

CHAPTER 98

PARKING, TRAFFIC AND TRUCK REGULATIONS

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ARTICLE I  
PARKING REGULATIONS

Section 9801 Prohibited Parking Generally

No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or when directed by proper authority, in any of the following places:

- (A) Within twenty-five (25) feet of the approach side of any stop, slow or caution sign.
- (B) Within fifteen (15) feet of a fire hydrant.
- (C) Closer to an intersection than twenty-five (25) feet.
- (D) In front of any public driveway or in front of any private driveway.
- (E) On any sidewalk, paved or unpaved.
- (F) At any place where official signs or yellow lines painted on the edges of the street prohibit parking or stopping.
- (G) Parallel to another vehicle parked on the same side of the street.
- (H) In a space or zone officially marked as restricted for use by individuals with disabilities unless the vehicle bears a special registration plate or parking permit for individuals with disabilities issued by the Motor Vehicle Administration, another state, the District of Columbia or another country. Each twenty-four (24) hour period that a vehicle remains unlawfully parked in a space reserved for parking for individuals with disabilities shall constitute a separate violation.
- (I) In the same place on any street, road, alley or highway for longer than seventy-two (72) hours without a permit issued by the Town Administrator for good cause.

( adopted 3/20/17)

Section 9802 Street Parking Regulations

(A) Unless parking space in some other portion of the street is provided by the Town, all vehicles not in motion shall be parked or placed with their right side parallel to and within twelve (12) inches of the curb or improved surface on the right-hand side of the highway or street, except where traffic is permitted to move in one (1) direction only, in which case they shall be parked or placed with their right side parallel to and within twelve (12) inches of the curb or improved surface on the right-hand side or their left side parallel to and within twelve (12) inches of the curb or improved surface on the left-hand side of said street or highway.

(B) It shall be unlawful to park any motor vehicle that is required to be registered under State law with expired registration, no registration, altered registration or registration listed to another vehicle on a public street, highway, alley or private property used by the public in general, including, but not limited to, parking lots of shopping centers, condominiums, apartment

and Town home developments within the Town. If the vehicle is covered, the entire license plate shall not be covered, and shall be visible in its entirety.

(C) Emergencies

Whenever in the discretion of the Town Manager or the Chief of Police an emergency shall exist, or construction or repair work shall require, or other conditions affecting traffic shall necessitate, the Town Manager or the Chief of Police is hereby authorized and empowered to temporarily close any street or any part thereof within the corporate limits of the Town and to temporarily forbid or regulate parking in the affected area.

(D) Snow

Whenever snow has accumulated in the streets of the Town to a depth of one (1) inch or more, the following procedures apply to all vehicles parked or left to stand on the streets of the Town:

(1) On one-way streets or on streets with a median separating the travel lanes, vehicles must be at the right curb facing in the direction of travel in that lane.

(2) On all streets other than those listed in sub-section one (1), vehicles must be parked on the odd numbered side of the street.

(3) Vehicles shall otherwise be parked or left as directed by the police or public works personnel.

(4) Trailers, including boat -and- trailers and travel trailers, must not be on any street unless the owner/lessor of the trailer is a resident of the Town and can demonstrate that the owner/lessor has no off-street parking on the property in which the owner/lessee resides.

(5) The provisions of this sub-section 9802(D) shall be effective without notification and shall remain in effect until the street is plowed; provided however that when snow shall accumulate to a depth of one (1) inch or more after 11:00 p.m. the provisions of this Sub-Title 9802(D) shall not be effective until 7:00 a.m. on the day following and shall remain in effect until the street is plowed.

(O-01-00)

(Adopted March 16, 1998)

Section 9802.1      Off-Street Parking

(A) It shall be unlawful for any person to park or allow to be parked any vehicle or trailer off any public way in a residential area unless the vehicle is parked in a residential driveway as defined in Section 7404 of the Code. If the vehicle is not in a wholly enclosed space or building and the vehicle is covered in whole or in part, the entire license plate shall not be covered and shall be visible in its entirety.

(B) Any vehicle or trailer entering any off-street parking space must do so via a dropped curb and driveway entrance. Any vehicle otherwise traversing Town property between the street

and abutting private property to gain access to an off-street parking area may be cited for said violation.

(C) Notwithstanding the provisions of paragraph B, herein above, any owner of property currently having roll-type curbing, rather than a dropped curb and driveway entrance, is not required to comply with the requirement of having such a dropped curb and driveway entrance until such time as street improvements are undertaken by the Town. After such street improvements occur, the owners affected shall be notified that they shall immediately comply with this ordinance or be subject to the penalties provided hereunder.

(D) Any violation of this section shall be a municipal infraction subject to the penalties provided in Chapter 28, Section 2802 of this Code. Each dour (24) hour period during which a vehicle is parked in violation of this section shall be a separate offense. In addition to the penalties provided in Section 2802, the owner of the premises upon which such vehicle is parked shall be subject to the penalties provided in such section.

#### Section 9803 Vehicles prohibited in Town Parks

Except on official Town business, no person shall operate a private or commercial vehicle in such a manner that it shall cross over, park or stand on public property designated as a Town park area.

#### Section 9804 Parking restrictions for certain vehicles

(A) No person shall stand or park or allow to stand or be parked the following vehicles on any street, public right of way or public property except temporarily while actually loading or unloading persons or property or while associated with work being performed on the adjacent premises:

(1) Pickup truck or any vehicle with a manufacturer rated load capacity over three-quarter (3/4) ton, or with a manufacturer gross vehicle weight of 7000 lbs or more, or dual rear wheels.

(2) A tractor-trailer truck, semi-tractor trailer, dump truck, stake body platform truck, crane, tow truck, or truck that meets any of the criteria in section 9804(A)(1) of this Code.

(3) Any trailer or other vehicle without motor power.

(4) Any bus or any house trailer for sleep or dwelling purposes.

(5) Any vehicle which leaks grease, oil, or other corrosive substances.

(6) Any vehicle that:

(a) Is greater that eighty (80) inches in width, including all protrusions except side mirrors;

(b) Two hundred forty (240) inches in length from bumper to bumper;

(c) Is visibly being used for storage; or

(d) Is a boat or boat and trailer.

(B) The Town Manager may grant a thirty (30) day permit for parking not in strict compliance with this section 9804 pursuant to §9811 of this Code. As to a boat and trailer, the Town Manager may grant a permanent exception under the conditions outlined in §9811 so long as a resident demonstrates that his/her dwelling has no driveway or area to park the boat and trailer.

(O-11-20-2017)

Section 9805                      Vehicle repairs

No person shall repair any motor vehicle on any street if such repair work causes or is likely to cause any grease, oil or gasoline to drop or spill upon the surface of said street, nor shall any person perform any repair work of other than an emergency nature on any vehicle on any street.

Section 9806                      Violations and Penalties

(A) In the case of all parking violations in the corporate limits of the Town of Landover Hills, the police officer who discovers the vehicle illegally parked in the absence of the operator shall attach a summons to the vehicle in a conspicuous place or, if the operator is present, deliver the summons to the operator.

(B) For the violation of any parking regulation in the article, the fine shall be as set forth in Section 2802 of Chapter 28 of this Code.

(C) The Town of Landover Hills cooperates with the Maryland Department of Transportation Motor Vehicle Administration's Vehicle Tag-Flagging Program. Parking violators whose tags are flagged under this program must pay an administrative charge to the Town, as well as the applicable fines. Administrative charges and parking fines are set forth in Sections 2801 and 2802 of Chapter 28 of this Code. (O-01-02)

ARTICLE II

TRAFFIC REGULATION

Section 9807                      General Provisions

(A) Unless otherwise defined herein, words and phrases, when used in these sections on traffic regulations, shall have the meanings ascribed to them in the Maryland Vehicle Law (titles 11 through 27 of the Transportation Article of the Annotated Code of Maryland), as now in force or as hereafter amended, enacted or reenacted, except where the context clearly indicates a different meaning.

(B) These sections on traffic regulations and any regulations adopted thereby may be enforced by any police officer of the state of Maryland or of any political subdivision thereof having jurisdiction as well as those police and code enforcement officers, or other persons designated by the Town.

(C) In the event any civil, criminal or traffic citation is issued regarding any traffic or parking violation or infraction, and the citation sets a deadline for payment of the fine, (if no court date is requested) and the date of the deadline passes without the Town receiving the fine, or a request for a court date, there shall be due to the Town an additional amount as a late charge, as provided in §2801 of this Code, provided the citation contains notice of such late charge and the due date.

(D) The Town of Landover Hills cooperates with the Maryland Department of Transportation Motor Vehicle Administration's vehicle tag-flagging program. Violators whose tags are flagged under this program must pay an administrative charge to the Town for removal of the tag, as well as the applicable fines. Administrative charges and fines are set forth in Sections 2801 and 2802 of Chapter 28 of this Code.

(O-01-02)

Section 9808                      Barricades

No person shall drive into any street which is barricaded for the purpose of preventing the use of the street by vehicular traffic, and no person shall destroy, damage, remove, tamper with or fail to observe any barricades, signs or lights which have been placed on the right-of-way of the street for any reason which the Mayor and Town Council may deem proper.

Section 9809                      Traffic Rules

(A) Definitions. A traffic control device is:

(1) a sign or light, or device that conforms in size, color, shape and graphics to the most recent version, edition, amendment or replacement of the federal highway administration manual of uniform control devices, the Maryland State Highway Administrative Manual of Uniform Traffic Control Devices for Streets and Highways, the State of Maryland Sign Book, or to signs in regular use by the Town for traffic; and

(2) is placed on or near the streets, roads or highways or other public place including property owned or leased by the Town; and

(3) governs the stopping, parking or movement of vehicles over such public streets, roads, highways, rights-of-way or property.

(B) It shall be unlawful to disregard or disobey or act in a manner contrary to the message of any traffic control device regulating speed, movement of vehicles, parking and stopping unless directed otherwise by police or public works personnel or their designees.

(C) A traffic control device or sign is presumed to be duly authorized if it conforms to the definition above in this section.

(D) The Town Manager, after consultation with the Police Department, may authorize the placement or removal of traffic control devices and signs that are determined to be necessary for the safety of all traffic in the Town.

(E) All traffic control devices which meet the requirements cited in this Section, paragraph C above and are in place within the Town on (date of passage) are hereby authorized by the Town.

(F) Nothing in this Chapter shall curtail the authority of the Mayor or Town Council over the placement or removal of approved traffic control devices in the Town by motion, resolution or ordinance.

(G) General restriction. No person shall drive a vehicle on a street or highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street or highway in compliance with legal requirements and the duty of all persons to use due care.

#### Section 9810                      Speed Monitoring Systems

(A) Speed monitoring systems.

(1) A “speed monitoring system,” as defined in Maryland law, means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at least twelve (12) miles per hour above the posted speed limit.

(2) School zone speed monitoring systems are hereby authorized at locations, determined by the chief of police or his/her designee after consultation with and agreement of the Town Manager, in school zones within the Town, as established under § 21-803.1 of the Transportation Article of the *Annotated Code of Maryland*.

(3) Before activating any school zone speed monitoring system(s) at any location where such a system had not been previously moved or placed, the Town shall:

(a) Publish notice of the location(s) of the speed monitoring system(s) on the Town website and in a newspaper of general circulation within the Town; and

(b) Ensure that each sign that designates a school zone has in close proximity to it a sign that indicates that speed monitoring systems are in use in the school zones and that the signage is in accordance with the manual for and that the specifications for a uniform system of traffic control devices adopted by the State Highway Administration.

(4) The school zone speed monitoring system may operate Monday through Friday, between 6:00 a.m. and 8:00 p.m.

(5) For a period of at fifteen (15) days after any speed monitoring system and the signage as required by §21-809 of the Transportation Article are in place, a violation recorded by any speed monitoring system in the Town shall be enforced only by the issuance of a warning.

(6) The school zone speed monitoring system in the town shall be conducted in compliance with all applicable provisions of the Maryland Vehicle Law.

(7) The Town shall name an employee as a Program Administrator to oversee the contract with the speed monitoring system contractor and shall also name another Town

employee who has not been involved in monitoring system citations, to investigate and respond to questions or concerns about the Town's speed monitoring systems as outlined in §21-809 (b)(1)(ix) of the Transportation Article.

(B) School Zones.

(1) School zones in the half mile radius around St. Mary's School and New Hope Academy be and are hereby established.

(2) Town staff is hereby authorized to take those actions necessary to allow operation of a speed monitoring system in the above designated school zone areas within the Town.

(3) Town staff is hereby authorized to take those actions necessary to obtain any required permission from the State of Maryland or other government with jurisdiction to operate a speed monitoring system within one-half mile of the school zones.

Section 9811 Truck Restrictions and Operational Requirements

(A) General Restrictions. No vehicle of any specified tonnage equipped with metal flanges or other devices which would cause damage to Town roads shall be permitted to operate within the Town, except in compliance with Subsection C hereof.

(B) Weight Limits. No trailer, semi-trailer, dump truck, cement truck or stake body truck with a manufacturer's gross vehicle weight exceeding fifteen (15) tons shall be allowed to operate on Town roads where a sign has been posted restricting such operation, except in compliance with subsection c hereof.

(C) Permits. Any person, firm or entity desiring to park or operate any vehicle on public rights of way or public property in violation of this Section may make written application for a permit from the Town Manager. The Town Manager may grant such permit for no longer than thirty (30) days under the standards outlined in Subsection E below.

(D) Exceptions. If provided by ordinance or regulation, a party may obtain a permanent exception from the strict enforcement of a vehicle or parking prohibition in the Town Code under the standards specified herein.

(E) Standards. After a formal or informal hearing the Town Manager may grant such permit or exception with or without appropriate conditions that protect the public if he/she determines that the following standards are met:

(1) The vehicle or use will not disrupt visibility or traffic flow or cause damage to any property.

(2) The vehicle or use does not present a hazard to the public or to public property.

(3) The vehicle or use is for the benefit of a property owner or resident of the Town.



(4) In the case of a thirty (30) day permit, two (2) such permits have not been granted within twelve (12) months immediately preceding the application regarding the vehicle, applicant or use.

(5) The strict observance of the Code would cause undue hardship to the property owner or resident.

(6) The activity permitted would not violate any other local, county or state law or regulation.

(F) Revocation. The Town Manager may temporarily or permanently revoke any permit or exception with or without warning if the vehicle owner or operator or any other individual using the vehicle violates any of the standards either in Subsection D above or any other provision of federal, state, county or Town law regarding vehicles, traffic or parking. Any revokee is entitled to a hearing before the Town Manager so long as the revokee requests in writing such hearing within five (5) days of the revocation. The Town Manager may reinstate the permit or exception with or without further conditions if the revokee demonstrates that the permit or exception was unfairly revoked.

(O-05-01)

### ARTICLE III REMOVED VEHICLES

#### Section 9813 Removal and Storage Procedures

(A) Authority for removal; storage areas authorized. The police department is hereby authorized to remove any vehicle found in violation of this Chapter and place said vehicle in the nearest authorized place of storage, either by towing same or by any other expedient means. "The nearest authorized place of storage" shall mean storage facilities maintained by the Town, any towing company contracted by the Town to remove vehicles or, in the absence of such contract, any towing company contracted or approved by the Prince George's County Police Department.

(B) Removal of abandoned and disabled vehicles. Any vehicles found to be abandoned or disabled within the corporate limits of Landover Hills, including vehicles involved in collisions, may be removed by the police department in the same manner as authorized in Subsection A of this Section, if non-removal of the vehicle will cause it to constitute a traffic hazard.

#### Section 9814 Notification of Owner

When a vehicle is stored pursuant to this article, the police officer storing same shall attempt to notify the vehicle's owner within twenty-four hours of the time of removal. If the officer is unable to notify the owner within twenty-four (24) hours, he shall mail a notification to the owner's address as it appears in the vehicle registration files. The notification shall include the fact that the vehicle has been stored and the location from which a police department release may be obtained.

Section 9815                      Vehicle release and Repossession Procedures

Before a vehicle is released from storage, the person seeking the release shall present evidence of ownership, including proper identification, to the officer releasing the vehicle. If the person seeking release of the vehicle is not the owner, the police department may require proof of the owner's permission, including a notarized authorization, for the person to receive custody of the vehicle. The police department may also require that any parking citations outstanding against the vehicle or its registration plate be paid prior to release. The owner of the vehicle shall be responsible for all towing and storage charges incurred, and the towing company is authorized not to deliver custody of the vehicle to anyone presenting a police department release until said charges are satisfied and a vehicle release administrative fee in accordance with Section 2801 of Chapter 28 of this Code shall be paid.

ARTICLE IV  
ABANDONED VEHICLES

Section 9817                      Definitions

Abandoned vehicles. Abandoned vehicles means any motor vehicle, trailer, or semi-trailer,

(A) That is partially dismantled or inoperable and left unattended on public property or a public right of way for more than forty-eight (48) hours;

(B) That is illegally on public property or a public right of way;

(C) That is on private property without the consent of the owner or person in control of the property;

(D) That is on public property or a public right of way; and

(1) is not displaying currently valid registration plates; or

(2) is displaying registration plates of another vehicle.

(O-07-01)

Section 9818                      Abandoned Vehicles Prohibited

(A) It shall be illegal to park or cause or allow to be parked an abandoned vehicle on the streets or other public property within the Town of Landover Hills.

(B) The Landover Hills Police Department may take any abandoned vehicle into custody. For this purpose. The police department may use its own personnel, equipment and facilities or use other persons, equipment and facilities for removing, preserving and storing abandoned vehicles and may charge the owner with all costs and expenses for removing, preserving and storing the vehicle.

Section 9819                      Penalty Provisions Generally

Violations of this Chapter are declared to be a misdemeanor or municipal infraction, as stated in Chapter 28 “Fees and Penalties” Section 2802 “Penalties” of the Code of the Town of Landover Hills, and the penalty for such violation shall be as stated in Chapter 28 “Fees and Penalties” Section 2802 “Penalties” of the Code of the Town of Landover Hills.

ARTICLE V  
RESIDENTIAL PERMIT PARKING ZONES

Section 9820 Purpose and Definitions

(A) The purposes of this Residential Permit Parking Zones Ordinance are:

- (1) Reduce hazardous traffic conditions resulting from nonresidents and residents competing with residents to park their vehicles in certain residential districts;
- (2) Protect the residents of those residential districts from unreasonable burdens in gaining access to their residences;
- (3) Preserve the character of those districts as residential districts;
- (4) Encourage the use of public transportation;
- (5) Preserve the value of the property in those residential districts;
- (6) Promote traffic safety and the safety of children and other pedestrians in those residential districts; and
- (7) To promote the peace, comfort, convenience and welfare of all inhabitants of the Town.

(B) **Definitions.**

For the purposes of this Residential Permit Parking Zones Ordinance, the following words shall have the meanings respectively ascribed to them in this Section, except where the context clearly indicates a different meaning:

- (1) **Motor Vehicle** means an automobile, truck, recreation vehicle, motorcycle, or other motor-driven or self-propelled form of transportation, except for vehicles exceeding a certain size, weight, and/or carrying capacity that may be prohibited from parking on any public street.
- (2) **Resident** means an adult who lives or resides in a structure approved for residential occupancy and can demonstrate exclusive right to occupancy of this residence.
- (3) **Residential District** means a contiguous or nearly contiguous area containing public streets and highways or parts thereof primarily abutted by residential property or residential and non-commercial property (such as schools, parks, churches, hospitals and nursing homes).

(4) **Vehicle** means any mobile unit whether or not it is self-propelled and designed to travel on the public roads.

Section 9821                      Procedures for Designation/Withdrawal of Designation of Residential  
Parking Permit Areas

(A) Notice & Hearing.

In order for the Town to determine whether a residential district, or portion thereof, shall be designated, or shall continue to be designated, as a residential parking permit area, the Town Manager shall conduct, upon the Town Manager's initiative or upon a petition signed by a majority of the residents in the district or portion thereof, a public hearing prior to such designation and prior to the withdrawal of such designation. A notification shall be prominently posted or shall be mailed to every residence in the proposed or existing residential parking permit area. During such public hearing any interested person shall be entitled to appear, to be heard, and to submit a written statement for the record.

(B) Survey.

To enable the Town to determine whether a residential district or portion thereof, shall be designated, or shall continue to be designated, as a residential parking permit area, the Town Manager may conduct a block-by-block parking survey of the proposed, or existing, residential parking permit area.

(C) Criteria.

In determining whether an area may be a residential parking permit area, whether conditions are to be imposed, the Town Manager shall consider factors including but not limited to the following:

(1) The extent that legal on-street parking spaces are occupied by vehicles during the period proposed for parking restrictions;

(2) The extent that vehicles parking in the area during the period proposed for parking restrictions are non-residents' vehicles;

(3) The extent that residents cannot obtain adequate curbside parking adjacent to or near their residences because of widespread use of available curbside parking spaces by non-residents' vehicles;

(4) The effect on the safety of the residents from intensive vehicle parking;

(5) The extent of air and noise pollution, hazardous conditions and deterioration of the residential environment as a result of traffic congestion and insufficient parking in the area;

(6) The extent that the designation of a residential parking permit area would be likely to reduce traffic congestion and any other problems referred to above;

(7) The extent and need for parking by the general public in the residential district;

(8) The desire of the residents in the proposed, or existing, residential parking permit area for the institution of a residential parking permit system and the willingness of those residents to bear the costs incidental to the issuance of parking permits authorized by this Residential Permit Parking Zones Ordinance; and

(9) The extent that no reasonable alternative is feasible or practicable that would reduce parking problems and any other problems referred to above without unduly impacting surrounding residential areas.

(D) Designation/Withdrawal Process.

(1) Within fifteen (15) days following the close of the public hearing, the Town Manager shall recommend by written report to the Town, based on the record of the public hearing and the results of the survey, whether to designate the residential district or portion thereof under consideration as a residential parking permit area or whether to withdraw the designation of an existing residential parking permit area. The report also shall demonstrate that the Town Manager, in making the recommendation, has taken into account the criteria enumerated above. The report shall recommend the number of permits to be issued to each address in the district.

(2) Within thirty (30) days following its receipt of the report, unless the Town Council shall vote otherwise, the Town Manager's recommendations shall be effective as to the residential parking permit area.

(3) Nothing in this section shall limit the authority of the Town over residential parking permit areas.

(4) The Town Council or the Town Manager may limit the number of permits issued to all the addresses in a particular residential parking permit area to accomplish the purpose and intent of this Chapter.

(E) Posting of Residential Parking Permit Area.

(1) Immediately following the effective date of the Town's designation or withdrawal of designations, appropriate parking signs shall be erected or moved in the designated area.

(2) The signs shall indicate prominently that curbside parking on public streets in the designated area is limited unless the vehicle properly displays a parking permit authorized by this Residential Permit Parking Zones Ordinance.

(F) Notice to Residents of Designation of Residential Parking Permit Area.

Following the effective date of the designation, the Town Manager shall provide to every residence within the designated residential parking permit area a Notice of Designation that shall inform the residents in the designated area of:

(1) The existence, exact location and numerical designation of the residential parking permit area;

(2) 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 as authorized by this Residential Permit Parking Zones Ordinance; and

(3) The procedures to obtain a residential or temporary parking permit.

(G) Withdrawal of Designation.

(1) Following Town action to withdraw the designation of an existing residential parking permit area, the Town Manager shall provide to every residence within the existing residential parking permit area a notice of the Council's withdrawal of the designation. Said notice shall specify the effective date of the withdrawal of the designation.

(2) The effective date of the withdrawal of the designation of an existing residential parking permit area shall ordinarily be thirty (30) days following the date of the Town's action to withdraw the designation.

(H) Temporary Designation/Withdrawal of Designation.

Notwithstanding any other provision of this Residential Permit Parking Zones Ordinance, the Town Manager may either establish or temporarily withdraw the designation of all or part of a residential parking permit area or areas on a trial basis for a period not to exceed one hundred twenty (120) days.

Section 9822 Issuance & Transfer of Residential Parking Permits

(A) Issuance.

(1) The applicant is to provide at a minimum the following information for each motor vehicle to receive a residential parking permit:

(a) The name and residential address of the owner of the vehicle;

(b) The name, residential address and driver's license number of the principal operator of the vehicle;

(c) The make, model, license plate number and vehicle identification number of the vehicle; and

(d) The name, address and signature of the applicant for the residential parking permit.

(2) The applicant shall demonstrate proof of residency in the particular zone and verification of the resident being the principal driver of the vehicle in a manner determined by the Town Manager, which may include but is not limited to utility bills, lease, driver's license, title, etc.

(3) Subject to the limitations outlined in this Chapter, upon the applicant's payment of a ten dollar (\$10.00) residential parking permit fee, submission of a completed and validated residential parking permit application, and fulfillment of all applicable provisions of this Residential Permit Parking Zones Ordinance 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 Manager and shall display the permit number and numerical designation of the residential parking permit area.

(B) Other Requirements.

(1) No residential parking permit shall be issued to a vehicle whose principal operator does not reside within the designated residential parking permit area.

(2) The applicant for, and holder of, the residential parking permit shall be the owner or principal operator of the vehicle receiving the parking permit.

(3) A motor vehicle shall be issued a residential parking permit only if it displays valid license plates that are allowed to those residing in Maryland under Maryland law.

(4) No residential parking permit shall be issued for any motor vehicle for which a citation issued by the Town remains unpaid. Upon notice to the resident of an unpaid citation that is legally due, the Town may revoke the permit.

(C) Transfer.

Upon the holder's payment of a ten dollar (\$10.00) residential parking permit transfer fee, submission of complete and validated residential parking permit application, fulfillment of all applicable provisions of this Chapter 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 to be transferred to another qualifying vehicle.

(D) Replacement.

Upon the holder's payment of a ten dollar (\$10.00) residential parking permit replacement fee, verification of the holder's prior submission of a completed and validated residential parking permit application, fulfillment of all applicable provisions of this Residential Permit Parking Zones Ordinance controlling issuance, renewal, or transfer of residential parking permits and affirmation that the holder's permit was lost, stolen, or destroyed, the holder shall receive a new residential parking permit. The lost, stolen or destroyed permit shall be considered void and any use of a voided permit is prohibited.

Section 9823      Temporary Permits

(A) Issuance of Temporary Permits.

Upon application of any resident of a residential parking permit area and upon good cause being shown, the Town Manager may issue a temporary parking permit for up to two (2) weeks to the resident for a vehicle which otherwise may legally park on the applicable street, with such temporary parking permit limited to that particular parking permit area and subject to

conditions and limits reasonably imposed by the Town Manager for a fee of one dollar (\$1.00) per permit. Upon application and showing of good cause, the Town Manager may also issue to a resident an unlimited number of temporary permits for a period of no more than twenty four (24) hours for a fee of one dollar (\$1.00) per permit. Such unlimited twenty four (24) hour permits may be issued no more than once in any six (6) month period for any address. For the purposes of this Chapter, the resident shall be the holder of and responsible for the use and misuse of temporary parking permits issued to the resident.

(B) Display of Visitor 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.

Section 9824 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 regulation.

(B) Whenever the holder of a parking permit, or the vehicle for which the parking permit was issued, no longer fulfills one or more of the applicable provisions of this Residential Permit Parking Zones Ordinance controlling issuance, renewal or transfer of parking permits, the permit shall be deemed to have expired and the holder shall notify the Town Manager, who may then direct the holder to surrender the parking permit.

(C) Until its expiration, surrender or revocation, a parking permit shall remain valid for such time as the holder continues to reside within the designated residential parking permit area.

(D) A parking permit shall be valid only in the residential parking permit area for which it is issued.

(E) It shall be a violation of this Residential Permit Parking Zones Ordinance for the holder of a parking permit to fail to surrender the permit when directed to do so.

(F) It shall be a violation of this Residential Permit Parking Zones Ordinance for any person to represent in any fashion that a vehicle is entitled to a parking permit authorized by this Residential Permit Parking Zones Ordinance when it is not so entitled. The display of a parking permit on a vehicle not entitled to such a parking permit shall constitute such a representation.

(G) It shall be a violation of this Residential Permit Parking Zones Ordinance for any person to duplicate, or attempt to duplicate, by any means, a parking permit authorized by this Residential Permit Parking Zones Ordinance. It also shall be a violation of this Residential Permit Parking Zones Ordinance for any person to display on any vehicle such a duplicate parking permit.

(H) Exemptions.



(1) Whenever metered parking is in effect in any portion of a residential parking permit area, the parking spaces controlled by meters shall be excepted from the provisions of this Chapter so long as the control by meters continues.

(2) The provision of this Residential Permit Parking Zones Ordinance shall not supersede the provisions of the Town Code and state laws relating to parking by disabled persons.

(3) The following vehicles are specifically exempted from the parking restrictions imposed by this Chapter:

(a) A motor vehicle 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 authorized 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.

(4) The Town Manager may grant an exemption to the requirements of this Chapter to any person for a vehicle which may legally park in the applicable area upon demonstration of unusual hardship or exigent circumstances provided that the exemption will expire at the end of each calendar year unless the person demonstrates that the unusual hardship or exigent circumstances continue.

#### Section 9825 Regulations & Enforcement

The Town Manager is authorized to establish all written regulations and procedure necessary to implement and enforce the provisions of this Residential Permit Parking Zones Ordinance and collect all fees and fines. The regulations shall include a reasonable period prior to enforcement of the parking restrictions to allow for short visits or stops in such residential zones.

#### Section 9826 Restriction & Penalty

(A) It shall be unlawful for any person to park or leave standing any vehicle for more than two (2) hours or for any length of time designated on the posted signs in a designated residential permit parking zone, whichever is less, without a permit for such zone. Unless otherwise provided, the penalty for each parking violation shall be a fine of fifty dollars (\$50.00).

(B) It shall be a municipal infraction for any person to violate any provisions of this Residential Permit Parking Zones Ordinance other than the parking provisions as outlined immediately above. The penalty for each municipal infraction shall be one hundred dollars (\$100.00).

(C) The falsification of any application for a permit, guest permit or temporary permit, the use of any permit, guest permit or temporary permit by other than the permittee and the allowance of such use by a permittee shall all constitute violations of this Residential Permit

Parking Zones Ordinance, punishable as a municipal infraction and a fine of one hundred dollars (\$100.00).

Section 9827 Revocation of Permit, Severability

(A) In addition to the penalties provided above for violation of this Residential Permit Parking Zones Ordinance the Town Manager may revoke the residential parking permit of any person found to be in violation of this Chapter, and, upon written notification thereof, the person shall surrender such permit to the Town Manager. Failure to surrender a revoked residential parking permit when requested to do so shall constitute a separate municipal infraction.

(B) Nothing in this Residential Permit Parking Zones Ordinance shall be construed as authorizing a permittee to violate any traffic regulation, emergency or otherwise, duly promulgated by the Town.

(C) Severability.

Severability is intended throughout and within the provisions of the Residential Permit Parking Zones Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Chapter 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 of this Chapter.