

RESOLUTION AMENDING
CHAPTER 33
AN ORDINANCE REGULATING PARKING, STOPPING AND
STANDING WITHIN THE CORPORATE LIMITS OF
THE TOWN OF WILLIAMSPORT, MARYLAND

The Mayor and Council, as the duly constituted legislative body, have determined that it is in the best interest of the Town of Williamsport and the citizenry in general to revise certain parking permit fees.

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED that Chapter 33 entitled, "AN ORDINANCE REGULATING PARKING, STOPPING AND STANDING WITHIN THE CORPORATE LIMITS OF THE TOWN OF WILLIAMSPORT, MARYLAND, be and is hereby revoked; and

Be it further **RESOLVED, ENACTED and ORDAINED** that said Chapter 33, "An Ordinance Regulating Parking, Stopping and Standing Within the Corporate Limits of the Town of Williamsport, Maryland" is hereby amended and reenacted to read as follows:

CHAPTER 33

AN ORDINANCE REGULATING PARKING, STOPPING AND
STANDING WITHIN THE CORPORATE LIMITS OF
THE TOWN OF WILLIAMSPORT, MARYLAND

SECTION 1.

DJH HNS
Oct 15, 2013 10:25 am

A. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different meaning, the following terms shall, for the purposes of this Ordinance, have the meanings indicated in this Section.

1. Disabled: Shall mean incapable of moving under its own power.
2. Operator: Shall mean and include every individual who shall operate a vehicle as the owner or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle.
3. Park, Parking: Shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.
4. Parking Meter: Shall mean and include any mechanical device or meter not

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inconsistent with the Ordinance, placed or erected for the regulation of parking by authority of this Ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the Town and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

5. Parking Meter Space: Shall mean any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent tot or adjoining the parking meters.

6. Parking Meter Zone: Shall mean and include any restricted street upon which parking meters are installed and in operation.

7. Parking Permit: Shall mean a sticker, decal, or other device issued by the Town in accordance with Section 4 of this Ordinance.

8. Unlicensed: Shall mean not having the proper tag as required by the Laws of the State of Maryland.

9. Vehicle: Shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

10. Wrecked: Shall mean the vehicle is damaged to the extent that the cost of repairing the vehicle would be more than the market value of the vehicle in its damaged condition.

SECTION 2: PROHIBITED PARKING AND UNLAWFUL ACTS

The following parking is prohibited.

A. When signs prohibiting parking are erected on narrow streets, no person shall park a vehicle in any such designated place.

B. When signs are erected upon approach to hazardous or congested areas, no person shall park a vehicle in any such designated place.

C. No person shall park a vehicle within an alley or upon a street or highway in such manner or under such conditions as to block the free movement of vehicular traffic.

D. No person shall park a vehicle on any street, highway, or alley for a longer period than twenty-four (24) hours, other than in front of the immediate property owned or occupied or under the control of the owner of said vehicle.

E. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four thousand (4,000) pounds on any street, highway, or alley for a longer period

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than four (4) hours, unless the owner or person in charge thereof secures a permit in writing from the Town Clerk or administrative head of the Police Department to remain for a longer period of time.

F. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four (4,000) pounds for a longer period than one hour (1) on any street or highway in front of any property used or intended to be used exclusively for residence purposes; provided, however, that the provisions of the section shall not apply to commercial trucks which are parked for the purpose of or in connection with the performance of work or services for or on behalf of any person within a radius of one (1) block from such property used or intended to be used exclusively for residence purposes.

G. When signs are erected or posted for purposes of cleaning the streets, or repairing the streets, or for purposes of parades or for any other corporate reasons in each block giving such notice, no such person shall park any vehicle, either attended or unattended upon any street over which said sign shall be posted.

H. When a section of the curb along any street is colored red by the application of paint or other material and by proper authority, no person shall park a vehicle there at any time.

I. No person shall park a vehicle, other than a motorbus at any place established and designated as a motorbus stop or station.

J. No person shall park a vehicle, other than a taxicab, at any place established and designated as a taxicab stand.

K. No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within five (5) feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within twenty (20) feet of a driveway entrance to any fire

station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance, except at locations not deemed necessary by the Mayor and Council, when properly sign-posted.

(7) Alongside of or opposite any street excavation or obstruction when such parking would obstruct traffic.

- (8) At any place where official signs prohibit parking.

L. Coin Deposit: Violation. Except in a period of emergency determined by an officer of the Fire Department or Police Department, or in compliance with the directions of a police officer or traffic-control sign or signal, **or as otherwise established by Ordinance or regulations adopted by the Mayor and Council**, when any vehicle shall be

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parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the parking meter space, immediately deposit or cause to be deposited in the meter such proper coin of the United States in such amount as shall be set by the Mayor and Councilor their lawfully designated agent, as is required for such parking and as is designated by the proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin and to set the timing mechanism in operation when so required, shall constitute a violation of this Ordinance. Upon the deposit of such coin and the setting of the timing mechanism in operation, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which the parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If such vehicle shall remain parked in such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, the, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this Ordinance.

M. To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as described in this Ordinance, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

N. To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle is occupying such parking space has already been parked beyond the period prescribed or such parking space.

O. To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

P. To deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Ordinance.

Q. To deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.

R. Unattended Vehicles: No person shall stand or park a vehicle upon any roadway for the principal purpose of displaying it for sale or washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

S. Restricted Parking: No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the

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ignition and removing the key, or when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

T. Time Limits: It shall be unlawful for the owner or person responsible for any vehicle to park or leave for more than twenty-four (24) hours or to permit an individual or corporation to park or leave for more than twenty-four (24) hours, upon the public streets, alleys, ways, or any property of the Town of Williamsport, any unlicensed, disabled, or wrecked vehicle.

SECTION 3: HOURS OF OPERATION

Parking meters shall be operated in the parking meter zones between the hours of 9:00 A.M. and 5:00 P.M., Monday through Saturday of each week, except that such meters shall not be operated on national public holidays or Sundays.

SECTION 4: PERMITS

- A. Authorization. In accordance with the terms of this Ordinance and any regulations adopted hereunder, the Town Clerk and other representatives of the Town authorized from time to time by the Mayor and Council shall have the authority to issue Permits which shall exempt vehicles registered in the State of Maryland and owned by persons physically residing within the Corporate limits of the Town from the requirements of Section 2 (L) – Coin Deposit: Violation of this Ordinance.
- B. Eligibility. Any resident of the Town of Williamsport who is the owner or co-owner of a vehicle registered in the State of Maryland is eligible to obtain a Permit subject to the restrictions and conditions set forth in this Ordinance.
- C. Real Property Owners. All residents of the Town who 1.) own real estate within the Corporate limits of the Town; 2.) Physically reside at that property; 3.) are current on the payment of their town real estate taxes, and 4.) own one or more vehicles registered in the State of Maryland shall be eligible to receive one Permit at no charge. Additional Permits may be obtained at the cost of \$50.00 each. Only one sticker at no charge shall be issued to a household regardless of the number of title owners to the real property. Any resident obtaining a Permit under this subsection shall be required to pay any outstanding real estate taxes or show proof that same shall be paid through an escrow agent before the Permit shall issue.
- D. Long Term Tenants. A long term tenant shall be a resident of the Town who can demonstrate through utility bills or other proof satisfactory to the Town Clerk that the resident has lived at the same address within the Town limits for a period of five (5) or more years. All residents who (1) are long term tenants as defined in this Ordinance; (2) physically reside at the rented property; (3) and own one (1) or

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more vehicles registered in the State of Maryland shall be eligible to receive one (1) permit at no charge. Additional Permits may be obtained at the cost of \$50.00 each. Only one sticker at no charge shall be issued to a household regardless of the number of long term tenants who reside on the premises.

E. Other Residents. All other persons physically residing within the Town of Williamsport who own one (1) or more vehicles registered in the State of Maryland shall be entitled to purchase one (1) permit for each vehicle upon the payment of a fifty (\$50.00) dollar per vehicle fee and presentation of proof satisfactory to the Town Clerk of physical residence within the Corporate limits of the Town.

F. Affixation/Removal/Transfer of Permit.

1. The Town Clerk, Town Meter Attendant, or any other individual authorized by the Mayor and Council shall physically affix the Permit to the vehicle. The vehicle must be brought to Town Hall during business hours or at times specified by the Mayor and Council for the purpose of affixing the Permit. The owner of the vehicle shall be responsible for the presentation of the proper vehicle(s) and the intentional and/or unintentional failure to cause the Permit to be affixed to the correct vehicle shall be considered a violation of this Ordinance by the Permittee.

2. A transfer of a Permit to a replacement vehicle is permitted upon the payment of a five (\$5.00) dollar transfer fee. The transfer of the Permit or the affixation of the replacement permit shall be performed by the Town Clerk, Town Meter Attendant, or other authorized person. Failure to follow this procedure shall automatically void the Permit and shall constitute a violation of this Ordinance by the Permittee.

G. Term of Permit. All Permits issued hereunder shall be valid from July 1 through June 30 of each fiscal year of the Town. Permits may be obtained at any time during the fiscal year but all Permits shall expire at midnight June 30 of each year. The fees for the Permits issued hereunder are considered annual fees and shall not be pro-rated, with the exception that the fees for fiscal year 2006-07 shall be \$35.00 .

H. The Mayor and Council may designate by resolution certain meters or areas which are not exempt.

SECTION 5: IMPOUNDING OF VEHICLES

A. Irrespective of other provisions of this Ordinance for penalizing illegal parking of vehicles in the following specified instances and addition thereto, the duly authorized enforcement office and/or a police officer are hereby authorized and directed to tow away or have towed away by a competent person, all vehicles violating parking prohibitions contained in any of the previous provisions of this Ordinance.

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(1) When it becomes necessary for the Town to carry out the provisions of this section by moving a vehicle illegally parked as aforesaid, it shall be the duty of the Town to provide storage space for such vehicle, either in a municipal garage or in a safe and dependable private garage, but, nevertheless nothing herein shall be taken or construed as obligating the Town or any municipal department for damage done to or destruction of such vehicle so stored, unless by law otherwise provided.

(2) The cost of the towing and storage as hereinbefore provided shall be determined as follows:

a. If the towing or storage is done by the Town the cost therefore shall be in accordance with the reasonable expenses incident to the same, plus a reasonable charge as compensation therefore.

b. If the towing or storage is done by a private company or individual, then the cost shall be at the rate usually charged for such service by such company or individual, but in no case shall the cost exceed a reasonable compensation for the actual labor, material or space involved.

c. It shall be entirely within the discretion of the Town as to whether the towing and storage provided in this section shall be done by a municipal department or by a private company or individual, but, nevertheless, the Town shall exercise its best judgment in determining the means for such towing and the place for the storing so that the cost of the same shall be kept to a minimum.

(3) Upon a determination by the Town of the cost of towing and storing an illegally parked vehicle, the same shall be charged against the owner of the vehicle and shall be added to and be made a part of, any fine thereafter imposed for such violation.

(4) Irrespective of any method for collecting fines for traffic violations otherwise provided, and in addition thereto, all towing and storage costs imposed under this section shall constitute and be a lien against any vehicle so found to be illegally parked and such lien shall not be lost, nor shall the same be considered waived by reason of the owner's taking possession of the vehicle before the costs are paid.

(5) In the event that any vehicle is towed and stored in accordance with the provisions herein contained, and is not claimed by the owner within thirty (30) days of notice to said owner; then the Police Department of the Town of Williamsport may sell said vehicle at public sale after advertising in the newspaper for three (3) consecutive weeks and notice to the owner thereof by registered mail, return receipt requested at the owner's last known address.

In the event that the owner shall not be available or shall refuse the notice, the sale and lien shall be valid if conducted in accordance with the provisions hereof. In the event that there is a surplus of over and above the proceeds and actual towing, storage, and advertising and legal costs involve dafter the ale of said vehicle, the said sums shall be paid to the owner of the vehicle where he is able to be located; and

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where not located said sums shall be forfeited to the general fund of the corporation.

SECTION 6: INTERPRETATION

Nothing in this Ordinance shall be construed as prohibiting the Mayor and council from providing for bus stops, taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans or other commercial vehicles.

SECTION 7: ENFORCEMENT

This Ordinance shall be enforced by (a) any police officer and! or (b) a parking regulation enforcement officer who may be designated by the Mayor and Council.

The parking regulation enforcement officers are hereby authorized to issue citations for violation of this Ordinance and shall enforce this Ordinance in accordance with the provisions of the Annotated Code of Maryland, Transportation, Subtitle 3, Parking Ordinances and Regulations, Section 26-301, et seq. and as it may from time to time be amended.

SECTION 8: PENALTIES

A. General.

The violation of this Ordinance in addition to the other remedies provided herein, shall be considered a misdemeanor. Any person upon conviction shall be fined not less than Two (\$2.00) Dollars nor more than Fifty (\$50.00) Dollars. Each violation of this Ordinance shall constitute a separate offense and each day shall constitute a separate offense.

B. In the event that any vehicle is unlawfully parked in accordance with the provisions of this Ordinance for a period of twenty-four (24) hours, the Town through its duly authorized enforcement officer is hereby authorized to direct the tow or have towed away by a competent person all such vehicles violating the parking prohibitions contained in this Ordinance.

C. In the event any person perceives a parking citation pursuant to this Ordinance and fails to pay same in accordance with this Ordinance and the Annotated Code of Maryland, the Town shall have the right to utilize, among other remedies, those administrative remedies available to the Town pursuant to the Transportation Article of the Annotated Code of Maryland including but not limited to the suspension of the violators registration. If the Town is required to take administrative action against a person violating this Ordinance, the Town shall have the right to assess in addition to any other penalties set forth herein administrative fees which shall be paid prior to any reinstatement of the violator's registration or lifting of any suspension which may be imposed.

D. Specific Violations.

The following fines shall be assessed and collected if the person receiving same does not elect to stand trial pursuant to the Annotated Code of Maryland, Transportation

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Article:

- (1) Parking overtime - \$10.00.
- (2) Parking during designated street sweeping times - \$10.00.
- (3) Double parking - \$5.00
- (4) No parking sign - \$10.00
- (5) Parking on a red line - \$10.00
- (6) Parking on a red line going the wrong way - \$15.00
- (7) Blocking a walkway - \$10.00
- (8) Blocking an alley - \$10.00
- (9) Parking the wrong way - \$10.00
- (10) Parking in front of a fire hydrant - \$25.00.
- (11) Violation of Section 4 of this Ordinance - \$100.00

SECTION 9: HEADINGS - MISCELLANEOUS

The paragraph headings contained herein are for the convenience and reference and are not intended to define or limit the scope of any provision of this Ordinance.

All references made, and all nouns and pronouns used in this Ordinance shall be construed in the singular or plural, and in such gender as the sense and circumstances require.

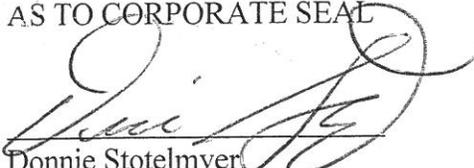
SECTION 10: SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of the remaining provisions shall remain in full force and effect.

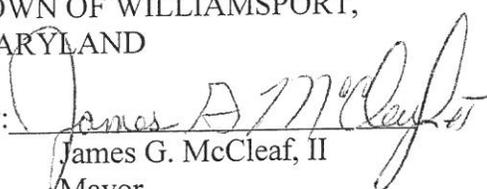
SECTION 11: EFFECTIVE DATE

The effective date of this Ordinance shall be and is August 28, 2013 .

WITNESS AND ATTEST
AS TO CORPORATE SEAL


Donnie Stotelmyer
Town Clerk

MAYOR AND COUNCIL OF THE
TOWN OF WILLIAMSPORT,
MARYLAND

By: 
James G. McCleaf, II
Mayor

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DATE OF INTRODUCTION: July 8, 2013
DATE OF PASSAGE: August 8, 2013
EFFECTIVE DATE: August 28, 2013

Record and Return to:
Donnie Stotemyer, Town Clerk
P. O. Box 307
Williamsport, MD 21795

OCT 18 2013

Resol.Chpt 33.06.07.07