

First Reading 3-1-16
Second Reading Emergency

ORDINANCE 2016-3

AN ORDINANCE TO AMEND CHAPTER 90, ENTITLED TRAFFIC AND VEHICLES, OF THIS CODE OF THE TOWN OF OCEAN CITY, MARYLAND.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY, THAT CHAPTER 90, ENTITLED TRAFFIC AND VEHICLES, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND BE, AND IT IS HEREBY, AMENDED BY REPEALING AND REENACTING SUBSECTION (a)(1) d AND ADDING SUBSECTIONS (a)(1) e and f to SECTION 90-136, BY REPEALING AND REENACTING SUBSECTIONS (d)(2) AND (3) OF SECTION 90-136, BY REPEALING AND REENACTING THE DEFINITIONS OF COMMERCIAL VEHICLE AND OVERSIZED VEHICLE OF SECTION 90-161, BY REPEALING AND REENACTING SUBSECTION (4) AND ADDING SUBSECTIONS (5), (6) AND (7) OF SECTION 90-164, AS FOLLOWS:

Sec. 90-136. - Violations and penalties.

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d. Violation of parking a trailer or oversized vehicle on Baltimore Avenue at any time of the year: \$250.00

e. Violation of parking a trailer or oversized vehicle without a permit on any municipal parking lot, any public street or alley or any public way within the corporate limits of Ocean City from May 1st through October 31st of each year: \$250.00

f. All other violations of this article: \$30.00

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(d) Scofflaw; towing and booting of vehicles.

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(2) A scofflaw's vehicle shall be deemed a public nuisance, and the police department is authorized to disable the vehicle with a tire locking device (boot), remove or cause to be removed said vehicle to the city impound lot and stored at the scofflaw's sole cost and expense. Vehicles with three (3) or more unpaid parking citations or unpaid parking citations totaling \$100.00 or more that are 14 days overdue without a

request for a trial, or if a trial was requested, found guilty but the fine remains unpaid may be booted after their owners receive a series of notices. If a vehicle is booted, the owner must pay the total amount due, including all fees, fines and penalties, before the boot can be removed, including a \$150 boot fee.

(3) As soon as reasonably possible, within 5 days at best, after it impounds or boots a vehicle, the police department shall send notice, by registered or certified mail, return receipt requested, to the last known registered owner of the vehicle, a notice containing the following:

- a. State that the vehicle has been impounded or booted;
- b. Describe the year, make, model and vehicle identification number of the vehicle;
- c. Give the location of the booted vehicle or facility where the vehicle is held;
- d. Inform the owner of his right to reclaim the vehicle within three weeks after the date of the notice, upon payment of all fines, penalties and towing, preservation and storage charges resulting from impounding or booting the vehicle;
- e. State that the failure of the owner to exercise this right in the time provided is:
 - (i) A waiver by him of all his rights, title and interest in the vehicle.
 - (ii) A consent to the sale of the vehicle at public auction.

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Sec. 90-161. - Definitions.

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Commercial vehicle. Any vehicle utilized in the operation of any business situate within Ocean City, and any vehicle which is utilized to make commercial deliveries or pickups to or from businesses situate in Ocean City.

Oversized vehicle. Any vehicle, or combination of vehicles, that is either over 21 feet two inches in length or is over six feet eight inches in width, or both.

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Sec. 90-164. - Exemptions.

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- (4) Governmental vehicles of any kind.

(5) Trailers used for transporting construction materials and equipment provided it is located at or in close vicinity of an active construction site.

(6) Boat trailers covered under Sec. 90-137(g) hereof, or lawfully parked at the 100th Street municipal parking lot.

(7) Except for Baltimore Avenue, where oversized vehicle *and* trailer parking by permit is not allowed, Oversized vehicles *and* trailers utilized by registered participants in a special event approved for a parking permit issued by the Town of Ocean City for a charge of Fifty Dollars (\$50.00) per vehicle. Permits are valid on Wednesday through Sunday of the particular special event.

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on March 1, 2016.

ADOPTED AND PASSED, ^{as an emergency ordinance} by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on March ~~18~~₁, 2016.

ATTEST:

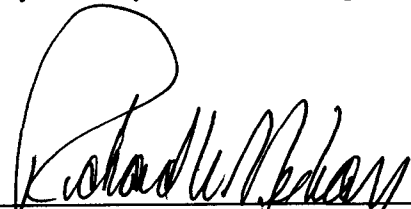


DIANA L. CHAVIS, Clerk

Approved as to form:



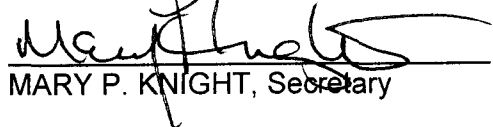
GUY R. AYRES III, City Solicitor



RICHARD W. MEEHAN, Mayor



LLOYD MARTIN, President



MARY P. KNIGHT, Secretary