

ARTICLE I
General Provisions

- § 220-1. Definitions.
- § 220-2. Adoption of traffic regulations; signs.
- § 220-3. Compliance with signs.
- § 220-4. Compliance with traffic control signals.
- § 220-5. Bicycles.
- § 220-6. Reports and notices of violations.
- § 220-7. Authority of police to summon witnesses.
- § 220-8. Disposition of traffic and parking receipts.

ARTICLE II
Vehicle Operation

- § 220-9. Compliance with school crossing guards.
- § 220-10. Driving over or upon sidewalk or curb.
- § 220-11. Cleated vehicles.
- § 220-12. Motorcycles.
- § 220-13. Diesel-powered vehicles.
- § 220-14. Riding upon portions of vehicles not designated therefore.

ARTICLE III
Parking, Stopping and Standing

- § 220-15. Private ways.
- § 220-16. Public building entrances.
- § 220-17. Motor trucks and commercial vehicles.
- § 220-18. Parking while mechanical refrigeration is in operation; exception.
- § 220-19. Trailers.
- § 220-20. Commercial vehicles in residential districts.

- § 220-21. Time limit.
- § 220-22. Major vehicle repairs.
- § 220-23. Fluids leaking from parked vehicles.
- § 220-24. Abandoned, wrecked and dismantled vehicles.
- § 220-25. Fire lanes.

ARTICLE IV
Snow Emergency Plan

- § 220-26. Parking on snow emergency routes.
- § 220-27. Parking on secondary streets.
- § 220-28. Operation of vehicles on snow emergency routes.
- § 220-29. Vehicle stalled on snow emergency route.
- § 220-30. Declarations of City Manager.
- § 220-31. Termination of parking prohibition.
- § 220-32. Conflicts with other laws.
- § 220-33. Signs designating snow emergency routes.
- § 220-34. Removal and impoundment of vehicles.
- § 220-35. Summons on vehicle in violation.
- § 220-36. Evidence with respect to vehicles in violation.
- § 230-37. Snow emergency routes designated.
- § 230-38. Violations and penalties.

ARTICLE V
Motorized scooters, Dirt Bikes,
Unregistered Motorcycles and Similar
Vehicles

- § 230-39. Definitions.
- § 230-40. Exclusions from article.
- § 230-41. Prohibited conduct.
- § 230-42. Violations and penalties.

[HISTORY: Adopted by the Mayor and Council of Pocomoke City 1-6-1969 as Ord. No. 200 (Ch. 47 of the 1968 Code). Amendments noted where applicable.]

VEHICLES AND TRAFFIC

GENERAL REFERENCES

Streets and sidewalks -- See Ch. 201.

ARTICLE I General Provisions

§ 220-1. Definitions.

The following words and phrases, when used in this chapter, shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section, except as hereinafter specifically provided:

BUSINESS DISTRICT -- The territory contiguous to and including a highway when fifty percent (50%) or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business.

COMMERCIAL MOTOR VEHICLES -- All motor vehicles, including semi-trailer and trailers, designed and used for carrying freight or merchandise or all motor vehicles used for carrying freight or merchandise in the furtherance of any commercial enterprise.

CROSSWALK -- Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface of that portion of a street included within the prolongation or connection of the lateral lines of sidewalks at intersections.

DISABLED -- Incapable of moving under its own power.

INTERSECTION -- The area embraced within the prolongation or connection of the lateral curblines or, if none, the lateral boundary lines of the roadways of two (2) streets which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

MOTORCYCLE (or similar vehicle) -- Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, including minibikes, motorized scooters, and bicycles with motors attached.

MOTOR VEHICLE -- Every vehicle which is self-propelled, except vehicles operated exclusively upon rails.

OPERATOR -- Every person who is in actual control of a vehicle upon a street.

OWNER -- Includes any person owning a vehicle or having the exclusive use thereof under contract of purchase, lease, hiring or rental thereof or otherwise.

POLICE OFFICER -- Every officer authorized to direct or regulate traffic or to make arrests for violations of any of the provisions of this chapter.

POCOMOKE CITY CODE

PRIVATE ROAD OR DRIVEWAY -- Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

RESIDENTIAL DISTRICT -- The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences.

ROADWAY -- That portion of a street improved, designed or ordinarily used for vehicular travel.

SIDEWALK -- That portion of a street between the curblines or the lateral lines of a roadway and the adjacent property intended for the use of pedestrians.

SNOW EMERGENCY ROUTES -- Those streets marked as such in accordance with the provisions of this chapter.

SNOW TIRES -- Any tires mounted on drive wheels of motor vehicles which are especially designed to give effective traction on snow-, mud- or ice-covered streets by means of extra-heavy-duty treads with special high-traction patterns, except that no tire so defined shall be construed to be a "snow tire" if it is damaged or worn to the extent that its performance would be substantially impaired.

STREET -- Includes all avenues, roads, highways, public thoroughfares, lanes, alleys and public ways within the city.

TIRE CHAINS -- Any metal chains mounted on drive-wheel tires of motor vehicles which cross the tread of each such tire laterally in at least three (3) different places.

VEHICLE -- Every device in, upon or by which any person or property is or may be transported or drawn upon a street, excepting devices used exclusively upon stationary rails or tracks.

WRECKED -- The vehicle is damaged to the extent that the cost of repairing the vehicle would be more than the market value of the vehicle in its damaged condition.

VEHICLES AND TRAFFIC

§ 220-2. Adoption of traffic regulations; signs.

- A. The City Manager, except as otherwise directed by this chapter, shall have the power, with the approval of the Council, to:
- (1) Regulate the operation and parking of vehicles within the corporate limits of the city by the erection or placing of proper signs or markers indicating limited or prohibited parking, restricted speed areas, one-way streets, through or arterial streets, stop streets, no U-turns, school zones, hospital zones, loading and unloading zones, quiet zones, other special interest zones and other signs or markers indicating the place and manner of operating or parking vehicles within the corporate limits of the city.
 - (2) Designate trucks routes and regulate the operation and parking of vehicles by size, class and/or weight. [Amended 1-5-1970 by Ord. No. 215]
 - (3) Designate bus stops and taxicab stands and erect signs prohibiting the parking of vehicles other than buses and taxicabs in such locations.
 - (4) Designate the streets for installation of parking meters and establish the hours and rates for parking meter use.
 - (5) Regulate the movement of pedestrians upon the streets and sidewalks of the city by the erection or placement of proper signs or markers indicating or controlling the flow of pedestrian traffic.
 - (6) Designate intersections at which traffic control devices shall be erected.
 - (7) Temporarily close any street or highway or portion thereof or restrict the use thereof or parking thereon when required by public safety or convenience.
 - (8) Designate snow emergency routes and prohibit stopping or parking thereon after giving notice to the public, by the best available means, of the implementation of the Snow Emergency Plan.
- B. Regulations adopted in pursuance of this section shall be effective upon the erection of signs by, or authorized by, the City Manager sufficient in number to apprise the ordinarily observant person of the existence of the regulation upon the street or highway or in the district affected.
- C. The existence of such signs or markers at any place within the corporate limits of the city shall be prima facie evidence that such signs or markers were erected or placed by and at the direction of the City Manager and in accordance with the provisions of this chapter.

POCOMOKE CITY CODE

§ 220-3. Compliance with signs.

No person shall park, operate or drive any vehicle upon the streets or alleys of the city contrary to the direction of authorized signs posted upon such streets and alleys.

§ 220-4. Compliance with traffic control signals.

All vehicles moving over, across or upon intersecting streets within the city at which traffic is controlled and regulated by an electrically lighted and operated traffic control signal shall come to a stop at such intersections and shall not move over, across or upon any of such intersections during the operation of any such signal while either the amber or red light facing such vehicle shall be illuminated. Such vehicle shall not move in any direction over, across or upon any of such intersections unless and until the green light facing such vehicle shall be illuminated.

§ 220-5. Bicycles.¹

Every person riding a bicycle upon a roadway shall be subject to such provisions of this chapter pertaining to rules of the road and obedience to traffic control devices and signals as may be applicable to the driver of a vehicle, except such as by their nature have no application.

§ 220-6. Reports and notices of violations.

A. Report of violations.

- (1) It shall be the duty of the police officers of the city, with reference to vehicles parked, operated or driven in violation of this chapter or rules and regulations adopted pursuant thereto, to report:
 - (a) The state license number of any such vehicle.
 - (b) The nature of the violation and the time and place thereof.
 - © Any other facts a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.
- (2) In every case, each police officer making such a report also shall deliver to the operator of such vehicle a notice that such vehicle has been operated or driven in violation of this chapter and instructing such operator to appear at the Trial Magistrate's Court for the city at the time and on the date specified in such notice with regard to such violation.

¹Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

VEHICLES AND TRAFFIC

- B. In the case of a parking violation, each police officer making such a report shall also attach to such vehicle or deliver to the operator thereof, if present in the vehicle, a notice to the owner thereof that such vehicle has been illegally parked and instructing such owner where and when he or she may make payment of the penalty for such violation and the amount of the penalty therefor. The report and notice referred to shall bear corresponding serial numbers and shall be accounted for by the respective police officers to the Chief of Police, who in turn shall be held accountable for the same to the City Clerk.

§ 220-7. Authority of police to summon witnesses.

All police officers shall have the authority to summon witnesses to give testimony under oath upon any charge preferred under this chapter.

§ 220-8. Disposition of traffic and parking receipts.

All fines received by the city for violation of the provisions of this chapter, together with all parking meter receipts, shall be deposited in a separate account, to be known as the "Parking Meter and Traffic Fund," and shall be expended by the Council solely for the purchase, installation, operation and maintenance of parking meters, parking lots, traffic signs and other traffic control devices or such capital expenditures as may be authorized by the Council; provided, however, that no part of this fund shall be used for the payment of the day-to-day operating costs of the city.

ARTICLE II Vehicle Operation

§ 220-9. Compliance with school crossing guards. [Amended 2-20-1989 by Ord. No. 3002]

It shall be unlawful for any person to operate or drive any motor vehicle upon any street, alley or other public way of the city in violation of the direction of a school crossing guard controlling the movement of traffic.

§ 220-10. Driving over or upon sidewalk or curb.

It shall be unlawful for any person to operate or drive any vehicle over, upon or along any sidewalk or curb except at alleys or other defined crossing points.

²Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

POCOMOKE CITY CODE

§ 220-11. Cleated vehicles.³

It shall be unlawful for the operator of any vehicle having metal cleats attached to the treads thereof or metal-cleated wheels thereon to drive the same over or upon any street, alley or other public way of the city without first having obtained permission, in writing, from the City Manager so to do.

§ 220-12. Motorcycles.⁴

- A. It shall be unlawful to remove baffle plates from a motorcycle or to race the motor of a motorcycle at any time of the day or night.
- B. All motors of a motorcycle must be turned off while not in motion except when stopping for stop signs, traffic signals or normal traffic conditions.

§ 220-13. Diesel-powered vehicles. [Amended 2-20-1989 by Ord. No. 300]

No person shall cause or permit the diesel engine on any bus, truck or other vehicle operating in the city to idle more than fifteen (15) minutes in any one (1) period when not in use performing its intended function as a source of locomotive power, except when such vehicle is forced to remain motionless because of traffic conditions over which the operator has no control.⁵

§ 220-14. Riding upon portions of vehicles not designated therefor. [Amended 2-20-1989 by Ord. No. 300]

It shall be unlawful for any person to ride upon any portion of a vehicle not designated or intended for the normal use of passengers when the vehicle is in motion on any street, alley or other public way of the city.⁶

³Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

⁴Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

⁵Editor's Note: The following original sections, which immediately followed this section, were deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I: § 47-22, Restrictions on operation of vehicles hauling escaping or uncovered loads, as amended 2-20-1989 by Ord. No. 300, and § 47-23, Restrictions on towing of other vehicles and objects, as amended 2-20-1989 by Ord. No. 300.

⁶

Editor's Note: The following original sections, which immediately followed this section were deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I: § 47-25, Impeding traffic prohibited, as amended 2-20-1989 by Ord. No. 300; § 47-26, Following fire apparatus prohibited, as amended 2-20-1989 by Ord. No. 300; and § 47-27, Violations and penalties, as amended 2-20-1989 by Ord. No. 300.

ARTICLE III
Parking, Stopping and Standing

§220-15.7 Private ways.⁸

No person shall park, place or leave parked any motor vehicle on any portion of any private street, alley or other private way so as to obstruct the entrance or use thereof without the express permission of the owner thereof, his or her tenant or agent.

**§ 220-15.1 Parking on publicly and privately owned parking lots and towing vehicles.
[Added Oct. 21, 1996 by Ord. No. 343]**

- A. No person shall park or leave parked, any motor vehicle on any publicly owned or privately owned parking lot within the corporate limits of Pocomoke City in violation of the terms and conditions of a sign conspicuously posted on such parking lot by the owner, operator, tenant or other person with authority to regulate parking of vehicles on such parking lot, when such sign meets the requirements of Subsection B of this Section.
- B. Signs.
- (a) The owner, operator, tenant, or other person with authority to regulate parking on publicly or privately owned parking lots may not have a vehicle towed or otherwise removed from the parking lot unless signs have been placed in one or more conspicuous locations as described in Subsection B(b) of this Section, and the signs conform, as a minimum, to the following:
- (1) Are at least 24 inches high and 30 inches wide;
 - (2) Are clearly visible to the driver of a motor vehicle entering or being parked in the parking lot;
 - (3) State the hours of each day of the week when parking restrictions apply and the exact restrictions which apply to the lot including that a vehicle parking in violation may be towed;
 - (4) State the location to which the vehicle will be towed or removed, which location may not be more than five (5) miles from the parking lot;
 - (5) State the hours during which the vehicle may be reclaimed;
 - (6) State the maximum amount that the owner of the vehicle may be charged for the towing or removal of the vehicle and for storage of the vehicle, which amount may not exceed for towing more than twice the amount of the total fees normally charged for towing vehicles within the City and the sum of \$10.00 per day storage for vehicle up to 20 feet in length, \$20.00 per day for vehicles 21 to 40 feet and \$30.00 per day for vehicle over 41 feet in length.

⁷Editor's Note: Original § 47-40, Manner of parking generally, which immediately preceded this section, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

⁸Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

POCOMOKE CITY CODE

- (7) Provide the telephone number of a person who can be contacted to arrange for the reclaiming of the vehicle by its owner or owner's agent.
- (8) That the owner of the vehicle shall bear the liability for the costs of towing, removal and storage of the vehicle.
- (9) That an improperly parked vehicle will be subject to a lien for towing and storage until the owner or owner's agent pays the tow truck operator the costs for towing and storage allowed by this Section.

(b) Location.

A sign shall be placed so that it is clearly visible from each entrance to the parking lot, with additional signs for every 10,000 square feet of parking area in excess of the first 10,000 square feet of parking area shall be placed within that parking lot area.

C. Towing or Removing Vehicles.

Any person who undertakes to tow or remove a vehicle from a publicly owned or privately owned parking lot within the City shall comply with the following:

- (1) Shall have authorization from the owner, operator, tenant or other person with authority to regulate parking of vehicles on the parking lot which authorization shall name the tow truck operator and the person authorizing the towing or removal and state that the owner, operator, tenant or other person with authority to regulate parking of vehicles or the parking lot has posted signs in compliance with this § 220-15-A and requests the removal of vehicle parked in violation of this § 220-15-A.
- (2) Shall notify the Pocomoke City Police Department within two (2) hours of the towing or removal of the vehicle and provide a description of the vehicle, the license number and vehicle identification number (VIN), the location from which the vehicle was towed, the time of towing and place where the vehicle is being stored or held.
- (3) May not charge the owner of the vehicle any fees in excess of those allowed by this §220-15-A.
- (4) Shall maintain a policy of commercial liability insurance in an amount of at least \$50,000 per occurrence to cover the costs of any damage to the vehicle resulting from the person's negligence.
- (5) Shall provide the owner of the vehicle or the owner's agent immediate and continuous opportunity to retake possession of the vehicle.

VEHICLES AND TRAFFIC

D. Penalties.

- (1) The owner, operator, tenant or other person with authority to regulate parking of vehicles or the parking lot may, in addition to or in lieu of having the vehicles towed or removed, request the Pocomoke City Police Department issue a municipal infraction citation for the vehicles parked in violation of the restrictions posted on the signs.
- (2) The Pocomoke City Police Department is hereby authorized to issue municipal infraction citations if requested to do so provided in subsection D(1).

§ 220-16. Public building entrances.

A. It shall be unlawful for the operator of a motor vehicle to stop or park such vehicle on any street, alley or other public way within the space of twenty (20) feet from either side of the center of the main entrance of the public buildings in the city. All of the spaces in which parking is so prohibited shall be marked and indicated by painting the curb yellow or by the placing of appropriate signs.⁹

B. For the purpose of this section, the term "public building" shall include all churches, hotels, railroad stations, theaters and all buildings owned or occupied by departments of the city, county, state or federal government.¹⁰

§ 220-17. Motor trucks and commercial vehicles.

No person shall park any motor truck or commercial vehicle for more than two (2) hours on any public street of the city between 11:00 p.m. and 7:00 a.m.

[Continued on Page 22008]

⁹Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

¹⁰Editor's Note: Original § 47-43, Double parking, prohibition against; exceptions, which immediately followed this subsection, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

VEHICLES AND TRAFFIC

§ 220-18. Parking while mechanical refrigeration is in operation; exception.

- A. No person shall park any motor truck or commercial vehicle equipped with a mechanical refrigeration device for more than two (2) hours on any public street of the city while such mechanical refrigeration device is in operation.
- B. Nothing contained in this section shall be construed to apply to the parking of motor trucks or commercial vehicles loaded with farm products and waiting in line, attended by a driver, for the purpose of delivering produce to any auction block, cannery or other food-processing plant located in the city.

§ 220-19. Trailers.

No person shall park or leave standing any trailer on any street, alley or other public way of the city for longer than two (2) hours, except in an emergency caused by mechanical failure, in which event the foregoing period of time shall be extended to six (6) hours.

§ 220-20. Commercial vehicles in residential districts.

It shall be unlawful for the operator of any commercial vehicle to park said vehicle on any street, alley or public way in any residential area of the city for a period of time longer than necessary for the purpose of loading or unloading said vehicle.

§ 220-21. Time limit. [Amended 4-18-1988 by Ord. No. 295]

It shall be unlawful for the owner or operator thereof to park or leave standing any vehicle on any street, alley or public way for a longer period of time than seventy-two (72) hours when to do so creates a nuisance or interferes with the lawful use by others of the street, alley or public way.

§ 220-22. Major vehicle repairs.

It shall be unlawful for any person or persons to make major repairs or overhaul any vehicle on any street, alley or public way.

POCOMOKE CITY CODE

§ 220-23. Fluids leaking from parked vehicles.

It shall be unlawful for any person or persons to park or leave standing upon any street, alley or other public way any vehicle from which an excessive amount of grease, oil, gasoline or other petroleum product may leak and be deposited or spread upon any such street, alley or public way.¹¹

§ 220-24. Abandoned, wrecked and dismantled vehicles.

- A. No person shall abandon any vehicle within the city, and no person shall leave any vehicle at any place within the city for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.
- B. No person shall leave any partially dismantled, nonoperating, wrecked or junked vehicle on any street or highway within the city.
- C. No person in charge or control of property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, nonoperating, wrecked, junked or discarded vehicle to remain on such property longer than twenty-four (24) hours, and no person shall leave any such vehicle on any property within the city for a longer time than eight (8) hours, except that this subsection shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner when necessary to the operation of such business enterprise or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city.
- D. The Chief of Police or any member of his or her department designated by him or her is hereby authorized to remove or have removed any vehicle left in any place within the city which reasonably appears to be in violation of this section or lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with § 25-201 et seq. of the Transportation Article of the Annotated Code of Maryland.¹²

¹¹Editor's Note: Original § 47-51, Unlawful to park inoperable vehicle, which immediately followed this section, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

¹²Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. The following original sections, which immediately followed this section, were deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I: § 47-53, Impounding of vehicles, and § 47-54, Violations and penalties, as amended 2-20-1989 by Ord. No. 300.

VEHICLES AND TRAFFIC

§ 220-25. Fire lanes. [Added 2-2-1987 by Ord. No. 29113

- A. Definitions. For the purpose of this section, terms hereinafter set forth shall be defined as follows:

EMERGENCY VEHICLE -- A vehicle so designated or authorized by the Administrator of the State Motor Vehicle Administration.

FIRE LANE -- A designated lane required to be permanently open for the ingress or egress of Fire Department and other emergency vehicles only in order that fires may be prevented or controlled and exitways kept unobstructed for safety of life.

FIRE MARSHAL -- That person designated under Chapter 132, Fire Prevention, of the Code of Pocomoke City, Maryland.

- B. Designation of fire lanes; penalty for tampering with signs.

(1) When he or she deems it necessary, the Fire Marshal shall designate fire lanes on public streets and on private property used for commercial, industrial or apartment projects for the purpose of preventing parking in front of or adjacent to fire hydrants or to provide access for fire-fighting equipment. He or she shall also designate fire lanes on private property used by the public in general for the purpose of preventing parking in front of or adjacent to fire hydrants or to provide access for fire-fighting equipment.

(2) Posting of signs. The Fire Marshal shall cause the owner to post sufficient signs at all established fire lanes, the notice to read: "No Parking. Fire Lane." Such sign(s) shall not be removed without written permission of the Fire Marshal.

- C. Duty of property owner. The property owner is hereby directed, wherever necessary to secure compliance with the terms of this section, to furnish and erect appropriate signs as directed and to give appropriate warning or notice concerning unlawful obstruction as set forth herein and, if necessary in order to enforce compliance, to cause the removal, by towing away or otherwise, of any debris, vehicles or other objects which interfere with or obstruct previously established and marked fire lanes or fire hydrants for the access or operation of any Fire Department equipment or other emergency vehicles or equipment.

D. Obstruction of fire lanes, parking, etc. It shall be unlawful for any person or for any property owner whose private property is used by the public in general to obstruct or interfere or to allow the obstruction of or interference with the operation of any emergency vehicle or equipment or to obstruct or to allow the

¹³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

POCOMOKE CITY CODE

obstruction of access by emergency equipment to any fire hydrant, to any Fire Department connection or to any designated fire lane on either public or private property or to park or to allow parking within any fire lane.¹⁴

ARTICLE IV¹⁵Snow Emergency Plan

§ 220-26. Parking on snow emergency routes.

- A. Whenever the City Manager finds, on the basis of falling snow, sleet or freezing rain or on the basis of a forecast by the United States Weather Bureau of snow, sleet or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on city streets be prohibited or restricted for snowplowing and other purposes, the City Manager shall put into effect a parking prohibition on parts of or all snow emergency routes as necessary by declaring it in a manner prescribed by this Article.
- B. Notwithstanding the provisions of Subsection A hereof, a parking prohibition shall automatically go into effect on any part of any snow emergency route on which there has been an accumulation of snow and ice of four (4) inches or more for one (1) hour or more, between 6:00 a.m. and 11:00 p.m. of any day.
- C. Once in effect, a prohibition under this section shall remain in effect until terminated by announcement by the City Manager in accordance with this Article, except that any street area which has become substantially clear of snow and ice from curb to curb for the entire length of the entire block shall be automatically excluded therefrom. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route to which it applies. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

§ 220-27. Parking on secondary streets.

- A. Whenever the City Manager finds, on the basis of falling snow, sleet, freezing rain or on the basis of a forecast by the United States Weather Bureau of snow, sleet or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on city streets be prohibited or restricted for snowplowing and other purposes, the City Manager shall put into effect a parking prohibition on parts of or all secondary streets, as necessary, by declaring it in a manner prescribed by this Article. The prohibition shall remain in effect until terminated by announcement of the City Manager in

¹⁴Editor's Note: Original § 47-56, Handicapped parking spaces, as amended 2-20-1989 by Ord. No. 300, which immediately followed this section, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

¹⁵Editor's Note: Original Article IV, Parking Meters, consisting of §§ 47-65 through 47-72, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

VEHICLES AND TRAFFIC

accordance with this Article, except that any street area which has become substantially clear of snow and ice from curb to median line for a length of the entire block shall be automatically excluded therefrom.

- B. While the prohibition is in effect, no person shall park, or allow to remain parked, any vehicle on any street to which it applies during the time from 12:01 a.m. until 8:00 p.m. of any day, except as permitted below:
 - (1) Vehicles may be parked on the side of the street with uneven street numbers on days with names that have the letter "u" in their spellings, i.e., Sunday, Tuesday, Thursday and Saturday.
 - (2) Vehicles may be parked on the side of the street with even street numbers on days with names that do not have the letter "u" in their spellings, i.e., Monday, Wednesday and Friday.
- C. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

§ 220-28. Operation of vehicles on snow emergency routes.

- A. No person operating a motor vehicle on a snow emergency route on which there is a covering of snow, sleet or ice shall allow such vehicle to become stalled, wholly or partly, because the drive wheels thereof are not equipped with effective tire chains or snow tires.
- B. No person operating a motor vehicle on a part of a snow emergency route on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect shall allow such vehicle to become stalled because the motor fuel is exhausted or the battery has become inoperative.

§ 220-29. Vehicle stalled on snow emergency route.

Whenever a vehicle becomes stalled for any reason, whether or not in violation of this Article, on any part of a snow emergency route on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route, either into the first cross street which is not a snow emergency route or onto the public space portion of a nearby driveway. No person shall abandon or leave his or her vehicle in the roadway of a snow emergency route (regardless of whether he or she indicates, by raising the hood or otherwise, that the vehicle is stalled), except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station or other place of assistance and return without delay.

POCOMOKE CITY CODE

§ 220-30. Declarations of City Manager.

- A. The City Manager shall cause each declaration made by him or her pursuant to this Article to be publicly announced by means of broadcast or telecast from a station with a normal operating range covering the city, and the City Manager may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the City Manager, including the time it became or will become effective, and shall specify the streets or areas affected. A parking prohibition declared by the City Manager shall not go into effect until at least three (3) hours after it has been announced at least six (6) times between 6:00 a.m. and 11:00 p.m. in accordance with this section.
- B. The City Manager shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section.

§ 220-31. Termination of parking prohibition.

Whenever the City Manager shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this Article no longer exist, the City Manager may declare the prohibition terminated, in whole or in part, in a manner prescribed by this Article, effective immediately upon announcement.

§ 220-32. Conflicts with other laws.

Any provision of this Article which becomes effective by declaration of the City Manager or upon the occurrence of certain weather conditions shall, while temporarily in effect, take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles or emergency traffic directions by a police officer.

§ 220-33. Signs designating snow emergency routes.

On each street designated by this Article as a snow emergency route the City Manager shall post special signs at intervals not exceeding five hundred (500) feet with the wording "Snow Emergency Route. No Parking During Emergency Period." These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the street or highway.

VEHICLES AND TRAFFIC

§ 220-34. Removal and impoundment of vehicles.

- A. Members of the Police Department are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place of safety (including another place on a street) or to a garage designated or maintained by the Police Department or otherwise maintained by the city when:
- (1) The vehicle is parked on a part of a snow emergency route on which a parking prohibition is in effect.
 - (2) The vehicle is stalled on a part of a snow emergency route on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect and the person who was operating such vehicle does not appear to be removing it in accordance with the provisions of this Article.
 - (3) The vehicle is parked in violation of any parking ordinance or provisions of law and is interfering or is about to interfere with snow removal operations.
- B. Whenever an officer removes or has a vehicle removed from a street, as authorized in this section, he or she shall proceed in accordance with the provisions of § 25-201 et seq. of the Transportation Article of the Annotated Code of Maryland.¹⁶
- C. It shall be the duty of the Police Department to keep a record of each vehicle removed in accordance with this section. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its location, the nature and address of its owner and last operator, if known, its final disposition and the parking violation involved.
- D. This section shall be supplemental to any other provisions of law granting members of the Police Department authority to remove vehicles.

§ 220-35. Summons on vehicle in violation.

Whenever any motor vehicle without a driver is found parked or left in violation of any provision of this Article and is not removed and impounded as provided for in this Article, the officer finding such vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a traffic summons for the driver to answer to the charge against him or her at the time and at the place specified in the summons.

¹⁶Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

POCOMOKE CITY CODE

§ 220-36. Evidence with respect to vehicles in violation.

In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this Article, proof that the particular vehicle described in the summons was parked or left in violation of a provision of this Article, together with proof that the defendant named in the summons was at the time the registered owner of such vehicle, shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this Article.

§ 220-37. Snow emergency routes designated.

The following streets or portions of streets within the city are hereby designated as snow emergency routes: Cedar Street, Clarke Avenue, Fourth Street, Market Street and Second Street.

§ 220-38. Violations and penalties. [Amended 2-20-1989 by Ord. No. 30017

- A. Violations of § 220-25C of this chapter shall be a municipal infraction and shall be governed by the provisions of Chapter 1, General Provisions, Article V, Municipal Infractions, of the Code of Pocomoke City, Maryland, and any property owner found to have committed said municipal infraction shall be subject to a fine as set forth in the Fees, Charges and Rates Schedule, adopted by resolution of the City Council from time to time.¹⁸ Each and every day that a property owner shall be in violation shall constitute a separate offense.
- B. Violations of § 220-25D of this chapter shall be handled in accordance with the provisions of the Maryland Annotated Code, Transportation Article, Title 26, Subtitle 3, as amended from time to time, and any person who violates § 220-25D of this chapter shall, upon conviction thereof, be punishable by a fine as set forth in the Fees, Charges and Rates Schedule, adopted by resolution of the City Council from time to time.
- C. Except as otherwise provided in Subsections A and B, any violation of Article II, Article III or Article IV of this chapter shall constitute a municipal infraction in accordance with Chapter 1, General Provisions, Article V, Municipal Infractions, of the Code of Pocomoke City, Maryland, and the penalty for such violation shall be a fine as set forth in the Fees, Charges and Rates Schedule, adopted by resolution of the City Council from time to time.

¹⁷Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

¹⁸Editor's Note: The current Fees, Charges and Rates Schedule is on file in the City Clerk's office.

POCOMOKE CITY CODE