

~ 44-11. Residential permit parking program. **(\$150.00)**

A. Preamble. The Mayor and Town Council find and declare that serious adverse conditions in certain areas and neighborhoods of the Town of Edmonston result from motor vehicle congestion, particularly long-term parking of motor vehicles on the streets of such areas and neighborhoods by nonresidents thereof. The permit parking program herein established is intended to reduce hazardous traffic conditions resulting from the use of streets within these areas or neighborhoods by nonresidents; to protect the residents of these areas from unreasonable burdens in gaining access to their residences; to preserve the value of the property residential districts; to preserve the value of the property in those districts; and to preserve the safety of children and other pedestrians and for the peace, good order, comfort, convenience and welfare of the inhabitants of the town.

B. Definitions. For the purposes of this section, the following terms shall have the meanings listed below:

HOUSEHOLD -- All persons occupying a single housing unit (house, apartment, group of rooms or single room intended for occupancy as separate living quarters).

MOTOR VEHICLE -- A vehicle licensed as a private passenger car or a motorcycle, including all vehicles designated as multipurpose passenger vehicles under the Transportation Article of the Annotated Code of Maryland.

PARKING MANAGEMENT PLAN -- A method specifically designed to address the identified parking needs of a clearly defined area through use of techniques such as a residential permit parking program, parking time restrictions, special meter zones and one-way street patterns.

PEAK PERIOD -- That time interval between the hours of 7:00 a.m. and 7:00 p.m. on weekdays during which the highest

percentage of overall resident and nonresident parking utilization as well as nonresidential parking utilization occurs.

RESIDENTIAL AREA OR DISTRICT -- A contiguous or nearly contiguous area containing public streets and highways or parts thereof primarily abutted by residential property, including but not limited to schools, parks, churches, hospitals and nursing homes, which is within an area zoned as a residence district.

RESIDENTIAL PERMIT PARKING PROGRAM AREA -- A residential area designated as herein provided, wherein a vehicle belonging to a resident displaying a valid permit as described herein shall be exempt from parking time restrictions established pursuant to this section.

C. Procedure for designating residential permit parking areas. There is established a residential permit parking program designed to meet those needs which shall be available to all resident areas or neighborhoods of the town which are zoned residential. In order to qualify for the program, such areas or neighborhoods must meet the criteria set forth herein. Such areas shall be established only after completion of the procedure outlined herein. This procedure shall be as follows:

(1) Petition. In order to be considered for a residential permit parking program, a neighborhood group, group of residents or community association must submit a petition to the Town Council containing the signature of an adult member of at least 80% of the households in the residential area. Petitions will be considered for areas as small as one complete street, both sides included. The boundaries of and the streets within the proposed permit parking area must be clearly identified on each page of the petition. A cover letter explaining the reason for the request and containing the boundaries of streets within the proposed permit parking area should accompany the petition.

(1A) Designation by the Mayor and Council.
Notwithstanding the provisions of 44-11 C (1) the

Mayor and Council by majority vote may establish by resolution any street within the Town of Edmonston as residential parking permit area. **[Amended 12-12-05 by Ord. No. 2005-O-06]**

(2) Public hearing. Upon receipt of a valid petition or if designated by the Mayor and Town Council, a public hearing will be conducted. The hearing shall be held only after due notice has been published in a newspaper of general circulation in the town, provided in the town newsletter or posted in the Town Hall. The notice shall state the purpose of the hearing, the exact location and boundaries of the area under consideration and the permit fees. The creation, alteration or elimination of a residential parking district shall take into account, among other things: **[Amended 12-12-05 by Ord. No. 2005-O-06]**

(a) The effect on the safety of residents of the area under consideration from intensive use by nonresidents for parking of vehicles;

(b) The need of the residents of the area to obtain adequate on-street parking adjacent to or close by their places of residence;

(c) The difficulty or inability of residents of the area to secure adequate on-street parking adjacent to or close by their places of residence because of widespread use of available parking spaces in that area by nonresident transient motorists;

(d) The impact of public facilities and programs on the health, safety and welfare of the residents of the area and any unreasonable burdens placed on those residents in securing adequate on-street parking and gaining access to their places of residence by virtue of such facilities and programs;

(e) The likelihood of alleviating, by the creation, alteration or elimination of a residential parking district, of any problem of nonavailability of residential parking spaces;

(f) The desire of the residents in the area for the creation, alteration or elimination of a residential parking district, and the willingness of those residents to bear the administrative costs incidental to the issuance of permits authorized;

(g) The need for some parking spaces to be available in the area under consideration for use by visitors and the general public; and

(h) Such other factors as shall be deemed relevant.

(3) Adoption. Within 60 days following the public hearing, the Mayor and Town Council shall act upon the recommendation to create, alter or eliminate a residential parking district. The Mayor and Town Council may create, alter or eliminate a residential parking district by adoption of a resolution which identifies the boundaries of the district and establishes the times, locations and conditions under which parking is limited by permit.

D. Implementation and administration of the program.

(1) Any street within the Corporate limits of the Town of Edmonston that has been designated by resolution of the Town Council by majority vote as a residential permit parking program area shall be subject to regulation by this chapter. Any area designated as a residential permit parking program will be marked by signs which designate the area as "Permit Parking Only – violators will be ticketed and towed", or other words to that effect. Motor vehicles parked in areas so marked must display a properly issued residential parking permit which was lawfully obtained in the manner described in this chapter.

(1a) The provisions of this chapter shall be enforced only during the hours designated by the Mayor and Town Council.

b. The issuance of a residential parking permit does

not allow for the parking of any motor vehicle in violation of any other parking restrictions, such as fire lanes or handicapped parking spaces.

c. Once the Town Council designates a particular area as a residential permit parking program area, the Town shall erect signs that clearly mark the area for enforcement of the provisions of this chapter. Enforcement of these marked areas will not start until 30 days after the posting of the signs in the area to allow for households to obtain the required permit.

d. Only three types of residential parking permits will be recognized as legitimate. The permanent parking permit will be a sticker that is issued to a single vehicle and may only be removed from that vehicle or transferred to another vehicle in compliance with the requirements set forth in section D (7) in this chapter.

e. A visitor's parking permit is transferable between vehicles.

f. A one-time parking permit is issued by the Town of Edmonston to a household that makes applications for them for the purpose of allowing the member of a household to have a number of vehicles parked near his or her home for an occasional event. These permits shall be issued at a cost of \$1.00 per permit and are only valid for the day that they are issued.

g. The designs of each of the types of permits shall be approved by the Mayor and Town Council based on a resolution that passes by a majority vote.

(2) Qualifications for permits.

Permits shall be issued to any resident of a household who makes proper application for them as described in section D (4) of this chapter, provided that only two visitor's permits shall be issued for each household as described in section D (5) of this section.

(3) Expiration of permits; transfers of permits.

A permit shall expire and be void when the licensee no longer resides within the Town of Edmonston and the licensee shall remove the permit sticker from any vehicle registered to park within the Town upon moving outside of the Town. Permits shall be transferred from one vehicle to another in accordance with section D(7) of this chapter.

(4) Application for permit.

(a) The application for a permit shall contain information to verify that the applicant is a bona fide resident of the Town for which application has been made and has legal title to or the right to possession of the motor vehicle to be registered at that address, including, but not limited to the following:

[1] The name and address of the owner of the motor vehicle.

[2] The applicant's address.

[3] The make, model, color, state or registration and license number of the motor vehicle.

[4] The principal driver's name, operator's license number and state of issuance.

[5] The motor vehicle registration, operator's license and any other relevant documents.

(b) The Town shall issue the parking permit, upon finding that the applicant meets the requirements specified herein.

(5) Fee

Households that make proper application for permits shall receive their permits and two visitor permits at no charge.

(6) Display of permit.

The permanent residential parking permit shall be a sticker affixed to the rear of the inside rear view mirror. The display of the visitors or one time use permits shall be on the center of the vehicles dashboard. Temporary or visitor permits shall be removed upon operation of the vehicle.

(7) Transfer of permit; replacement permit.

When a motor vehicle to which a permit is affixed is sold,

transferred, demolished or in any other manner rendered unusable to the licensee, or if the permit is lost or stolen, the licensee shall remove the permit from the motor vehicle and may request the issuance of a replacement permit to the Town of Edmonston. If the permit is still in the licensee's possession, the permit must be returned to the Town of Edmonston. An application for a replacement permit will render the original permit null and void, whether that permit is a permanent or visitor permit. Any vehicle found to be displaying such voided permits will be found in violation and will be fined and towed in accordance to section E of the chapter. The fee for a replacement permit shall be \$10.00 per permit.

E. Violations and penalties.

The parking of any vehicle or the use of any parking permit in a manner contrary to the residential parking provisions established in this section is prohibited, and the same is hereby declared to be municipal infraction. Any person violating the same shall be fined **\$150.00** for each violation. Additionally, any motor vehicle parked in violation shall be impounded and towed.