

For:

Introduction 7-13-21

Re-introduction w/ amendments: 11-9-21

Second re-introduction: as emergency ord.: 1/11/22

Adoption as emergency ordinance: 1/11/22

Effective: _____ (20 days after approval by Mayor
or override of veto if applicable)

THE TOWN OF MANCHESTER, MARYLAND

ORDINANCE NO. 248

**AN ORDINANCE TO AMEND PART II
OF THE CODE OF THE TOWN OF MANCHESTER
ENTITLED “GENERAL LEGISLATION”,
CHAPTER 220 ENTITLED “VEHICLES AND TRAFFIC”; ARTICLE II ENTITLED
“TRAFFIC REGULATIONS”, SECTION 220-5 ENTITLED “SPEED LIMITS
ESTABLISHED”, SECTION 220-6 ENTITLED “TRAFFIC CONTROL SIGNALS”,
SECTION 220-9 ENTITLED “TURNS AT INTERSECTIONS”, AND SECTION 220-10
ENTITLED “STOP INTERSECTIONS”; ARTICLE III ENTITLED “PARKING
REGULATIONS”, SECTION 220-19 ENTITLED “PARKING OF VEHICLES
WITHOUT CURRENT VALID REGISTRATION”, AND SECTION 220-21 ENTITLED
“ADDITIONAL PARKING REGULATIONS”; ARTICLE V ENTITLED
“INTERPRETATION AND REPEAL; PENALTIES”, SECTION 220-25 ENTITLED
“VIOLATIONS AND PENALTIES”, AND SECTION 220-26 ENTITLED
“APPLICABILITY OF STATE LAW”**

WHEREAS, the Town Council has determined it to be in the best interests of the Town and its residents to modify and update certain provisions of Chapter 220 of the Town Code in order to comply with the Transportation Article of the Maryland Code; to allow for the Town to post stop signs, traffic control signals and speed limit signs at intersections or on Town streets and highways in the interests of safety without having to amend the Town Code each time; to allow turns at certain intersections that are not otherwise permitted at certain times for local traffic, *i.e.*, motorists going to or from home who obtain a Town issued sticker; to reduce the time that a vehicle may remain parked on a public property within the Town from 10 days to 48 hours to be deemed abandoned; to modify parking restrictions for vehicles to include not only commercial vehicles, and/or trailers or semi-trailers which attach to commercial tractors, and/or buses, but also for recreational vehicles (RVs), mobile homes or trailers, campers, utility trailers, box trailers, car dollies, and towing vehicles or devices of any kind; to delete reference to painted curbs as a means to mark no parking zones; to update and increase fines for illegal parking; and to provide for a doubling of fines for habitual offenders.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MANCHESTER:

Section 1. That Part II, Chapter 220 to the Town Code, Article II, Sections 220-5, 220-6, 220-9, and 220-10 of the Code as follows:

§220-5. Speed limits established.

The speed limit for both directions of traffic along the streets and highways or parts thereof described below is hereby established at the rate of speed indicated:

| Name of Street | Speed Limit (mph) |
|---|------------------------------|
| All Town controlled streets except as noted | 20 |
| Bert Fowler Road | 25 |
| Charmil Drive | 20 |
| Christmas Tree Lane | 15 |
| Church Street | 15 |
| Fridinger Mill Road | 30 |
| Main Street | 30 |
| Park Avenue | 25 |
| Victory Street | 15 |
| Westminster Street | 20 |
| York Street | 25 |

Operators of motor vehicles and tractors operated upon any highway or street in the Town shall obey the posted speed limit and otherwise comply with the provisions of the Transportation Article of the Maryland Code as applicable to vehicle speed. In absence of a posted speed limit governing a highway or street in the Town, the speed limit shall be 15 mph.

§220-6. Traffic control signals.

Traffic control signals shall be installed and operated at the intersection of those streets described below:

Intersection

Main, Manchester Road

Main, Westminster and York Streets

Whenever in the judgment of the Town Council it is necessary for the safety or control of vehicular and/or pedestrian traffic at an intersection of one or more public roads by means of traffic control signals, the Town may erect traffic control signals in such a position so as to face traffic that is to be controlled by the traffic control signals. All vehicles, tractors and/or pedestrians approaching any traffic control signal facing them, including those governing traffic

on State and/or County roads in the Town, shall obey the signal in accordance with the requirements of the Transportation Article of the Maryland Code.

* * *

§220-9. Turns at intersections.

A. No person shall make a turn of the kind designated (left, right, all) at any of the intersections described below, except motorists going to or coming from home whose vehicles display a permit described in Subsection B below exempting them from this Section :

| Name of Street | Direction of Travel | Prohibited Turn | Days; Hours | At Intersection of |
|----------------|---------------------|-----------------|--|---------------------|
| Augusta Road | South | All | Weekdays; between 6:00 a.m. and 8:30 a.m. with the exception of school buses | Fridinger Mill Road |
| Millie Way | South | All | Weekdays; between 6:00 a.m. and 8:30 a.m. with the exception of school buses | Fridinger Mill Road |

B. A motorist residing in the 3300 and 3400 blocks of Augusta Road, the 3300 block of Janet Court, the 2700-2800 block of Rachele Court and the 3400 block of Millie Way may apply for and obtain from the Town a permit exempting him or her from the restrictions set forth in this Section for travel from or to home (i.e., not through traffic) to be prominently displayed on his or her vehicle(s).

- (1) Upon application, the applicant shall provide sufficient proof of residency such as a government issued identification, tax bill, water or other utility bill or other proof deemed acceptable to the Town.
- (2) A permit issued pursuant to this Subsection shall expire upon the earlier of the termination of the applicant's residency in the aforementioned blocks of Augusta Road or Millie Way or two years from issuance.
- (3) A permit issued pursuant to this Subsection may be renewed every two years for the period set forth in Subsection B(2) above with sufficient proof of residency as required in Subsection B(1) above.

§220-10. Stop intersections.

~~The intersections described below are hereby established as stop intersections, and official stop signs shall be erected in such a position upon the first named street as to face traffic approaching~~

the second-named street in the direction or directions indicated. All vehicles and tractors approaching any such intersection upon the first-named street, in the direction or directions indicated in each case, shall come to a full stop before entering any such intersection:

| Stop Sign on | Direction of Travel | At Intersection of |
|-------------------------|----------------------------|---------------------------|
| Augusta Road | Both | Michelle Drive |
| Augusta Road | North | Fridinger Mill Road |
| Augusta Road | North | Rachele Court |
| Augusta Road | South | Bachman Road |
| Augusta Road | South | Rachele Court |
| Bachman Court | East | Main Street |
| Bachman Court | North | Holland Drive |
| Bachman Court | South | Bachman Road |
| Bachman Road | East | Bachman Court |
| Bachman Road | North | Augusta Road |
| Bachman Road | North | Michelle Road |
| Bachman Road | South | Augusta Road |
| Bachman Road | South | Overlook Court |
| Bachman Road | West | Bachman Road |
| Baughman Road | | |
| Beaver Street | West | Main Street |
| Bert Fowler Road | North | Park Avenue |
| Brightside Drive | North | Park Avenue |
| Brightside Drive | South | Ridgeleigh Court |
| Camel Court | East | Southwestern Avenue |
| Carr Alley | West | Main Street |
| Charmil Drive | East | Main Street |
| Charmil Drive | East | Susanann Drive |
| Charmil Drive | West | Southwestern Avenue |
| Charmil Drive | West | Susanann Drive |

| | | |
|----------------------------|-------|---------------------|
| Chestnut Street | East | Oak Street |
| Chestnut Street | West | Grafton Street |
| Christmas Tree Lane | East | Water Street |
| Christmas Tree Lane | West | Victory Street |
| Church Street | East | Long Lane |
| Church Street | North | York Street |
| Ciesta Court | East | Susanann Drive |
| Coachman Way | North | Brougham Court |
| Coachman Way | South | Park Avenue |
| Corona Court | East | Southwestern Avenue |
| Deep Alley | East | Long Lane |
| Forest Street | South | Park Avenue |
| Graffie Lane | West | Maiden Lane |
| Grafton Street | North | York Street |
| Hallie Avenue | West | Swiper Road |
| Hallie Avenue | East | Swiper Road |
| High Street | East | Maiden Lane |
| High Street | East | Main Street |
| High Street | East | Wertz Street |
| Hilltop Drive | North | Park Avenue |
| Holland Drive | East | Hanover Pike |
| Holland Drive | West | Bachman Court |
| Janet Court | North | Michelle Road |
| Jeanne Drive | North | Charmil Drive |
| Kensington Drive | North | Bachman Court |
| Kensington Square | East | Kensington Drive |
| Locust Street | North | York Street |
| Long Lane | Both | Church Street |

| | | |
|----------------------|--------------|----------------------------|
| Long Lane | Both | Wood Alley |
| Long Lane | North | Carr Alley |
| Long Lane | North | Deep Alley |
| Long Lane | North | York Street |
| Long Lane | South | Beaver Street |
| Long Lane | South | Carr Alley |
| Long Lane | South | Deep Alley |
| Long Lane | South | York Street |
| Maiden Lane | Both | Westminster Street |
| Maiden Lane | North | Graffie Lane |
| Maiden Lane | North | High Street |
| Maiden Lane | South | Graffie Lane |
| Maiden Lane | South | High Street |
| Maiden Lane | South | New Street |
| Maiden Lane | South | Westminster Street |
| Maple Avenue | East | Locust Street |
| Maple Avenue | West | Grafton Street |
| Michelle Road | Both | Augusta Road |
| Michelle Road | East | Hanover Pike |
| Michelle Road | East | Millie Way |
| Michelle Road | West | Bachman Road |
| Michelle Road | West | Millie Way |
| Millie Way | North | Fridinger Mill Road |
| Millie Way | North | Rachele Court |
| Millie Way | South | Michelle Road |
| Millie Way | South | Rachele Court |
| Mindi Drive | North | Bert Fowler Road |
| Mindi Drive | South | Southwestern Avenue |

| | | |
|----------------------------|-------|---------------------|
| Monroe Street | South | Beaver Street |
| Moorefield Court | North | Overlook Court |
| New Street | East | Main Street |
| Oak Street | North | Maple Avenue |
| Overlook Court | East | Westminster Street |
| Patricia Court | West | Mindi Drive |
| Princess Court | North | Park Avenue |
| Princess Court | South | Crown Circle |
| Pyramid Circle | North | Susanann Drive |
| Pyramid Circle | West | Susanann Drive |
| Rachele Court | East | Augusta Road |
| Rachele Court | East | Millie Way |
| Regal Oak | North | Brougham Court |
| Ridgeleigh Court | West | Washington Way |
| Route 27 | East | Main Street |
| Silva Court | West | Pyramid Circle |
| Southwestern Avenue | Both | Charmil Drive |
| Southwestern Avenue | Both | Mindi Drive |
| Southwestern Avenue | Both | Washington Way |
| Susanann Drive | North | Charmil Drive |
| Sutton Court | South | Bachman Court |
| Tulip Court | South | Bachman Court |
| Valley View Court | West | Charmil Drive |
| Victory Street | East | Road to ball fields |
| Victory Street | North | York Street |
| Washington Way | Both | Ridgeleigh Court |
| Washington Way | North | Southwestern Avenue |
| Washington Way | South | Southwestern Avenue |

| | | |
|-------------------------------|------------------|--------------------------------|
| Washington Way | West | Bert Fowler Road |
| Washington Way | West | Southwestern Avenue |
| Water Street | North | York Street |
| Wertz Avenue | North | High Street |
| Wertz Avenue | South | New Street |
| Westminster Street | East | Park Avenue |
| Westminster Street | North | Bachman Road |
| Westminster Street | North | Keating Court |
| Westminster Street | South | Keating Court |
| Wilhelm Lane | South | York Street |
| Wood Alley | East | Long Lane |
| Wood Alley | East | Main Street |
| Wood Alley | | |
| Wood Alley | | |

Whenever in the judgment of the Town Council it is necessary for the safety or control of vehicular and/or pedestrian traffic at an intersection of one or more public roads by means of stop sign(s), the Town may erect official stop signs in such a position so as to face traffic that is to be controlled by the stop sign. All vehicles and tractors approaching any such stop sign facing them shall come to a full stop before entering any such intersection and shall otherwise observe the requirements of the Transportation Article of the Maryland Code as they apply to intersections governed by stop signs, including stop signs erected on State and/or County roads in the Town.

Section 2. That Part II, Chapter 220 to the Town Code, Article III, Sections 220-19 and 220-21 of the Code as follows:

§220-19. Parking of vehicles without current valid registration.

- A. It shall be unlawful to park a motor vehicle which is not displaying currently valid registration plates or is displaying registration plates of another vehicle on any public road, highway, street, avenue or alley in the Town of Manchester. The operator of such vehicle shall be subject to the penalty set forth in § 220-25 of this chapter. In the absence of the operator, the registered owner of the vehicle shall be conclusively presumed to be the operator. Any such vehicle which has remained on such public property for more than ~~10 days~~ 48 hours shall be deemed to be an abandoned vehicle and may be impounded and disposed of by the Police Department as provided herein.

- B. Whenever the Police Department is authorized to impound a vehicle under Subsection A hereof, it may take possession of and remove any such motor vehicle and may cause such vehicle to be stored upon private property by suitable contract. The cost of removing or towing any such vehicle and of storing the same must be paid by the owner before such vehicle may be repossessed by the owner, and such charges will be in addition to any fine or other penalty imposed for violation of this section. If the owner fails to repossess such vehicle within 30 days after it is impounded, such vehicle may be sold by the Town at public auction and the proceeds of such sale, after payment of the cost thereof, shall be applied first to reimbursing the Town for the cost of removing or towing the vehicle and of storing the same; second, to the payment of all liens on the same and the balance to be paid to the owner if claimed by the owner within six months from the date of sale. If the owner fails to claim such balance within such period of time it shall be forfeited and paid into the Town treasury.

* * *

§220-21. Additional parking regulations.

- A. Fire hydrants. Parking is prohibited within 15 feet of all fire hydrants.
- B. Manner of parking. Every vehicle parked or stopped shall do so with the right-hand wheels parallel to and within 12 inches of the right-hand curb or edge of the roadway.
- C. Double parking. Double parking is prohibited on all Town streets except for necessary home deliveries or emergency vehicles.
- D. Commercial vehicles and other oversized vehicles and/or trailers. It shall be unlawful for any owner, operator, lessee or possessor of any truck, trailer, semitrailer, tractor, bus, ~~or~~ other commercial vehicle, recreational vehicles (RVs), mobile homes or trailers, campers, utility trailers, box trailers, car dollies, and towing vehicles or devices of any kind to:
- (1) Park the same on any road, lane, street or avenue in Town for a continuous space of time of more than 30 minutes.
 - (2) Park the same in any public parking lot between 9:00 p.m. and 6:00 a.m., except in case of emergency.
- E. Stopping, standing or parking is prohibited:
- (1) In front of or in any way blocking a public or private driveway.
 - (2) On a crosswalk or sidewalk.
 - (3) Within an intersection.
 - (4) Along side of or opposite any street excavations or obstructions when such stopping, standing or parking would obstruct traffic.

- (5) At any place where an official sign ~~or painted curb~~ of the State of Maryland or of the Town of Manchester prohibits parking, stopping or standing. ~~It is hereby specifically provided that wherever a curb is painted red or yellow, there shall be no parking, stopping or standing parallel to said curb.~~
- (6) Within any area designated as a fire lane.
- (7) Within any area designated for handicapped parking unless the vehicle so stopping, standing or parking displays a handicapped registration plate duly issued to said vehicle.
- (8) Parking in any manner that obstructs the normal flow of traffic.

Section 3. That Part II, Chapter 233 to the Town Code, Article V Sections 220-25 and 220-26 of the Code as follows:

§220-25. Violations and penalties.

Violation of this chapter is a ~~misdemeanor~~ municipal infraction. Unless another penalty is expressly provided for in the Transportation Article of the Annotated Code of Maryland, every person ~~convicted~~ found guilty of a violation of a provision of this chapter or supplement thereto shall be liable to pay a penalty as provided in the Charter, Section 12-3B, provided that the penalty for all parking violations, ~~except for handicap parking~~, shall be \$2550; except for the following: the penalty for handicap parking violations shall be \$100; the penalty for parking an abandoned vehicle and/or a vehicle without valid registration plates shall be \$100 for the first offense; and the penalty for parking during snow emergencies shall be \$75; and the penalty for moving violations shall be \$35. These fines may be doubled for each subsequent offense for any offender who receives more than one fine for the same offense within thirty (30) days of each other. Each day that any violation of this Section shall continue shall constitute a separate infraction.

§220-26. Applicability of state law.

All motor vehicle laws described in § 11-101, *et seq.* of the Transportation Article, including the Rules of the Road set forth in Title 21 therein, of the ~~Annotated~~ Code of Maryland shall apply in addition to the regulations set down in this chapter.

Section 4: The provisions of this Ordinance are severable such that any provision found to be invalid or unenforceable by a Court of law shall be severed from the remainder of this provisions of this ordinance which shall remain in full force and effect.

Section 5: By a vote of at least 4 members of the Town Council, the Charter provision set forth in Section C3-10 that “[n]o ordinance shall be passed at the meeting at which it is introduced[]; [and that] [a]t any regular or special meeting of the Council held not less than six (6) nor more than sixty (60) days after the meeting at which an ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified

future date[]” be and is hereby suspended such that, pursuant to Section C3-10 of the Town Charter, this ordinance be and is hereby enacted as an emergency ordinance.

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that this Ordinance shall take effect on the 1st day of February, 2022, or upon the expiration of twenty (20) calendar days after .approval by the Mayor if approved by him after the date of enactment, or upon the expiration of twenty (20) calendar days after the override of the Mayor’s veto by a 4/5ths majority of the Town Council, whichever shall be the latest date.

Introduced the 13th day of July, 2021.

Re-introduced with amendments the 9th day of November, 2021.

Re-introduced as an emergency ordinance on the 11th day of January, 2022.

Enacted as an emergency ordinance this 11th day of January, 2022 by a vote of _____ in favor and _____ opposed.

ATTEST:

Kelly J. Baldwin, Secretary

Vincent Pacelli, Vice-President

Approved this ____ day of January, 2022.

ATTEST:

Kelly J. Baldwin, Secretary

Ryan Warner, Mayor

REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY.

This ____ day of January, 2022.

Thomas V. McCarron, Town Attorney