

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



	TITLE: PARKING ENFORCEMENT	NUMBER: 711
	EFFECTIVE DATE: July 15, 2009	REVIEW DATE:
	New X Amends Rescinds	General Order 711, dated April 23, 2002
AUTHORITY: Chief Ronald A. Ricucci	ACCREDITATION STANDARDS: 61.1.13	TOTAL PAGES: 6

01 Purpose: To provide guidelines and priorities for enforcing parking violations pursuant to the Takoma Park City Code.

02 Policy: Discretion is a factor in all policing, and particularly in the matter of issuance of parking citations. While Police Officers and Parking Enforcement Officers are expected to aggressively enforce parking prohibitions, they are also expected to be aware of certain conditions, which affect citizens who reside in areas of the City, which places parking at a premium.

03 Citations:

A. Police personnel will use citations issued by the City of Takoma Park for enforcement of parking ordinances. Citations will be legible and written in black ink.

B. Unused citations will be returned to the Parking Enforcement Coordinator for re-use or disposal. Citations that are not completed and issued (i.e. the officer writes incorrect information, or omits required information) should be turned in to the Division Commander with a void request.

04 Priority Violations:

A. Parking Enforcement Officer Responsibilities: The following list of City Code violations will be priority violations that require continuous aggressive enforcement by Parking Enforcement Officers:

- * 13.20.040 (A)(11) Unauthorized Parking in a Handicapped area.
- * 13.12.100 Overtime Meter Parking
- * 13.20.030 Residential Permit Parking
- * 13.20.040(A)(4) Parking within 15 'of a Fire Hydrant or Bus Stop
- * 13.20.060 (B) Double Parked
- * 13.20.040 (A)(3) Parked on a Sidewalk
- * 13.20.040 (A)(1) Official Signs (Fire lane)
- * 13.20.010 Impede Traffic
- * 13.20.020 (D) Parked within 40' of an intersection
- * 13.20.020 (E) Parked within 25' of a Stop Sign

B. Police Officer Responsibilities: Priority violations for police officers involve those violations that impact on the safety of the public, or are determined to be a priority by their impact upon the quality of life in the community. The following list of City Code violations will be priority violations that require continuous aggressive enforcement by police officers:

- *13.20.040(A)(11) Unauthorized Parking in a Handicapped area.
- * 13.20.040 (A)(H) Parking within 15' of a Fire Hydrant or Bus Stop
- * 13.20.060 (B) Double Parked
- * 13.20.040 (A)(1) Official Signs (Fire lane)
- * 13.20.010 Impede Traffic
- * 13.20.020 (D) Parked within 40' of an intersection
- * 13.20.020 (E) Parked within 25' of a Stop Sign

C. The City Code lists numerous violations that are not classified by this procedure as priority in nature. This does not preclude personnel from taking action when these violations are encountered, however, emphasis should be placed on those violations enumerated in this section. For this reason, personnel should familiarize themselves with the Takoma Park City Code dealing with parking violations.

05 Handicapped Parking Enforcement

A. Enforcement of laws that protect the rights of handicapped citizens to full access to public and private property is essential. The Transportation Article, Maryland Code, and City Code have laws that provide for handicapped parking and the issuance of handicapped plates, placards or stickers. There are similar laws in every state and the District of Columbia. There will be a zero tolerance policy for violations of this section, and officers will issue parking citations only; no warnings. Before issuing a citation to a vehicle that appears to be in violation, Officers will:

1. Determine if the vehicle has proper registration plates.
2. Very carefully inspect front and rear windows and front and rear dashboards to determine if handicapped permits are in those locations.
3. Some states have small handicapped stickers that are affixed to a regular registration plate. Officers observing out of state tags should inspect the registration plates for such stickers.

B. Maryland Code, Transportation Article §21-1003(dd) makes it a violation for vehicles to park, stand, or stop in front of a curb ramp designed for use by individuals with disabilities.

C. Any vehicle with handicapped tags may park at a parking meter without placing coins in the meter.

05 City Parking Permit Enforcement: Any City resident purchasing a City parking permit is given the guidelines dealing with sticker placement and use of visitor permits. These guidelines are maintained in Administrative Services.

A. Stickers are normally placed in the upper left-hand corner of the rear window, but where necessary, may be placed in the lower left hand corner of the windshield on the driver's side. Regardless, Officers will first check all windows, rear deck, and the dash board before writing a citation.

B. When there is any doubt as to whether exemptions apply, an Officer will issue a warning ticket only.

C. Before writing a citation on any other type vehicle (motorcycle, van, etc.) an Officer will check the vehicle carefully to make sure no parking permit is attached.

D. Exemptions:

1. Emergency, commercial and/or service vehicles are exempt when performing necessary work within the area.

2. Public utility and all governmental vehicles are exempt when performing necessary work within the area.

3. Non-motorized vehicles (trailers, boats, etc.) will not require nor be issued permits. However, they are required to display current registration plates.

4. Vehicles with Handicapped permits.

07 Commercial Vehicle Parking Enforcement: When enforcing City Code 13.20.80 (prior code 13-67) on Commercial Vehicles, Officers will use the following definition:

* Commercial Vehicle: A Commercial Vehicle and CMV means a motor vehicle or combination of motor vehicles used to transport passengers or property, if the motor vehicle:

* has a gross combination weight of 26,001 or more pounds inclusive of a towed unit;

* has a gross vehicle weight of 26, 001 or more pounds;

* is designed to transport 16 or more passengers, including the driver, or

* is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which requires the motor vehicle to be placarded under hazardous materials regulations (49CFR Part 172, Subpart F).

B. City Code 13.20.80 forbids the parking of the above defined vehicles in residential areas except when actually loading or unloading merchandise..

08 Parking at City Sponsored Events: During the course of City sponsored events, such as the 4th of July or Folk Festival, Officers may observe or receive complaints relative to obstructions in roadways or vehicles blocking private driveways. Upon responding to these complaints, Officers will attempt to contact the vehicle owner and/or event coordinator, and ask that the vehicle be removed immediately. Only after such notification will tickets be written. Vehicles will not be impounded except where obstruction to a roadway exists or creates a serious hazard or blocks a driveway so that access is impossible. Before impounding, the event coordinator and Watch Supervisor will be notified.

09 72 Hour Violations:

A. Officers or the PEO who observe, or respond to calls for, a violation of the 72 Hour Parking ordinance (City Code 13.20.40 (A) (7)), shall verify the identified vehicle's violation and issue a warning on TPPD Form 700-09 (Warning/FIR Book). The warning notice (yellow copy) shall be posted on the driver's side window or the windshield, and the Dispatcher shall be requested to assign the warning issuance a CAD Event Number. Vehicle tires (inside and outside) will be marked at the pavement with a grease pen to serve as a determinant as to whether or not the vehicle is subsequently moved. .

B. A log book for 72 hour parking violations will be maintained in the Communications Office. Prior to completion of the work shift, the officer or PEO that issued the warning will enter pertinent information into the log book on TPPD Form # 700-022 (72 Hour Parking Violation Check Sheet) to initiate a tracking process.

C. Once the 72 hour warning has been entered into the log book, the white copy will be forwarded to the Administrative Services Division for filing and the pink copy will be retained by the issuing officer/PEO, who will be responsible for assuring follow-up action is taken..

D. After a minimum period of 72 hours, the officer/PEO should return to check the status of the vehicle, advising dispatch of the follow-up. If the vehicle has been removed, the officer/PEO shall advise dispatch to note the removal in the CAD entry and this will conclude the case. If the vehicle is still at the location and in violation, the officer/PEO shall issue a City Parking Citation and advise the Dispatcher, who will note in CAD that a ticket was issued.. Prior to completion of the work shift, the officer/PEO will update TPPD Form 700-022 in the log book to reflect the new status.

E. If a ticket was issued, the officer/PEO shall return to check the status of the vehicle at least 10 days following issuance of the warning. If the vehicle has been removed, the officer shall advise the Dispatcher, who will note the removal in the CAD entry and this will conclude the case. If the vehicle is still in violation, the officer may impound the vehicle and shall advise the Dispatcher, who will change the clearance code to reflect a 2814-2 and assign a Case Number. Prior to completion of the work shift, the officer/PEO will update TPPD Form 700-022 in the log book to reflect the new status.

F. The effect of these procedures will be to provide a tracking process in the form of a hard copy logbook patrol team leaders to review at roll call and assign any pending follow-up actions on 72-hour violations that cannot readily be handled by the initiating officer/PEO

G. The PEO will review the logbook for 72 hour parking violations on a weekly basis to ensure entries and status reports are current.

10 Abandoned, Wrecked, Inoperative Vehicles: Refer to General Order 703.

11 Blocked Driveway Enforcement: Violations involving blocked driveways, or vehicles parked within five (5) feet of a driveway, will be cited only upon citizen complaint. Furthermore, officers will vigorously attempt to ascertain ownership of the vehicle prior to writing a citation. This will prevent the resident, or someone authorized by the resident to park there, from being cited.

12 Impounding Illegally Parked Vehicles: Vehicles shall not be routinely impounded for parking violations. When possible, the officer will give the owner/operator a reasonable opportunity to remove the vehicle. However, officers are not restricted from issuing appropriate violation notices or summonses. Impoundment is authorized in the following circumstances:

A. If a vehicle is parked or standing in a fashion that impedes the movement of traffic or blocks a driveway or entrance, or is left unattended on any road, highway, alley or parking lot in a manner that constitutes a threat to public safety.

B. If a vehicle is parked in a fire lane, or interferes with access to a fire hydrant, or interferes with the passage of an emergency vehicle.

C. If a vehicle is parked on a snow emergency route and interferes with snow removal efforts and/or impedes traffic during a snow emergency.

D. If a vehicle is parked in an area adequately marked with temporary emergency no parking signs, as authorized under Title 13 Chapter 13.24 of the City Code.

E. If a vehicle has not been moved in 10 days following the issuance of a warning for 72-hour violation

13. Contested Citations:

A. City Code (Section 13.36.020) and Maryland Code (Transportation Article, § 26-303) dictate guidelines for processing of contested parking citations. The methods of disposition include either paying the fine or requesting a trial date in the District Court of Maryland, through the process described on the citation. The Parking Enforcement Coordinator will be responsible for scheduling and assigning court dates, including notifications to the defendant, the issuing officer and transmittal of the citations to the District Court.

B. If a citizen claims that a ticket was written in error (and it appears factual that the circumstances show that this may be the case,), the issuing employee should ensure that the first three lines of the citation, containing the defendants name, address and phone numbers are legibly filled in on the violators copy . The issuing employee will forward the parking citation to their respective Division Commander, with a Void Request form containing the reason for requesting the void. If the Division Commander concurs, then the citation and form will be forwarded by the Parking Enforcement Coordinator to the State's Attorney's Office for disposition. Final Authority rests with the State's Attorney's Office, who may request a Nolle Prosequi in open court proceedings. If the Division Commander or State's Attorney's Officer does not concur with the Void Request, then the case will be assigned for Court and the violator will be notified by the Parking Enforcement Coordinator.