

COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

Ordinance No. O-12-09
Introduced By City Council
Date Introduced November 7, 2011
First Reading November 7, 2011
Second Reading November 14, 2011
Amendments Adopted
Date Adopted November 14, 2011
Date Effective December 9, 2011

AN ORDINANCE concerning

Parking, Stopping and Standing Restrictions and Regulations

FOR the purpose of reenacting, without amendments, and amending comprehensive regulations relating to the parking, stopping, standing and use of vehicles on public and private property in the City of Seat Pleasant as enacted on October 10, 2011, by Emergency Ordinance No. 12-08; providing that the provisions of this Ordinance are severable; and generally relating to the comprehensive regulation of parking, stopping, standing and use of vehicles in the City of Seat Pleasant.

BY reenacting, without amendments

Chapter 150 – Vehicles and Traffic
Sections 150-1 through 150-71, inclusive, except for Sections 150-24
As enacted by Emergency Ordinance No. 12-08
Code of the City of Seat Pleasant
1994 Edition, as amended

BY repealing and reenacting, with amendments

Chapter 150 – Vehicles and Traffic
Sections 150-24
As enacted by Emergency Ordinance No. 12-08
Code of the City of Seat Pleasant
1994 Edition, as amended

BY adding

Chapter 150 – Vehicles and Traffic
Section 150-57.1
Code of the City of Seat Pleasant
1994 Edition, as amended

SECTION 1. BE IT ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that Chapter 150, Vehicles and Traffic, of the Code of the City of Seat Pleasant (1994, as amended), consisting of Sections 150-1 through 150-71, inclusive, as enacted on October 10, 2011, by Emergency Ordinance No 12-08 is hereby reenacted in its entirety, without amendments, except for Section 150-24.

SECTION 2. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that Section 150-24 of Chapter 150, Vehicles and Traffic, Article IV, Impoundment, of the Code of the City of Seat Pleasant (1994, as amended), as enacted on October 10, 2011, by Emergency Ordinance No 12-08 is hereby repealed and reenacted, with amendments, to read as follows:

ARTICLE IV. IMPOUNDMENT

§ 150-24. IMPOUNDMENT WITHOUT PRIOR NOTICE.

A vehicle subject to impoundment under any provision of federal, state, or local law may be impounded without giving prior notice to its owner under the following circumstances:

1. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or
2. When the vehicle is illegally parked in any zone that has been limited to designated classes of vehicles or where parking is prohibited during certain hours, on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones; or
3. When the vehicle imposes an immediate danger to the public safety; or
4. When a police officer has a probable cause to believe that the vehicle is stolen; or
5. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or observe such evidence; or
6. When the operator of the vehicle has been taken into custody and impoundment of the vehicle is reasonably necessary to provide for the safekeeping of the vehicle; or
7. When the vehicle is both:
 - A. An abandoned vehicle as defined by Section 150-49.b.; and
 - B. Located on any public street, highway, roadway, shoulder, other public property or public utility right of way, provided that any impoundment from public property must be at the direction of the police department; or
8. When the vehicle is found parked in a reserved parking space in violation of

Section 150-14; or

9. When the vehicle is parked on private property in violation of Section 150-9((.))
OR
10. WHEN THE VEHICLE IS PARKED IN VIOLATION OF SECTION 150-52; OR
11. WHEN THE VEHICLE IS PARKED IN VIOLATION OF SECTION 150-53; OR
12. WHEN THE VEHICLE IS PARKED ON A STREET WHERE PARKING IS RESTRICTED OR PROHIBITED TO ALLOW FOR STREET CLEANING AND OTHER STREET MAINTENANCE ACTIVITY.

SECTION 3. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that new Section 150-57.1 is hereby added to Chapter 150, Vehicles and Traffic, Article VIII, Miscellaneous Regulations, of the Code of the City of Seat Pleasant (1994, as amended), as enacted on October 10, 2011, by Emergency Ordinance No 12-08, to follow immediately after Section 150-57 and to read as follows:

ARTICLE VIII. MISCELLANEOUS REGULATIONS

§ 150-57.1. AUTHORITY TO PROHIBIT PARKING FOR STREET CLEANING AND OTHER STREET MAINTENANCE

- A. THE CITY ADMINISTRATOR MAY RESTRICT OR PROHIBIT ON-STREET PARKING ON ANY STREET FOR THE PURPOSE OF STREET CLEANING OR OTHER STREET MAINTENANCE. THE CITY ADMINISTRATOR SHALL POST SIGNS GIVING NOTICE OF ANY PARKING RESTRICTION OR PROHIBITION IMPLEMENTED UNDER THIS SECTION.
- B. A PERSON MAY NOT PARK A VEHICLE ON A STREET IN VIOLATION OF ANY POSTED RESTRICTION OR PROHIBITION OF PARKING IMPLEMENTED UNDER THIS SECTION.
- C. A VEHICLE THAT IS PARKED IN VIOLATION OF THIS SECTION IS SUBJECT TO IMPOUNDMENT UNDER SECTION 150-24.

SECTION 4. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

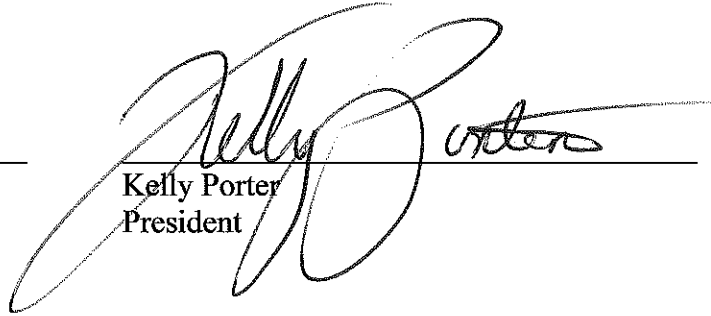
SECTION 5. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that, the City Clerk shall certify to the adoption of this Ordinance, and cause the same to be published as required by law; and that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the Council after the veto by the Mayor.

ATTEST:

**COUNCIL OF THE CITY OF
SEAT PLEASANT**



Dashaun Lanham
City Clerk



Kelly Porter
President

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

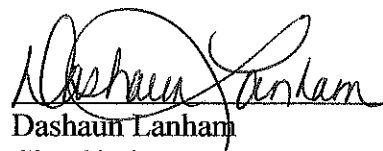
((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

APPROVED:

This Ordinance was presented to the Mayor for his approval of disapproval pursuant to Section C-313 of the Charter of The City of Seat Pleasant this 15th day of November, 2011.



Dashaun Lanham
City Clerk

In accordance with Section C-313 of the Charter of The City of Seat Pleasant, I hereby **APPROVE/DISAPPROVE** this Ordinance this 16th day of November, 2011.



Eugene W. Grant, Mayor