

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2011 Legislative Session**

Bill No. CB-40-2011

Chapter No. 42

Proposed and Presented by Council Member Campos

Introduced by Council Members Campos, Turner, Toles, Franklin, Patterson, Olson  
and Lehman

Date of Introduction October 18, 2011

**BILL**

1 AN ACT concerning

2 Parking Permit Areas

3 For the purpose of providing for the provision of parking permit areas designated by petition of  
4 the residents; providing for ineligibility within a designated parking permit area; providing for  
5 exemptions within a designated parking permit area; providing for the issuance of permits;  
6 requiring the Prince George's Revenue Authority to promulgate regulations for the  
7 administration of parking permit areas by petition; and generally relating to parking permit areas.

8 By repealing and reenacting:

9 SUBTITLE 26. VEHICLE AND TRAFFIC.

10 Section 26-101,

11 The Prince George's County Code

12 (2007 Edition, 2010 Supplement).

13 BY adding:

14 SUBTITLE 26. VEHICLE AND TRAFFIC.

15 Sections 26-141.01,

16 The Prince George's County Code

17 (2007 Edition, 2010 Supplement).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
19 Maryland, that Section 26-101 of the Prince George's County Code be and the same is hereby  
20 repealed and reenacted:

**SUBTITLE 26. VEHICLES AND TRAFFIC.**  
**DIVISION 1. ADMINISTRATIVE PROVISIONS.**

**Sec. 26-101. Definitions.**

(a) For the purposes of this Subtitle, the following words and phrases shall have the meanings respectively ascribed to them hereunder:

\* \* \* \* \*

(5) **Director** means the Director of the Department of Public Works and Transportation, his duly authorized agent, the Executive Director of the Prince George's Revenue Authority, for the limited purpose of designation, operation and enforcement of parking permit areas in Division 9 of this Subtitle or the Director of Central Services, for the limited purpose of developing and implementing a reserved and metered parking program for employee and visitor parking lots or structures at county government facilities.

\* \* \* \* \*

SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 26-141.01 of the Prince George's County Code be and the same is hereby added:

**SUBTITLE 26. VEHICLE AND TRAFFIC.**  
**DIVISION 9. PARKING PERMIT AREAS.**

**Sec. 26-141.01. Parking Permit Areas Designated by Petition.**

(a) Definitions. The following definitions are applicable in Section 26-141.01 of the County Code:

- (1) **Authority** means the Prince George's County Revenue Authority or its Executive Director.
- (2) **Heavy Commercial Truck** means trucks except light commercial vehicles.
- (3) **Inoperable Vehicle** means a vehicle with one or more of its major mechanical components, including but not limited to engine, transmission, drive train and wheels, is missing or not functional unless such vehicle is kept in an enclosed building or as permitted by Subtitle 13 or Subtitle 27 of the Code.
- (4) **Light Commercial Vehicles** include pickups, panel trucks and work vans up to and including those of a ¾-ton capacity and Maryland Motor Vehicle

1 Administration registration restricting vehicles to 10,000 pounds gross vehicle  
2 weight

3 (5) Residential Parking Permit Area means the designation of the County roads,  
4 streets, subdivisions and other areas as residential parking permit area in which  
5 the parking of vehicles is restricted during specified times, unless a proper  
6 parking permit or other identifiable device is displayed in or on the vehicle.

7 (6) Parking Permit means a placard, sticker or other identifiable device that  
8 specifies the vehicle is authorized to park in the Residential Parking Permit Area.

9 (b) The residents of a proposed parking permit area may petition the Authority to become  
10 a Residential Parking Permit Area. For parking permit areas designated by petition the following  
11 shall be necessary for the designation of a Residential Parking Permit Area:

12 (1) The area shall be one consisting solely of residential uses and in which  
13 commercial and industrial uses do not exist.

14 (2) A residential street or area may be considered for parking permit restrictions upon  
15 request of the residents affected or upon request of an elected official of the County by  
16 submitting a petition.

17 (3) A petition indicating that at least sixty percent (60%) of the residential property  
18 owners or lease holders in the permit parking area approve the parking permit area is required. A  
19 petition, with the required sixty percent (60%) of the residential property owner or lease holder  
20 signatures, shall be submitted to the Authority. The Authority shall accept one authorized  
21 signature per property in the proposed Residential Parking Permit Area.

22 (c) The parking permit area petition shall include, in addition to subsection (b) (1), (2) and  
23 (3):

24 (1) The designation of what County roads, streets, subdivisions and other areas are to  
25 be designated as a Residential Parking Permit Area.

26 (2) That the parking restrictions shall apply at all times except that nonresident  
27 parking is allowed for periods of three (3) hours or less between the hours of 7 A.M. and 6 P.M.,  
28 Monday through Saturday, excluding holidays; however, the petitioners may prescribe other  
29 hours and days when the parking restrictions are operative in the petition.

1           (d) (1) The Authority shall review the petition and evaluate the designation as a  
2 Residential Parking Permit Area, including providing referrals to such County departments or  
3 agencies as necessary, and to schedule a public hearing, pursuant to this subsection, within  
4 ninety (90) days of receipt of the petition.

5           (2) Before a parking permit area is established by petition or terminated, the  
6 Authority or its designee shall cause a public hearing to be held. The hearing shall be held at a  
7 location within or reasonably adjacent to the area of the proposed parking permit area and shall  
8 be preceded by due public notice published in a County newspaper of record. The public notice  
9 shall state the time, place, and purpose of the hearing, the exact description of the area being  
10 considered and the time proposed for restrictive parking. In addition to the published notice, the  
11 Authority shall mail a similar notice to each household within the parking permit area.

12           (3) (i) After the public hearing, the Authority shall approve, deny or modify the  
13 parking permit area within sixty (60) days of the public hearing. The Authority shall specify in  
14 writing the grounds for the approval, denial or modification and provide notice to the petition  
15 signatories and to the elected official of the County making the request.

16           (ii) In case of a denial by the Authority, the petition signatories may appeal the  
17 decision of the Authority to the Director on such reasonable grounds or by showing a petition  
18 indicating that ninety percent (90%) of the property owners or lease holders in the proposed  
19 permit parking area approve of the designation.

20           (4) Following a designation of a Residential Parking Permit Area, the Authority shall  
21 cause parking signs to be placed in the area indicating the parking restrictions and the parking  
22 permit exceptions.

23           (e) After at least twelve months period of operation, the Authority may accept petitions,  
24 signed by at least sixty percent (60%) of the residential property owners or lease holders in the  
25 permit parking area, for the termination of Residential Parking Permit Area. The Authority shall  
26 follow the public hearing and notification procedures in Section 26-141.01 (d) (2) before  
27 terminating a Residential Parking Permit Area.

28           (f) (1) The following vehicles are not eligible for parking permits in a residential parking  
29 permit area: (i) vehicles with out-of-state license plates, except those registered to a member of  
30 the military, a Federal, State, County or other governmental vehicle or student temporarily

1 residing in the Residential Parking Permit Area; (ii) inoperable vehicles; (iii) vehicles lacking  
 2 current registration; and (iv) heavy commercial trucks.

3 (2) As provided in Section 26-122 of the County Code, no person shall park or allow  
 4 to stand any vehicle on any of the public streets or roadways in the County for a period in excess  
 5 of seventy-two (72) hours.

6 (3) As provided in Section 26-162 of the County Code, the removal of abandoned and  
 7 inoperable vehicles is required within forty-eight (48) hours.

8 (g) The following vehicles are exempt from the provisions of this Section, emergency  
 9 vehicles, and public utility vehicles, heavy commercial trucks, light commercial vehicles or other  
 10 service vehicles, if they are in the course of conducting work within the designated residential  
 11 parking permit area.

12 (h) Parking permits shall be renewed every two years through the Authority. Parking  
 13 permits shall specify the vehicle and its owner and if any guest permits are authorized. The  
 14 Authority may limit the number guest permits issued, including for light commercial vehicles.

15 (i) Parking permit application shall require proof of residency within the designated area  
 16 and proof of vehicle ownership or other authority to operate the vehicle. Parking permits will not  
 17 be issued for vehicles where the registration information does not match the name and address of  
 18 the resident, except as provided in subsection (f)(1)(i) of this section or by Authority rule or  
 19 regulation.

20 (j) The Authority shall administer the residential parking permit areas by petition, may  
 21 promulgate such rules and regulations as necessary to carry out the provisions of this Division  
 22 and is authorized to engage such businesses, consultants and experts to assist in their duties in  
 23 administering the parking permit areas by petition.

24 (k) Enforcement of the parking permit areas by petition established by this Division shall  
 25 be the same as in Section 26-140 of the County Code.

26 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
 27 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
 28 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
 29 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
 30 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
 31 Act, since the same would have been enacted without the incorporation in this Act of any such

1 | invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

2 | SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)

3 | calendar days after it becomes law.

Adopted this 15th day of November, 2011.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Ingrid M. Turner  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.