

Amending Section 9-104 Parking
Sponsored by: Councilmember Gathercole

AMENDED LEGISLATIVE RESOLUTION 23-0-06
RESOLUTION AND ORDINANCE OF THE TOWN OF UNIVERSITY PARK TO AMEND CHAPTER 9 “TRAFFIC AND VEHICLES”, ARTICLE 1, “TRAFFIC”, § 9-104, “PARKING” TO PROHIBIT PARKING ON THE WEST SIDE OF WELLS PARKWAY EAST BETWEEN BEECHWOOD ROAD AND THE DEAD END AT THE SCHOOL GROUNDS AND THE EAST SIDE OF WELLS PARKWAY WEST BETWEEN BEECHWOOD ROAD AND THE TURNAROUND AT THE PARK, RESTRICT PARKING ON THE EAST SIDE OF WELLS PARKWAY EAST BETWEEN BEECHWOOD ROAD AND THE DEAD END AT THE SCHOOL GROUNDS TO PARKING BY PERMIT ONLY BETWEEN THE HOURS OF 7 A.M. AND 7 P.M., PROHIBIT PARKING AT AN ELECTRIC VEHICLE CHARGING STATION PARKING SPACE WHEN THE VEHICLE IS NOT PLUGGED INTO THE CHARGING EQUIPMENT; RECOGNIZE THAT THE TOWN FOLLOWS STATE PARKING FINE AMOUNTS; AND MAKE CERTAIN CORRECTIONS.

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Mayor and Common Council of the Town of University Park have the power to pass such ordinances as deemed necessary to protect the health, safety and welfare of the residents of the municipality and to prevent and remove nuisances; and

WHEREAS, the Transportation Article, Annotated Code of Maryland, authorizes the Town to adopt parking and traffic regulations; and

WHEREAS, the Mayor and Common Council have adopted Chapter 9, “Traffic and Vehicles”, of the Town Code to regulate parking and traffic in the Town; and

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[Brackets] indicate matter deleted from existing law

* * Asterisks* * indicate existing law which are unchanged but not set forth in the ordinance

CAPITALS INDICATE MATTER ADDED BY AMENDMENT TO THE PROPOSED ORDINANCE

[Brackets] indicate matter deleted by amendment to the proposed ordinance

WHEREAS, with the opening of the Town playground in the park, parking along Wells Parkway East has become difficult for residents on that portion of the street, a number of whom have no driveways; and

WHEREAS, to resolve the issue of limited parking spaces, the Mayor and Council have determined to enact a permit parking requirement from 7:00 a.m. to 7:00 p.m. on the eastern side Wells Parkway East from Beechwood Road to the dead end at the School grounds; and

WHEREAS, instituting permit parking on Wells Parkway East on the east side could encourage people to park on the west side of the street on that same block, which would make the road impassable for emergency and other vehicles; and

WHEREAS, to ensure that there is adequate space for passage of vehicles the Mayor and Council have determined to prohibit parking on the west side of Wells Parkway East from Beechwood Road to the dead end at the School grounds AND THE EAST SIDE OF WELLS PARKWAY WEST FROM BEECHWOOD ROAD TO THE TURNAROUND AT THE PARK.

Section 1: NOW THEREFORE be it resolved and ordained by the Mayor and Common Council of the Town of University Park that Chapter 9 “Traffic and Vehicles”, Article 1 “Traffic”, Section 9-104 “Parking”, of the Code of the Town of University Park, be repealed, re-enacted and amended to read as follows:

Section 9-104 Parking

A. Prohibitions * * * *

(1) * * * *

(2) Parking. No person shall park any vehicle at any time in the specified places on the following streets:

Name of Street	Side	Location
	* * * *	

XXXI. WELLS PARKWAY EAST WEST FROM BEECHWOOD ROAD TO THE
DEAD END AT THE SCHOOL.

XXXII. WELLS PARKWAY WEST EAST FROM BEECHWOOD ROAD TO THE
PARK TURNAROUND

* * * *

B. Limitations * * * *

(1) – (3) * * * *

(4) NO PERSON SHALL PARK ANY VEHICLE AT ANY TIME ON THE EAST SIDE OF WELLS PARKWAY EAST BETWEEN 7:00 A.M. AND 7:00 P.M. WITHOUT A PARKING PERMIT.

(5) ELECTRIC VEHICLE CHARGING STATIONS

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(I) “PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A MOTOR VEHICLE:

A. THAT IS MADE BY A MANUFACTURER;

B. THAT IS PROPELLED TO A SIGNIFICANT EXTENT BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT CAN BE RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY;

C. FOR WHICH THE EXTERNAL SOURCE OF ELECTRICITY IS UNABLE TO BE CONNECTED TO THE MOTOR VEHICLE WHILE THE MOTOR VEHICLE IS IN MOTION; AND

D. THAT IS PROPERLY REGISTERED.

(II) “PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE” MEANS A PARKING SPACE THAT PROVIDES ACCESS TO CHARGING EQUIPMENT THAT TRANSFERS ELECTRICAL ENERGY TO A PLUG-IN ELECTRIC DRIVE VEHICLE.

(B) UNLESS THE VEHICLE IS A PLUG-IN ELECTRIC DRIVE VEHICLE THAT IS PLUGGED INTO CHARGING EQUIPMENT, A PERSON MAY NOT STOP, STAND, OR PARK A VEHICLE IN A DESIGNATED PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE.

(C) A PUBLICLY ACCESSIBLE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE DESIGNATED BY A SIGN THAT:

(I) INDICATES THAT THE CHARGING SPACE IS ONLY FOR ELECTRIC VEHICLE CHARGING;

(II) INCLUDES ANY DAY OR TIME RESTRICTIONS;

(III) STATES THE MAXIMUM FINE THAT MAY BE INCURRED FOR A VIOLATION; AND

(D) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF \$100.

C. through E. * * * *

F. PARKING FINES. THE PARKING FINES FOR PARKING VIOLATIONS OF THE TOWN CODE ARE THE SAME AS THOSE ADOPTED THROUGH THE STATE OF MARYLAND FOR PARKING VIOLATIONS, EXCEPT AS OTHERWISE SET OUT IN THIS CODE.

Section 2. Be it further resolved that this ordinance shall become effective twenty (20) days after enactment by the Mayor and Common Council of University Park, Maryland.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the Town that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

Section 3: Be it further resolved that a complete and exact copy of this proposed Ordinance shall be posted on the entrance door of the Town Building of University Park, Maryland, for a period of not less than ten (10) days, and a fair summary of this Ordinance shall be published at least once in a newspaper having general circulation in the community.

APPROVED this 12th day of September, 2023.

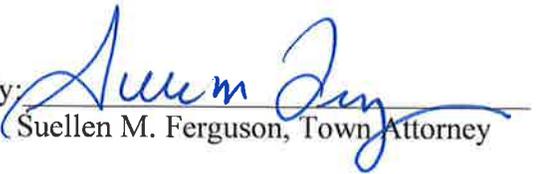
ATTEST:


Alicandra Hegeman, Town Clerk

MAYOR AND COMMON COUNCIL
TOWN OF UNIVERSITY PARK

By: 
Joel T. Bierman, Mayor

APPOVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
Suellen M. Ferguson, Town Attorney