

O-05-2019 An Ordinance to Amend §149-22 Penalties for Parking Violation

**City Council of the City of Glenarden, Maryland
2019 Legislation**

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Resolution: **O-05-2019**
Sponsored By: **Carolyn Smallwood, Councilmember**
Co-Sponsors:
Public Hearing: **March 19, 2019**
Session: **Regular Session**
Date of Introduction: **April 8, 2019 (First Reading)**
May 13, 2019 (Second Reading)

An Ordinance to Amend §149-22 Penalties for Parking Violation

WHEREAS, the City of Glenarden is a municipal corporation of the State of Maryland, and operating under Article XI-E of the Constitution of Maryland and §5-202 of the Annotated Code of Maryland as amended; and

WHEREAS, Article III §149-22 entitled Penalties for Parking Violations provides for restrictions and penalties for parking violations; and

WHEREAS, §149-22 does not address the penalties for parking over 72 hours on a City street or public space; and

WHEREAS, the City of Glenarden Codes, Chapter 149 (Vehicle and Traffic) is intended to give provisions that are in addition and supplementary to the provisions of Maryland Vehicle Law Titles 11 through 27 of the Transportation Article of the Annotated Code of Maryland, as amended, and in accordance with the authority specifically granted by such law; and

WHEREAS, under General Provisions of Chapter 149, § 149-4, Violations and Penalties, the Glenarden Code states “violation of any provision of this chapter or any supplement thereto shall be deemed a municipal infraction and shall be punishable as provided in § 1-20B of this Code.”

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Glenarden, Maryland sitting in Regular Session this **13th day of May, 2019** that Article III, Chapter 149-22.3 of the City Code of the City of Glenarden be and it is hereby enacted to read as follows:



To: Council Clerk

Date: May 24, 2019

Veto Ordinance O-05-2019

Dear Council Clerk Taylor,

It is my understanding that a Council vote was taken on Monday, May 13, 2019 regarding Ordinance O-05-2019 An Ordinance to Amend 149-22 Penalties for Parking Violation. I was in the office on Tuesday, May 14th and did not receive the Ordinance. I am returning to the office this evening and hopefully it will be in my box.

However, I do not plan to sign the Approval of the Ordinance. After serious consideration, consultation with the Chief of Police and concerns voiced by the residents of Glenarden, I cannot support this Ordinance and shall Veto the Ordinance. It is my concern that the amendment of 149-22 is not a rational nor acceptable position by the City Council and must be reconsidered.

This attempt to strong arm the residents of Glenarden and the inability to actually enforce this law without averting legal challenges is my primary concern under my authority as the Chief Executive Officer of the City of Glenarden. I look forward to your delivery of the Ordinance O-05-2019 to my mailbox and stamped by the Executive Assistant with the date we receive the Ordinance.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Edward Estes", is written over a faint circular stamp.

Edward Estes, Mayor

City of Glenarden

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§ 149-22.3 Parking longer than 72 hours prohibited.

A. No person shall park or allow to stand any vehicle on any of the City streets or public spaces in the City for a continuous period in excess of seventy-two (72) hours without being moved a distance of at least two full vehicle lengths. If the vehicle is a motor vehicle, it must be moved under its own power.

B. Any vehicle found parked upon any City street or public space for a continuous period in excess of seventy-two (72) hours, in the City is a violation of this section and may be impounded by the City Police Chief or his designee, after notice to the driver or owner of the vehicle. Such notice shall state that the vehicle is parked in violation of this section of the City Code and shall state the penalty therefore. The notice shall be attached to the vehicle and shall direct the owner or operator of the vehicle to remove the vehicle within forty-eight (48) hours.

BE IT FURTHER RESOLVED AND ORDAINED by the City Council of Glenarden, Maryland that this Ordinance is and shall become effective twenty days following approval by the Mayor or passage by the Council over the Mayor's veto.

Date Approved: May 13, 2019

ATTEST:

City Council of Glenarden, Maryland

Toni Taylor
Toni Taylor, Council Clerk

-NO-
Deborah Eason, President

James A. Herring
James Herring, Vice-President

NO ADP
Angela D. Ferguson, Councilwoman

Robin Jones
Robin Jones, Councilwoman

Carolyn Smallwood
Carolyn Smallwood, Councilwoman

VETO
Edward Estes, Mayor
17 MAY 19
See Memo for
Explanation

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Votes:
Yes 4
No 3
Abstain 0

NO DW
Donjuan Williams, Councilman
Celestine E. Wilson
Celestine Wilson, Councilwoman