

*Mayor and Town Council
Town of Friendsville*

*P.O. Box 9
Friendsville, MD 21531*

Founded 1765

ORDINANCE NO. 2009-03

**PARKING OF VEHICLES ON PROPERTY OWNED BY
THE TOWN OF FRIENDSVILLE**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL
OF FRIENDSVILLE REGULATING THE PARKING OF
VEHICLES ON PROPERTIES OWNED BY THE TOWN OF
FRIENDSVILLE; MAKING A VIOLATION OF THIS
ORDINANCE A MUNICIPAL INFRACTION.**

WHEREAS, the Mayor and Town Council of Friendsville is authorized by Article 23A of the Maryland Annotated Code and by the Friendsville Town Charter to enact ordinances to protect the health, safety and welfare of residents and visitors to the Town of Friendsville;

WHEREAS, the Mayor and Town Council of Friendsville has received complaints about the parking of unlicensed vehicles, inoperable vehicles, tractor and trailer vehicles and passenger vehicles for extended periods of time upon property owned by the Town of Friendsville.

**NOW, THEREFORE, THE MAYOR AND TOWN COUNCIL OF
FRIENDSVILLE, DOES ORDAIN AND RESOLVE THE FOLLOWING:**

ARTICLE ONE

REPEAL OF PRIOR ORDINANCES AND RESOLUTIONS

Any and all other ordinances and resolutions enacted and adopted by the Mayor and Town Council of Friendsville regulating the parking of vehicles on property owned by the Town of Friendsville, prior to the enactment of this ordinance, are hereby repealed.

ARTICLE TWO

DEFINITIONS

Section 1. "Vehicle" shall mean any automobile, truck, bus, trailer, camper, motor home, bicycle, motorcycle, motor scooter, boat, ATV, airplane or construction vehicle, any conveyance used in transporting passengers or merchandise by land, water, or air.

Section 2. "Inoperable Vehicle" shall mean any vehicle, which is not capable of being driven or operated.

Section 3. "Unlicensed Vehicle" shall mean any vehicle which has not been registered with the Maryland Motor Vehicle Administration or the vehicle registration department of any other state of the United States, and for which valid license tags are not being displayed upon the exterior of the vehicle.

Section 4. "Tractor and Trailer Vehicle" shall mean any vehicle that consists of a tractor (cab) that is attached to and pulls behind a trailer for the purpose of transporting goods and/or materials.

Section 5. "Trailer" shall mean any vehicle designed to be pulled behind an automobile, truck, bus or construction vehicle or any other vehicle.

Section 6. "Construction Vehicle" shall mean any back hoe, track hoe, bull dozer, loader, grader, roller, construction trailer or any other such vehicle determined by the Mayor of Friendsville or his or her authorized agent to be a construction vehicle.

Section 7. "Town" shall mean the Town of Friendsville, a municipal corporation organized under the laws of the State of Maryland, and includes the Mayor and Town Council of Friendsville.

Section 8. "Property Owned by the Town of Friendsville" shall mean any streets, parking lots, alleys, rights of ways, public areas such as parks, walking trails, sidewalks or any other properties owned by the Town of Friendsville.

ARTICLE THREE

PROHIBITIONS

Section 1. Unlicensed vehicles shall be prohibited from being parked upon property owned by the Town of Friendsville.

Section 2. Inoperable vehicles shall be prohibited from being parked upon property owned by the Town of Friendsville for a period of more than 48 hours.

Section 3. Tractor and Trailer vehicles shall be prohibited from being parked upon property owned by the Town of Friendsville for a period of more than 7 days unless permission for an extension of time is granted by the Mayor of the Town of Friendsville.

Section 4. Trailers, construction vehicles and all other vehicles are prohibited from being parked upon property owned by the Town of Friendsville for a period of more than 48 hours unless an extension of time is granted by the Mayor of the Town of Friendsville.

ARTICLE FOUR

ENFORCEMENT

Section 1. Violation of any provisions of this ordinance is a municipal infraction and is subject to the Enforcement Ordinance and the fines or penalties provided in the Resolution of Fines for Municipal Infractions. The Mayor and Town Council may change the amount of fines and penalties in the Resolution of Fines for Municipal Infractions after the changes have been duly posted in accordance with the policy of the Mayor and Town Council of Friendsville.

Section 2. Nothing contained in this ordinance shall prohibit or prevent the Town of Friendsville from seeking other legal remedies, such as having a vehicle towed from property owned by the Town of Friendsville, injunction, criminal prosecution, or damages in a civil action pursuant to Section 3 of Article 23A, Annotated Code of Maryland as amended.

ARTICLE FIVE

MINORS

In the event the violator of any provision of this ordinance is a minor, the enforcement provisions in Article Four shall apply with full force and effect upon the parent, parents, guardian or other such person or persons directly responsible for the conduct of the minor.

ARTICLE SIX

SEPARABILITY

Section 1. It is the intention of the Mayor and Town Council of Friendsville that each separate provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 2. It is the intention of the Mayor and Town Council of Friendsville that if any provisions of this Ordinance be declared invalid or unconstitutional, all other provisions hereof shall remain valid and enforceable.

ARTICLE SEVEN

ENACTMENT

IT IS HEREBY ORDAINED AND RESOLVED, this ordinance shall be in full force and in effect after introduction, advertising, public hearing, and approval as provided by law.

BE IT FURTHER RESOLVED, this ordinance shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Friendsville, and a public hearing on this Ordinance shall be held on Monday, December 7, 2009 at 6:30 pm, at the Town Hall located at 313 Chestnut Street in Friendsville, Maryland 21531.

INTRODUCED this 2nd day of November 2009.

SECOND READING AND ADOPTION this 7th day of December 2009.

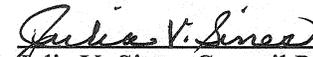
AND BE IT FURTHER RESOLVED, this ordinance shall be effective upon adoption.

THIS ORDINANCE IS SUBJECT TO REFERENDUM AS OUTLINED IN ARTICLE 23A, SECTIONS 11 THROUGH 17.

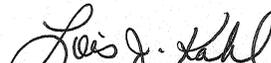
ATTEST:



Karen S. Benedict, Clerk Treasurer



Julia V. Sines, Council President

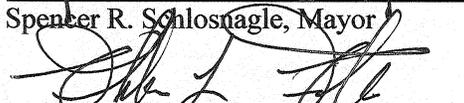


Lois J. Kahl, Council Member

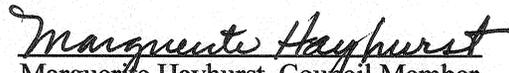
APPROVED:



Spencer R. Schlosnagle, Mayor



Thomas L. Fike, Council Member



Marguerite Hayhurst, Council Member