

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**1997 Legislative Session**Bill No. CB-57-1997Chapter No. 42Proposed and Presented by The Chairman (by request - County Executive)Introduced by Council Members Bailey and Wilson

Co-Sponsors

Date of Introduction June 17, 1997**BILL**

AN ACT concerning

Parking Permit Areas

For the purpose of allowing the County Executive to modify the traffic engineering survey required for certain County parking permit areas, setting a fine for parking in violation of the regulations and provisions set by the County Executive in a designated parking permit area, providing for enforcement and authorizing the police to tow any vehicle parked in violation of such regulations or provisions.

BY repealing and reenacting with amendments:

SUBTITLE 26. VEHICLES AND TRAFFIC

Sections 26-136 and 26-140

The Prince George's County Code

(1995 Edition, 1996 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 26-136 and 26-140 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

DIVISION 9. PARKING PERMIT AREAS.**Sec. 26-136. Designation of parking permit areas.**

(a) The County Executive is authorized to designate roads, streets, and other areas in the County as Parking Permit Areas in which the parking of vehicles is restricted during specified times, unless a proper parking permit is displayed in or on the vehicle. The parking

restrictions shall normally limit nonresident parking to periods of three (3) hours or less between the hours of 7 A.M. and 6 P.M., Monday through Saturday, excluding holidays; however, when deemed necessary the County Executive may prescribe other hours and days when the parking restrictions are operative. Subject to Subsection (b), the County Executive may prohibit all nonresident parking in a Parking Permit Area during the specified times when the restrictions are in effect.

(b) Except as modified below, t[T]he following shall be necessary to the designation of a County Parking Permit Area:

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

(2) A County traffic engineering survey shall establish that during the time period when parking restrictions may be imposed:

(A) Nonresidents park their vehicles in the area and proceed by other means to an area of commercial or industrial use, to a school or recreational area, or to public transportation; or in the alternative, park their vehicles in the area and proceed to a multifamily unit or complex; and

(B) The average number of vehicles parked as described in (2)(A) is in excess of twenty-five percent (25%) of the number of parking spaces available to the public without charge in the area and the total number of such spaces occupied by any vehicles exceeds seventy-five percent (75%) of such spaces; and

(C) At least twenty-five percent (25%) of the affected residential units have less than two (2) off-street parking spaces.

(3) A residential area may be considered for parking permit restrictions upon request of the residents affected or upon request of the elected officials of any incorporated municipality.

(4) Before a parking permit area is established or terminated, the County Executive or his designee shall cause a public hearing to be held. The hearing shall be at a location within or reasonably adjacent to the area concerned and shall be preceded by due public notice

published in a County newspaper of record. The notice shall state the time, place, and purpose of the hearing, the exact description of the area being considered, the time proposed for restrictive parking and any parking permit fee proposed. In addition to the published notice, reasonable efforts shall be made to mail a similar notice to each household within the parking permit area.

(5) In residential areas adjacent to a proposed facility required to construct over 3000 parking spaces, the County Executive is authorized to determine the requirements of the traffic engineering survey to assure that a parking permit area may be established and implemented prior to the opening of that facility, so long as any overflow parking generated by such facility has a minimal impact on the surrounding residential areas.

Sec. 26-137. Parking permits.

Permits for parking in any Parking Permit Area may be granted under objective criteria to be established by the County Executive to include, but not necessarily be limited to, residents of the area for every vehicle owned by such residents; and visitors of residents of the area for a period of 30 days, which permit may be renewable.

Sec. 26-138. Exceptions.

(a) Parking restrictions of this Division shall not apply to service or delivery vehicles being used to provide services or delivery to a resident of the area.

(b) The County Executive shall except metered parking spaces from area restrictions.

(c) There shall also be issued permits exempting handicapped persons from the restrictions of any parking permit area which may be established; automobiles equipped with special handicapped license plates shall need no further permit under this Section.

Sec. 26-139. Signs.

Following designation of a Parking Permit Area, the County Executive shall cause parking signs to be placed in the area indicating the parking restrictions and the parking permit exceptions.

Sec. 26-140. Parking area violation; penalty.

(a) No person shall park any vehicle or use any parking permit in a manner contrary to

the regulations and provisions established by the County Executive pursuant to this Division.

(b) Any person issued a citation for a violation of this Section shall be subject to a fine of [Thirty (\$30.00)] Fifty Dollars (\$50.00) for each violation.

(c) It shall be the duty of the Police Officers of the County, or any other County employees specifically designated by the County Executive, to enforce the provisions of this Division. The Police Department is authorized to impound and remove any vehicle parked in violation of the regulations and provisions established pursuant to this Division without prior notice pursuant to Division 18 of this Subtitle.

(d) The Prince George's County Parking Authority may designate persons to enforce the provisions of this Division for property owned or operated by the Prince George's County Parking Authority or other such public parking facilities or streets and highways as may be designated by Executive Order and approved by the County Council for enforcement by the Parking Authority.

Sec. 26-141. Application within a municipality.

The provisions of this Division do not apply within a municipality; provided, however, a municipality may adopt its own municipal ordinance establishing Municipal Parking Permit Areas. The County may enforce a Municipal Parking Permit Area created by a municipality if requested to do so by the municipality and provided that municipality shall transmit to the County Executive an authenticated copy of any municipal ordinance enacted to create a Municipal Parking Permit Area.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 22nd day of July, 1997.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY:
Wayne K. Curry
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.