

Ordinance No.: 20-01
Introduced: February 19, 2020
Adopted: March 12, 2020
Effective Date: April 12, 2020

TOWN OF CHEVY CHASE

SUBJECT: AN ORDINANCE TO AMEND SECTION 15-4 OF THE TOWN CODE TO ESTABLISH A SPECIAL SCHOOL ZONE SPEED LIMIT ON THE BLOCK OF WEST AVENUE BETWEEN THE INTERSECTIONS OF BRADLEY LANE AND RIDGE STREET; 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 5-202 of the Local Government Article 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 deemed 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) and Section 21-803 of the Transportation Article of the Maryland Code grant the power to alter the speed limits specified in the Transportation Article, if, on the basis of an engineering and traffic investigation, a 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 21-803 and Section 21-803.1 of the Transportation Article of the Maryland Code grant the power to establish a school zone and the maximum speed limit applicable in the school zone and to provide that fines are to be doubled for speeding violations within the school zone, and to decrease the maximum speed limit in a school zone to 15 miles per hour during school hours; and

WHEREAS, Section 25-106 of the Transportation Article of the Maryland Code authorizes the placement and maintenance of those traffic control devices that a 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, in collaboration with the Town Public Services Committee, has recommended that the Town Council establish the school zone and speed limit set forth in this Ordinance; 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 19th day of February, 2020; and

WHEREAS, the Town Council held a public hearing on the following ordinance in public session assembled on the 12th day of March, 2020; and

WHEREAS, upon consideration of Mr. Cutro's engineering and traffic investigation, the recommendation of the Public Services Committee, and the testimony and evidence presented at the public hearing, the Town Council finds that 30 miles per hour, which is the speed limit for Town roads under Section 12-801.1(b) of the Transportation Article of the Maryland Code, and 25 miles per hour which is the speed limit for Town roads under Section 15-3 of the Town Code are greater than reasonable and safe under existing conditions during school hours on the school-zone road on the block of West Avenue between the intersections of Bradley Lane and Ridge Street; 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 15 miles per hour is reasonable and safe under existing conditions during school hours on the block of West Avenue between the intersections of Bradley Lane and Ridge Street; and

WHEREAS, upon consideration of the report and recommendations of Mr. Cutro, and the Public Services Committee, and the testimony and evidence presented at the aforesaid hearing, the Town Council finds that it is appropriate, necessary and advisable for the public health, safety and welfare to establish the school zone and the speed limit 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:

SECTION 1. BE IT ORDAINED AND ORDERED, this 12th day of March, 2020, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that Section 15-4 of the Town Code is amended to add a new subsection 15-4(d)(7) to read as follows:

Sec. 15-4. - Special speed limits.

(a) The speed limit on the following roadways shall be twenty (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 fifteen (15) miles per hour.

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

(d) The roadways described in this subsection (d) are hereby declared and designated as a school zone. Fines for violation of the speed limits in this subsection (d) shall be doubled. The speed limit on the following roadways shall be fifteen (15) miles per hour from 8:00 a.m. to 4:00 p.m. on school days:

- (1) Eastbound and westbound Rosemary Street between Meadow Lane and Maple Avenue;
- (2) Northbound and southbound Hillcrest Place between Bradley Lane and Sycamore Street;
- (3) Eastbound and westbound Stanford Street between Ridgewood Avenue and Rosemary Circle;
- (4) Northbound and southbound Meadow Lane between Rosemary Street and Sycamore Street;
- (5) Eastbound and westbound Beechwood Drive between Valley Place and Sycamore Street; and
- (6) Northbound and southbound Valley Place from Beechwood Drive to Meadow Lane.
- (7) Northbound and southbound West Avenue between Ridge Street and Bradley Lane.**

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, this 12th day of March, 2020, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by 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 12th day of March, 2020, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter that, that:

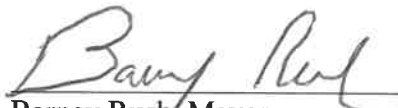
(1) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(2) This ordinance shall take effect on the 12th day of April, 2020.

ATTEST:

TOWN OF CHEVY CHASE


Wicca Davidson, Secretary


Barney Rush, Mayor
Town of Chevy Chase

Bold and Underline indicates new material

[] indicates material deleted

*** indicates material unchanged