



Ordinance 17-04

Chapter 100: Streets and Sidewalks
The Code of the City of New Carrollton

EFFECTIVE: November 16, 2016

**EMERGENCY ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON
AMENDING CHAPTER 100 “STREETS AND SIDEWALKS” OF THE CODE
OF THE CITY OF NEW CARROLLTON, §100-5 “AUTHORITY TO CLOSE
PUBLIC STREETS” TO ALTER THE RESTRICTIONS RELATING TO PARKING
WHEN THE CITY DECLARES A SNOW AND/OR ICE EMERGENCY**

WHEREAS, pursuant to Md. Local Gov. Code Ann., §5-202, the City Council of New Carrollton has the power to enact ordinances it deems necessary 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 residents of the municipality; and

WHEREAS, pursuant to Md. Transportation Code Ann., §25-102 “Powers of local authorities”, the City Council of New Carrollton, in the reasonable exercise of its police power, has the power to regulate or prohibit the stopping, standing, or parking of vehicles on City streets; and

WHEREAS, pursuant to this authority, the City enacted City Code, Chapter 100 “Streets and Sidewalks,” Section 100-5 “Authority to close public streets,” which addresses parking restrictions during City declared snow and ice emergencies; and

WHEREAS, pursuant to §C-10 of the City Charter, the City Council has the authority, in cases of emergency, by a four-fifths vote of the members of the Council, to adopt an emergency ordinance at the same meeting at which it was introduced, and an emergency ordinance shall become effective on the date specified in the Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City of New Carrollton to adopt Ordinance 17-04 as emergency legislation, otherwise it would not take effect until January 2017 defeating the purpose of implementing the revisions to the ordinance prior to the snow season; and

WHEREAS, the City Council of the City of New Carrollton, pursuant to the recommendation of the City Director of Public Works, desires to alter the current parking prohibitions during City declared snow and ice emergencies.

Section 1. **NOW THEREFORE, BE IT ENACTED AND ORDAINED** by the City Council of New Carrollton, that the Code of the City of New Carrollton, Chapter 100 “Streets and Sidewalks,” Section 100-5 “Authority to close public streets” shall be and hereby is amended to read as follows:

§ 100-5. Authority to close public streets.

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C. In [case of a City declared snow and/or ice emergency, the Mayor or his/her designee may restrict on-street parking during said emergencies or other emergency conditions]**the event of a predicted or actual snow fall of four inches (4”) or more, alternative parking shall be**

authorized on all streets maintained by the City where parking is permitted[on both sides of the street].

- (1) During a snow [emergency]**event of four inches (4”) or more**, [parking is permitted only in driveways or on the even-numbered side of the street. While such restriction is in effect, vehicles shall remain parked on the even-numbered side of the street until the next calendar day following such time as the condition causing this restriction is cleared from the odd-numbered unparked side of the street at which time all vehicles must be moved to the odd-numbered side to facilitate clearing of the even-numbered side. During the snow emergency, the City will allow vehicles parked in driveways to temporarily block the sidewalk in order to accommodate the maximum number of vehicles. Sidewalks must be cleared of vehicles within the twenty-four-hour period following the cessation of the snow fall and the subsequent clearing of both sides of the street. With the exception of sidewalk areas within driveways, nothing in this plan permits parking in other areas in which parking is otherwise prohibited] **alternative parking will allow citizens to park vehicles on sidewalks and grassy areas of their own property for the sole purpose of clearing the streets for plowing. All vehicles must be moved from sidewalks and grassy areas within 48 hours of the end of the storm. The Public Works Department will plow curb to curb, where possible, immediately after the end of the snow fall. There will be no more attempts made thereafter to plow curb to curb. Streets with cars parked on them will not be cleared curb to curb.**
- (2) Implementation of a snow, ice or other [emergency situation requiring]**event allowing alternate** parking [restrictions] shall be publicized on the City Comcast

television Channel 71 and City Verizon television Channel 30 along with the City's Website (www.newcarrolltonmd.gov) and social media outlets (Facebook and Twitter). The City will also publicize the information on Metro area television and radio public broadcasts, with said broadcasts deemed sufficient for enforcement of this plan.

- (3) It shall be unlawful to clear snow from private property and to place it in a City street. Snow must be placed in the tree box between the curb and sidewalk. When clearing snow from around a vehicle parked on a street, snow removed from around the vehicle also must be placed in the tree box.

- (4) Any vehicle which is parked in [violation of this plan] such a manner that it blocks normal travel lanes shall be issued a citation for such violation and be subject to being towed and impounded by the City Police Department.

[(a)] Any person issued a citation for a violation of this [plan]subsection C(4) shall be subject to a fine of two hundred fifty dollars (\$250.).

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the City Council of New Carrollton that the adoption of the restrictions relating to parking when the City declares a snow and/or ice emergency is deemed an emergency warranting the suspension of the waiting period between introduction and adoption of an ordinance and the waiting period between adoption of an ordinance and its effective date, as set forth in §10 of the City Charter.

Section 3. BE IT FURTHER ORDAINED that, by a four-fifths vote of the City Council, pursuant to §10.B of the Charter, this Ordinance has been adopted at the same meeting at which it was introduced and shall become effective immediately upon approval by the Mayor.

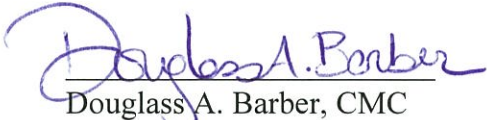
INTRODUCED by the City Council of New Carrollton at a regular meeting on the 16th day of November, 2016.

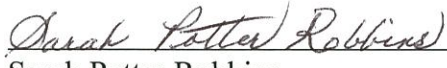
PASSED by the City Council of New Carrollton at a regular meeting on the 16th day of November, 2016.

EFFECTIVE DATE: November 16, 2016

Attest:

City of New Carrollton

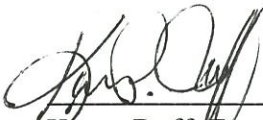

Douglass A. Barber, CMC
City Clerk

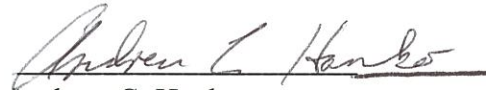

Sarah Potter Robbins
Chairman, City Council

Date: November 16, 2016

Approved for legal sufficiency:

Approved:


Karen Ruff, Esq.
of Brennan, McKenna,
Manzi, Shay, Chtd.


Andrew C. Hanko
Mayor

Date: November 16, 2016