

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK,
MARYLAND, AMENDING CHAPTER 125 "HOUSING REGULATIONS", §125-10
"RESPONSIBILITIES OF OWNERS AND OCCUPANTS" TO REDUCE THE TIME
FROM 30 DAYS TO 15 DAYS THAT VEHICLES WHICH ARE INOPERABLE,
DISMANTLED, WRECKED OR WITHOUT CURRENT LICENSE PLATES ARE
ALLOWED TO BE PARKED OR STORED ON RESIDENTIALLY ZONED
PROPERTY, PROPERTY USED FOR RESIDENTIAL PURPOSES AND ANY
OTHER PROPERTY NOT ZONED FOR SUCH STORAGE.

WHEREAS, Article 23A of the Annotated Code of Maryland provides that the Mayor and Council of the City of College Park, Maryland (the "City Council") has the authority to pass such ordinances as it deems necessary to preserve peace and good order, to secure persons from danger and destruction and to protect the health, comfort and convenience of the citizens of the municipality; and

WHEREAS, pursuant to this authority, the Mayor and City Council have adopted Housing Regulations to ensure the health and safety of the residents of the City; and

WHEREAS, Article 28, § 8-112.1 of the Annotated Code of Maryland provides that the Mayor and City Council have the authority, for the purpose of the preservation, improvement, or protection of the general character and design of lands and improvements within the corporate limits of the municipality, to impose stricter or additional conditions, restrictions or limitations upon fences, residential parking, and residential storage than are otherwise required by State, regional or county zoning regulations; and

WHEREAS, pursuant to this authority, the Mayor and City Council have, as part of the Housing Regulations, adopted Section 125-10, "Responsibilities of owners and occupants", subsection (I), which restricts the parking of certain inoperable vehicles on residential properties in the City; and

CAPS

[Brackets]

Asterisks * * *

: Indicate matter added to existing law.

: Indicate matter deleted from law.

: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

WHEREAS, it has come to the attention of the City Council that the thirty (30) day period currently contained in Section 125-10(I) for removal of the unlawful vehicles in question is resulting in an unacceptable number of unlawful vehicles remaining parked in public view for excessive periods of time, which conditions have the potential, if left unchecked, to contribute to the deterioration of the City's neighborhoods; and

WHEREAS, the City Council finds that the public health, safety, and welfare would be best served by decreasing from 30 to 15 days the period of time during which the subject unlawful vehicles may remain parked upon residential property.

Section 1. **NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the City of College Park, Maryland that Chapter 125 "Housing Regulations," §125-10 "Responsibilities of owners and occupants," be, and is hereby, amended to read as follows:

§125-10. Responsibilities of owners and occupants.

* * * *

- I. It shall be unlawful for any person to park or allow to be parked or to store or allow to be stored any vehicle, of every kind and description, which is inoperable, dismantled, wrecked or not bearing current license plates upon residentially zoned property, property used for residential purposes or any other property not zoned for such storage within the corporate limits of the City of College Park for a period longer than [~~30~~] 15 days after said vehicle became inoperative, dismantled, wrecked, or without current license plates, unless said vehicle is stored in an enclosed garage.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance,

which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for 7:30 P.M. on the 12th day of June, 2007, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall be submitted to the Prince George's County Council within five days after its adoption, and shall become effective twenty (20) days after review and approval by the Prince George's County Council, provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 8th day of May 2007.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 12th day of June 2007.

EFFECTIVE the ___ day of _____, 2007.

ATTEST:

**THE CITY OF COLLEGE PARK,
MARYLAND**

By: Janeen S. Miller
Janeen S. Miller, City Clerk

By: Stephen A. Brayman
Stephen A. Brayman, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson
Suellen M. Ferguson, City Attorney