

Ordinance No.: 08-02  
Introduced: March 12, 2008  
Adopted: April 9, 2008  
Effective Date: May 9, 2008

## TOWN OF CHEVY CHASE

**SUBJECT:** AN ORDINANCE TO AMEND CHAPTER 15 OF THE TOWN OF CHEVY CHASE MUNICIPAL CODE TO ADD A NEW SECTION 15-3 TO ESTABLISH A TOWN-WIDE SPEED LIMIT OF 25 MILES PER HOUR, EXCEPT AS OTHERWISE PROVIDED BY THE TOWN COUNCIL; TO ADD A NEW SECTION 15-4 TO ESTABLISH SPECIAL SPEED LIMITS ON CERTAIN TOWN ROADWAYS; AND TO AUTHORIZE THE TOWN MANAGER TO PROVIDE FOR THE ERECTION AND MAINTENANCE OF SPEED LIMIT SIGNS IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

WHEREAS, Section 2(a) of Article 23A of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Town of Chevy Chase, general power to pass such ordinances not contrary to the Constitution of Maryland or public general law as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality; and

WHEREAS, Section 25-102(a)(10) of the Transportation Article of the Maryland Code grants to the legislative body of every local authority in Maryland, including the Town of Chevy Chase, the power to alter speed limits as provided in Title 21, Subtitle 8 of the Transportation Article; and

WHEREAS, Section 21-803 of the Transportation Article of the Maryland Code grants to the legislative body of every local authority in Maryland, including the Town of Chevy Chase, general power to alter the speed limits specified in the Transportation Article, if, on the basis of an engineering and traffic investigation, the local authority determines that any maximum speed limit specified therein is greater or less than reasonable or safe under existing conditions on any part of a roadway in its jurisdiction; and

WHEREAS, Section 25-106 of the Transportation Article of the Maryland Code authorizes every local authority in Maryland, including the Town of Chevy Chase, to place and maintain those traffic control devices that the local authority considers necessary to carry out the provisions of the Maryland Vehicle Law or local traffic ordinances or to regulate, warn, or guide traffic; and

WHEREAS, the Town's traffic consultant, Joseph Cutro, P.E., conducted an engineering and traffic investigation in the Town and has recommended that the Town Council establish the speed limits set forth in this Ordinance to promote the public good, safety and convenience; and

WHEREAS, Section 301(a) of the Charter of the Town of Chevy Chase authorizes the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and for such other police or health matters as it may deem necessary; and

WHEREAS, the Town Council introduced the following ordinance in public session assembled on the 13th day of February, 2008; and

WHEREAS, the Town Council held a public hearing on the following ordinance in public session assembled on the 12th day of March, 2008; and

WHEREAS, as a result of testimony at the March 12, 2008 public hearing and a supplemental report from Mr. Cutro, the Town Council amended the initial draft of the following ordinance; and

WHEREAS, on April 9, 2008, the Town Council held a second public hearing on the following ordinance, as amended; and

WHEREAS, upon consideration of Mr. Cutro's engineering and traffic investigation and the testimony and evidence presented at the public hearings, the Town Council finds that 30 miles per hour, which is the speed limit for the Town roads under Section 12-801.1(b) of the Transportation Article of the Maryland Code, is greater than reasonable and safe under existing conditions on Town roads, as specified in this Ordinance; and

WHEREAS, upon consideration of Mr. Cutro's engineering and traffic investigation and the testimony and evidence presented at the public hearing, the Town Council finds that 25 miles per hour is reasonable and safe under existing conditions on all Town roads except that 20 miles per hour is reasonable and safe under existing conditions on Curtis Road between Leland Street and Oakridge Avenue; Lynn Drive between Oakridge Lane and Maple Avenue; Oak Lane between Leland Street and Meadow Lane; Oakridge Avenue between Curtis Road and Leland Street; Oakridge Lane between Lynn Drive and Leland Street; and Stanford Street between Oakridge Avenue and East Avenue; 15 miles per hour is reasonable and safe under existing conditions on Pine Place between Ridgewood Avenue and Maple Avenue; and 10 miles per hour is reasonable and safe under existing conditions on Ridgewood Alley east of Ridgewood Avenue; and

WHEREAS, upon consideration of the report and recommendations of Mr. Cutro, and the testimony and evidence presented at the aforesaid hearings, the Town Council finds that it is

appropriate, necessary and advisable for the public good, safety and convenience to establish the speed limits set forth in this Ordinance and to erect speed limit signs at proper locations in accordance with the Manual on Uniform Traffic Control Devices; and

WHEREAS, the Town Council finds that the following ordinance is necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town.

NOW, THEREFORE, the Town Council of the Town of Chevy Chase does hereby adopt the following ordinance:

AN ORDINANCE TO AMEND CHAPTER 15 OF THE TOWN OF CHEVY CHASE MUNICIPAL CODE TO ADD A NEW SECTION 15-3 TO ESTABLISH A TOWN-WIDE SPEED LIMIT OF 25 MILES PER HOUR, EXCEPT AS OTHERWISE PROVIDED BY THE TOWN COUNCIL; TO ADD A NEW SECTION 15-4 TO ESTABLISH SPECIAL SPEED LIMITS ON CERTAIN TOWN ROADWAYS; AND TO AUTHORIZE THE TOWN MANAGER TO PROVIDE FOR THE ERECTION AND MAINTENANCE OF SPEED LIMIT SIGNS IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

SECTION 1. BE IT ORDAINED AND ORDERED, this 9th day of April, 2008, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by Article 23A of the Maryland Code, the Transportation Article of the Maryland Code, and the Town Charter, that Chapter 15 of the Town Code is hereby amended to add new Sections 15-3 and 15-4 to read as follows:

**Sec. 15-3. Town-wide speed limit.**

**The speed limit on all roadways within the Town shall be 25 miles per hour, unless otherwise provided by the Town Council.**

**Sec. 15-4. Special speed limits**

**(a) The speed limit on the following roadways shall be 20 miles per hour:**

- (1) Curtis Road between Leland Street and Oakridge Avenue;**
- (2) Lynn Drive between Oakridge Lane and Maple Avenue;**
- (3) Oak Lane between Leland Street and Meadow Lane;**
- (4) Oakridge Avenue between Curtis Road and Leland Street;**
- (5) Oakridge Lane between Lynn Drive and Leland Street; and**
- (6) Stanford Street between Oakridge Avenue and East Avenue.**

**(b) The speed limit on Pine Place between Ridgewood Avenue and Maple Avenue shall be 15 miles per hour.**

**(c) The speed limit on Ridgewood Alley east of Ridgewood Avenue shall be 10 miles per hour.**

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, this 9th day of April, 2008, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by Article 23A of the Maryland Code, the Transportation Article of the Maryland Code, and the Town Charter that the Town Manager is authorized to provide for the erection and maintenance of appropriate speed limit signs in accordance with the most recent edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways;" provided that no such sign shall be erected on State highways without the approval of the State Highway Administration.

SECTION 3. AND BE IT FURTHER ORDAINED AND ORDERED, this 9th day of April, 2008, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by Article 23A of the Maryland Code, the Transportation Article of the Maryland Code, and the Town Charter, that:

(1) Pursuant to Section 209 of the Town Charter, the Town Manager is directed to distribute this ordinance or a fair summary of this ordinance to each household within the Town; and

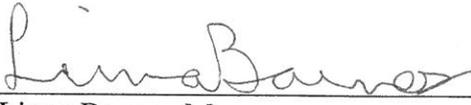
(2) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(3) This ordinance shall take effect on the 9th day of May, 2008.

ATTEST:

TOWN OF CHEVY CHASE

  
\_\_\_\_\_  
Lance Hoffman, Secretary

  
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Linna Barnes, Mayor  
Town of Chevy Chase

**Bold and Underline** indicates new material

[ ] indicates material deleted

\* \* \* indicates material unchanged