

**CITY OF HYATTSVILLE
ORDINANCE 2018-05**

**An Ordinance whereby the City of Hyattsville amends Chapter
114 to refine the City’s residential parking permit system.**

WHEREAS, Local Government Article § 5-202(1), (2) & (5) of the Maryland Code grants to municipalities the power to adopt ordinances to assure the good government of the municipality, to protect and preserve the municipality’s rights, property and privileges, and to protect the health, comfort, and convenience of the residents of the municipality; and

WHEREAS, it is the sense of the Mayor and Council that the demand and availability of parking in certain City residential neighborhoods remains a perpetual problem; and

WHEREAS, it is the sense of the Mayor and Council that the City’s existing residential parking permit system needs to be revised to better serve the parking needs in neighborhoods throughout the City; and

WHEREAS, on January 19, 2016, the Mayor and Council established a Residential Parking Zone Ad Hoc Committee to review the City’s current program by exploring gaps in service, needs, and best practices; and to develop recommendations for modifying the program in order to better serve parking needs in neighborhoods throughout the City; and

WHEREAS, on September 29, 2016, the Residential Parking Zone Ad Hoc Committee issued recommendations to the City Council; and

WHEREAS, the Mayor and Council deem it in the best interest of the City and its residential communities and beneficial to the community’s health, comfort, convenience, welfare and happiness to implement some of the changes to the City’s residential parking system.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hyattsville in regular session assembled that Chapter 114 is hereby amended as follows:

ARTICLE III

Stopping, Standing and Parking

§ 114-18. Time limit for leaving vehicles unattended.

No automobile or vehicle of any description shall be left unattended upon any street or public space in the city for a continuous period longer than forty-eight (48) hours unless otherwise permitted by the City grants an exemption pursuant to § 114-32 H of this Chapter.

ARTICLE IV

Residential Permit Parking Zones

§ 114-27. Purpose and Legislative Findings.

A. The City Council of the City of Hyattsville is enacting this Article IV in order to:

- (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) Promote efficiency in maintaining streets in those residential districts in a clean and safe condition;
(6) Preserve the value of the property in those residential districts;
(7) Promote traffic safety and the safety of children and other pedestrians in those residential districts;

1 ~~(8) Prevent dangers arising from the blocking of fire lanes, hydrants and other facilities~~
2 ~~that emergency vehicles require, both in reaching victims and in transporting them to~~
3 ~~hospitals;~~

4 ~~(9) Facilitate the movement of traffic in the event of accidents and other disasters; and~~

5 ~~(10) To promote the peace, comfort, convenience, and welfare of all inhabitants of the City.~~

6 ~~B. General Findings. The City Council finds that the continued vitality of the City depends on~~
7 ~~the preservation of safe, healthy, and attractive neighborhoods and other residential areas. The~~
8 ~~Council further finds that one factor that threatens the safety, health and attractiveness of the~~
9 ~~City's neighborhoods is the availability of parking in certain neighborhoods. The number of~~
10 ~~motor vehicles attempting to park in those areas often exceeds the number of available parking~~
11 ~~spaces. A preferential parking system for residents in designated neighborhoods will help to~~
12 ~~reduce the burden of those neighborhoods and, thus, promote the general welfare of the City.~~

13 ~~C. Specific Findings. The Council makes the following specific legislative findings in support~~
14 ~~of preferential residential parking to illustrate the compelling need for the enactment of this~~
15 ~~Article IV. The Council intends the findings as illustrations only and not the only available~~
16 ~~factual examples supporting adoption of the Article IV:~~

17 ~~(1) The maintenance of the attractiveness and livability of the City's neighborhoods and~~
18 ~~other residential areas will enhance the safety, health and welfare of the City's residents;~~

19 ~~(2) On a daily basis a large number of City residents who own motor vehicles must park~~
20 ~~those vehicles in or near their residences;~~

21 ~~(3) Certain neighborhoods and other areas of the City do not have sufficient on or off street~~
22 ~~parking to accommodate the convenient parking of residents' motor vehicles;~~

1 ~~(4) The influx of motor vehicles from nonresidents that compete for the limited available~~
2 ~~parking in those areas further burdens the residents of those areas;~~

3 ~~(5) The City has certain parking “attractors,” including parks, etc. that further aggravate~~
4 ~~the residents’ parking problems;~~

5 ~~(6) Unnecessary vehicle miles, air and noise pollution, and the inconvenience of not finding~~
6 ~~parking caused by the conditions above create unacceptable hardships for the~~
7 ~~neighborhoods’ residents;~~

8 ~~(7) If the City allows those adverse conditions to continue unchecked, those adverse~~
9 ~~conditions will contribute to the decline of the living conditions in the neighborhoods and~~
10 ~~the attractiveness of residing within the City, resulting in injury to the general public~~
11 ~~welfare; and~~

12 ~~(8) A system of preferential residential parking as enacted by this Article IV will serve to~~
13 ~~promote the health, safety, and welfare of all of the City’s residents by reducing~~
14 ~~unnecessary motor vehicle travel and air and noise pollution, improving the attractiveness~~
15 ~~of living in the City’s neighborhoods, and encouraging the use of public mass transit~~
16 ~~facilities available now and in the future. The Article IV also will serve the public welfare~~
17 ~~by ensuring a more stable and valuable property tax base, in order to generate the revenues~~
18 ~~necessary to provide essential public services.~~

19 **§ 114-287. Definitions. [Amended on 3-27-11 by HO-2011-01]**

20 For the purposes of this Article IV, the following words shall have the meanings respectively
21 ascribed to them in this Section, except where the context clearly indicates a different meaning:

22 A. **City Administrator** means the City Administrator or ~~his/her~~their designee.

1 ~~B. Commuter Vehicle means a motor vehicle, other than a resident vehicle as defined below,~~
2 ~~parked in a residential area in which it is not registered.~~

3 ~~GB. Curbside Parking Space means twenty (20) linear feet of curb, exclusive of those~~
4 ~~portions of the curb where parking, apart from the provisions of this Article IV, is not presently~~
5 ~~permitted. means any portion of a public street adjacent to a minimum of twenty (20) linear~~
6 ~~feet of curb where a vehicle could park or remain standing without significantly obstructing~~
7 ~~the flow of traffic, except where parking or standing would be prohibited by State law or this~~
8 ~~Code, other than this Article IV.~~

9 C. Guest Permit means a single-use permit issued by the City to a resident which authorizes
10 a guest of the resident of a specific residential parking permit area to park a vehicle in that
11 residential parking permit area for a limited time during a parking permit term without
12 violating this Article IV.

13 D. Motor Vehicle means an automobile, truck, recreation vehicle, motorcycle, or other motor-
14 driven or self-propelled form of transportation, except for vehicles exceeding a certain size,
15 weight, and/or carrying capacity that may be prohibited from parking on any public street.

16 E. Parking Permit Term means the period of time, defined in §114-28 of this Article, during
17 which parking permits issued pursuant to this Article IV for a particular residential parking
18 permit area for that period may be valid.

19 ~~EF. Resident~~ means an adult individual who lives or resides in a structure approved for
20 residential occupancy, ~~and can demonstrate exclusive right to occupancy of this residence, and~~
21 uses this residence as their primary dwelling.

22 ~~F. Resident Vehicle means a motor vehicle parked in a residential area in which it is registered~~
23 ~~and is validly registered with the State of Maryland Department of Motor Vehicles.~~

1 **G. Residential District** means a contiguous or nearly contiguous area open to the public
2 containing streets and highways and parking spaces for the public, all primarily abutted by
3 residential property or residential and non-commercial property (such as schools, parks,
4 churches, hospitals and nursing homes).

5 **H. Residence** means a dwelling unit.

6 **I. Residential Parking Permit** means a permit issued by the City to a resident for a particular
7 vehicle which authorizes the vehicle to be parked in a specific residential parking permit area
8 during a parking permit term without violating this Article IV.

9 **IJ. Residential Parking Permit Area** means a residential district where curbside parking on
10 public streets and highways is limited to not more than ~~two~~ (2)thirty (30) consecutive
11 hoursminutes per day, unless the vehicle properly displays a parking permit authorized by this
12 Article IV.

13 **K. Residential Parking Permit Holder** means a resident/applicant to whom the City has
14 issued a residential parking permit to be used on a vehicle that the resident/applicant owns or
15 principally operates.

16 **L. Special Parking Permit** means a parking permit issued to a caregiver or other person who
17 cannot satisfy the requirements for a residential parking permit but can demonstrate reasonable
18 necessity or hardship justifying the issuance of multi-use permit.

19 **M. Vehicle** means any mobile unit whether or not it is self-propelled and designed to travel
20 on the public roads.

1 **§ 114-298. Designation/Withdrawal of Designation of Residential Parking Permit Areas.**

2 **[Amended 4-21-14 by HO 2014-04]**

3 **A. Minimum size.**

4 **(1) A residential parking permit area shall be, at minimum:**

5 **a. one or both sides of the entire length of a street;**

6 **b. one or both sides of a street between two intersections or between an intersection**
7 **and the dead-end termination of the street;**

8 **c. one or both sides of less than an entire residential street, but at least 100 contiguous**
9 **feet; or**

10 **d. the entirety of a cul-de-sac.**

11 **(2) The City retains all authority and discretion to create, extend, reduce, reconfigure,**
12 **consolidate or terminate any residential parking permit areas.**

13 **B. Notice & Hearing.**

14 **(1) In order for the City Council to determine whether a residential district, or any portion**
15 **thereof as described in subsection A, shall be designated, or shall continue to be designated,**
16 **as a residential parking permit area, the City Administrator shall conduct, upon the City**
17 **Administrator's initiative or upon a petition signed by a majority of the residents in the**
18 **district, or the portion thereof, a public hearing prior to such designation and prior to the**
19 **withdrawal of such designation.**

20 **(2) A notification shall be prominently posted and/or shall be mailed to every residence in**
21 **the proposed or existing residential parking permit area.**

22 **(3) During such a public hearing held pursuant to this Section, any interested person shall**
23 **be entitled to appear, to be heard, and to submit a written statement for the record.**

1 BC. Survey.

2 To enable the City Council to determine whether a residential district, or portion thereof, shall
3 be designated, or shall continue to be designated, as a residential parking permit area, the City
4 Administrator shall conduct a block-by-block parking survey of the proposed, or existing,
5 residential parking permit area.

6 CD. Criteria.

7 In determining whether an area may be a residential parking permit area, and whether
8 conditions are to be imposed, the City Administrator shall consider factors including but not
9 limited to the following:

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

12 (2) The extent that vehicles parking in the area during the period proposed for parking
13 restrictions are commuter vehicles;

14 (3) The extent that residents cannot obtain adequate curbside parking adjacent to or near
15 their residences because of widespread use of available curbside parking spaces by others;

16 (4) ~~The effect on the safety of the residents from intensive vehicle parking~~The number of
17 off-street parking spaces available to residences in the area;

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

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

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

1 ~~(8) The desire of the residents in the proposed, or existing, residential parking permit area~~
2 ~~for the institution of a residential parking permit system and the willingness of those~~
3 ~~residents to bear the costs incidental to the issuance of parking permits authorized by this~~
4 ~~Article IV; and~~

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

8 DE. Designation/Withdrawal Process.

9 (1) Within ~~fifteen (15)~~thirty (30) calendar days following the close of the public hearing,
10 the City Administrator shall recommend by written report to the City Council, based on
11 the record of the public hearing and the results of the survey, whether to designate the
12 residential district or portion thereof under consideration as a residential parking permit
13 area or whether to withdraw the designation of an existing residential parking permit area.
14 The report also shall demonstrate that the City Administrator, in making the
15 recommendation, has taken into account the criteria enumerated above. The report shall
16 recommend the number of permits to be issued to each residential parking permit area as a
17 whole and the number of permits to be issued to each address in the district residential
18 parking permit area.

19 (2) Within thirty (30) calendar days following its receipt of the report, unless the City
20 Council shall vote otherwise, the City Administrator's recommendations shall be effective
21 as to the residential parking permit area.

22 (3) Nothing in this section shall limit the authority of the City Council over residential
23 parking permit areas.

1 (4) The City Council or the City Administrator may limit the number of permits issued to
2 all the addresses in a particular residential parking permit area to accomplish the purpose
3 and intent of this Article.

4 EF. Number of Permits Per Residence.

5 (1) The City Administrator or their designee shall determine the total number of residential
6 parking permits that may be issued per residence within a residential parking permit area,
7 taking into consideration the total number of residences and parking spaces, both on-street
8 and off-street, within the particular area.

9 (2) In making their determination, the City Administrator or their designee shall may
10 reduce the total number of permits that may be issued in an area by approximately 10% to
11 accommodate guest parking.

12 (3) The number of residential parking permits per residence in a residential parking permit
13 area shall be no less than one (1) or no more than four (4), except in specific cases where
14 the number of permits available to a particular residence may be adjusted pursuant to
15 paragraphs (4) and/or (5) of this Subsection.

16 (4) If the demand for permits in a residential parking permit area is likely to exceed the
17 total number of off-street parking spaces, the City Administrator or their designee may
18 reduce the number of residential parking permits available to residences with off-street
19 parking by an amount no greater than the total number of off-street parking spaces at each
20 particular residence.

21 (5) Upon a showing of reasonable necessity or hardship, the total number of residential
22 parking permits that may be issued to a particular residence may be increased at the
23 discretion of the City Administrator or their designee who shall take into consideration the

1 nature of the person's applicant's particular circumstances and the potential impact on the
2 affected residential parking permit area.

3 (6) Any exception granted under this Subsection shall expire with the permit issued unless
4 the person applicant for which the exception was granted demonstrates that a reasonable
5 necessity or hardship continues to exist.

6 G. Duration of Parking Permits.

7 (1) All residential parking permit areas shall operate on two (2) year terms, during which
8 permits issued pursuant to this Article IV for the particular term remain valid.

9 (2) Upon the expiration of a two-year term for a particular residential parking permit area,
10 all permits issued pursuant to this Article IV for that term and area also expire and become
11 immediately invalid, and the next two (2) year term begins.

12 (3) The City Administrator or their designee shall establish a month and year for each
13 residential parking permit area upon which the first term for that area shall commence, and
14 the beginning of that term, and every subsequent term for that area, shall be on the first day
15 of that month.

16 (4) Upon the commencement of the first term as set forth in paragraph (3) of this
17 Subsection, all permits issued for the particular area pursuant to this Article IV prior to that
18 date, other than those issued and designated for the first term, shall immediately become
19 void and invalid.

20 (5) Until the first term of a residential parking permit area commences as set forth in
21 paragraph (3), the existing provisions of this Article IV governing that residential parking
22 permit area prior to the effective date of this ordinance shall remain in effect.

1 (6) Parking permits issued for the term immediately following the current term may be
2 issued prior to the expiration of the current term, and such permits shall become valid and
3 may be used up to 30 calendar days prior to the expiration of the current term.

4 H. Posting of Residential Parking Permit Area.

5 (1) ~~Immediately~~Within 60 calendar days following the effective date of the City's
6 designation or withdrawal of designations, but before any parking restrictions go into effect
7 and/or any enforcement takes place, appropriate parking signs shall be erected or moved
8 in the designated area.

9 (2) ~~The~~Residential parking permit area signs shall ~~indicate~~ prominently display the
10 following information:

11 (a) the number of the residential parking area;

12 (b) the enabling ordinance;

13 (c) the days and/or hours of enforcement; and

14 (d) that curbside parking on public streets in the designated area is prohibited unless
15 the vehicle properly displays a parking permit authorized by this Article IV.

16 F.I. Notice to Residents of Designation of Residential Parking Permit Area.

17 Following the effective date of the designation, the City Administrator shall provide to every
18 residence within the designated residential parking permit area a Notice of Designation that
19 shall inform the residents in the designated area of:

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

1 (2) The parking restrictions applicable to all vehicles in curbside parking spaces along
2 public streets and highways in the designated area that do not properly display a parking
3 permit authorized by this Article IV; and

4 (3) The procedures to obtain ~~a residential or temporary~~ guest parking permits.

5 ~~G~~J. Withdrawal of Designation.

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

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

13 ~~H. Temporary Designation/Withdrawal of Designation.~~

14 ~~Notwithstanding any other provision of this Article IV, the City Administrator may either~~
15 ~~establish or temporarily withdraw the designation of all or part of a residential parking permit~~
16 ~~area or areas on a trial basis for a period not to exceed one hundred twenty (120) days.~~

17 **§ 114-3029. Issuance & Transfer of Residential Parking Permits.**

18 A. Issuance Application.

19 (1) ~~An Application for Residential Parking Permit.~~ The applicant is to provide at a
20 minimum the following ~~information~~ for each motor vehicle to receive a residential parking
21 permit:

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

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

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

5 (d) The number of off-street parking spaces at the applicant's residence; and

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

7 (2) The applicant shall demonstrate proof of residency in the particular ~~zone~~area, which
8 may include but is not limited to utility bills, lease, driver's license, title, etc., and
9 verification of the resident being the principal driver of the vehicle in a manner determined
10 by the City Administrator, ~~which may include but is not limited to utility bills, lease,~~
11 ~~driver's license, title, etc.~~

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

14 (4) Subject to the limitations outlined in this Article IV, upon the applicant's ~~payment of a~~
15 ~~ten dollar (\$10.00) residential parking permit fee,~~ submission of a completed and validated
16 residential parking permit application, and fulfillment of all applicable provisions of this
17 Article IV controlling issuance, or transfer of residential parking permits, the applicant may
18 receive one or more (1) residential parking permits as set forth in § 114-28 for the motor
19 vehicle(s) described in the application. ~~The residential parking permit shall be securely~~
20 ~~affixed to the inside of the vehicle at a location directed by the City Administrator and shall~~
21 ~~display the permit number and numerical designation of the residential parking permit area.~~

1 B. ~~Other~~ Requirements.

2 ~~(1) No residential parking permit shall be issued to for a vehicle unless:~~

3 ~~(1) whoseits principal operator does not resides on a residential street within the~~
4 ~~designated residential parking permit area;~~

5 ~~(2) it displays valid license plates; and~~

6 ~~(3) it is registered in the State of Maryland.~~

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

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

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

14 C. Exceptions for Active Military and Students.

15 (1) The Supervisor of the Office of Code and Parking Compliance shall waive the
16 requirement of Subsection B(3) of this Section for active duty military personnel and
17 current students.

18 (2) An applicant may appeal the denial of a request for a waiver under this Subsection, in
19 writing, to the City Administrator or their designee.

20 D. Issuance of Permits for Vehicles with Unpaid Citations Prohibited.

21 Notwithstanding any other provision in this Article IV, no residential parking permit shall be
22 issued for any vehicle for which a fully-adjudicated citation issued by the City remains unpaid

1 or to any person while a citation for any fully-adjudicated violation of this Article IV remains
2 unpaid.

3 C. Transfer.

4 ~~Upon the holder's payment of a ten dollar (\$10.00) residential parking permit transfer fee,~~
5 ~~submission of complete and validated residential parking permit application, fulfillment of all~~
6 ~~applicable provisions of this Article IV controlling issuance, renewal, or transfer of residential~~
7 ~~parking permits, and surrender of the existing residential parking permit, the holder shall~~
8 ~~receive a new residential parking permit to be transferred to another qualifying vehicle.~~

9 D. Replacement.

10 ~~Upon the holder's payment of a ten dollar (\$10.00) residential parking permit replacement fee,~~
11 ~~verification of the holder's prior submission of a completed and validated residential parking~~
12 ~~permit application, fulfillment of all applicable provisions of this Article IV controlling~~
13 ~~issuance, renewal, or transfer of residential parking permits, and affirmation that the holder's~~
14 ~~permit was lost, stolen, or destroyed, the holder shall receive a new residential parking permit.~~

15 ~~The lost, stolen or destroyed permit shall be considered void, and any use of a voided permit~~
16 ~~is prohibited.~~

17 **§ 114-310. Temporary Guest Permits. [Amended on 3-27-11 by HO-2011-01]**

18 A. Issuance of Guest Permits.

19 (1) A resident or owner of rental property on a residential street within a residential parking
20 permit area may apply for, and receive, guest parking permit booklets containing fifty (50)
21 1-day guest permits and one (1) 5-day guest permit.

1 (2) Each residence within a residential parking permit area is limited to two booklets of
2 guest permits for every two (2) year term set forth in § 114-28, one booklet issued during
3 the first half of the term and one booklet issued during the second half of the term.

4 (3) Notwithstanding any other provision in this subsection, residents may apply for:

5 (a) one additional booklet of guest permits; and/or

6 (b) an additional five (5) 1-day guest permits for special events, which shall be
7 pre-dated for the day on which the event is to occur.

8 B. Application

9 (1) A person may, but is not required to, apply for guest permits in the same application
10 for a residential parking permit.

11 (2) A person need not apply for or possess a residential parking permit to apply for guest
12 parking permits; however, each applicant for guest permits must provide, at minimum, the
13 following:

14 (a) name and residential address of the applicant;

15 (b) proof of residency in the particular residential parking permit area, which may
16 include but is not limited to utility bills, lease, driver's license;

17 (c) the number of off-street parking spaces at the applicant's residence;

18 (d) the permit numbers of any residential parking permits that have been issued to
19 persons living or residing in that residence for the current or next parking permit
20 term for that parking permit area; and

21 (e) the signature of the applicant.

1 C. Use of Guest Permits.

2 (1) Each guest permit can only be used once, and before any guest permit may be used, the
3 date and time that the permit will become effective must be recorded in the appropriate
4 place on the permit.

5 (2) 1-day guest permits, when used, remain valid for twenty-four (24) hours; 5-day guest
6 permits, when used, remain valid for one hundred twenty (120) hours.

7 (3) Guest permits, regardless of the denomination, may not be used more than three
8 consecutive times on a single vehicle.

9 (4) No person shall:

10 (a) sell guest permits or otherwise receive compensation for their use; or

11 (b) use or give away guest permits for commercial parking unless they were issued or
12 authorized by the City for commercial property use pursuant to § 114-33 of this

13 Article IV.

14 ~~A. Issuance of Temporary Permits.~~

15 ~~Upon application of any resident of a residential parking permit area and upon good cause~~
16 ~~being shown, the City Administrator may issue a temporary parking permit to the resident for~~
17 ~~a vehicle which otherwise may legally park on the applicable street, with such temporary~~
18 ~~parking permit limited to that particular parking permit area and subject to conditions and~~
19 ~~limits reasonably imposed by the City Administrator for a fee of one dollar (\$1.00) per permit.~~

20 ~~Upon application and showing of good cause, the City Administrator may also issue to a~~
21 ~~resident an unlimited number of temporary permits for a period of no more than twenty-four~~
22 ~~(24) hours for a fee of one dollar (\$1.00) per permit. Such unlimited twenty-four (24) hour~~
23 ~~permits may be issued no more than once in any six (6) month period for any address. For the~~

1 ~~purposes of this Article IV, the resident shall be the holder of and responsible for the use and~~
2 ~~misuse of temporary parking permits issued to the resident.~~

3 ~~B. Display of Visitor Parking Permits.~~

4 ~~(1) All temporary parking permits shall be displayed on or about the front windshield of~~
5 ~~the vehicle so as to be easily visible from outside the vehicle. Such parking permits shall~~
6 ~~contain display the permit number and the numerical designation of the residential parking~~
7 ~~permit area.~~

8 **§ 114-31. Special Permits.**

9 A. Issuance of Special Permits.

10 (1) The Supervisor of the Office of Code and Parking Compliance may issue a special
11 permit to:

12 (a) an onsite caregiver;

13 (b) a person who regularly or frequently provides childcare;

14 (c) an owner of a rental residential property or landlord;

15 (d) registered members of a homeowner's association, neighborhood watch
16 organization, or other similar community organization that regularly meets in a
17 residential parking permit area;

18 (e) any other person upon a showing of reasonable necessity or hardship.

19 (2) The Supervisor of the Office of Code and Parking Compliance and/or the City
20 Administrator or the City Administrator's designee may establish reasonable restrictions
21 and limitations on the use of special permits, including, but not limited to, the days and
22 times during which they may be used and the purposes for which they may be used.

1 B. Application. Each applicant for a special permit must provide, at minimum, the following:

2 (1) name and residential address of the applicant;

3 (2) name and address of the business that employs the applicant, if any;

4 (3) the address of the residence where the special permit is to be used and the name of the
5 resident or owner of that residence;

6 (4) supporting documentation demonstrating the need for a special permit, which may
7 include, but is not limited to:

8 (a) a signed letter from the resident, or legal guardian of the resident, for whom the
9 caretaker or other similar services are to be rendered;

10 (b) a contract for caretaker or similar services;

11 (c) a lease demonstrating landlord status;

12 (d) a signed statement from an officer of an organization describing the active
13 membership for which the permits are to be used and generally describing the purpose
14 of the gathering for which the permits are requested; or

15 (e) a signed statement from the applicant otherwise explaining why a special permit is
16 needed if other documentation cannot be obtained;

17 (5) a description of when the permits are to be used; and

18 (6) the signature of the applicant.

19 C. Appeal. An applicant may appeal the denial of an application for a special permit or any
20 restrictions or limitations that are placed on a special permit, in writing, to the City
21 Administrator or their designee.

1 D. Use.

2 (1) Special permits shall not be used for any purpose other than the purpose for which they
3 were issued.

4 (2) The applicant to whom the parking permits were issued shall collect, keep, and maintain
5 all special parking permits when they are not in use.

6 **§ 114-32. Use of Parking Permits & Exemptions. [Amended on 3-27-11 by HO-2011-01]**

7 A. Parking permits may only be used in the residential parking permit area for which it was
8 issued.

9 B. Proper display of parking permits.

10 (1) All parking permits shall be securely affixed and/or located inside of the vehicle as
11 directed by the Supervisor of the Office of Code and Parking Compliance and shall
12 properly display the permit number and numerical designation of the residential parking
13 permit area, and dates and times, if any.

14 (2) Permits that are improperly placed, partially or fully obstructed or obscured, or bear
15 writing or other markings that make the date, time, or location in which the permit is valid
16 illegible or ambiguous may be deemed invalid.

17 ~~A.C.~~ A parking permit shall not guarantee or reserve a parking space within a designated
18 residential parking permit area. A parking permit shall not authorize the standing or parking of
19 any vehicle in such places and during such times when the stopping, standing or parking of
20 vehicles is prohibited or set aside for specified types of vehicles, and shall not excuse the
21 observance of any traffic regulation.

22 ~~B. Whenever the holder of a parking permit, or the vehicle for which the parking permit was~~
23 ~~issued, no longer fulfills one or more of the applicable provisions of this Article IV controlling~~

1 ~~issuance, renewal or transfer of parking permits, the permit shall be deemed to have expired~~
2 ~~and the holder shall notify the City Administrator, who may then direct the holder to surrender~~
3 ~~the parking permit.~~

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

6 ~~D. A parking permit shall be valid only in the residential parking permit area for which it is~~
7 ~~issued.~~

8 ~~E. It shall be a violation of this Article IV for the holder of a parking permit to fail to surrender~~
9 ~~the permit when directed to do so.~~

10 ~~F. It shall be a violation of this Article IV for any person to represent in any fashion that a~~
11 ~~vehicle is entitled to a parking permit authorized by this Article IV when it is not so entitled.~~

12 ~~The display of a parking permit on a vehicle not entitled to such a parking permit shall~~
13 ~~constitute such a representation.~~

14 ~~G. It shall be a violation of this Article IV for any person to duplicate, or attempt to duplicate,~~
15 ~~by any means, a parking permit authorized by this Article IV. It also shall be a violation of this~~
16 ~~Article IV for any person to display on any vehicle such a duplicate parking permit.~~

17 ~~H~~D. Exemptions.

18 (1) It is not a violation of this Article IV for any person to park or leave standing a vehicle
19 in any residential permit parking area for up to 30 minutes without a permit.

20 (2) A permit is not required to park in any residential parking permit area during any posted
21 days and times when residential parking restrictions are not in effect, or during any
22 temporary period that may be established by the City during which parking restrictions
23 may be suspended, which shall in no case be longer than 72 hours.

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

4 (24) The provision of this Article IV shall not supersede the provisions of the City Code
5 and state laws relating to parking by persons with disabilities.

6 (35) The following vehicles are specifically exempted from the parking restrictions
7 imposed by this Article IV:

8 (a) A motor vehicle owned by or operated under contract to a utility when used in the
9 construction, operation, removal or repair of utility property or facilities or engaged in
10 authorized work in the designated residential parking permit area.

11 (b) A motor vehicle identified as owned by or operated under contract to a federal,
12 state, or local governmental agency and being used in the course of official government
13 business.

14 (c) An authorized emergency vehicle as defined by state law.

15 (46) The City Administrator may grant an exemption to the requirements of this Article IV
16 and to Section 114-18 of Article III to any person for a vehicle which may legally park in
17 the applicable area upon demonstration of unusual hardship or exigent circumstances
18 provided that the exemption will expire at the end of each calendar year unless the person
19 demonstrates that the unusual hardship or unusual or exigent circumstances continue.

20 **§ 114-33. Rental Properties.**

21 **A. Within fourteen days (14) after the termination of a lease and tenancy, owners of rental**
22 **properties are required to:**

1 (1) collect all residential parking permits from the former tenants and return them to the
2 Office of Code and Parking Compliance; or

3 (2) notify the Supervisor of the Office of Code and Parking Compliance, in writing, of the
4 termination and permit numbers of the former tenants, and also notify the former tenants
5 that their parking permits are no longer valid.

6 B. Failure to comply with Subsection A of this Section may result in the non-issuance of new
7 permits for that residence until the existing permits expire at the end of the current term.

8 C. Owners of rental properties are also expected to collect all unused guest parking permits
9 upon the termination of a lease and/or tenancy because, consistent with § 114-30, no additional
10 or replacement guest permits may be issued for any residence during a single term.

11 **§ 114-34. Commercial Properties.**

12 A. No person or entity shall receive or use any permits issued pursuant to this Article IV for
13 any for commercially zoned properties in any residential parking permit area.

14 B. Notwithstanding any other provision in this Article IV, residential parking permits and/or
15 guest parking permits may be issued in reasonable quantities, as determined by the Supervisor
16 of the Office of Code and Parking Compliance, for commercially zoned properties within a
17 residential parking permit area if the Supervisor determines that issuance of such permits
18 would not result in a significant adverse impact on the residents and other commercial
19 establishments in the area.

20 **§ 114-335. Regulations & Enforcement.**

21 The City Administrator is authorized to establish all written regulations and procedure necessary
22 to implement and enforce the provisions of this Article IV and collect all fees and fines. The

1 ~~regulations shall include a reasonable period prior to enforcement of the parking restrictions to~~
2 ~~allow for short visits or stops in such residential zones.~~

3 **§ 114-346. Restriction & Penalty. [amended 4-21-14 by HO 2014-04]**

4 **A. Parking Violations.**

5 (1) Except as set forth in § 114-32(D), it shall be unlawful for any person to park or leave
6 standing any motor vehicle for any length of time designated on the posted signs in a
7 designated residential permit parking zone, area without a valid permit for such zone.
8 ~~Unless otherwise provided, the penalty for each parking violation of this Article IV shall~~
9 ~~be a fine of up to one hundred fifty dollars (\$150.00).~~

10 (2) Unless otherwise provided, the penalty for a violation of this Subsection shall constitute
11 a parking violation punishable by a fine of up to fifty dollars (\$50.00).

12 **B. Falsification and Misuse.**

13 (1) It shall be unlawful to:

14 (a) knowingly provide any false information on an application for any permit under this
15 Article IV;

16 (b) use or misuse any permit issued under this Article IV for an improper or
17 unauthorized purpose;

18 (c) give any permit to another person for an improper or unauthorized purpose; or

19 (d) duplicate, or attempt to duplicate, by any means, a parking permit issued pursuant
20 to this Article IV or use, or attempt to use, any such counterfeit parking permit.

21 (2) Unless otherwise provided, the penalty for a violation of this Subsection shall constitute
22 a municipal infraction punishable by a fine of up to one hundred fifty dollars (\$150.00).

1 C. Failure to Surrender Revoked Permit and Other Violations.

2 (1) Failure to surrender a revoked residential parking permit when ordered to do so shall
3 constitute a separate municipal infraction punishable by a fine of up to one hundred dollars
4 (\$100.00).

5 (2) A violation of any other part of this Article IV that is not explicitly addressed in this
6 Section shall constitute a municipal infraction punishable by a fine of up to one hundred
7 dollars (\$100.00).

8 ~~B. It shall be a municipal infraction for any person to violate any provisions of this Article IV~~
9 ~~other than the parking provisions as outlined immediately above. The penalty shall be one~~
10 ~~hundred dollars (\$100.00). The penalty for any repeat violation within one (1) year shall be up~~
11 ~~to two hundred dollars (\$200.00).~~

12 ~~C. The falsification of any application for a permit, guest permit or temporary permit, the use~~
13 ~~of any permit, guest permit or the allowance of such unauthorized use by a permittee shall all~~
14 ~~constitute violations of this Article IV, punishable as a municipal infraction.~~

15 ~~D. The misuse of any permit, guest permit or temporary permit shall result in a parking citation~~
16 ~~of up to one hundred dollars (\$100.00). Misuse shall include the failure of the permittees to~~
17 ~~properly fill out or date any such permit, guest permit or temporary permit.~~

18 **§ 114-357. Revocation of Permit, Changes in Circumstances, Severability.**

19 A. In addition to the penalties provided above for violation of this Article IV the City
20 Administrator may revoke the residential parking permit of any person found to be in violation
21 of this Article IV or when an unpaid parking or motor vehicle citation issued by the City is
22 fully adjudicated and legally due, and, upon written notification thereof, the person shall
23 promptly surrender such permit to the Supervisor of the Office of Code and Parking

1 Compliance or the City Administrator. Failure to surrender a revoked residential parking
2 permit when requested to do so shall constitute a separate municipal infraction.

3 B. Changes in Circumstances Causing Ineligibility.

4 If, at any time, the holder of a residential or special parking permit or the vehicle for which a
5 residential or special parking permit was issued no longer satisfies one or more of the
6 applicable requirements of this Article IV controlling issuance of parking permits, including
7 any special circumstances, such as status as active military, current student, or caregiver:

8 (1) the parking permit issued immediately becomes invalid;

9 (2) the holder of the permit shall inform the Supervisor of the Office of Code and Parking
10 Compliance, in writing, of the change in circumstances; and

11 (3) the holder shall promptly surrender the permit to the Supervisor of the Office of Code
12 and Parking Compliance if requested to do so.

13 BC. Nothing in this Article IV shall be construed as authorizing a permittee to violate any traffic
14 regulation, emergency or otherwise, duly promulgated by the City.

15 CD. Severability.

16 Severability is intended throughout and within the provisions of the Article IV. If any section,
17 subsection, sentence, clause, phrase or portion of this Article IV is held to be invalid, or
18 unconstitutional by a court of competent jurisdiction, then that decision shall not affect the
19 validity of the remaining portions of this Article IV.

20 DE. The parking districts in existence on September 20, 2004 shall remain in effect until they
21 are modified or withdrawn pursuant to this Article.

ARTICLE V

Trucks and Commercial Vehicles

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§ 114-368. Operation of heavy vehicles upon certain streets restricted.

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~~§ 114-37. Reserved.~~

§ 114-389. Definitions.

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~~§ 114-39~~**40. Parking restrictions for vehicles on public rights-of-way.**

* * *

§ 114-401. Parking restrictions for commercial vehicles on private property.

* * *

~~§ 114-41. Reserved.~~

§ 114-42. Petitions and Permits.

* * *

B. The City Administrator may grant either a temporary permit for a vehicle not meeting the requirements of this Article or one renewable permit, for vehicles prohibited by §114-401, but only after the City Administrator determines that the following criteria are met:

* * *

§ 114-43. Penalties.

* * *

B. A violation of §114-401 shall be a municipal infraction enforceable by Code compliance or the police, with the penalty being one hundred dollars (\$100.00) for a first offense and two

1 hundred dollars (\$200.00) for each subsequent offense. Each day that a violation continues
2 shall be a separate offense.

3 **AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the
4 application thereof to any person or circumstance is held invalid for any reason, such invalidity
5 shall not affect the other provisions or any other applications of the Ordinance which can be given
6 effect without the invalid provision or applications, and to this end, all the provisions of this
7 Ordinance are hereby declared to be severable;

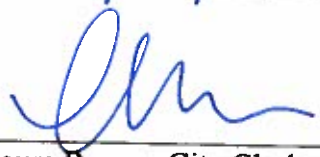
8 **AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect one hundred
9 eighty (180) days from the date of its adoption;

10 **AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall
11 forthwith be published twice in a newspaper having general circulation in the City and otherwise
12 be made available to the public.

13 **INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular
14 public meeting on October 1, 2018.

15 **ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public
16 meeting on October 15, 2018.

Adopted: 10/15/18

Attest: 
Laura Reams, City Clerk


Candace B. Hollingsworth, Mayor

- 17
- 18 {} indicate deletions
- 19 Underline indicates additions
- 20 Asterisks * * * Indicate matter retained in existing law but omitted herein

1 Effective Date: April 13, 2019

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