

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2008, Legislative Day No. 12

Bill No. 70-08

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Mr. Kevin Kamenetz, Chairman  
By Request of County Executive

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By the County Council, July 7, 2008

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A BILL  
ENTITLED

AN ACT concerning

Parking Enforcement

FOR the purpose of authorizing the county to enforce certain parking law on certain private property under certain circumstances; authorizing the director of budget and finance to waive certain fines under certain circumstances; authorizing the director of budget and finance to appoint parking enforcement officers; clarifying the authority to enforce law on fire lanes; clarifying a section on civil penalties; defining a certain term; and generally relating to parking enforcement in the county.

By adding

Section 18-2-104  
Article 18. Transportation  
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 18-1-101, 18-2-203(a), 18-2-208(a), 18-2-210(a), 18-2-701(a), 18-2-702(a) and 18-2-703(b)  
Article 18. Transportation  
Baltimore County Code, 2003

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1           SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that Section 18-2-104 is hereby added to Article 18. Transportation,  
3 of the Baltimore County Code, 2003, as amended, to read as follows:

4       § 18-2-104.

5       THE COUNTY MAY ENFORCE APPLICABLE PROVISIONS OF THIS TITLE AND  
6 ARTICLE 14, TITLE 3 OF THE CODE ON PRIVATE PROPERTY USED BY THE PUBLIC  
7 IN GENERAL.

8           SECTION 2. AND BE IT FURTHER ENACTED, that Sections 18-1-101, 18-2-203(a),  
9 18-2-208(a), 18-2-210(a), 18-2-701(a), 18-2-702(a) and 18-2-703(b), of Article 18.  
10 Transportation, of the Baltimore County Code, 2003, as amended, are hereby repealed and  
11 reenacted, with amendments, to read as follows:

12       § 18-1-101.

13           (a)     In this article the following words have the meanings indicated.

14           (b)     “County” includes an agency authorized by law or by direction of the County  
15 Executive or the County Administrative Officer to administer the provisions of this article.

16           (C) “PRIVATE PROPERTY USED BY THE PUBLIC IN GENERAL” MEANS A  
17 PARKING LOT OF A SHOPPING CENTER, CONDOMINIUM BUILDING, APARTMENT  
18 BUILDING OR DEVELOPMENT, OR TOWN HOUSE DEVELOPMENT WHERE OFFICIAL  
19 COUNTY PARKING SIGNS OR FIRE HYDRANTS HAVE BEEN SITUATED.

20           [(c)] (D)(1)   “Vehicle” means:

21                   (i)     An automobile, motorcycle, wagon, carriage, omnibus, pushcart,  
22 bicycle, or other conveyance driven, propelled, or ridden by any force or power and in any

manner, which is or may be used for pleasure riding or transportation of passengers, baggage, merchandise, or freight on a public highway;

(ii) A commercial stand whether on wheels or not; and

(iii) A draught or riding animal.

(2) When an animal is attached to a vehicle, the animal and vehicle constitute one vehicle.

(3) "Vehicle" does not include a baby carriage.

§ 18-2-203.

(a) A person may not park an [unlicensed] UNREGISTERED vehicle or a vehicle with an expired [license] REGISTRATION on a public road, highway, street, avenue, or alley OR ON PRIVATE PROPERTY USED BY THE PUBLIC IN GENERAL.

§ 18-2-208.

(a) Except during a 48-hour period while loading or unloading, a person may not park a nonmotorized vehicle of any length on a street in the county, INCLUDING ON PRIVATE PROPERTY USED BY THE PUBLIC IN GENERAL, whether the nonmotorized vehicle is attached to a motorized vehicle or not.

§ 18-2-210.

(a) A person may not park a motor vehicle in a space designated for the use of individuals with [disabilities] DISABILITIES, INCLUDING ON PRIVATE PROPERTY USED BY THE PUBLIC IN GENERAL, unless the vehicle bears a special registration plate, removable windshield placard, or a temporary removable windshield placard for disabled individuals issued by the State Motor Vehicle Administration or as otherwise provided under state law.

1     § 18-2-701.

2             (a)     The Director of Budget and Finance may:

3                     (1)     Subject to the approval of the County Administrative Officer, adopt and  
4     amend regulations necessary or proper to collect the fines and penalties imposed by this title and  
5     to define any terms used in connection with the collection of fines and penalties;

6                     (2)     Waive all fines, penalties, charges, and costs if:

7                             (i)     There has been a material error in the preparation of the violation  
8     notice; or

9                             (ii)    The violation notice was not validly issued;

10                    (3)     Delegate to an agent, representative, or employee of the Director of  
11     Budget and Finance or the county any of the Director's powers, duties, or functions in connection  
12     with the collection of the fines, penalties, charges, and costs imposed by this title and the  
13     enforcement of the related provisions;

14                    (4)     Refund the amount of any overpayment of any charge paid in error within  
15     3 years after the date of payment;

16                    (5)     In accordance with the regulations, refund or waive collateral, towing  
17     charges, and storage costs when, in the opinion of the Director of Budget and Finance, these  
18     charges have been improperly assessed; [and]

19                    (6)     Declare invalid and cancel a violation notice for a stopping, standing, or  
20     parking violation:

21                             (i)     If there was a defect in the traffic-control device related to the  
22     device's regulation of stopping, standing, or parking; or

(ii) Where there has been insufficient or improper notice of [violation]  
VIOLATION; AND

(7) WAIVE UP TO HALF OF ALL PENALTIES AND CHARGES  
IMPOSED ON A PERSON AT THE DIRECTOR'S DISCRETION.  
§ 18-2-702.

(a) In addition to the costs established in the Courts Article of the Annotated Code of  
Maryland, the following fines are imposed:

(1) A parking meter violation is punishable by a fine of \$16;

(2) An off-street head-in violation on a parking meter lot is punishable by a  
fine of \$21;

(3) Except as provided in paragraph (4) of this subsection, parking where or  
when prohibited is a violation punishable by a fine of \$25;

(4) Prohibited parking on city property at Loch Raven, Pretty Boy, and  
Liberty Reservoirs is a violation punishable by a fine of \$35;

(5) Stopping or standing violations are punishable by a fine of \$25; [and]

(6) OBSTRUCTING A FIRE LANE OR PARKING IN A FIRE LANE IN  
VIOLATION OF § 14-3-103 OF THE CODE IS A VIOLATION PUNISHABLE BY A FINE  
OF \$43;

(7) PARKING IN A SPACE DESIGNATED FOR THE USE OF  
INDIVIDUALS WITH DISABILITIES IN VIOLATION OF § 18-2-210 OF THIS TITLE IS A  
VIOLATION PUNISHABLE BY A FINE OF \$75; AND

[(6)] (8) [All] EXCEPT AS PROVIDED IN §§ 18-2-206(E) AND 18-2-211  
OF THIS TITLE, ALL other parking violations are punishable by a fine of \$32.

1     § 18-2-703.

2             (b)     (1)     Subject to subsections (d) and (e) of this section, the [County Executive]  
3     DIRECTOR OF BUDGET AND FINANCE   may designate parking enforcement officers to  
4     patrol the county in order to enforce this [title] TITLE, ARTICLE 14, TITLE 3 OF THE CODE,  
5     and the county parking regulations.

6             SECTION 3. AND BE IT FURTHER ENACTED, that this Act having been passed by  
7     the affirmative vote of five (5) members of the County Council shall take effect August 17,  
8     2008.

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