

MAYOR AND TOWN COUNCIL OF COLMAR MANOR

ORDINANCE NO. O - ____ - 2020

AN EMERGENCY ORDINANCE FOR THE PURPOSE OF ENDING CONFUSION AND FOR THE PURPOSE OF SETTING FORTH IN ITS ENTIRETY THE VARIOUS ORDINANCES GOVERNING PERMIT PARKING FOR RESIDENTS OF AND VISITORS TO THE TOWN OF COLMAR MANOR AND FURTHER FOR THE PURPOSE OF REPEALING OR OTHERWISE PROVIDING FOR THE REPEAL OF PROVISIONS OF THE CODE OF ORDINANCES OF THE TOWN INCONSISTENT THEREWITH.

Section 1. BE IT ENACTED by the Mayor and Town of Colmar Manor that Sections 10-117 - 10-127 be and the same is repealed and reenacted with amendments to read as follows:

SECTION 10-117. PERMIT PARKING AREAS, FINDINGS OF FACT:

THE MAYOR AND TOWN COUNCIL FIND THAT THE CONTINUED VITALITY OF THE TOWN DEPENDS ON THE PRESERVATION OF SAFE, HEALTHY, AND ATTRACTIVE NEIGHBORHOODS AND RESIDENTIAL AREAS. THE MAYOR AND TOWN COUNCIL FURTHER FIND THAT ONE FACTOR THREATENING THE SAFETY, HEALTH AND ATTRACTIVENESS OF THE TOWN'S NEIGHBORHOODS IS THE AVAILABILITY OF PARKING, BECAUSE THE NUMBER OF MOTOR VEHICLES AND TRAILERS ATTEMPTING TO PARK IN THOSE AREAS OFTEN EXCEEDS THE NUMBER OF AVAILABLE PARKING SPACES. A PROGRAM OF PREFERENTIAL PARKING FOR RESIDENTS IN DESIGNATED NEIGHBORHOODS, THE MAYOR AND TOWN COUNCIL FURTHER FIND WILL HELP TO REDUCE THE PARKING BURDEN IN

THESE NEIGHBORHOODS AND, THUS, PROMOTE THE HEALTH, COMFORT AND CONVENIENCE OF THE TOWN.

ACCORDINGLY, THE MAYOR AND TOWN COUNCIL SPECIFICALLY FINDS THAT THERE IS A COMPELLING NEED (1) FOR MAINTENANCE OF THE ATTRACTIVENESS AND LIVABILITY OF THE TOWN'S NEIGHBORHOODS AND OTHER RESIDENTIAL AREAS WHICH WILL [BE] ENHANCE THE HEALTH, COMFORT AND CONVENIENCE OF THE TOWN NEIGHBORHOODS AND THEIR RESIDENTS AND (2) HELP TO PROVIDE ON A DAILY BASIS FOR TOWN RESIDENTS TO FIND PARKING FOR THEIR VEHICLES IN OR NEAR THEIR RESIDENCES. THE MAYOR AND TOWN COUNCIL FURTHER FIND THAT THE INFLUX OF MOTOR VEHICLES AND TRAILERS FROM NONRESIDENTS COMPETES FOR THE LIMITED AVAILABLE PARKING FURTHER BURDENING THE RESIDENTS OF THE TOWN.

SECTION 10-118. DEFINITIONS.

FOR THE PURPOSES OF SECTIONS 10-117 THROUGH SECTION 10-127 THE FOLLOWING WORDS SHALL HAVE THE MEANINGS RESPECTIVELY ASCRIBED TO THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING:

A. COMMUTER VEHICLE MEANS A MOTOR VEHICLE, OTHER THAN A RESIDENT VEHICLE AS DEFINED BELOW PARKED IN A RESIDENTIAL AREA IN WHICH IT IS NOT REGISTERED.

B. CURBSIDE PARKING SPACE MEANS TWENTY (20) LINEAR FEET OF CURB, EXCLUSIVE OF THOSE PORTIONS OF THE CURB WHERE PARKING, APART FROM THE PROVISIONS OF THIS ARTICLE 10, IS OTHERWISE PERMITTED.

B.1. PARKING LOT OR AREA ANY PARKING LOT OR AREA OWNED BY OR LEASED TO THE TOWN ON WHICH VEHICLE OR TRAILER PARKING IS PERMITTED BY THE TOWN.

C. RESIDENT MEANS A PERSON WHO LIVES OR RESIDES IN A STRUCTURE APPROVED FOR RESIDENTIAL OCCUPANCY AND CAN DEMONSTRATE THE RIGHT TO OCCUPANCY OF HIS RESIDENCE.

D. RESIDENT VEHICLE MEANS A VEHICLE INCLUDING TRAILERS PARKED IN A RESIDENTIAL AREA IN WHICH IT IS REGISTERED WITH THE TOWN IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE 10 OF THE CODE AND IS VALIDLY REGISTERED IN THE TOWN OF COLMAR MANOR WITH THE STATE OF MARYLAND DEPARTMENT OF MOTOR VEHICLES.

E. RESIDENTIAL DISTRICT MEANS A CONTIGUOUS OR NEARLY CONTIGUOUS AREA CONTAINING PUBLIC STREETS AND HIGHWAYS OR PARTS THEREOF PRIMARILY ABUTTED BY RESIDENTIAL PROPERTY.

F. NON-COMMERCIAL PROPERTY MEANS PROPERTY ZONED FOR RESIDENTIAL BUT USED FOR SCHOOLS, PARKS, CHURCHES, FRATERNAL AND VETERAN ORGANIZATIONS, HOSPITALS AND NURSING HOMES.

G. RESIDENCE MEANS A DWELLING UNIT.

H. RESIDENTIAL PARKING PERMIT AREA MEANS A RESIDENTIAL AREA WITHIN THE TOWN WHERE CURBSIDE PARKING ON PUBLIC STREETS AND HIGHWAYS AND ON PROPERTY OWNED OR LEASED TO THE TOWN IS LIMITED AT POSTED TIMES UNLESS THE VEHICLE OR TRAILER PROPERLY DISPLAYS A PARKING PERMIT AUTHORIZED BY THIS ARTICLE.

I. TRAILER: **FOR THE PURPOSES OF SECTIONS 10-117 THROUGH 10-124 ONLY**, (A) A TRAILER IS ANY VEHICLE DEFINED IN SECTION 11-169. TRAILER OF THE TRANSPORTATION ARTICLE OF THE MARYLAND CODE, AS AMENDED TO DATE. A TRAILER IS A VEHICLE THAT:

- (1) HAS NO MOTIVE POWER;
- (2) IS DESIGNED TO CARRY PEOPLE OR PROPERTY AND TO BE TOWED BY A MOTOR VEHICLE; AND
- (3) IS CONSTRUCTED SO THAT NO PART OF ITS WEIGHT RESTS ON THE TOWING VEHICLE.

(B) A TRAILER ALSO INCLUDES A BOAT TRAILER AS DEFINED BY SECTION 11-104.1, A CAMPING TRAILER AS DEFINED BY SECTION 11-106 TO DATE, AND A TRAVEL TRAILER AS DEFINED BY SECTION 11-170, ALL OF THE TRANSPORTATION ARTICLE OF THE MARYLAND CODE, AS AMENDED TO DATE.

J. VEHICLE MEANS (1) MEANS ANY DEVICE IN, ON, OR BY WHICH ANY INDIVIDUAL OR PROPERTY IS OR MIGHT BE TRANSPORTED OR TOWED ON A HIGHWAY. ALL AS DEFINED BY SECTION 11-176 OF THE TRANSPORTATION ARTICLE OF THE MARYLAND CODE. VEHICLE INCLUDES A LOW SPEED VEHICLE

AND AN OFF-HIGHWAY RECREATIONAL VEHICLE. AS DEFINED HEREIN AN ELECTRONIC PERSONAL ASSISTIVE MOBILITY DEVICE IS NOT A VEHICLE AND A VEHICLE DOES NOT INCLUDE AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE AS DEFINED IN SECTION 21-101(J) OF THE TRANSPORTATION ARTICLE. SECTION 10-119. PERMITS, DESIGNATION/WITHDRAWAL OF DESIGNATION OF RESIDENTIAL PARKING PERMIT AREAS.

A. EXCEPT AS PROVIDED HEREIN, THE TOWN OF COLMAR IS HEREBY DESIGNATED A RESIDENT RESTRICTED PARKING AREA. CURBSIDE PARKING SPACES AND PROPERTY OWNED OR LEASED TO THE TOWN WHEREON PUBLIC PARKING PERMITTED TOWN AS HEREINAFTER DESIGNATED SHALL BE POSTED AS RESIDENTIAL PARKING PERMIT AREAS PERMITTING PARKING ONLY WHERE THE VEHICLE INCLUDING TRAILERS DISPLAYS A PERMIT ISSUED BY THE TOWN PERMITTING RESIDENTIAL PARKING DURING SPECIFIED TIMES OF THE DAY.

A-1. CRITERIA.

IN DETERMINING WHETHER AN AREA MAY BE A RESIDENTIAL PARKING PERMIT AREA, WHETHER CONDITIONS ARE TO BE IMPOSED, THE MAYOR AND TOWN COUNCIL SHALL CONSIDER FACTORS INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

- (1) THE NUMBER OF DRIVEWAYS AVAILABLE TO A RESIDENTIAL BLOCK;
- (2) THE NUMBER OF CARS WITH COLMAR MANOR RESIDENTIAL NUMBER OF CARS WITH COLMAR MANOR RESIDENTIAL PARKING STICKERS ON A GIVEN BLOCK;

B. POSTING OF RESIDENTIAL PARKING PERMIT AREA.

UPON THE INITIAL FUTURE EFFECTIVE DATES OF THE TOWN'S DESIGNATION OR WITHDRAWAL OF DESIGNATION, APPROPRIATE PARKING SIGNS SHALL BE ERECTED OR MOVED IN THE DESIGNATED AREA. THE SIGNS SHALL INDICATE PROMINENTLY THAT CURBSIDE PARKING ON PUBLIC STREETS IN THE DESIGNATED AREA FOR THE TIME OF THOSE POSTED IS PROHIBITED UNLESS THE VEHICLE OR TRAILER PROPERLY DISPLAYS A PARKING PERMIT AUTHORIZED BY THIS ARTICLE.

C. THE MAYOR AND TOWN COUNCIL FIND THE RESTRICTED PARKING PERMITS HOURS TO BE POSTED SHALL BE FROM 5:00 P.M. UNTIL 10:00 A.M. THE FOLLOWING DAY FOR EACH DAY OF THE WEEK **INCLUDING SATURDAY AND SUNDAY.**

D. THE PARKING RESTRICTIONS APPLICABLE TO ALL VEHICLES IN CURBSIDE PARKING SPACES ALONG PUBLIC STREETS AND HIGHWAYS IN THE DESIGNATED AREA THAT DO NOT PROPERLY DISPLAY A PARKING PERMIT AUTHORIZED BY THE PROVISIONS HEREOF.

E. THE PARKING RESTRICTIONS APPLICABLE TO ALL VEHICLES AND TRAILERS IN CURBSIDE PARKING SPACES ALONG PUBLIC STREETS AND HIGHWAYS IN THE DESIGNATED AREA THAT DO NOT PROPERLY DISPLAY A PARKING PERMIT AUTHORIZED BY THE PROVISIONS HEREOF.

SECTION 10-120 ISSUANCE & TRANSFER OF RESIDENTIAL PARKING PERMITS.

A. ISSUANCE.

(A) **RESIDENTIAL PARKING PERMITS FOR VEHICLES AND TRAILERS AS PROVIDED HEREIN SHALL BE ISSUED BY THE TOWN FOR A PERIOD OF THREE YEARS, WHICH ISSUANCE MAYBE RENEWED AS PROVIDED HEREIN.**

1. [AN] APPLICATION FOR RESIDENTIAL PARKING PERMIT. THE APPLICANT IS TO PROVIDE AT A MINIMUM THE FOLLOWING INFORMATION FOR EACH MOTOR VEHICLE AND TRAILER TO RECEIVE A RESIDENTIAL PARKING PERMIT:

[A VALID MOTOR VEHICLE ADMINISTRATION PERMIT SHOWING COLMAR MANOR AS THE TOWN OF RESIDENCE;]

A **MARYLAND** VALID VEHICLE REGISTRATION AND A MOTOR VEHICLE REGISTRATION CHANGE OF ADDRESS CARD, **IF APPLICABLE**, SHOWING COLMAR MANOR AS THE TOWN OF RESIDENCE;

(~~2~~[3]) THE MAKE, MODEL, LICENSE PLATE NUMBER AND VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE OR TRAILER; AND

(~~3~~[4]) THE NAME, ADDRESS AND SIGNATURE OF THE APPLICANT FOR THE RESIDENTIAL PARKING PERMIT.

(A) A VALID MARYLAND VEHICLE ADMINISTRATION DRIVER'S LICENSE, **IF THE VEHICLE OWNER HAS A DRIVER'S LICENSE**, SHOWING COLMAR MANOR AS THE TOWN OF RESIDENCE OR A VALID MARYLAND VEHICLE ADMINISTRATION DRIVER'S LICENSE SHOWING COLMAR MANOR AS THE TOWN OF RESIDENCE AND A CHANGE OF ADDRESS CARD SHOWING COLMAR MANOR AS THE TOWN OF RESIDENCE.

(A[B]) SUBJECT TO THE LIMITATIONS OUTLINED HEREIN, UPON THE APPLICANT'S SUBMISSION OF A COMPLETED AND VALIDATED RESIDENTIAL PARKING PERMIT APPLICATION, AND FULFILLMENT OF ALL APPLICABLE PROVISIONS HEREOF CONTROLLING ISSUANCE, OR TRANSFER OF RESIDENTIAL PARKING PERMITS, THE APPLICANT MAY RECEIVE ONE (1) RESIDENTIAL PARKING PERMIT FOR THE MOTOR VEHICLE DESCRIBED IN THE APPLICATION. THE RESIDENTIAL PARKING PERMIT SHALL BE SECURELY AFFIXED TO THE INSIDE OF THE VEHICLE AT A LOCATION DIRECTED BY THE TOWN.

(B[C]) THE RESIDENT PARKING PERMIT SHALL DISPLAY THE PERMIT NUMBER AND NUMERICAL DESIGNATION OF THE RESIDENTIAL PARKING PERMIT AREA.

(C[D]) SUBJECT TO THE LIMITATIONS OUTLINED HEREIN, UPON THE APPLICANT'S SUBMISSION OF A COMPLETED AND VALIDATED RESIDENTIAL PARKING PERMIT APPLICATION, AND FULFILLMENT OF ALL APPLICABLE PROVISIONS HEREOF CONTROLLING ISSUANCE, OR TRANSFER OF RESIDENTIAL PARKING PERMITS, THE APPLICANT MAY RECEIVE ONE (1) RESIDENTIAL PARKING PERMIT, VALID FOR A PERIOD OF THREE YEARS FROM BEGINNING MAY 15, 2019 OR THE DATE OF ISSUE WHICHEVER COMES LATER, FOR THE VEHICLE OR TRAILER DESCRIBED IN THE APPLICATION. THE PARKING PERMIT SHALL BE SECURELY AFFIXED TO THE INSIDE OF THE WINDSHIELD ON THE DRIVER'S SIDE **, OR AT SUCH OTHER LOCATION AS DIRECTED BY THE CHIEF OF POLICE** [VEHICLE AT A LOCATION DIRECTED BY THE TOWN] . **A RESIDENTIAL PARKING PERMIT FOR A TRAILER SHALL BE SECURELY AFFIXED TO THE TRAILER NEAR THE LICENSE PLATE**

**OF THE TRAILER OR AT SUCH LOCATION AS DIRECTED BY THE CHIEF OF
POLICE.**

5. OTHER REQUIREMENTS.

A. NO RESIDENTIAL PARKING PERMIT SHALL BE ISSUED TO A VEHICLE OR A TRAILER WHOSE PRINCIPAL OPERATOR DOES NOT RESIDE WITHIN THE DESIGNATED RESIDENTIAL PARKING PERMIT AREA. EXCEPT AS PROVIDED HEREIN[.], THE APPLICANT FOR, AND HOLDER OF, THE RESIDENTIAL PARKING PERMIT SHALL BE THE OWNER OR PRINCIPAL OPERATOR OF THE VEHICLE OR TRAILER RECEIVING THE PARKING PERMIT.

B. A MOTOR VEHICLE OR TRAILER SHALL BE ISSUED A RESIDENTIAL PARKING PERMIT ONLY IF IT DISPLAYS VALID LICENSE PLATES ISSUED BY THE MARYLAND MOTOR VEHICLE ADMINISTRATION.

C. UPON NOTICE TO THE RESIDENT OF AN UNPAID CITATION ISSUED TO THE VEHICLE OR ANY LICENSED OPERATOR THEREOF THAT IS LEGALLY OVERDUE, THE TOWN MAY REVOKE THE PERMIT.

D. EXCEPT AS PROVIDED ELSEWHERE HEREIN, THERE SHALL BE NO FEE FOR ANY PERMIT ISSUED FOR ANY VEHICLE OR TRAILER TITLED TO A COLMAR MANOR RESIDENT AND NOT USED IN A TRADE OR BUSINESS.

E. PERMITS ISSUED FOR [VEHICLES AND] TRAILERS WHICH ARE OPERATED BY COLMAR MANOR RESIDENTS AND USED IN THEIR BUSINESS OR TRADE SHALL BE SUBJECT TO PAYMENT OF A FEE OF [~~\$300.00~~]\$100.00.

F. PERMITS ISSUED FOR TRAILERS WHICH ARE OPERATED BY COLMAR

**MANOR RESIDENTS AND USED IN THEIR EMPLOYER'S BUSINESS OR TRADE
SHALL BE SUBJECT TO PAYMENT OF A FEE OF \$300.00.**

6. TRANSFER.

UPON THE HOLDER'S PAYMENT OF ANY HEREINAFTER ESTABLISHED FEE SUBMISSION OF COMPLETE AND VALIDATED RESIDENTIAL PARKING PERMIT APPLICATION, FULFILLMENT OF ALL APPLICABLE PROVISIONS HEREOF CONTROLLING ISSUANCE, RENEWAL, OR TRANSFER OF RESIDENTIAL PARKING PERMITS, AND SURRENDER OF THE EXISTING RESIDENTIAL PARKING PERMIT, THE HOLDER SHALL RECEIVE A NEW RESIDENTIAL PARKING PERMIT FOR THEIR QUALIFYING VEHICLE OR TRAILER.

7. REPLACEMENT.

UPON THE HOLDER'S PAYMENT OF ANY HEREINAFTER ESTABLISHED FEE, VERIFICATION OF THE HOLDER'S PRIOR SUBMISSION OF A COMPLETED AND VALIDATED RESIDENTIAL PARKING PERMIT APPLICATION, FULFILLMENT OF ALL APPLICABLE PROVISIONS HEREOF AND AFFIRMATION THAT THE HOLDER'S PERMIT WAS LOST, STOLEN, OR DESTROYED, THE HOLDER MAY RECEIVE A NEW RESIDENTIAL PARKING PERMIT. THE LOST, STOLEN OR DESTROYED PERMIT SHALL BE CONSIDERED VOID, AND THEREUPON ANY USE OF A VOIDED PERMIT IS PROHIBITED.

SECTION 10-121. TEMPORARY PERMITS.

A. DISPLAY OF TEMPORARY PARKING PERMITS.

ALL TEMPORARY PARKING PERMITS SHALL BE DISPLAYED ON OR ABOUT

THE FRONT WINDSHIELD OF THE VEHICLE SO AS TO BE EASILY VISIBLE FROM OUTSIDE THE VEHICLE. SUCH PARKING PERMITS SHALL CONTAIN THE PERMIT NUMBER AND THE NUMERICAL DESIGNATION OF THE RESIDENTIAL PARKING PERMIT AREA.

B. TEMPORARY PARKING PERMITS

[1. THE TOWN MAY ISSUE A TEMPORARY PARKING PERMIT FOR VEHICLES THAT BELONG TO A STUDENT RESIDENT IN COLMAR MANOR DURING THE COURSE OF THEIR ACADEMIC YEAR OR A MEMBER OF THE MILITARY SERVICES OF THE UNITED STATES ON ACTIVE DUTY OR A RESIDENT WHOSE HOME CANNOT BE OCCUPIED BECAUSE OF ONGOING IMPROVEMENTS AS FOLLOWS:

2. SUCH PERMITS ARE TO BE ISSUED FOR A PERIOD OF THREE (3) MONTHS OR LONGER COMMENSURATE WITH THE ACADEMIC TERM, MILITARY ASSIGNMENT, OR THE PERIOD OF TIME NO GREATER THAN IS NECESSARY TO COMPLETE THE MILITARY ASSIGNMENT, OR THE PERIOD OF TIME NO GREATER THAN IS NECESSARY TO COMPLETE THE HOME IMPROVEMENT PERMITTING OCCUPANCY. IN EACH SITUATION THE INDIVIDUAL REQUESTING THE PERMIT SHALL PROVIDE TO THE TOWN SUCH INFORMATION AS REQUIRED BY THE TOWN TO ISSUE THE PERMIT AUTHORIZED BY THIS SECTION.]

1. THE TOWN MAY ISSUE TEMPORARY PARKING PERMITS TO TOWN RESIDENTS FROM TIME TO TIME IF THE RESIDENT DEMONSTRATES THE NEED TO THE SATISFACTION OF THE TOWN THAT THE ISSUANCE OF A TEMPORARY PARKING PERMIT IS NECESSARY AND PROPER.

SECTION 10-122 USE OF PARKING PERMITS & EXEMPTIONS.

- A. A PARKING PERMIT SHALL NOT GUARANTEE OR RESERVE A PARKING SPACE WITHIN A DESIGNATED RESIDENTIAL PARKING PERMIT AREA. A PARKING PERMIT SHALL NOT AUTHORIZE THE STANDING OR PARKING OF ANY VEHICLE IN SUCH PLACES AND DURING SUCH TIMES WHEN THE STOPPING, STANDING OR PARKING OF VEHICLES IS PROHIBITED OR SET ASIDE FOR SPECIFIED TYPES OF VEHICLES, AND SHALL NOT EXCUSE THE OBSERVANCE OF ANY TRAFFIC ORDINANCE OR REGULATION.
- B. WHENEVER THE HOLDER OF A PARKING PERMIT, OR THE VEHICLE OR TRAILER FOR WHICH THE PARKING PERMIT WAS ISSUED, NO LONGER FULFILLS ONE OR MORE OF THE APPLICABLE PROVISIONS HEREOF CONTROLLING ISSUANCE, RENEWAL OR TRANSFER OF PARKING PERMITS, THE PERMIT SHALL BE DEEMED TO HAVE EXPIRED AND THE HOLDER SHALL NOTIFY THE TOWN, AND SURRENDER THE PARKING PERMIT. UNTIL ITS EXPIRATION, SURRENDER OR REVOCATION, A PARKING PERMIT SHALL REMAIN VALID FOR SUCH TIME AS THE MAYOR AND TOWN COUNCIL DESIGNATE FOR RENEWAL AND THE HOLDER CONTINUES TO RESIDE WITHIN THE DESIGNATED RESIDENTIAL PARKING PERMIT AREA.
- C. THERE IS NO SUBSECTION C.
- D. IT SHALL BE A VIOLATION HEREOF FOR THE HOLDER OF A PARKING PERMIT TO FAIL TO SURRENDER THE PERMIT WHEN DIRECTED TO DO SO BY THE CHIEF OF POLICE OR AUTHORIZED PERSON.

E. IT SHALL BE A VIOLATION HEREOF FOR ANY PERSON TO REPRESENT IN ANY FASHION THAT A VEHICLE IS ENTITLED TO A PARKING PERMIT AUTHORIZED HEREIN WHEN THEY OR IT ARE NOT SO ENTITLED. THE DISPLAY OF A PARKING PERMIT ON A VEHICLE NOT ENTITLED TO SUCH A PARKING PERMIT SHALL CONSTITUTE SUCH A REPRESENTATION.

F. IT SHALL BE A VIOLATION HEREOF FOR ANY PERSON BY ANY MEANS TO DUPLICATE, ATTEMPT TO DUPLICATE OR DISPLAY A PARKING PERMIT ISSUED UNDER THE TERMS HEREOF.

G. EXEMPTIONS.

1. THE PROVISION HEREOF SHALL NOT SUPERSEDE THE PROVISIONS OF THE TOWN ORDINANCES, COUNTY AND STATE LAWS RELATING TO PARKING BY DISABLED PERSONS.

2. THE FOLLOWING VEHICLES ARE SPECIFICALLY EXEMPTED FROM THE PARKING RESTRICTIONS IMPOSED HEREIN:

(A) A MOTOR VEHICLE OR TRAILER OWNED BY, OR OPERATED UNDER CONTRACT TO A UTILITY, WHEN USED IN THE CONSTRUCTION, OPERATION, REMOVAL OR REPAIR OF UTILITY PROPERTY OR FACILITIES OR ENGAGED IN WORK IN THE DESIGNATED RESIDENTIAL PARKING PERMIT AREA.

(B) A MOTOR VEHICLE IDENTIFIED AS OWNED BY OR OPERATED UNDER CONTRACT TO A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AGENCY AND BEING USED IN THE COURSE OF OFFICIAL GOVERNMENT BUSINESS.

(C) AN AUTHORIZED EMERGENCY VEHICLE AS DEFINED BY STATE LAW.

SECTION 10-123. REGULATIONS & ENFORCEMENT.

THE CHIEF OF POLICE IS AUTHORIZED TO ESTABLISH ALL WRITTEN REGULATIONS AND PROCEDURE NECESSARY TO IMPLEMENT AND ENFORCE THE PROVISIONS HEREOF AND COLLECT ALL FEES AND FINES.

SECTION 10-124 DESIGNATION OF PARKING FOR RESIDENTIAL PARKING AREAS.

THE MAYOR AND TOWN COUNCIL MAY DESIGNATE ANY AREA OF THE TOWN TO BE PARKING FOR RESIDENTIAL PARKING ONLY AT ANY AND ALL TIMES, TEMPORARILY OR PERMANENTLY.

SECTION 10-125. RESTRICTION & PENALTY.

A. IT SHALL BE A MUNICIPAL INFRACTION FOR ANY PERSON TO PARK OR LEAVE STANDING ANY VEHICLE DURING THE TIME DESIGNATED ON THE POSTED SIGNS IN A DESIGNATED RESIDENTIAL PERMIT PARKING AREA, WITHOUT A PERMIT FOR SUCH ZONE. UNLESS OTHERWISE PROVIDED, THE PENALTY FOR EACH PARKING VIOLATION HEREOF SHALL BE A FINE OF FIFTY AND 00/00 DOLLARS (\$50.00).

B. IT SHALL BE A MUNICIPAL INFRACTION FOR ANY PERSON TO VIOLATE ANY PROVISIONS HEREOF OTHER THAN THE PARKING PROVISIONS AS OUTLINED IMMEDIATELY ABOVE. THE PENALTY SHALL BE ONE HUNDRED DOLLARS (\$100.00).

C. THE FALSIFICATION OF ANY APPLICATION FOR A PERMIT OR TEMPORARY PERMIT, THE USE OF ANY PERMIT, GUEST PERMIT OR TEMPORARY PERMIT BY

OTHER THAN THE PERMITEE AND THE ALLOWANCE OF SUCH USE BY A PERMITEE SHALL ALL CONSTITUTE MUNICIPAL INFRACTIONS. THE PENALTY SHALL BE A FINE OF FIVE HUNDRED AND 00/00 DOLLARS (\$500.00) FOR THE FIRST OFFENSE AND ONE THOUSAND AND 00//00 DOLLARS (\$1,000.00) FOR EACH SUBSEQUENT OFFENSE.

D. A REQUEST FOR **THE RENEWAL OF A PARKING PERMIT MAY BE MADE WITHIN SIX MONTHS FOLLOWING ITS EXPIRATION WITHOUT CHARGE.** [THE RENEWAL OF A PERMIT AFTER EXPIRATION THEREOF SHALL BE SUBJECT TO A FEE OF \$45.00]. **ALL REQUESTS SEEKING A RENEWAL FOLLOWING SUCH SIX MONTH PERIOD SHALL BE SUBJECT TO A FEE OF \$45.00.**

SECTION 10-124. REVOCATION OF PERMIT

A. IN ADDITION TO THE PENALTIES PROVIDED ABOVE FOR VIOLATION HEREOF, THE TOWN MAY REVOKE THE RESIDENTIAL PARKING PERMIT OF ANY PERSON FOUND TO BE IN VIOLATION HEREOF AND, UPON WRITTEN NOTIFICATION THEREOF, THE PERSON SHALL SURRENDER SUCH PERMIT TO THE TOWN.

B. FAILURE TO SURRENDER A REVOKED RESIDENTIAL PARKING PERMIT WHEN REQUESTED TO DO SO SHALL CONSTITUTE A SEPARATE MUNICIPAL INFRACTION.

C. NOTHING IN HEREIN SHALL BE CONSTRUED AS AUTHORIZING A PERMITEE TO VIOLATE ANY TRAFFIC REGULATION, EMERGENCY OR OTHERWISE, DULY ADOPTED BY THE TOWN.

SECTION 10-125 **VISITOR** PARKING AND PERMITS

1. THE MAYOR AND TOWN COUNCIL MAY DESIGNATE ANY AREA OR PARKING SPACE IN THE TOWN TO BE PARKING FOR VISITOR [RESIDENTIAL] PARKING ONLY AT ALL TIMES, TEMPORARILY OR PERMANENTLY.

[1]2. ISSUANCE OF VISITOR PERMITS. UPON APPLICATION OF ANY RESIDENT AND UPON GOOD CAUSE BEING SHOWN, THE MAYOR OR HER/HIS DESIGNEE MAY ISSUE A VISITOR PARKING PERMIT TO A RESIDENT FOR VEHICLES BELONGING TO A VISITOR TO THEIR RESIDENCE. SAID VISITOR PARKING PERMIT TO BE SUBJECT TO SUCH LIMITATIONS AS A REASONABLY IMPOSED BY THE MAYOR UPON ALLOCATION AND SHOWING OF GOOD CAUSE. THE ADMINISTRATIVE OFFICE MAY ALSO ISSUE TO A SPECIFIED RESIDENT AN UNLIMITED NUMBER OF VISITOR PERMITS. FOR THE PURPOSES HEREOF, THE RESIDENT SHALL BE THE HOLDER OF AND RESPONSIBLE FOR THE USE AND MISUSE OF VISITOR PARKING PERMITS ISSUED TO THE RESIDENT.

[2]3. DISPLAY OF VISITOR PARKING PERMITS. ALL VISITOR PARKING PERMITS SHALL BE DISPLAYED ON OR ABOUT THE FRONT WINDSHIELD OF THE VEHICLE SO AS TO BE EASILY VISIBLE FROM THE OUTSIDE OF THE VEHICLE.

[3]4. NO VEHICLE ISSUED A RESIDENTIAL PARKING PERMIT SHALL PARK IN A PARKING SPACE POSTED FOR NON-PERMIT VEHICLE PARKING BETWEEN THE HOURS 5:00 P.M. AND 10:00 P.M.

[4. THE MAYOR AND TOWN COUNCIL MAY DESIGNATE ANY AREA OR

PARKING SPACE IN THE TOWN TO BE PARKING FOR **VISITOR** [RESIDENTIAL]
PARKING ONLY AT ALL TIMES, TEMPORARILY OR PERMANENTLY.]

SECTION 10-126 PARKING OF VEHICLE ISSUED RESIDENTIAL PARKING

PERMIT IN SPACE POSTED FOR NON-PERMIT VEHICLE

**1. NO VEHICLE ISSUED A RESIDENTIAL PARKING PERMIT SHALL PARK IN
A PARKING SPACE POSTED FOR NON-PERMIT VEHICLE PARKING BETWEEN
THE HOURS 5:00 P.M. AND 10:00 P.M.**

Section 2. Severability.

If any section, subsection, sentence, clause, phrase or portion thereof is held to be invalid, or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions hereof.

SECTION 3. BE IT FURTHER ENACTED that pursuant to the authority contained in Section 307 of the Town Charter, the Mayor and Town Council hereby find and declare that for the good government of the Town, timely enforcement of the foregoing matter as an ordinance of the Town is necessary and in the public interest. Therefore, the Mayor and Town Council, after the holding of a public hearing on the matters and issues contained herein, duly noticed, declare the purposes and provisions of this ordinance to be an emergency, thereby suspending any waiting period before this ordinance may become effective.

Section 4. BE IT FURTHER ENACTED that this Ordinance shall take effect on the date of its enactment.

Introduced on the _____ day of _____ 2020.

Adopted on the _____ day of _____ 2020.

ATTEST:

MAYOR AND TOWN COUNCIL OF COLMAR MANOR,
MARYLAND

Daniel R. Baden
Clerk-Treasurer

Sadara Barrow
Mayor

Lois Ann Blue
Councilmember, Ward 1

Cynthia Bowdin
Councilmember, Ward 2

Vivian Jackson
Councilmember, Ward 3

Melinda Mendoza
Councilmember, Ward 4

I certify that the following motion was made at the meeting of the Mayor and Town Council of Colmar
Manor held on _____, 2020.

Motion: Councilmember _____ moved that the Mayor and Town Council
adopt Ordinance No. O - _____ - 2020 repealing and reenacting Sections 10-117 through
10-124 of the Code of Ordinances of the Town.

Motion Seconded: Councilmember _____

Vote:

Clerk-Treasurer to the Mayor and Town Council of Colmar Manor _____

SAMPLE