(2) to remove the warning notice.

(b) *Penalties.*

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than $500 or to imprisonment for not more than 12 months, or to both such fine and imprisonment in the discretion of the court.

(City Code, 1976/83, art. 31, §90(e).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

§§ 31-32 to 31-40. ***{Reserved}***

PART 4. IMPOUNDMENT PROCEDURES

§ 31-41. Auto pound.

(a) *Director to provide.*

To assist in effectuating the purposes of this subtitle, the Director of Transportation shall provide an auto pound or storage area of sufficient size and staffed with sufficient personnel and equipment to receive, hold, and dispose of the motor vehicles delivered to it.

(b) *Towing Division.*

(1) To this end, a Towing Division shall be maintained in the Department of Transportation.

(2) The Director of Transportation shall appoint a Chief of that Division, to be known as the Chief of the Towing Division.

(City Code, 1976/83, art. 31, §94.) (Ord. 69-343; Ord. 15-435.)

§ 31-42. Employment of tow trucks.

(a) *Director to remove vehicles in violation.*

In carrying out the provisions of this subtitle with respect to vehicles abandoned, parked, stopped, left unattended in violation of law, or obstructing traffic, the Police Commissioner shall cause the vehicle to be removed.

(b) *Private towers to be used for others.*

(1) However, with respect to cars stolen, disabled by accident or otherwise, or parked so as to block the entrance to a driveway in an impoundment zone, except in emergency situations, the Commissioner shall employ 1 or more licensed towers or towing companies to proceed at once to the scene and transport such vehicle to the said auto pound.

(2) Disabled vehicles, however, may be towed to a place designated by the owner or his agent.

(3) For the purposes of this section, emergency situations are deemed to mean police security, civil disaster, or otherwise.

(c) *Selection of towers.*

(1) Such tower shall be selected by the Commissioner from a list previously prepared by him.

(2) In selecting a tower for a particular transaction, preference shall be given to one as close as possible to the location of the vehicle.

(d) *Fees.*

(1) The towing charges shall be set in advance, arrived at by agreement between the towers, the Commissioner, and the Director, with any disputes as to charges to be settled by the Commissioner.

(2) In the event towing is performed by City forces or vehicles and no employment of towers becomes necessary, the same schedule of charges shall apply. Such towing charges will be added to the cost of storage as hereinafter specified, and made a lien upon such vehicle.

(e) *Reports by private towers.*

When a private tower is used, said Commissioner shall prepare a vehicle report for the vehicle and have it verified and signed by such tower on forms provided by the Commissioner:

(1) containing:

(i) a brief description of the vehicle, including any distinguishing marks or accessories; and

(ii) a listing of any personal property found;

(2) showing removal and custody of same for such vehicle; and

(3) also showing the towing charges for removing said vehicle to the auto pound.

(f) *Rules and regulations.*

The Commissioner may promulgate and adopt rules to implement the enforcement hereof, such rules to be published.

(City Code, 1976/83, art. 31, §95.) (Ord. 69-343; Ord. 70-806; Ord. 81-425; Ord. 15-435.)

§ 31-43. Notice and hearing – In general.

(a) *Notice to owner and secured party.*

(1) Within 2 full working days after the vehicle has been removed to the auto pound, the Director of Transportation must post notice to the owner of the vehicle and, within 7 full working days, must post notice to the secured party by certified mail, return receipt requested, of the following:

(i) that the Director has the vehicle in custody;

(ii) the storage location of the vehicle;

(iii) that the vehicle will be sold at public auction to the highest bidder unless claimed by the owner within 11 working days after receipt of the notice; and

(iv) that the owner of a vehicle impounded as abandoned may contest the validity of the taking by application, on a form prescribed by the Director of Transportation, to a hearing officer within 10 days from the date of such application.

(2) Application forms shall be sent to the owner and shall be made part of the notice letter.

(b) *Mayor to appoint hearing officer.*

The Mayor shall appoint a hearing officer, who shall not be a member of any state or local police department, to hear applications to determine whether or not the vehicle was abandoned and, therefore, subject to impoundment under the Baltimore City Code.

(c) *Director to set hearing procedures.*

The Director of the Transportation shall establish by regulation the procedures for holding these hearings.

(d) *Decision.*

(1) If it is determined that the vehicle was unlawfully impounded, the owner of the vehicle shall not be liable for any charge imposed for the towing and storage of the vehicle.

(2) The hearing officer's ruling in no way has any bearing on the fine, penalty or charge imposed by the District Court of Baltimore City for the violations of any traffic law.

(City Code, 1976/83, art. 31, §96(a).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516; Ord. 15-435.)

§ 31-44. Notice and hearing – Exception.

The Director of Transportation is not required to give notice or hold a hearing in the case of a vehicle that:

(1) is more than 8 years old; and

(2) has no engine or otherwise is totally inoperable.

(City Code, 1976/83, art. 31, §96(d).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516; Ord. 15-435.)

§ 31-45. Inability to find owner or secured party.

(a) *Scope of search.*

In researching ownership, the Director of Transportation is not required to go beyond the name and address of the person who is the legal or title owner of the vehicle, as noted in the records of the Motor Vehicle Administration of the State of Maryland, or similar agency in any other state or country.

(b) *Notice by publication.*

In those instances where:

(1) the identity of the last registered owner of an impounded vehicle cannot be determined from the records of the Maryland Motor Vehicle Administration or similar agency in any other state or country;

(2) registration of the vehicle gives no address for the owner;

(3) it is impossible to determine with reasonable certainty the identity and address of each secured party; or

(4) the certified mail notice required by this Part 4 is returned as undeliverable,

then the Director of Transportation shall give the required notice by publication in at least 1 newspaper of general circulation in the area where the vehicle was found.

(City Code, 1976/83, art. 31, §96(b).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516; Ord. 15-435.)

§ 31-46. Reclaim by owner.

(a) *Required payment and collateral.*

If an owner appears to claim the owner's vehicle, then it shall be returned to the owner or the owner's authorized representative upon payment of all charges which have accrued thereon by virtue of its towing and storage, including collateral equivalent to the maximum fine for illegal parking where the vehicle was impounded.

(b) *Right to hearing preserved.*

If a vehicle is claimed by the owner or the owner's authorized representative upon payment of all charges accrued, the payment will not affect the owner's right to a hearing prescribed above or be taken as an admission of whether or not the towing of the vehicle was authorized under the Baltimore City Code.

(c) *Notice.*

An owner or the owner's authorized representative whose vehicle has been impounded as abandoned and who claims the vehicle within 48 hours after the vehicle has been removed to the auto pound:

(1) must be notified in writing that the owner has a right to contest the validity of the taking before a hearing officer; and

(2) must make application within 10 days thereafter of the intention to contest the validity of the taking to the hearing officer.

(City Code, 1976/83, art. 31, §96(c).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

§ 31-47. Storage charges.

(a) *Basic charges.*

(1) Except as provided in subsection (b) of this section for commercial vehicles, the storage charge for each vehicle delivered to the storage area is as follows:

(i) for the 1st 48 hours or any shorter period, $50; and

(ii) for each 24-hour period or part of a 24-hour period after the 1st 48 hours, $15.

(b) *Commercial vehicles.*

(1) The storage charges for a commercial vehicle, as defined in the Maryland Vehicle Law, are as set by the Director of Transportation from time to time.

(2) A schedule of the charges set under this subsection must be filed with the Department of Legislative Reference before they take effect.

(c) *Charges in addition to fines, etc.*

The charges imposed by this section are in addition to any other fine, penalty, or charge imposed for violation of any traffic law.

(City Code, 1976/83, art. 31, §96(e), (f).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516; Ord. 01-190; Ord. 15-435.)

§ 31-48. Subsequent acquittal on traffic charge.

(a) *Charges rebated*

If following trial in the District Court of Baltimore City or other tribunal, the owner or operator of any vehicle so removed is found not guilty upon a traffic charge, even though the hearing officer ruled otherwise with respect to the towing of an abandoned vehicle, the sums advanced or posted by the vehicle's owner or operator shall be returned to the owner or to the person who advanced or posted them.

(b) *Owner to sign receipt.*

When a vehicle is thus reclaimed its owner or operator shall sign a receipt therefor.

(City Code, 1976/83, art. 31, §96(g).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

§ 31-49. Claim for missing property.

In cases where the owner asserts that certain accessories, contents, or other items of personal property are missing when the owner reclaims said vehicle:

(1) such claim shall be noted on the aforesaid receipt;

(2) the matter of the missing property left open for future determination; and

(3) the vehicle, together with its contents, duly released to its owner or operator.

(City Code, 1976/83, art. 31, §96(h).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

§ 31-50. Unclaimed vehicle.

In case the owner or operator does not claim the vehicle within the required time limit:

(1) the Director of Transportation shall proceed to sell or dispose of the vehicle at public auction, as provided in Part 5 of this subtle; and

(2) no vehicle held at the auto pound may be released without the written approval of the Director, whose approval however, may not be unreasonably withheld.

(City Code, 1976/83, art. 31, §96(i).)
(Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516; Ord. 15-435.)

§§ 31-51 to 31-55. *{Reserved}*

PART 5. SALE OF UNCLAIMED VEHICLES

§ 31-56. In general.

(a) *Disposition within 45 days.*

It is declared to be the intent of this Part 5 that all motor vehicles brought to the auto pound shall be disposed of as promptly as possible and within a period of 45 days, unless such vehicles are needed for pending litigation or police action such as the investigation of accidents or suspected violations of the law.

(b) *Holding longer.*

If such vehicles are held beyond the aforesaid 45-day period they may be held only:

(1) under Court order, in the case of pending litigation; or

(2) upon written request from the Commissioner, in other cases.

(City Code, 1976/83, art. 31, §97(a).) (Ord. 69-343; Ord. 69-560; Ord. 87-1047.)

§ 31-57. Auction sales – In general.

(a) *Director to arrange periodic sales.*

The Director of Transportation shall arrange for a certain number of auction sales each year, which may not be less than 1 sale per month.

(b) *Licensed auctioneers to conduct.*

The sales shall be conducted through regularly licensed auctioneers of the City of Baltimore, selected by the Department of Finance in accordance with the provisions of the City Charter governing retention of services, and under the rules, regulations, and procedures that the Director of Transportation adopts.

(c) *Approved list of vehicles to be sold.*

(1) In advance of the periodic sales, the Director of Transportation shall prepare a list of motor vehicles proposed to be sold at auction.

(2) The lists shall be sent to the Police Commissioner for the Commissioner's approval, on forms prepared for the Director, and no motor vehicle may be sold unless the sale has been approved by the Commissioner.

(3) The Commissioner may not withhold approval of the sale unless the motor vehicle is involved in a police matter. In that event, where practicable, the Commissioner shall take photographs of the vehicle or its parts and preserve written descriptions of it, so that the vehicle itself may be put up for sale and disposed of as soon as possible after the 45-day period.

(d) *Advertising sale*.

(1) All auction sales shall be under the supervision of the Department of Finance and advertised in 1 or more newspapers of general circulation throughout the Baltimore Metropolitan Area.

(2) Except as provided in § 31-58 of this subtitle, the Department may notify scrap metal processors, used car dealers, and spare parts dealers so as to endeavor to have a number of competitive bidders at each sale, it being the intent that every vehicle listed for sale at a given time shall be disposed of and removed from the auto pound, so as to prevent the storage area from becoming overcrowded.

(City Code, 1976/83, art. 31, §97(b).)
(Ord. 69-343; Ord. 69-560; Ord. 87-1047; Ord. 97-212; Ord. 01-243; Ord. 15-435.)

§ 31-58. Auction sales – Dirt bikes, unregistered motorcycles, etc.

(a) *Definitions*.

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Abandoned vehicle*.

"Abandoned vehicle" has the meaning stated in § 25-201(b) of the State Transportation Article.

(3) *Dirt bike*.

"Dirt bike" has the meaning stated in Article 19, § 40-1 of the City Code.

(4) *Unregistered motorcycle or similar vehicle*.

"Unregistered motorcycle or similar vehicle" has the meaning stated in Article 19, § 40-1 of the City Code.

(b) *Bidders must be licensed.*

Bidders for dirt bikes or for unregistered motorcycles or similar vehicles, other than abandoned vehicles, must be licensed, bonded motorcycle dealers, licensed automotive dismantlers and recyclers, or licensed scrap metal dealers.

(c) *Export abroad.*

(1) The purpose of this subsection is to ensure that dirt bikes and unregistered motorcycles or similar vehicles that have been forfeited under City Code Article 19, Subtitle 40, can be put to good use without being returned to the streets of the City.

(2) Forfeited dirt bikes and unregistered motorcycles or similar vehicles may be transferred to 1 or more charitable organizations for export abroad to provide relief to impoverished areas with critical transportation needs.

(3) The procedures used for transfers under this subsection must:

(i) accord with the City Charter provisions that govern the disposition of surplus property;

(ii) ensure that all interested charitable organizations have an opportunity submit proposals for the vehicles;

(iii) ensure that the selected organization has the ability to take control of the vehicles and export them; and

(iv) require the selected organization to enter into a written agreement with the City that delineates the parties' respective responsibilities.

(City Code, 1976/83, art. 31, §97(b-1).)
(Ord. 69-343; Ord. 69-560; Ord. 87-1047; Ord. 97-212; Ord. 01-243; Ord. 01-285; Ord. 10-389.)

§ 31-59. Disposition of funds.

(a) *In general.*

Funds received pursuant to the sales shall be accounted for and remitted to the Mayor and City Council of Baltimore.

(b) *Claim for excess over expenses.*

However if the owner or person entitled to possession presents to the Director of Transportation, within 90 days of the date of the sale, a claim for any excess in the amount of the selling price of a vehicle, part of a vehicle, or the contents of a vehicle, over and above the expenses, the Director, on finding that an excess of $25 or more exists, shall recommend to the Board of Estimates that the excess be returned to the owner or other person.

(c) *Priority of expenses*.

Expenses above referred to shall include but not be limited to:

(1) towing;

(2) storage;

(3) unpaid fines against the owner; and

(4) payment of all liens on the vehicle of which the Director received actual notice,

in the above order of priority.

(d) *Decision of Board final and nonappealable*.

Action of the Board of Estimates upon a recommendation shall be final and not subject to appeal.
(City Code, 1976/83, art. 31, §97(c).) (Ord. 69-343; Ord. 69-560; Ord. 87-1047; Ord. 15-435.)

§ 31-60. Purchaser to obtain new title.

On the sale of a motor vehicle, the Director of Transportation shall forward to the Motor Vehicle Administration a certificate that the motor vehicle has been sold at public auction, with a request that the certificate be considered sufficient evidence to enable the purchaser to obtain a new certificate of title and registration.
(City Code, 1976/83, art. 31, §98.) (Ord. 69-343; Ord. 15-435.)

§§ 31-61 to 31-65. *{Reserved}*

PART 6. WHEN CHARGES NOT IMPOSED

§ 31-66. Vehicles reported stolen.

(a) *Scope*.

This section applies to any vehicle that:

(1) was reported stolen; and

(2) is found in and towed from:

(i) an impounding area;

(ii) a location where it was obstructing or impeding pedestrian or vehicular traffic; or

(iii) an area other than an impounding area, at a location where it was not obstructing or impeding pedestrian or vehicular traffic.

(b) *Charge abated.*

No charge may be imposed for storing the vehicle during:

(1) the period ending 48 hours after notification by the Towing Division; and

(2) any longer period that, for good cause shown, the Chief approves.

(c) *Standards.*

(1) The Chief of the Towing Division shall adopt standards for determining "good cause" under subsection (b)(2) of this section.

(2) A copy of these standards shall be filed with the Department of Legislative Reference before they become effective.

(City Code, 1976/83, art. 31, §100(a).) (Ord. 73-430; Ord. 02-404; Ord. 15-435.)

§ 31-67. Impound for police investigation

(a) *In general.*

Where the Police Department has caused a vehicle to be impounded for investigative purposes, no storage charges shall be collected.

(b) *Release of vehicle.*

Upon receiving an order from the Police Department, the Towing Division shall release the vehicle to the owner, his or her next of kin, or his or her authorized representative.

(City Code, 1976/83, art. 31, §100(b).) (Ord. 73-430; Ord. 15-435.)

§ 31-68. No violations under subtitle.

(a) *In general.*

If a vehicle is impounded and neither the owner nor operator of the vehicle is charged with a violation that falls within the scope of this subtitle, no charge may be imposed for towing or storage if, after every reasonable attempt has been made to notify the owner or the owner's next of kin that the vehicle has been delivered to the storage area, the vehicle is reclaimed within 48 hours or within any longer period that, for good cause shown, the Chief of the Towing Division approves.

(b) *Exception.*

Subsection (a) of this section does not apply to the impoundment of:

(1) a stolen vehicle;

(2) an abandoned vehicle; or

(3) a vehicle involved in an accident, unless the vehicle was lawfully parked at the time of the accident.

(City Code, 1976/83, art. 31, §100(c).) (Ord. 73-430; 06-311; Ord. 15-435.)

§§ 31-69 to 31-70. *{Reserved}*

PART 7. IMPOUNDING AREAS

§ 31-71. "A" streets and areas.

(1) Aliceanna Street, both sides, from President Street to Central Avenue.

(2) Arlington Avenue, both sides, from Mulberry Street to Franklin Street.

(City Code, 1966, art. 31, §129; 1976/83, art. 31, §101.)
(Ord. 65-580; Ord. 66-821; Ord. 70-819; Ord. 77-524; Ord. 87-960.)

§ 31-72. "B" streets and areas.

(1) Baltimore Street, southerly side, from Fremont Avenue to Broadway.

(2) Baltimore Street, northerly side, from Greene Street to Fallsway.

(3) Bayard Street, north side, from Warner Street to Russell Street.

(4) Belair Road, both sides, from North Avenue to Sinclair Lane.

(5) Broening Highway, both sides, from Cardiff Avenue to Colgate Creek Bridge.

(6) Broadway Market, rear parking lot north of Aliceanna Street adjacent to the trash compactor.
(City Code, 1966, art. 31, §130; 1976/83, art. 31, §102.)
(Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 83-872; Ord. 85-411; Ord. 86-827; Ord. 89-403; Ord. 90-488; Ord. 93-190.)

§ 31-73. "C" streets and areas.

(1) Calvert Street, both sides, from York Street to Chancery Road.

(2) Camden Street, both sides, from Sharp Street to Paca Street.

(3) Camden Yards Stadium Complex Area, Residential Permit Parking Program Areas. The Camden Yards Stadium Complex Area is that area described in § 10-37 of this article and, for impounding purposes, includes only those Residential Permit Parking Program Areas established under that section.

(4) Cathedral Street, westerly side, from Mt. Royal Avenue to Chase Street.

(5) Cathedral Street, easterly side, from Biddle Street to Mt. Royal Avenue.

(6) Cathedral Street, both sides, from Chase Street to Saratoga Street.

(7) Centre Street, both sides, from Eutaw Street to Fallsway.

(8) Charlcote Road, both sides, from Charles Street to St. Paul Street.

(9) Charles Street, both sides, from Pratt Street to Fayette Street.

(10) Charles Street, both sides, from Barre Street to Pratt Street.

(11) Charles Street, east side, from Fayette Street to 26th Street.

(12) Charles Street, west side, from Fayette Street to North Avenue.

(13) Charles Street, west side, from Wyndhurst Avenue to Coldspring Lane.

(14) Charles Street, both sides, from 29th Street to Charlcote Road.

(15) Cider Alley, both sides, from Eutaw Street to Paca Street.

(16) Clay Street, both sides, from Howard Street to Park Avenue.

(17) Commerce Street, easterly side, from Pratt Street to Baltimore Street.

(18) Commerce Street, west side, from Pratt Street to Lombard Street.

(19) Curran Drive, northeasterly side, alongside of Lake Montebello.

(20) Curran Drive, southerly side, from 33rd Street Extended to road connection to Harford Road.
(City Code, 1966, art. 31, §131; 1976/83, art. 31, §103.)
(Ord. 65-580; Ord. 66-821; Ord. 76-163; Ord. 78-879; Ord. 79-1184; Ord. 80-191; Ord. 82-682; Ord. 86-827; Ord. 88-190; Ord. 89-403; Ord. 91-802; Ord. 92-011; Ord. 92-101; Ord. 93-192; Ord. 06-316.)

§ 31-74. "D" streets and areas.

(1) Dolphin Street, both sides, from Madison Avenue to Eutaw Place.

(2) Druid Hill Avenue, both sides, from Eutaw Street to Fulton Avenue.
(City Code, 1966, art. 31, §132; 1976/83, art. 31, §104.) (Ord. 65-580; Ord. 66-821.)

§ 31-75. "E" streets and areas.

(1) Eager Street, southerly side, from Calvert Street to Guilford Avenue.

(2) East Falls Avenue, both sides, from Pratt Street to Aliceanna Street.

(3) Edmondson Avenue, both sides, from Hilton Street to the Baltimore National Pike.

(4) Edmondson Avenue, both sides, from Franklin Street to Hilton Street.

(5) Ellicott Street, both sides, from Water Street to Lombard Street.

(6) Emory Street, west side, of the 200 block where parking meters are installed.

(7) Eutaw Street, east side, from Madison Street to Biddle Street.

(8) Eutaw Street, both sides, from Baltimore Street to Madison Street.

(9) Eutaw Street, both sides, from Camden Street to Baltimore Street.

(10) Eutaw Street, both sides, from Biddle Street to Dolphin Street.
(City Code, 1966, art. 31, §133; 1976/83, art. 31, §105.)
(Ord. 65-580; Ord. 66-821; Ord. 77-281; Ord. 78-719; Ord. 78-879; Ord. 79-943; Ord. 80-165; Ord. 81-189; Ord. 84-027; Ord. 86-656; Ord. 87-945; Ord. 93-192.)

§ 31-76. "F" streets and areas.

(1) West Fairmount Avenue, both sides, from Park Avenue to North Howard Street.

(2) Fallsway, both sides, from Baltimore Street to Mt. Royal Avenue.

(3) Fayette Street, southerly side, from Gay Street to Greene Street.

(4) Fayette Street, northerly side, from Gay Street to Fulton Avenue.

(5) Fayette Street, both sides, from Fallsway to Frederick Street.

(6) Franklin Street, both sides, from St. Paul Street to Franklin Street Extended.

(7) Franklin Street Extended, both sides, from Franklin Street to Edmondson Avenue.

(8) Frederick Avenue, both sides, from Payson Street to Bentalou Street.

(9) Frederick Street, east side, from Water Street to Baltimore Street.

(10) Fulton Avenue, both sides, from Wilkens Avenue to Harlem Avenue.
(City Code, 1966, art. 31, §134; 1976/83, art. 31, §106.)
(Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 85-409; Ord. 86-806; Ord. 86-827; Ord. 89-403.)

§ 31-77. "G" streets and areas.

(1) Gay Street, both sides, from Pratt Street to Orleans Street.

(2) Gay Street, westerly side from Saratoga Street to Fallsway.

(3) Gay Street, both sides, from Broadway to North Avenue.

(4) Gay Street, westerly side, from Ashland Avenue to North Avenue.

(5) Greene Street, both sides, from Franklin Street to Washington Boulevard.

(6) Greenmount Avenue, both sides, from North Avenue to Preston Street.

(7) Greenway, easterly side, from St. Martins Road to University Parkway.

(8) Greenway, westerly side, from Chancery Road to University Parkway.

(9) Guilford Avenue, both sides, from North Avenue to Baltimore Street.
(City Code, 1966, art. 31, §135; 1976/83, art. 31, §107.)
(Ord. 65-580; Ord. 66-821; Ord. 76-196; Ord. 77-282; Ord. 78-879; Ord. 86-827.)

§ 31-78. "H" streets and areas.

(1) Hanover Street, both sides, from Pratt Street to Lombard Street.

(2) Harbor City Boulevard, both sides, from Washington Boulevard to Howard Street.

(3) Hillen Street, both sides, from Holliday Street to Ensor Street.

(4) Hopkins Place (Southbound Drive), both sides, from Baltimore Street to Lombard Street.

(5) Howard Street, both sides, from Pratt Street to 29th Street.
(City Code, 1966, art. 31, §136; 1976/83, art. 31, §108.)
(Ord. 65-580; Ord.66- 821; Ord. 78-879; Ord. 79-993; Ord. 83-877; Ord. 86-827; Ord. 89-403.)

§ 31-79. "I" streets and areas.

(1) I-395, both sides, from Camden Street to Conway Street.
(City Code, 1966, art. 31, §137; 1976/83, art. 31, §109.) (Ord. 65-580; Ord. 66-821; Ord. 86-600.)

§ 31-80. *{Reserved}*

§ 31-81. "K" streets and areas.

(1) Key Highway, south side, from Light to William and Battery Avenue to Covington Street, and north side, from Light Street to Covington Street.
(City Code, 1966, art. 31, §139; 1976/83, art. 31, §111.) (Ord. 65-580; Ord. 66-821; Ord. 83-878.)

§ 31-82. "L" streets and areas.

(1) Lafayette Avenue, both sides, from Guilford Avenue to Falls Road.

(2) Lanvale Street, southerly side, from Maryland Avenue to St. Paul Street.

(3) Lanvale Street, northerly side, from Maryland Avenue to Charles Street.

(4) Lexington Street, both sides, from Gay Street to Pearl Street.

(5) Lexington Street, south side, from Frederick Street to Gay Street.

(6) Liberty Street, both sides, from Saratoga Street to Fayette Street.

(7) Lombard Street, both sides, from Payson Street to Broadway.

(8) Lombard Street, southerly side, from Broadway to Washington Street.

(9) Lovegrove Street, both sides, from Mercer Street to Water Street.
(City Code, 1966, art. 31, §140; 1976/83, art. 31, §112.)
(Ord. 65-580; Ord. 66-821; Ord. 77-329; Ord. 78-879; Ord. 86-827; Ord. 86-850; Ord. 89-402; Ord. 89-403.)

§ 31-83. "M" streets and areas.

(1) McCulloh Street, both sides, from Eutaw Street to Cloverdale Road.

(2) Madison Street, both sides, from Fallsway to Calvert Street.

(3) Maryland Avenue, both sides, from Chase Street to 29th Street.

(4) Monroe Street, both sides, from Edmondson Avenue to Wilkens Avenue.

(5) Monument Street, north side, from Fallsway to Washington Street.

(6) Mt. Royal Avenue, northerly side, from North Avenue to Guilford Avenue.

(7) Mt. Royal Avenue, southerly side, from North Avenue to Maryland Avenue.

(8) Mt. Vernon Place, both sides, between the east and west drives of Washington Place.

(9) Mount Street, both sides, from Mulberry Street to Franklin Street.

(10) Mulberry Street, both sides, from St. Paul Street to Warwick Avenue.
(City Code, 1966, art. 31, §141; 1976/83, art. 31, §113.)
(Ord. 65-580; Ord. 66-821; Ord. 77-275; Ord. 77-598; Ord. 78-718; Ord. 78-879; Ord. 83-895; Ord. 85-477.)

§ 31-84. "N" streets and areas.

(1) North Avenue, southerly side, from Charles Street to Guilford Avenue.
(City Code, 1966, art. 31, §142; 1976/83, art. 31, §114.) (Ord. 65-580; Ord. 66-821.)

§ 31-85. "O" streets and areas.

(1) Orleans Street, both sides, from St. Paul Place to Pulaski Highway.
(City Code, 1966, art. 31, §143; 1976/83, art. 31, §115.) (Ord. 65-580; Ord. 66-821.)

§ 31-86. "P" streets and areas.

(1) Paca Street, both sides, from Camden Street to McCulloh Street.

(2) Park Avenue, both sides, from Baltimore Street to Mulberry Street.

(3) Park Avenue, easterly side, from Chase Street to Biddle Street.

(4) Pimlico Race Track Area, as described in § 10-33 of this article.

(5) Pratt Street, north side, from Washington Street to Scott Street.

(6) Pratt Street, south side, from Broadway to Martin Luther King Boulevard.

(7) President Street, both sides, from Fayette Street to Aliceanna Street.
(City Code, 1966, art. 31, §144; 1976/83, art. 31, §116.)
(Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 79-994; Ord. 81-539; Ord. 84-044; Ord. 86-827; Ord. 87-1108; Ord. 87-1109; Ord. 88-016; Ord. 89-403; Ord. 11-498.)

§ 31-87. *{Reserved}*

§ 31-88. "R" streets and areas.

(1) Redwood Street, north side, from Charles Street to Light Street.
(City Code, 1966, art. 31, §146; 1976/83, art. 31, §118.) (Ord. 65-580; Ord. 66-821; Ord. 79-1186; Ord. 84-008; Ord. 86-827; Ord. 89-403.)

§ 31-89. "S" streets and areas.

(1) St. Paul Place, both sides, from Centre Street to Lexington Street.

(2) St. Paul Place, alley, rear of 227 St. Paul Place.

(3) St. Paul Street, east side, from the bridge south of Lanvale Street to Baltimore Street.

(4) St. Paul Street, west side, from 31st Street to Baltimore Street.

(5) Saratoga Street, both sides, from Holliday Street to Greene Street.

(6) Sharp Street, both sides, from Saratoga Street to Clay Street.

(7) South Street, both sides, from Baltimore Street to Pratt Street.

(8) Stadium Area. That area in the general vicinity of Memorial Stadium on East 33rd Street, included within the outer limits of East 25th Street, Harford Road, Hillen Road, Argonne Drive, East 39th Street and Greenmount Avenue; except that this subtitle shall be effective in this area only as to any motor vehicle parked illegally in front of a driveway or garage.

(City Code, 1966, art. 31, §147; 1976/83, art. 31, §119.)
(Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 78-917; Ord. 83-873; Ord. 88-012; Ord. 89-403; Ord. 92-055; Ord. 92-110.)

§ 31-90. "T" streets and areas.

(1) 33rd Street, both sides, from St. Paul Street to Ellerslie Avenue.

(City Code, 1966, art. 31, §148; 1976/83, art. 31, §120.) (Ord. 65-580; Ord. 66-821; Ord. 78-879.)

§§ 31-91 to 31-92. *{Reserved}*

§ 31-93. "W" streets and areas.

(1) Water Street, both sides, from Charles Street to Lovegrove Street.

(2) Whitman Drive, southeasterly side, alongside of Lake Montebello.

(3) Wilkes Lane, both sides, from Calvert Street to its western terminus.

(4) Wilkes Lane, both sides, from Charles Street to Hanover Street.

(City Code, 1966, art. 31, §151; 1976/83, art. 31, §123.)
(Ord. 65-580; Ord. 66-821; Ord. 76-163; Ord. 77-329; Ord. 83-906; Ord. 86-595; Ord. 86-655; Ord. 86-843.)

§§ 31-94 to 31-100. *{Reserved}*

§ 31-101. Mid-block pedestrian crossings.

No vehicle shall be permitted to stop or stand at any time within 50 feet of an approach to a mid-block pedestrian crossing or within a distance of 25 feet after leaving a mid-block crossing.
(City Code, 1976/83, art. 31, §113A.) (Ord. 77-273.)

§ 31-102. Fire houses; emergency vehicle parking area.

In front of or opposite any fire engine house and in any reservation for authorized emergency vehicles in spaces marked off and designated by the Director of Transportation.
(City Code, 1966, art. 31, §155; 1976/83, art. 31, §127.) (Ord. 61-911; Ord. 76-005; Ord. 15-435.)

§ 31-103. Carpool parking.

Those locations on public metered parking lots set aside for carpool cars by the Director of Transportation.
(City Code, 1976/83, art. 31, §128.) (Ord. 75-871; Ord. 15-435.)

§ 31-104. Fire lanes.

Within any designated fire lane on either public or private property open to the use of the general public.
(City Code, 1976/83, art. 31, §128A.) (Ord. 77-306.)

§ 31-105. Spaces reserved for disabled and helpers.

Within any space or zone marked as restricted, pursuant to § 6-9 or §§ 9-1 through 9-15 of this article, to the use of disabled persons or helpers of disabled persons on private or City-owned property open to the use of the general public, except for vehicles with special registration plates for disabled persons.
(City Code, 1976/83, art. 31, §128B.) (Ord. 78-856; Ord. 96-023.)

§ 31-106. Driveways, service drives, private ways.

(a) *In general.*

Within any zone marked as tow away, pursuant to § 6-12 of this article, so as to obstruct or impede egress or ingress to or from a driveway, service drive, or private way.

(b) *Construction.*

Violation of this section occurs whether or not a vehicle has actually been prevented from entering or leaving the driveway, service drive, or private way.
(City Code, 1976/83, art. 31, §128C.) (Ord. 81-425; Ord. 07-504.)

§ 31-107. Car-sharing spaces.

(a) *"Car-sharing program" defined.*

"Car-sharing program" means a program by which an entity offers the use of motor vehicles to its members and patrons on a 24-hours-a-day, 7-days-a-week basis, charging for the use of these vehicles on a time-used basis.

(b) *Impounding area.*

Impounding areas include those locations on the streets, on public-metered parking lots, and in City-owned parking facilities that the Director of Transportation reserves for parking vehicles used in a car-sharing program approved by the Director.

(Ord. 07-607.)

§ 31-108. Passenger, freight, valet parking, and mobile vending zones.

Within a passenger loading zone, freight loading zone, valet parking zone, or mobile vending zone during its operational hours.

(Ord. 13-098; Ord. 14-237.)

§§ 31-109 to 31-110. *{Reserved}*

PART 8. SEVERABILITY

§ 31-111. Severability.

If any sentence, clause, section, or part of this subtitle is for any reason found to be unconstitutional, illegal, or invalid, such finding shall not affect or impair any of the remaining provisions of this subtitle. It is hereby declared to be the intent of the Mayor and City Council of Baltimore that this subtitle would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

(City Code, 1976/83, art. 31, §99.) (Ord. 69-343.)

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SUBTITLE 32
{RESERVED}

SUBTITLE 33
SPEED MONITORING OR CONTROL SYSTEMS

§ 33-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Enabling Law.*

"Enabling Law" means:

(1) for school zone speed monitoring systems, State Code Transportation Article § 21-809; and

(2) for work zone speed control systems, State Code Transportation Article § 21-810.

(c) *Speed monitoring or control system.*

"Speed monitoring or control system" means, except as otherwise3c specified, either or both:

(1) a school zone speed monitoring system established under State Code Transportation Article § 21-809; and

(2) a work zone speed control system established under State Code Transportation Article § 21-810.

(Ord. 09-207; Ord. 16-525.)

§ 33-2. Systems authorized.

The use and enforcement of speed monitoring or control systems in Baltimore City is authorized.
(Ord. 09-207; Ord. 16-525.)

§ 33-3. Governing standards, etc.

Neither a school zone speed monitoring system nor a work zone speed control system may be used except in accordance with and subject to the standards, procedures, requirements, limitations, and other provisions of:

(1) the State Enabling Law applicable to that system; and

(2) this subtitle and the rules and regulations adopted under this subtitle.

(Ord. 09-207; Ord. 16-525.)

§ 33-4. Enforcement.

(a) *In general.*

A violation recorded by a speed monitoring or control system may be enforced as provided in the State Enabling Law for tghat system.

(b) *Newly moved or placed school zone system.*

(1) This subsection applies only to school zone speed monitoring systems established under State Code Transportation Article § 21-809.

(2) If a school zone speed monitoring system is moved to or placed at a location where a school zone speed monitoring system had not previously been moved to or placed at, a citation for a violation recorded by that system may not be issued:

(i) until signage is installed in accordance with the State Enabling Law; and

(ii) for at least the first 15 calendar days after the signage is installed.

(Ord. 09-207; Ord. 16-525.)

§ 33-5. Rules and regulations.

(a) *In general.*

The Department of Transportation and the Police Department may jointly develop and adopt rules and regulations to govern the implementation and use of speed monitoring or control systems.

(b) *Coverage.*

These rules and regulations may, among other things, establish procedures and standards for:

(1) the procurement of system devices;

(2) the employment or procurement of system operators;

(3) the placement and operation of system devices.

(c) *To be compliant with Enabling Law.*

All rules and regulations adopted under this section must be compliant with the applicable State Enabling Law.

(d) *Filing with Legislative Reference.*

A copy of all rules and regulations adopted under this subtitle must be filed with the Department of Legislative Reference before they take effect.

(Ord. 09-207; Ord. 16-525.)

SUBTITLE 34
COMMERCIAL VEHICLE MONITORING SYSTEM

§ 34-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Commercial vehicle monitoring system.*

"Commercial vehicle monitoring system" means a monitoring system authorized by the Enabling Law to enforce local restrictions on the presence of certain vehicles in certain places during certain times.

(c) *Enabling Law.*

"Enabling Law" means State Transportation Article § 24-111.3.
(Ord. 13-158.)

§ 34-2. Use of system authorized.

The use of a commercial vehicle monitoring system is authorized in Baltimore City to enforce restrictions on the presence of certain vehicles in certain places during certain times.
(Ord. 13-158.)

§ 34-3. Governing standards, etc.

(a) *In general.*

A commercial vehicle monitoring system may not be used except in accordance with and subject to the prerequisites, standards, procedures, requirements, limitations, and other provisions of:

(1) the State Enabling Law; and

(2) this subtitle and the rules and regulations adopted under this subtitle.

(b) *Maximum number of operational cameras.*

No more than 6 cameras may be operational at any one time.
(Ord. 13-158.)

§ 34-4. Enforcement.

A violation recorded by a commercial vehicle monitoring system is enforceable as provided in the State Enabling Law.
(Ord. 13-158.)

§ 34-5. Fine proceeds.

The fines that the City collects through a commercial vehicle monitoring system may be expended by the City only for the purposes specified in the State Enabling Law.
(Ord. 13-158.)

§ 34-6. Rules and regulations.

(a) *In general.*

The Department of Transportation and the Police Department may jointly develop and adopt rules and regulations to govern the implementation and use of a commercial vehicle monitoring system.

(b) *Coverage.*

These rules and regulations may, among other things, establish procedures and standards for:

(1) the procurement of system devices;

(2) the employment or procurement of system operators; and

(3) the placement and operation of system devices.

(c) *To be compliant with Enabling Law.*

All rules and regulations adopted under this subtitle must be compliant with the State Enabling Law.

(d) *Public comment.*

(1) All rules and regulations proposed under this subtitle must be published for public comment on the website of the Department of Transportation for at least 30 days.

(2) After this comment period, the Department of Transportation and the Police Department may modify the proposed rules and regulations and adopt final rules and regulations.

(e) *Filing with Legislative Reference.*

A copy of all rules and regulations adopted under this subtitle must be filed with the Department of Legislative Reference before they take effect.
(Ord. 13-158.)

Editor's Note: This subtitle was enacted by Ordinance 13-158, effective October 1, 2012.

SUBTITLE 36
PARKING, ETC., FINES, PENALTIES, AND PROCEDURES

§ 36-1. In general.

In addition to the costs stipulated in the Maryland Code, the following fines are imposed for violation of the offenses indicated.

(City Code, 1976/83, art. 31, §152(intro).) (Ord. 74-768; Ord. 79-1192; Ord. 03-550.)

§ 36-2. $500 fines.

(1) Parking or standing a commercial vehicle with a maximum gross vehicle weight of more than 20,000 pounds in violation of § 6-26(b) {"Stopping by residence"} or of § 6-26(c) {"Nighttime hours"} of this article is punishable by a fine of $500.

(2) Stopping or parking in a space reserved for disabled persons or helpers under § 6-9 {"Disabled persons"} or Subtitle 9 {"Disabled Persons and Helpers"} of this article is punishable by a fine of $500.

(3) Parking, stopping, or standing in violation of § 6-18 {"[U]nlawful dumping"} or § 6-19 {"[Waste hauler] without license displayed"} of this article is punishable by a fine of $500.

(4) Parking or standing a vendor truck in violation of § 6-28 {"Vendor trucks"} of this article is punishable by a fine of $500.

(City Code, 1976/83, art. 31, §152(m), (p-2), (u), (v).)
(Ord. 74-768; Ord. 79-1192; Ord. 85-390; Ord. 88-136; Ord. 92-122; Ord. 94-319; Ord. 97-163; Ord. 03-550; cf. Ord. 03-591; Ord. 10-302; Ord. 13-092; Ord. 14-237; Ord. 14-307.)

§ 36-3. $300 fines.

Abandoning a vehicle in violation of § 31-8 {"Abandoned vehicles"}of this article is punishable by a fine of $300.

(City Code, 1976/83, art. 31, §152(a).)
(Ord. 74-768; Ord. 79-1192; Ord. 83-1000; Ord. 03-550; Ord. 10-302.)

§ 36-4. $250 fines.

(1) Parking or standing a noncommercial vehicle of more than 20,000 pounds gross weight or a commercial vehicle of 20,000 pounds or less gross vehicle weight in violation of § 6-26(b) {"Stopping by residence"} of this article is punishable by a fine of $250.

(2) Obstructing or impeding the free flow of traffic within an intersection or a marked crosswalk or by a commercial vehicle is punishable by a fine of $250.

(3) Parking, stopping, or standing in a manner that obstructs or impedes the free flow of vehicular or pedestrian traffic along a block face abutting or immediately across the street from the grounds of a building used as a public or private kindergarten, elementary school, or secondary school, on

any school day between the hours of 7 a.m and 9 a.m. or between the hours of 2 p.m. and 5 p.m., is punishable by a fine of $250.

(4) Parking or standing a camping trailer, mobile home, motor home, or travel trailer in violation of § 6-29(b) {"Camping trailers, mobile homes, motor homes and travel trailers: Stopping by residence"} of this article is punishable by a fine of $250.

(City Code, 1976/83, art. 31, §152(c), (p).)
(Ord. 74-768; Ord. 79-1192; Ord. 88-136; Ord. 89-305; Ord. 92-011; Ord. 94-319; Ord. 03-550; cf. Ord. 03-591; Ord. 06-316; Ord. 08-063; Ord. 10-302; Ord. 10-403; Ord. 15-341; Ord. 16-508.)

§ 36-5. $100 fines.

(1) Parking, stopping, or standing in violation of posted restrictions for the Pimlico Race Track Area is punishable by a fine of $100.

(2) Parking, stopping, or standing in violation of posted restrictions in any Residential Permit Parking Program Area within the Camden Yards Stadium Complex Area, at any time between 1 hour before the advertised start of a stadium event and 1 hour after the event ends, is punishable by a fine of $100.

(3) (i) Parking, stopping, or standing in a manner that obstructs or impedes the free flow of vehicular or pedestrian traffic is punishable by a fine of $100, subject to the requirements of subparagraph (ii) of this paragraph (3).

(ii) (A) Except as provided in sub-subparagraph (B) of this subparagraph (ii), the Transportation Department may not issue a citation for this offense unless:

1. it first issues a written warning, ordering the obstruction or impediment to be removed within 15 minutes of the warning; and

2. the obstruction or impediment is not removed within the specified time.

(B) This subparagraph (ii) does not apply, and a citation may be issued without a prior warning, on a street marked as a snow emergency route at any time between the hours of 7 a.m and 9:30 a.m. or between the hours of 4 p.m. and 6 p.m.

(iii) This paragraph (3) does not apply to an obstruction or impediment:

(A) within an intersection or a marked crosswalk or by a commercial vehicle, as provided in § 36-4(2) of this subtitle; or

(B) along a block face abutting or across from the grounds of a school, as provided in § 36-4(3) of this subtitle.

(City Code, 1976/83, art. 31, §152(f), (q), (t).)
(Ord. 74-768; Ord. 79-1192; Ord. 89-305; Ord. 92-011; Ord. 03-550; Ord. 06-316; Ord. 08-063; Ord. 10-302; Ord. 10-403; Ord. 15-341.)

§ 36-6. $75 fines.

(1) Parking on a Snow Emergency Route in violation of § 6-15 {"Snow emergency routes"} of this article is punishable by a fine of $75.

(2) Obstructing or impeding the movement of pedestrians is punishable by a fine of $75.

(3) Standing within 15 feet of a fire plug or fire hydrant in violation of § 6-6(a) {"Fire hydrants"} of this article is punishable by a fine of $75.

(4) Stopping in front of or opposite a fire engine house in violation of § 6-6(c) {"Engine houses"} of this article is punishable by a fine of $75.

(5) Stopping or parking in a transit stop is punishable by a fine of $75.

(6) Parking or standing a noncommercial vehicle of more than 20,000 pounds gross weight or a commercial vehicle of 20,000 pounds or less gross weight in violation of § 6-26(c) {"Nighttime hours"} of this article is punishable by a fine of $75.

(7) Parking or standing in a bike lane in violation of § 20-5 {"Parking restrictions"} of this article is punishable by a fine of $75

(Ord. 03-550; cf. Ord. 03-591; Ord. 10-302; Ord. 10-389.)

§ 36-7. $50 fines.

(1) Parking, stopping, or standing where parking, stopping, or standing is prohibited and impounding is authorized is punishable by a fine of $50.

(2) A parking meter violation on an impounding street during the hours that a vehicle may be impounded is punishable by a fine of $50.

(City Code, 1976/83, art. 31, §152(b), (d), (e), (g), (h)(1), (h)(2), (i), (n), (o).)
(Ord. 74-768; Ord. 79-1192; Ord. 84-023; Ord. 92-105; Ord. 03-550; Ord. 06-316; Ord. 10-302; Ord. 13-092.)

§ 36-8. $30 fines.

(1) Parking or standing at the entrance of a public parking lot or garage in violation of § 6-8 {"Entrances to ... lots or garages"} of this article is punishable by a fine of $30.

(2) Obstructing a driveway in violation of § 6-12 {"Private driveways"} of this article is punishable by a fine of $30.

(3) A parking meter violation during the hours that parking at the meter is permitted is punishable by a fine of $30.

(4) Any parking, standing, or stopping violation of this article not otherwise provided for in this subtitle is punishable by a fine of $30.

(City Code, 1976/83, art. 31, §152(h)(3), (j), (l).)
(Ord. 74-768; Ord. 79-1192; Ord. 89-305; Ord. 92-105; Ord. 03-550; Ord. 10-302.)

§ 36-9. Residential Permit Parking violations – Progressive fines.

Except as otherwise provided in this subtitle for the Pimlico Race Track Area or the Camden Yards Stadium Complex Area, parking in violation of posted permit parking restrictions in a Residential Permit Parking Program Area is punishable by the following fines:

(1) 1st violation – $50.

(2) 2nd violation within a 12-month period – $70.

(3) 3rd violation within a 12-month period – $100.

(4) 4th and any subsequent violation within a 12-month period – $150.

(Ord. 13-092.)

§§ 36-10 to 36-20. *{Reserved}*

§ 36-21. Collection of fines.

(a) *Payment to Director of Finance.*

All fines imposed by this subtitle shall be payable to the Director of Finance, who shall control the issuance of prenumbered citation forms to the Police Department and record the final disposition of each citation.

(b) *Notice to Court.*

Upon receipt of notification that the recipient of a citation intends to stand trial for said offense, the Director of Finance shall forward to the District Court a copy of the citation and a copy of the notice from the person who received the citation indicating his intention to stand trial.

(City Code, 1976/83, art. 31, §153.) (Ord. 74-768.)

§ 36-22. Imposition of penalties.

(a) *Notice to offender.*

If a person fails to pay the appropriate fine for a violation by the date specified in the citation and fails to file a notice of intention to stand trial for the offense, a formal notice of the violation shall be sent to the owner's last known address.

(b) *Penalties if not paid.*

(1) If, within 15 days from the date of the notice, the citation has not been satisfied, the person who received the citation is liable for a penalty equal to the lesser of:

(i) $16 for each month or part of a month the citation remains unsatisfied; and

(ii) 10 times the amount of the fine imposed for the violation for which the citation was issued.

(2) If the person who received the citation agrees to a payment schedule acceptable to the Director of Finance or, if the matter has been referred to a collection agency, acceptable to that agency, the monthly penalty imposed under paragraph (1) of this subsection does not accrue while the person is making timely payments in accord with the agreed-to schedule.

(3) If the City has requested the State Motor Vehicle Administration to refuse registration or transfer of registration of the subject vehicle until the charge has been satisfied, a further penalty of $25 is imposed.

(4) These penalties are in addition to and may be collected in the same manner as the fines imposed by this subtitle.

(City Code, 1976/83, art. 31, §154.)
(Ord. 74-768; Ord. 90-520; Ord. 99-400; Ord. 03-596; Ord. 04-672; Ord. 06-358; Ord. 10-302.)

§ 36-23. Amnesties.

(a) *General authority to offer amnesty.*

Except as otherwise provide in this section, the Director of Finance, with the approval of the Board of Estimates, may periodically offer amnesty from the payment of penalties that have accumulated on fines for parking, stopping, or standing violations.

(b) *Special 2-day amnesty; 10-year moratorium.*

(1) Within 60 days of the enactment of this section, the Director of Finance shall offer a 2-day amnesty period during which outstanding fines for parking, stopping, and standing violations may be paid without liability for any penalties that have accumulated on those fines.

(2) At the end of that 2-day amnesty period, no further amnesties may be offered for 10 years.

(c) *Rules and regulations.*

(1) The Director of Finance may adopt rules and regulations to carry out this section.

(2) A copy of these rules and regulations must be filed with the Department of Legislative Reference before they take effect.

(Ord. 03-596.)

§ 36-24. Powers of Director of Finance.

(a) *In general*

In addition to the powers granted to the Director of Finance in connection with the collection of the fines and penalties imposed by this subtitle, the Director may:

(1) adopt rules and regulations as the Director considers necessary or proper:

(i) to fully collect the fines and penalties imposed by this subtitle; and

(ii) to define any terms used in connection with the collection of those fines and penalties;

(2) waive all fines, penalties, charges, and costs where there has been a material error in the preparation of the citation;

(3) delegate any of his or her powers, duties, or functions in connection with the collection of the fines, penalties, charges, and costs imposed by this subtitle and the enforcement of the provisions relating to them to any other agent, representative, or employee of the Director or the City;

(4) refund the amount of any charge paid in error, within 3 years from the date of the erroneous payment; and

(5) refund or waive collateral, towing charges, and storage costs that, in the Director's opinion and in accordance with the Director's regulations, have been improperly assessed.

(b) *Reporting certain actions.*

Any action taken under subsection (a)(4) or (5) of this section must be documented in a monthly report prepared by the Director and submitted to the City Auditor for review.

(City Code, 1976/83, art. 31, §155.) (Ord. 74-768; Ord. 92-098; Ord. 99-414; Ord. 03-596.)

SUBTITLE 37
GENERAL PENALTIES FOR VIOLATIONS

§ 37-1. General fine.

Any person violating any provision or regulation of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding $100 for each and every offense, except where another penalty is specified.

(City Code, 1927, art. 4, §61; 1950, art. 38, §78; 1966, art. 31, §94; 1976/83, art. 31, §70.)
(Ord. 08-139; Ord. 74-768.)