

**CITY OF HYATTSVILLE
ORDINANCE 2014-02**

An Ordinance whereby the City Council updates and revises Articles VI and VIII of the Vehicles and Traffic Chapter of the City Code, specifically dealing metered parking and enforcement.

WHEREAS, Maryland Annotated Code, Article 23A, Section 2 grants to municipal corporations of the State of Maryland, including the City of Hyattsville, the power to protect the health, comfort and convenience of their citizens; and

WHEREAS, the Mayor and City Council deem it in the best interest of its citizens to update the vehicles and traffic chapter of its Code reflecting present practices and technology.

WHEREAS, the City is about to implement updated procedures for parking enforcement and the Code compliance;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville in regular session assembled that Articles VI and VIII of Chapter 114 of the Hyattsville Code are hereby amended to read as follows:

**ARTICLE VI
Metered Parking**

' 114-[43] 44. Definitions.

For the purposes of this Article, the following words and terms shall have the meaning respectively ascribed to them by this section:

~~PARKING METER~~ - Any [~~mechanical~~] device or meter, not inconsistent with this Article, placed or erected for the regulation of parking by ~~authority of this Article indicating by proper legend the legal parking time established by the city and, when operated, indicating at all times the balance of legal parking time and, at the expiration of such period, indicating the illegal or overtime parking.~~ **THE CITY MEASURING THE TIME THAT A VEHICLE MAY LEGALLY PARK IN A METERED PARKING SPACE.**

~~PARKING METER SPACE~~ **METERED PARKING SPACE** - ~~Any space within a parking meter zone adjacent to~~ **ANY SPACE WITHIN A PARKING METER ZONE IN WHICH PARKING IS CONTROLLED OR REGULATED BY** a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked upon the curb or the surface of the ~~highway or parking lot adjacent to or adjoining a parking meter.~~ **STREET** or parking lot

PARKING METER ZONE - Any street or highway or portion thereof and/or any parking lot or portion thereof or other designated location set aside under provisions of this Article for the installation of parking meters and upon which parking meters have been installed and are in operation. Such zones shall not include locations where fire hydrants have been installed, nor such spaces as have been designated as bus stops, taxicab stands or entrances to post office, churches, hotels, theaters or banks, nor other places where parking has been prohibited.

PARKING ACCORDING TO TIMES AND RATES MEASURED BY A PARKING METER OR PARKING METERS

' 114-[44] **45. Designation of parking meter zones.**

A. On-street parking meter zones. ~~The streets or parts of streets contained on a list maintained by the City Clerk are hereby established as on-street parking meter zones.~~ **THE CITY COUNCIL MAY BY MOTION, RESOLUTION, OR ORDINANCE DESIGNATE ANY street(S) or parts of streets as on-street parking meter zones AT A PUBLIC MEETING ON THE MATTER.**

B. Off-street parking meter zones. The municipal parking lots or other properties owned or leased by the city are hereby established as parking meter zones.

C. ALL PARKING METERS ARE PRESUMED TO BE DULY AUTHORIZED BY THE CITY IF THEY HAVE BEEN PLACED ON OR NEAR A ROADWAY OR CITY PROPERTY.

D. ALL PARKING METER ZONES IN EXISTENCE AT THE TIME OF PASSAGE OF THIS ORDINANCE ARE HEREBY REAFFIRMED AS PARKING METER ZONES.

E. THE COUNCIL SHALL ESTABLISH, FROM TIME TO TIME, BY MOTION, RESOLUTION, OR ORDINANCE THE TIME PERIODS WHEN A PAYMENT WILL BE REQUIRED AT A PARKING METER AND THE AMOUNT OF SUCH PAYMENT IN A PARKING METER ZONE. TIMES AND AMOUNTS IN ONE PARKING METER ZONE OR LOT MAY REASONABLY VARY FROM THE TIMES AND AMOUNTS IN OTHER PARKING METER ZONES OR LOTS IN THE CITY.

'114-46. **Use of parking meters.**

Subject to the provisions of this Article and except in a period of emergency determined by **THE CITY** or Police Department or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle is parked in any **METERED** parking space, the operator of such vehicle shall, upon entering such parking space, immediately deposit or cause to be deposited in the parking meter **FOR THAT SPACE** such proper **CURRENCY** of the United States **OR OTHER PAYMENT** as is required for such parking meter and as is designated by directions on the meter. The operator of such vehicle, after the deposit of the proper **PAYMENT** shall also set in operation the timing mechanism on such meter, **IF ANY**, in accordance with directions properly appearing thereon, Upon the deposit of such currency or

payment and the setting of the timing mechanism in operation when so required, the parking space in question may be lawfully occupied by such vehicle during the period of time which has been prescribed for the parking lot or part of the street in which said parking space is located. Parking or standing a vehicle in such a parking space shall **ONLY** be lawful for the period of time **INDICATED BY THE PARKING** meter upon the [~~deposit of the coin or coins~~] **PAYMENT** as required by the instructions on each meter.

' 114-47. PARKING REGULATION

A. IT SHALL BE UNLAWFUL FOR ANY PERSON TO CAUSE, ALLOW OR PERMIT ANY VEHICLE REGISTERED IN HIS/HER NAME OR ANY VEHICLE UNDER HIS/HER CONTROL TO BE OR REMAIN PARKED OR STOPPED IN ANY METERED PARKING SPACE, FOR ANY PERIOD OF TIME WITHOUT IMMEDIATELY MAKING THE REQUIRED PAYMENT IN THE PARKING METER PURSUANT TO THE DIRECTIONS ON THE METER CONTROLLING THE PARKING SPACE.

B. IT SHALL BE UNLAWFUL FOR ANY PERSON TO PERMIT ANY VEHICLE TO REMAIN OR BE PLACED IN ANY PARKING SPACE IN AN AREA DESIGNATED FOR MUNICIPAL EMPLOYEES OR STAFF, UNLESS THE VEHICLE IN QUESTION DISPLAYS THE APPLICABLE PERMIT.

C. IT SHALL BE UNLAWFUL FOR ANY PERSON 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 THE PARKING SPACE IN QUESTION OR TO DEPOSIT IN ANY PARKING METER ANY PAYMENT FOR THE PURPOSE OF PARKING BEYOND THE MAXIMUM LEGAL PARKING TIME, IF ANY FOR THE PARTICULAR PARKING METER ZONE OR SPACE.

D. IT SHALL BE UNLAWFUL FOR ANY PERSON TO PARK ANY VEHICLE ACROSS ANY LINE OR MARKING OF A METERED PARKING SPACE OR IN SUCH POSITION THAT THE VEHICLE SHALL NOT BE ENTIRELY WITHIN THE PARKING SPACE DESIGNATED BY SUCH LINES OR MARKINGS.

E. THE LOADING OR UNLOADING OF A TRUCK, VAN OR OTHER COMMERCIAL VEHICLE MAY BE CONDUCTED FOR A BRIEF, REASONABLE PERIOD ON A METERED PARKING SPACE WITHOUT MAKING THE APPLICABLE PAYMENT.

F. IT SHALL BE UNLAWFUL FOR ANY PERSON TO ATTEMPT TO OR TO DEFACE, INJURE, TAMPER WITH, OPEN OR WILLFULLY BREAK, DESTROY OR IMPAIR THE USEFULNESS OF ANY PARKING METER INSTALLED UNDER THE PROVISIONS OF THIS ARTICLE.

G. IT SHALL BE UNLAWFUL FOR ANY PERSON TO COUNSEL, AID OR ABET ANY VIOLATION OF THIS ARTICLE OR ANY FAILURE TO COMPLY WITH THIS ARTICLE.

H. THE OWNER OF ANY VEHICLE PARKED IN VIOLATION OF OR FAILING TO COMPLY WITH THIS ARTICLE SHALL BE PRIMA FACIE RESPONSIBLE FOR SUCH VIOLATION OR FAILURE TO COMPLY.

' 114-48 PARKING VIOLATION PROCEDURES

A. AUTHORIZED ENFORCEMENT PERSONNEL AS OUTLINED IN § 114-3 OF THIS CHAPTER SHALL ISSUE A REPORT OR TICKET FOR EACH VIOLATION. THE VIOLATION NOTICE SHALL CONTAIN:

- 1. THE LOCATION AND NUMBER (AS APPLICABLE) OF THE METERED PARKING SPACE WHERE THE VEHICLE OCCUPYING IT IS OR HAS BEEN PARKED IN VIOLATION OF ANY OF THE PROVISIONS OF THIS ARTICLE.**
- 2. THE STATE LICENSE NUMBER OF SUCH VEHICLE.**
- 3. THE DATE AND APPROXIMATE TIME OF SUCH VIOLATION.**
- 4. ANY OTHER FACTS, A KNOWLEDGE OF WHICH IS NECESSARY TO A THOROUGH UNDERSTANDING OF THE CIRCUMSTANCES, ATTENDING THE VIOLATION.**
- 5. AN OATH BY THE OFFICER OR DESIGNATED EMPLOYEE BE ATTACHED AND CERTIFYING, UNDER PENALTY OF PERJURY, THAT THE MATTERS SET FORTH ON SAID CITATION ARE, TO THE BEST OF HIS/HER KNOWLEDGE, TRUE.**

B. IT SHALL BE THE DUTY OF THE PERSON ISSUING THE TICKET OR REPORT TO SUBMIT TO THE APPROPRIATE CITY EMPLOYEE, OFFICIAL, OR DEPARTMENT WRITTEN NOTICE OF EACH VIOLATION OF OR FAILURE TO COMPLY WITH THE PARKING REQUIREMENTS OF THIS ARTICLE.

C. THE PERSON ISSUING THE TICKET OR REPORT SHALL GIVE THE OWNER OR DRIVER A COPY OF THE REPORT OF VIOLATION OR, IN THE EVENT THAT SAID VEHICLE IS UNATTENDED, SHALL ATTACH SAID NOTICE IN A CONSPICUOUS PLACE UPON THE VEHICLE.

'114-[66] 49 NOTIFICATION OF RIGHT TO STAND TRIAL; MAXIMUM FINE.

A. Notification of right of trial. Upon notification or attachment to the vehicle of said notice of violation, said notice shall notify the defendant that if he/SHE desires to stand trial he may notify the Hyattsville Police Department **OR OTHER DESIGNATED CITY DEPARTMENT** at least five (5) days prior to the payment date set forth in the citation, and said department will obtain a trial date within fifteen (15) days of the date of notification by the

defendant of his desire to stand trial. Further, said notice shall notify the defendant of **THE** right to stand trial.

B. Violation of any section **OF THIS ARTICLE** shall have a maximum fine of **UP TO ONE HUNDRED FIFTY dollars (\$150.00) UNLESS OTHERWISE PROVIDED.** [Amended 1-17-84 by HB No. 5-84].

C. **IT SHALL BE A MISDEMEANOR TO VIOLATE ' 114-47 (F) PUNISHABLE BY A FINE OF UP TO \$1,000.00 AND/OR SIXTY (60) DAYS IMPRISONMENT IN ADDITION TO AN ASSESSMENT OF COSTS FOR REPAIR/REPLACEMENT OF THE PARKING METER.**

' 114-[68] 50. PAYMENT IN LIEU OF PROSECUTION. [Amended 1-17-84 by HB No. 1-84; 12-17-84 by HB No. 10-84, amended 6-1-98 by HR 98-02]

If, upon receipt of a notice **OF VIOLATION HEREIN**, the owner or operator of a vehicle in question shall pay to the Treasurer at the office of the Hyattsville Police Station (in the Municipal Building), the sum of **FORTY** dollars within five (5) days of the date of notice and the sum of **FIFTY** dollars within thirty (30) days of the date of the notice, no action shall be taken to prosecute the owner for the violation or noncompliance appearing on the notice. **CITY OR THE CITY'S AGENT DESIGNATED ON THE NOTICE THE FULL AMOUNT OF THE FINE PURSUANT TO 114-73 OF THIS CHAPTER.**

~~§ 114-45. Marking of individual parking spaces. [Amended 10-5-87 by HB No. 13-87]~~

~~The Director of Public Works shall mark off individual parking spaces in the parking meter zones designated and described in §114-44A and in the off-street parking areas designated and described in §114-44B. Such parking spaces shall be designated by lines painted or durably marked on the curbing or surface of the street.]~~

~~§ 114-47. Installation of parking meters. [Amended 10-5-87 by HB No. 15-87]~~

~~A. In the parking meter zones designated in §114-44A, the Director of Public Works shall cause parking meters to be installed upon the curb or sidewalk immediately adjacent to the parking spaces marked off as provided in §114-45, such parking meters to be placed not more than two (2) feet from the curb nor more than four (4) feet from the front line of the parking space as marked off.~~

~~B. In the off-street parking areas designated and described in §114-44B, the Director of Public Works shall cause parking meters to be placed at the middle of the front line of each parking space marked off as provided in §114-45; provided, however, that in parts of the off-street parking areas, as directed by the City Council, parking space shall be marked off as provided in §114-45, but parking meters shall not be installed therein.~~

~~§ 114-48. Responsibility for maintenance, control and operation of meters. [Amended 10-5-87 by HB No. 14-87]~~

~~The department head, as designated by the Mayor and City Council from time to time shall be responsible for the regulation, control, operation, maintenance and use of parking meters installed as provided in §114-47.]~~

~~§ 114-49. Display of visible signals by meters.~~

~~Each parking meter installed as provided in §114-47 shall be so arranged as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by this Article. Each such parking meter shall be so arranged that, upon the expiration of the lawful time limit, it will indicate by a proper visible signal that the lawful parking period has expired, and, in such cases, the right of such vehicle to occupy the parking space adjacent to the meter shall cease, and the operator, owner, possessor or manager thereof shall be subject to the penalties provided.~~

~~§ 114-50. Parking in on-street parking meter zones.~~

~~A. On all days, except Sundays and national holidays, between the hours of 9:00 a.m. and 5:00 p.m. in the 4300 block of Hamilton Street and the hours of 8:00 a.m. and 6:00 p.m. in all other places, it shall be unlawful for any person to cause, allow or permit any vehicle registered in his name or any vehicle under his control to be or remain parked in any parking space, marked off as provided in §114-45, in a parking meter zone, designated and described in §114-44A, for any period of time without first making the required deposit in the parking meter adjacent to such space.~~

~~B. Parking or standing a vehicle in such a parking space shall be lawful for the period of time stated on each meter upon the deposit of the coin or coins as required by the instructions on each meter.~~

~~§ 114-51. Time limits and rates for parking in off-street parking meter zones. [Amended 8-1-83 by HB No. 10-81]~~

~~A. It shall be unlawful for any person to cause, allow or permit any vehicle registered in his or her name or under his or her control to be or remain parked or stand in any parking space, marked off as provided in §114-45, whereat a parking meter is installed, during the time period indicated on said meter, without first making the required deposit in said parking meter. The amount of deposit shall be posted on each meter and shall indicate the length of time the vehicle may lawfully occupy the space for such deposit.~~

~~B. The Council shall establish, from time to time, by resolution the time periods when a deposit will be required at a parking meter and the amount of such deposit.~~

~~§ 114-52. Use of parking space where meter indicates unused time.~~

~~A person parking a vehicle in a parking space adjacent to a parking meter installed as provided in §114-47 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 any such parking space beyond the parking time limit set for such parking space and if the meter shall indicate such illegal parking, then 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 to be unlawful.~~

~~§ 114-53. Parking in non-metered areas of municipal lots.~~

~~It shall be unlawful for any person to permit any vehicle to remain or be placed in any parking space in Municipal Parking Lot No. 1 with reference to which no parking meter has been installed unless the vehicle in question displays a current permit issued by the lessee of the parking area from the city.~~

~~§ 114-54. Overtime parking prohibited.~~

~~It shall be unlawful for any person 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 the parking space in question 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 or space.~~

~~§ 114-55. Parking within marked spaces required.~~

~~It shall be unlawful for any person to park any vehicle across any line or marking of a parking space marked off as provided in §114-45 or in such position that the vehicle shall not be entirely within the parking space designated by such lines or markings.~~

~~§ 114-56. Loading and unloading of commercial vehicles in metered parking zones.~~

~~The loading or unloading of a truck, van or other commercial vehicle may be conducted for a reasonable period at any one (1) time on a parking space adjacent to which a parking meter has been installed under this Article without the deposit of a coin in such meter.~~

~~§ 114-57. Tampering with meters prohibited.~~

~~It shall be unlawful for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Article.~~

~~§ 114-58. Depositing slugs or similar devices in meters prohibited.~~

~~It shall be unlawful for any person to deposit or cause to be deposited in any parking meter installed under the provisions of this Article any slug, device or metal substance or other substitute for lawful coins.~~

~~§ 114-59. Collection of coins deposited in meters; disposition.~~

~~The Chief of Police shall designate some member of the Police Department to make regular collections of the money deposited in parking meters installed under the provisions of this Article. Such member shall remove the coins deposited in such meters and deliver such coins to the City Treasurer, who shall deposit such funds to the account of the city Parking Meter Fund.~~

~~§ 114-60. Compliance with provisions required.~~

~~It shall be unlawful for any person to counsel, aid or abet any violation of this Article or any failure to comply with this Article.~~

~~§ 114-61. Prima facie responsibility for violation.~~

~~The owner of any vehicle parked in violation of or failing to comply with this Article shall be prima facie responsible for such violation or failure to comply.~~

§ 114-62. Disposition of moneys collected; Parking Meter Fund.

~~A. The coins deposited in parking meters installed as provided in §114-47 and fees derived from the issuance or renewal of permits under §114-53 are required and shall be used for the following purposes:~~

~~(1) To defray the expense of proper regulation and control of the traffic conditions upon those portions of the public streets of the city along which parking meters and meter spaces are located, as provided in this Article, which are caused by or are attributable to the parking of vehicles along such portions of such streets.~~

~~(2) To provide for the cost of supervision, regulation and control of the parking of vehicles in parking meter zones.~~

~~(3) To cover the cost of purchase, supervision, protection, inspection, operation, maintenance, control and use of parking meters as described and provided in this Article.~~

~~(4) To defray the expense of proper regulation and control of the off street parking areas and for the purpose of paying the costs of acquisition, planning, construction, operation and maintenance of the off street parking facilities and payment when due of the interest and principal of all bonds and certificates of indebtedness, either or both, issued in connection with the acquisition, operation and maintenance of such off street parking areas and facilities.~~

~~B. All funds received by the City Treasurer under this Article shall be accounted for by him in a separate fund known as the "Parking Meter Fund" and shall be used only for the purposes specified in this section.~~

§ 114-63. Construal of provisions.

~~This Article shall be deemed and construed to be an exercise of the police power of the city for the preservation and protection of public safety and for the regulation of parking. All of the provisions of this Article shall be liberally construed with a view to the effectuation of such purpose. The provisions of this Article are adopted for the public convenience.~~

{§ 114-64. Report of violations required.

~~With reference to parking meter zones and off street parking areas where parking meters are installed as provided in §114-47, it shall be the duty of the police officers or other duly designated employees of the city to submit to the City Clerk a written report of each violation of or failure to comply with the parking requirements of this Article, which report shall state:~~

~~A. The number of the parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this Article.~~

~~B. The state license number of such vehicle.~~

~~C. The date and approximate time of such violation.~~

~~D. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances, attending the violation.~~

~~E. That an oath by the officer or designated employee be attached and certifying, under penalty of perjury, that the matters set forth on said citation are, to the best of his knowledge, true.~~

~~§ 114-65. Notification of violation.~~

~~A police officer or other duly designated employee making a report as provided for in §114-64 shall notify the defendant that the vehicle has been parked in a manner that violates or fails to comply with the provisions of §114-54 or any other section herein or, in the event that said vehicle is unattended, shall attach said notice in a conspicuous place upon the vehicle of the defendant that the vehicle has been parked in a manner that violates or fails to comply with the provisions of §114-54 or any other section herein.]~~

~~§ 114-67. Numbering of reports and notices.~~

~~The reports and notices provided in §§114-64 and 114-65 shall bear corresponding serial numbers. All blank reports issued shall be accounted for by the respective police officers or other duly designated employees.~~

~~§ 114-68. Payment in lieu of prosecution. [Amended 1-17-84 by HB No. 1-84; 12-17-84 by HB No. 10-84, amended 6-1-98 by HR 98-02, amended 10-4-04 by Ord. 2004-14]~~

~~Upon receipt of a notice as provided for in §114-65, the owner or operator of a vehicle in question within fifteen (15) days shall elect either to stand trial or to pay to the Hyattsville Police Department the sum of twenty five dollars (\$25.) without such election within fifteen (15) days the fine shall be fifty dollars (\$50).~~

~~§ 114-69. Enforcement.~~

~~Sections 114-64 through 114-68, inclusive, are intended to provide an aid to the strict enforcement of this Article without imposing an undue burden upon offenders and shall be construed as a method of enforcement in addition to and independent of the other methods provided by law and by this Article.]~~

ARTICLE VIII

Penalty Provisions; Impoundment

§ 114-73. Violations and penalties. [Amended 10-4-04 by Ord. 2004-14]

A. Election. Unless a separate procedure is provided for in this Chapter, the following procedures apply to violations of this chapter:

(1) Election by person receiving citation.

(a) Within fifteen (15) days after the date of the citation, the person receiving a citation under this chapter shall:

(i) Pay the amount indicated on the violation directly to the city police department; or

(ii) Choose to stand trial for the violation.

(b) A choice to stand trial shall be made by sending a notice of intention to stand for trial to the city police department within fifteen (15) days after the date on the citation.

(c) Upon the failure of the person cited to elect within fifteen (15) days **AFTER THE DATE OF THE CITATION**, the fine for the violation shall double.

(D) UPON THE FAILURE OF THE PERSON TO ACT WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE CITATION, THE FINE FOR THE VIOLATION SHALL DOUBLE AGAIN.

(2) When presence of ~~officer~~ **CITY PERSONNEL** required. If a person elects to stand for trial and desires the presence at trial of the officer **OR PERSON** who issued the citation, he/she shall so notify the city police department at the time the notice of intention to stand trial is given.

(3) If proper notification is not given, the officer **OR PERSON WHO ISSUED THE CITATION** need not appear at the trial, and the copy of the citation bearing the certification of the ~~officer~~ **PERSON WHO ISSUED THE CITATION** is prima facie evidence of the facts stated in it.

B. Except where another penalty is provided for within this Chapter the fine for a violation of this Chapter shall be thirty-five dollars (\$35.) if the person cited makes the election as outlined in this subsection 114-73(A). Without such election within fifteen (15) days, the fine shall be seventy dollars (\$70).

§ 114-74. Impoundment procedures; reclamation

A. The Police Department may **“BOOT” OR** take into custody and impound:

(1) Any unattended vehicle parked or left standing on any highway or street in the city or on any property owned or leased by the city in violation of any traffic or parking regulation.

(2) Any unattended vehicle for which five (5) or more outstanding parking or parking meter violation citations have accumulated and matured to the maximum fine.

B. The provisions of Title 25, Subtitle 2, of the Maryland Vehicle Law (§ 25-201 et seq. of the Transportation Article of the Annotated Code of Maryland) shall apply with respect to the removal, storage, reclamation and disposal of any vehicle taken into custody pursuant to Subsection A above.

C. In addition to any information required to be contained in the notices given under Title 25, Subtitle 2, of the Maryland Vehicle Law, information as to the nature and circumstances of the traffic or parking violation or violations on account of which a vehicle is impounded shall be given to the owner or other person normally in charge of such vehicle.

D. In addition to paying all towing, preservation and storage charges resulting from taking or placing the vehicle in custody, the owner or person normally in charge of such vehicle shall also be liable for any fine or forfeiture resulting from the violation or violations for which the vehicle was impounded, and such vehicle shall not be released until either written receipt is displayed showing payment of such fine or forfeiture or collateral in the sum of twenty-five dollars (\$25.) per violation is posted for appearance of the owner or person normally in charge

of such vehicle in the people's court of the county to answer the violation or violations on account of which the vehicle was impounded.

§ 114-75. Flagging penalty. [Amended 6-1-98 by HR 98-02]

Any owner of a vehicle who shall receive a warning letter from the city pursuant to the provisions of the Maryland Motor Vehicle Administration's parking violation and flagging procedures or shall seek to obtain a parking fine receipt from the city in order to register said vehicle shall be subject to a fine of fifteen dollars (\$15.) in addition to those penalties incurred as a result of other violations of this chapter.

§ 114-76. Vehicles with illegal or expired license plates. [Added 3-19-84 by HB No. 6-84; amended 12-17-84 by HB No. 10-84, amended 6-1-98 by HR 98-02, amended 10-4-04 by Ord. 2004-14]

A. It shall be unlawful to park or leave standing, **STORE**, or operate any vehicle requiring a license plate on any public street [~~within the city~~] or any property owned or leased by the city, **OR ANY PRIVATE PROPERTY UNLESS IN A FULLY ENCLOSED GARAGE (SEE CHAPTER 113)** unless said vehicle shall have affixed or attached thereto license plates or markers displayed conspicuously on the front and rear of said vehicle in accordance with the provisions of the Annotated Code of Maryland or, in the case of a nonresident, the state, county or territory where such vehicle is registered. [Amended 11-7-88 by HB No. 8-88]

B. The penalty for each violation of this subsection 114-76 shall be the sum of one hundred dollars (\$100.). Any owner may avoid prosecution for a violation of this section by forfeiting collateral in the amount of fifty dollars (\$50.). [Amended 6-1-98 by HB 98-02, amended 10-4-04 by Ord. 2004-14]

C. Any vehicle found in violation of this section is subject to impoundment. [Added 11-7-88 by HB No. 8-88]

D. In addition to paying all towing, preservation and storage charges resulting from taking or placing the vehicle in custody, the owner or person normally in charge of such vehicle shall also be liable for any fine or forfeiture resulting from the violation or violations for which the vehicle was impounded, and such vehicle shall not be released until either written receipt is displayed showing payment of such fine or forfeiture or collateral in the sum of fifty dollars (\$50.) per violation is posted for appearance of the owner or person normally in charge of such vehicle in the District Court, State of Maryland, to answer the violation or violations on account of which the vehicle was impounded. [Added 11-7-88 by HB No. 8-88]

E. In addition to any information required to be contained in the notices given under Title 25, Subtitle 2, of the Maryland Vehicle Law, information as to the nature and circumstances of the traffic or parking violation or violations on account of which a vehicle is impounded shall be given to the owner or other person normally in charge of such vehicle. [Added 11-7-88 by HB No. 8-88]

AND BE IT FURTHER ORDAINED 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 applications of the Ordinance which can be

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February 26, 2014

given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect as an emergency Ordinance on the date of its adoption;

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

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on February 18, 2014.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on March 5, 2014.

Adopted: March 5, 2014

Attest: 


Mayor

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CAPS/**BOLD** indicate additions