

## CHAPTER 9

### PARKING METERS

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#### **Section 9-101. Parking meter zones.**

Parking meters shall be placed on streets or in any area, within the corporate limits of the City of Mount Rainier as designated by the mayor and council.

#### **Section 9-102. Designation of parking spaces.**

The chief of police is hereby directed and authorized to have marked off individual parking spaces in the parking zones designated and described in this chapter and in such other zones as may hereafter be established, said parking spaces to be designated by lines painted or durably marked on the curbing or surface of the street. At each space so marked off, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

#### **Section 9-103. Installation of parking meters.**

In said parking meter zones, the mayor and city council shall cause parking meters to be installed upon the curb or sidewalk immediately and adjacent to the parking spaces provided in this chapter, said installation 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 indicated, and the chief of police shall be responsible for the regulation, control, operation, maintenance and use of such parking meters. Each device shall be so set as to display a signal showing legal parking upon deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by this chapter. Each device shall be so arranged that upon the expiration of the lawful time 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 such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties hereinafter provided.

### **Section 9-104. Operation of parking meters.**

Except in a period of emergency determined by an officer of the fire or police department or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located the operator of such vehicle shall, upon entering the said parking meter space, immediately deposit or cause to be deposited in said meter such proper coin of the United States as is required for such parking meter and as is designated by proper direction on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this chapter. Upon the deposit of such coin and the setting of the timing mechanism in operation when so required, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicated 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 said space does not exceed the indicated unused parking time. If said 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 a violation of this chapter.

### **Section 9-105. Parking meter time limits.**

Parking or standing a vehicle in a designated space in a parking meter zone shall be lawful as indicated on those meters or signs. The City Manager is authorized to replace meters where necessary in order to implement the provisions of this Ordinance, and to provide adequate enforcement within the extended time limits. (Ordinance 5-2007, 6/19/07)

- (i) The meters in the 2200-2300 blocks of Varnum Street shall be enforced every day between the hours of 10:00 AM and 11:00 PM, except Sundays and holidays.<sup>1</sup>
- (ii) The meters in the 3300-3400 blocks of Bunker Hill Road shall be enforced every day between the hours of 10:00AM and 7:00 PM, except Sundays and holidays.
- (iii)The meters in the 3800-4000 blocks of 34th Street shall be enforced every day between the hours of 10:00 AM and 7:00PM, except Sundays and holidays.

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<sup>1</sup> It is the intent of the Mayor and City Council to phase in an extension of the hours of operation on Varnum Street, as an extension will require different meters.

The City Manager is authorized to replace meters where necessary in order to implement the provisions of this Ordinance, and to provide adequate enforcement within the extended time limits.

(Ord. 1-2002 01/15/01)

- (iv) The meters in the 3700 blocks of 34<sup>th</sup> Street shall be enforced every day between the hours of 8:00 am and 12 midnight except Sundays and holidays.
- (v) The meters in the 3200-3300 blocks of Rhode Island Avenue, and the 3700 block of 34<sup>th</sup> Street shall be enforced every day between the hours of 8:00am and 12 midnight, except Sundays and holidays.
- (vi) The meters in the 3200 block of Otis Street shall be enforced every day between the hours of 10:00am and 10:00pm, except Sundays and holidays.
- (vii) The meters in the 3700 block of 33<sup>rd</sup> Street shall be enforced every day between the hours of 10:00am and 10:00pm, except Sundays and holidays.
- (viii) The meters in the 3300 block of Perry Street shall be enforced every day between the hours of 10:00am and 10:00pm, except Sundays and holidays.
- (ix) The meters in the 3400-3700 blocks of Rhode Island Avenue shall be enforced every day between the hours of 10:00am and 10:00pm, except Sundays and holidays.
- (x) The meters in the public lot at 3714 34<sup>th</sup> Street shall be enforced every day between the hours of 10:00am and 10:00pm, except Sundays and holidays.
- (xi) The meters in the 3700 block of 34<sup>th</sup> Street, the 3300 block of Rhode Island Avenue (north and south sides), the 3700 block of 33<sup>rd</sup> Street, and the 3300 block of Perry Street shall have two (2) hour maximum time limits.

(Ord 5-2007, 6/19/07; Ord. 9-2007, 11/20/07)

- (xii) The meters in the 4000 block of 33<sup>rd</sup> street, shall be installed and enforced every day between the hours of 8:00 am and 12 midnight, except Sundays and holidays.

The hours of 12:01am to 2:00am on Sunday are considered the continuation of business from Saturday; therefore, notwithstanding the above, the meters in effect 10:00am to 2:00am shall be operated on Sunday between 12:01am and 2:00am. The hours of 12:01am to 2:00am on Monday are considered the continuation of business from Sunday; therefore, notwithstanding the above, the meters in effect 10:00am to 2:00am shall not be operated on Monday between 12:01am and 2:00am. The hours of 12:01am to 2:00am on a holiday are considered the continuation of business from the day before the holiday; therefore, notwithstanding the above, if the day before the holiday is Monday through Saturday, the meters in effect 10:00am to 22:00am shall be operated on the holiday between 12:01am and 2:00am. The hours of 12:01am to 2:00am on the day after a holiday are considered the continuation of business from the holiday; therefore, notwithstanding the above, the meters in effect 10:00am to 2:00am shall not be operated on the

day after a holiday between 12:01am and 2:00am. Holidays are those days listed in Section 1-112 as City holidays.  
(Ord. 17-99,9/7/99)

### **Section 9-106. Violation.**

It shall be unlawful and a violation of the provisions of this chapter for any person:

- A. To cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as herein described, 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.
- B. To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space.
- C. To park any vehicle across any line or making of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.
- D. To deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this chapter.
- E. To deposit or cause to be deposited in any parking meter any slugs, device or metal substance or other substitute for lawful coins.

### **Section 9-107. Enforcement.**

- A. It shall be the duty of the police officers, parking enforcement officers, and code enforcement officers of the City of Mount Rainier to enforce this chapter and, upon discovering any vehicle parked or otherwise in violation of this chapter, to:
  - 1. Deliver a citation to the driver or, if the vehicle is unattended, attach a citation in a conspicuous place; and
  - 2. Keep a copy of the citation bearing the officer's certification under penalty of perjury that the facts stated in the citation are true.  
9Ord. 16-2006; 12/05/06)
- B. In the absence of the driver of the vehicle, the registered owner of the vehicle is presumed to be the person receiving the citation.
- C. Citations issued under this chapter shall state:

1. The number of the parking meter which indicates where the vehicle is parked and the circumstances which indicate that the vehicle has been parked or otherwise in violation of the provisions of this chapter.
2. The state license number of the vehicle.
3. The make and model of the vehicle.
4. The date and approximate time of the violation.
5. Any other facts necessary to an understanding of the circumstances of the violation.

D. The citation shall notify the person receiving the citation to pay the fine for the violation to the City of Mount Rainier within thirty (30) calendar days from the issuance of the citation, or to give written notice to the City of Mount Rainier within twenty-five (25) calendar days from the date of the issuance of the citation of intention to stand trial for the violation in District court. The citation also shall notify the owner or driver of the vehicle that failure to pay the prescribed fine by the payment date or to request a trial may result in the vehicle being immobilized or impounded or the vehicle's registration renewal or transfer being withheld.

(Ord. 6-2007, 10/2/07)

E. Unless a different fine or penalty is expressly specified in this chapter or provided by law, the fine for a violation of this chapter shall be thirty dollars (\$30).

1. If the fine for the violation is not paid to the City of Mount Rainier within thirty (30) calendar days from the date of the issuance of the citation or written notice of election to stand trial for the violation is not submitted to the City of Mount Rainier within twenty-five (25) calendar days from the date of issuance of the citation, then as a penalty for late payment the fine for the violation shall double to sixty dollars (\$60).
2. If the owner or driver of the vehicle neither sends timely written notice of his or her election to stand trial nor pays the fine for the citation within sixty (\$60) calendar days from the date of issuance of the citation, then, as an additional penalty for late payment, the fine for the violation shall increase to one hundred twenty dollars (\$120).
3. If the owner or driver of the vehicle has not sent timely written notice of his or her election to stand trial and the citation still has been paid within ninety (90) calendar days from the date of issuance of the citation, then as an additional late payment penalty, the citation fine shall increase to two hundred forty dollars (\$240).

4. Before any penalty for late payment of a citation is imposed, the City shall mail a

notice, by first-class United States mail, to the registered owner of the vehicle informing such person of the doubling of the fine for the citation, as set forth in subsections E.1-3 above. Failure to give or receive the notice of the citation fine doubling shall not relieve any owner or driver of the vehicle of the responsibility for the citation and payment of all applicable fines and penalties for the citation.

F. If a person elects to stand trial for the violation and desires the presence at trial of the officer who issued the citation, he or she shall so notify the City of Mount Rainier at the time the notice of intention to stand trial is given. If proper notification is not given, the officer need not to appear at the trial, and the copy of the citation bearing the certification of the officer is prima facie evidence of the facts stated in the citation. A request to stand trial for the violation made after twenty-five calendar days of issuance of the citation requires the posting of collateral with the city equal to the fine plus all last penalties.

G.. The registered owner of the vehicle is responsible for a citation issued for violation of this chapter, whether or not the owner was the driver or in possession of the vehicle at the time of the violation and whether or not the owner actually received the citation.

(Ord. 6-2007, 10/2/07)

#### **Section 9-108. Collections.**

It shall be the duty of the chief of police to designate some member or members of the police department, parking enforcement officers, and code enforcement officers, or other agent of the City of Mount Rainier to make regular collections of the money deposited in said meters and it shall be the duty of such persons so designated to remove from the parking meters the coins so deposited in said meters and deliver to the city treasurer and/or city manager of the City of Mount Rainier who will deposit such funds to the account of the general fund of the City of Mount Rainier. The Chief of Police may request of the Maryland Motor Vehicle Administration or its successor agency to withhold renewal of Maryland license plates that were issued a parking citation that has not been paid. For vehicles issued citations that bear out of state license plates, the Chief of Police may contract with a collection agency, law firm or use other legal means to collect unpaid fines.

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(Ord. 09-2003, 07/01/2003); (Ord 16-2006; 12/05/06)

**Section 9-109. Use of funds.**

The coins deposited in said parking meters, as provided herein, are required and shall be deposited in the general fund of the City of Mount Rainier.