

Introduced by: Councilmember Clay

First Reading: July 18, 2011

Second Reading: July 25, 2011

Effective Date: August 1, 2011

**CITY OF TAKOMA PARK, MARYLAND**

**ORDINANCE NO. 2011-33**

**Amending the Takoma Park Code to  
Increase Certain Fees, Fines and Penalties (Amendment of Chapter 11.12 Permits and  
Improvements; Chapter 11.16 Obstruction and Protection of Streets; Chapter 13.40 Fines,  
Late Payment Penalties and Service Charges;  
and Repeal of Chapter 8.32 Licenses and Permits)**

**WHEREAS**, the City Council adopted a series of increases in fees, fines, and penalties as part of the FY 2012 budget; and

**WHEREAS**, a number of these fees, fees and fines are established in the City Code; and

**WHEREAS**, the Council desires to amend the City Code to include the increases adopted in the FY 2012 budget;

**WHEREAS**, Chapter 8.32 Licenses and Permits consists of a schedule of licenses and permits with corresponding fees, including the fee amounts for driveway apron permits, utility permits, and dumpster permits; and

**WHEREAS**, a number of other license and permit fees are set out in the sections of the Code related to the particular licenses or permits referenced in Chapter 8.32; and

**WHEREAS**, certain other references in Chapter 8.32 are obsolete; and

**WHEREAS**, fees for driveway apron permits, dumpster permits, and utility permits are to be incorporated into the respective sections of Chapter 11.12 Streets and Chapter 11.16 Obstruction and Protection of Streets.

**WHEREAS**, Chapter 13.40, Section 13.40.010 sets forth meter violation fines, other parking fines and corresponding penalties, and establishes the fee for a vehicle impound release.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
TAKOMA PARK, MARYLAND:**

**SECTION 1.** Title 8, Business, Chapter 8.32 Licenses and Permits of the *Takoma Park Code* is hereby repealed.

**Title 8**

**BUSINESS**

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## Chapter 8.32 Licenses and Permits

### 8.32.010 Schedule of license and permit fees.

The following fees shall be charged for licenses or permits in the classifications as herein provided:

Regulated Activity	License Required	Permit Required	Fee	Insurance or Bond
Barricades, temporary		14.24.160	\$2.00	n/a
Cesspool dumping		14.24.050	n/a	n/a
Clairvoyance		8.24.010	\$250.00	n/a
Construction: street grades		11.12.010	11.12.070	n/a
Dead animal dumping		14.24.050	n/a	n/a
Dogs	15.04.040		n/a	n/a
Excavations		11.12.010	11.12.070	n/a
Fences, temporary		14.24.160	\$2.00	n/a
Fortunetelling		8.24.010	\$250.00	n/a
Junk dealers	8.12.050		\$25.00/year \$15.00/6 mos.	n/a
Land used for amusements		14.24.140	n/a	n/a
Newspapers: boxes and posts		8.08.010	n/a	n/a
Palmistry		8.24.010	\$250.00	n/a
Parades		13.16.010	n/a	n/a
Park uses		14.24.170	n/a	n/a
Peddlers	8.12.050		\$25.00/year \$15.00/6 mos.	n/a
Press passes		8.08.090	n/a	n/a
Public buildings use		14.24.170	n/a	n/a
Refuse:				
Burial		10.16.100	n/a	n/a
Burning		10.16.110	n/a	n/a
Collection or transportation		10.24.010	\$25.00 per vehicle	\$150.00

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**SECTION 2.** Title 11, Streets, Chapter 11.12 Permits and Improvements of the *Takoma Park Code* is amended as follows:

## **Title 11**

### **STREETS**

\* \* \*

#### **Chapter 11.12 Permits and Improvements**

\* \* \*

##### **11.12.070 Permit and inspection fees.**

A. Before any street, sidewalk, gutter, curb or drainage project may be begun on a road or street or within the boundaries of a dedication to public use, the applicant for a permit to undertake the project shall pay a fee for road construction, right-of-way openings, pavement cuts, excavations and other disturbance work within a public right-of-way of the greater of ~~\$25.00~~\$40.00 or the following:

1. For disturbance activities within the roadbed: \$0.60 per linear foot.
2. For disturbance activities outside of the roadbed: \$0.30 per linear foot.

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##### **11.12.120 Driveway apron cost—Corrective action—Installation requirements.**

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F. The requirements to install or replace driveway aprons on a City right-of-way shall be to:

1. Obtain forms from Public Works and complete them as specified by the Director of Public Works or the Director's representative;

2. Submit the permit application fee of \$40.00 along with the application and required information.

23. Obtain a construction permit from the Clerk;

34. Comply with all requirements of this chapter.

G. A violation of this section is a Class B offense.

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**SECTION 3.** Title 11, Streets, Chapter 11.16 Obstruction and Protection of Streets of the *Takoma Park Code* is amended as follows:

\* \* \*

**Chapter 11.16  
Obstruction and Protection of Streets**

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**11.16.030 Permit required to place construction dumpsters in public streets.**

No person without a permit shall park or cause to be parked on a City right-of-way a dumpster for the purpose of storing and hauling construction and excavation debris without first having obtained a permit from the Clerk. To obtain a permit, the applicant must submit an application, plans, and the application fee of \$30.00 to the Clerk bearing the approval from the Director of Public Works. A violation of this section is a Class B offense.

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**SECTION 4.** Title 13, Vehicles and Traffic, Chapter 13.40 of the *Takoma Park Code* is amended as follows:

**Title 13**

**VEHICLES AND TRAFFIC**

\* \* \*

**Chapter 13.40  
Fines, Late Payment, Penalties and Service Charges**

**13.40.010 13.40.010 Schedule of fines and charges.**

The amount of fines, additional penalties and service charges for violations of this title shall be as follows:

Chapter/Section	Brief Description	Fine	Penalty <sup>1</sup>	Service Charge <sup>2</sup>
Chapter 13.12	Parking meter regulations	\$ <u>40.00</u> <del>35.00</del>	\$ <u>40.00</u> <del>35.00</del>	\$15.00
Section 13.20.010	Impeding traffic	\$ <u>45.00</u> <del>40.00</del>	\$ <u>45.00</u> <del>40.00</del>	\$15.00
Section 13.20.020	Any violation of Section 13.20.020 not designated below	\$ <u>40.00</u> <del>35.00</del>	\$ <u>40.00</u> <del>35.00</del>	\$15.00

Section 13.20.020(A)	Within intersection	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.20.020(B)	On crosswalk	\$ <del>50.00</del> 45.00	\$ <del>50.00</del> 45.00	\$15.00
Section 13.20.020(C)	On bridges/underpass	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.20.030	Residential permit parking violation	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.20.040	Any violation of Section 13.20.040 not designated below	\$ <del>40.00</del> 35.00	\$ <del>40.00</del> 35.00	\$15.00
Section 13.20.040(A)(1)	Violation of official sign	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.20.040(A)(4)	Within 15' of a fire hydrant or bus stop	\$ <del>50.00</del> 45.00	\$ <del>50.00</del> 45.00	\$15.00
Section 13.20.040(A)(9)	Within 5' of a driveway	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.20.040(B)(6)	Fire lanes	\$ <del>255.00</del> 250.00	\$ <del>105.00</del> 100.00	\$15.00
Section 13.20.040(A)(11)	Handicapped parking	\$ <del>255.00</del> 250.00	\$ <del>105.00</del> 100.00	\$15.00
Section 13.20.060	Any violation of Section 13.20.060	\$ <del>40.00</del> 35.00	\$ <del>40.00</del> 35.00	\$15.00
Section 13.20.070	“For sale” sign on vehicle parked on highway	\$ <del>40.00</del> 35.00	\$ <del>40.00</del> 35.00	\$15.00
Section 13.20.080	Parking commercial vehicles in residential zone	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.20.090(A)	Parking an unregistered vehicle on highway or public property	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.20.090(B)	Performing vehicle repairs or service on a vehicle on highway or public property	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.24.030	Emergency or temporary no parking and no traffic zones	\$ <del>45.00</del> 40.00	\$ <del>45.00</del> 40.00	\$15.00
Section 13.24.040	Snow emergency	\$ <del>105.00</del> 100.00	\$ <del>105.00</del> 100.00	\$15.00
Section 13.24.050	Towing and impounding illegally parked vehicles	Fine for the violation, plus towing/ storage charges.	\$ <del>25.00</del> 15.00	\$15.00 <sup>3</sup>

Notes:

1 See Section 13.36.030. A penalty for late payment is imposed if the fine for the violation is not paid within 15 days from the date of issuance of the parking ticket.

2 See Section 13.36.030. A service charge is imposed if payment of the fine is made more than 30 days after the date of issuance of the parking ticket.

3 See Section 13.24.050. In any case involving the towing or impounding of a vehicle, the service fee of \$15.00 is imposed immediately and must be paid before the vehicle may be released to the owner or his or her authorized agent.

**SECTION 5.** This ordinance shall become effective on August 1, 2011.

**ADOPTED THIS 25TH DAY OF JULY, 2011, BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, BY ROLL-CALL VOTE AS FOLLOWS:**

**AYE:** Williams, Wright, Clay, Robinson, Seamens, Snipper, Schultz  
**NAY:** None  
**ABSENT:** None  
**ABSTAIN:** None

**EXPLANATORY NOTE**

Additions to the existing language of the *Takoma Park Code* are shown by **underlining**.  
Deletions to the existing language of the *Takoma Park Code* are shown by ~~strikeout~~.

\* \* \* indicates language of the *Takoma Park Code* which is not reproduced in this Ordinance and which is not being changed.