

CHAPTER 31

RESOLUTION/ORDINANCE CONCERNING
THE ADMINISTRATION OF THE
WASHINGTON COUNTY STORMWATER MANAGEMENT
ORDINANCE IN THE TOWN OF WILLIAMSPORT

WHEREAS, The Board of County Commissions of Washington County, Maryland, (the "Board"), has duly adopted an Ordinance entitled "Stormwater Management Ordinance for Washington County, Maryland" pursuant to Maryland Code, Environment Article, Title 4, Subtitle 2, hereinafter referred to as the "County Ordinance".

WHEREAS, the Mayor and Council of the Town of Williamsport, as its duly constituted legislative body, have reviewed the County Ordinance, and believe it satisfactory and in the best interests of the citizenry of the community and the Town; and

WHEREAS, the Board of County Commissioners of Washington County, Maryland, have agreed to provide the administration and enforcement of the County Ordinance within the corporate limits of the Town as provided by the Annotated Code of Maryland and the Administrative Regulations of the State and County; and

WHEREAS, the Mayor and Council has determined to adopt the County Ordinance and Regulations promulgated in reference to Stormwater Management;

BE IT RESOLVED, ENACTED AND ORDAINED, by the Mayor and Council, as the duly constituted legislative body, of the Town that the existing Resolutions and Ordinances pertaining to Stormwater Management are hereby revoked; and

BE IT FURTHER RESOLVED, ENACTED, AND ORDAINED that an Ordinance entitled "Stormwater Management Ordinance for Washington County, Maryland" enacted by the Board of County Commissioners of Washington County (the "Board"), is hereby adopted as it now exists and as it may from time to time be amended; and

BE IT FURTHER RESOLVED, ENACTED, AND ORDAINED that said Ordinance which was passed by the Board on July 17, 2001, is hereby attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, ENACTED, AND ORDAINED that the Board of County Commissioners of Washington County, Maryland, the Washington County Engineering Department and, if applicable, all other appropriated and designated agencies or

agents thereof, shall administer and enforce the provisions of the County Ordinance with the corporate limits of the Town; and ¹

BE IT RESOLVED, that the provisions hereof shall be and become effective twenty (20) days after the date of its passage.

DATE OF INTRODUCTION: 08/31/01
DATE OF PASSAGE: 09/10/01
EFFECTIVE DATE: 09/30/01

Recorded in Liber 9, Folio 0847
Among the Acts, Ordinance, Resolutions
In the Office of the Clerk of the Circuit Court
Washington County, Maryland

¹ See attached correspondence between Robert E. Kuczynski, Attorney for the Town of Williamsport, and Richard Douglas County Attorney for Washington County, Maryland, advising of the enactment of the Washington County Stormwater Management Ordinance by the Town of Williamsport, copy of the Resolution of the Board of County Commissioners authorizing and accepting said administration of the Washington County Stormwater Management Ordinance in the Town of Williamsport; correspondence from the Maryland Department of the Environment dated May 28, 2003 approving the stormwater management program.

**RESOLUTION AUTHORIZING THE ADMINISTRATION
OF STORMWATER MANAGEMENT ORDINANCE
WITHIN THE CORPORATE LIMITS OF THE
TOWN OF WILLIAMSPORT, MARYLAND**

The Board of County Commissioners of Washington County, Maryland (the "Board") has the authority to adopt a Stormwater Management Ordinance pursuant to the Maryland Code, Environment Article, Title 4, Subtitle 2.

The Board enacted a Stormwater Management Ordinance for Washington County, Maryland on July 17, 2001. Said Ordinance is incorporated herein by reference.

The Ordinance referred to was adopted by the Town of Williamsport, Maryland, pursuant to the provisions of the Annotated Code of Maryland. In addition thereto pursuant to these provisions and an agreement with the Board, the Mayor and Council of the Town as its duly constituted legislative body has designated the Board, or its duly authorized agents, to administer the Ordinance in the geographical confines of the municipal corporation.

NOW, THEREFORE, the Board of County Commissioners of Washington County, Maryland, pursuant to the provisions of the Annotated Code do hereby reiterate its willingness to administer and enforce the provisions of the Stormwater Management Ordinance and any regulations promulgated thereunder in the corporate limits of the municipality, and the do hereby formally agree to administer same.

Adopted this _____ day of _____, 2002, effective as of the date of adoption of the Town's Ordinance.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Joni L. Bitner, Clerk

Gregory I. Snook, President

Paul L. Schwartz, Vice President

Bertrand L. Iseminger, Jr.

John L. Schnebly

William J. Wivell

KUCZYNSKI & KUCZYNSKI, P. A.

Attorneys at Law

KUCZYNSKI BUILDING
55 N. JONATHAN STREET
HAGERSTOWN, MARYLAND 21740

Telephone
(301) 797-9120

Facsimile
(301) 797-4317

Edward L. Kuczynski

of Counsel

Robert E. Kuczynski

February 4, 2002

Mr. Richard Douglas, County Attorney
Washington County
County Administration Bldg.
Hagerstown, MD 21740

Re: Town of Williamsport
Our File: W-47 #18

Dear Dick:

As you know, the above municipality has enacted the Washington County Stormwater Management Ordinance. By Agreement and Statutory authority the municipality has designated and agreed to have Washington County administer the Ordinance and all regulations promulgated thereunder within the geographical confines of the municipality. As you know, technically speaking there should be an acceptance formalized by the Board.

Enclosed you will find a Resolution authorizing same which we hope meets with your approval. If it does, please have executed. If not, revise accordingly and forward to us.

The actual Ordinance has been and/or is being recorded among the Acts, Ordinances and Resolutions for Washington County, Maryland.

We await your response. Thank you very much for your usual cooperation.

Very truly yours,

KUCZYNSKI & KUCZYNSKI, P.A.

By *Robert E. Kuczynski*
Robert E. Kuczynski

REK/rgr

Encl.

cc: Mayor and Council

Terrence P. McGee, P.E.

Corr. Richard Douglas Stormwater Management Ord. 2.4.02

Approved as to form
and legal sufficiency:

Richard Douglas
County Attorney

Mail to:

Richard W. Douglas
Washington County Attorney
100 W. Washington Street
Room 213
Hagerstown, MD 21840

Resol. County Commissioners. Stormwater Management. 2.4.02

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**RESOLUTION AMENDING
CHAPTER 33**

**AN ORDINANCE REGULATING PARKING, STOPPING AND
STANDING WITHIN THE CORPORATE LIMITS OF
THE TOWN OF WILLIAMSPORT, MARYLAND**

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The Mayor and Council, as the duly constituted legislative body, have determined that it is in the best interest of the Town of Williamsport and the citizenry in general to revise certain parking permit fees.

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED that Chapter 33 entitled, "AN ORDINANCE REGULATING PARKING, STOPPING AND STANDING WITHIN THE CORPORATE LIMITS OF THE TOWN OF WILLIAMSPORT, MARYLAND, be and is hereby revoked; and

Be it further **RESOLVED, ENACTED and ORDAINED** that said Chapter 33, "An Ordinance Regulating Parking, Stopping and Standing Within the Corporate Limits of the Town of Williamsport, Maryland" is hereby amended and reenacted to read as follows:

CHAPTER 33

AN ORDINANCE REGULATING PARKING, STOPPING AND
STANDING WITHIN THE CORPORATE LIMITS OF
THE TOWN OF WILLIAMSPORT, MARYLAND

DJM MAGE
Jul 21, 2018 09:11 PM

SECTION 1.

A. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different meaning, the following terms shall, for the purposes of this Ordinance, have the meanings indicated in this Section.

1. Disabled: Shall mean incapable of moving under its own power.
2. Operator: Shall mean and include every individual who shall operate a vehicle as the owner or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle.
3. Park, Parking: Shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.
4. Parking Meter: Shall mean and include any mechanical device or meter not

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inconsistent with the Ordinance, placed or erected for the regulation of parking by authority of this Ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the Town and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

5. Parking Meter Space: Shall mean any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

6. Parking Meter Zone: Shall mean and include any restricted street upon which parking meters are installed and in operation.

7. Parking Permit: Shall mean a sticker, decal, or other device issued by the Town in accordance with Section 4 of this Ordinance.

8. Unlicensed: Shall mean not having the proper tag as required by the Laws of the State of Maryland.

9. Vehicle: Shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

10. Wrecked: Shall mean the vehicle is damaged to the extent that the cost of repairing the vehicle would be more than the market value of the vehicle in its damaged condition.

SECTION 2: PROHIBITED PARKING AND UNLAWFUL ACTS

The following parking is prohibited.

A. When signs prohibiting parking are erected on narrow streets, no person shall park a vehicle in any such designated place.

B. When signs are erected upon approach to hazardous or congested areas, no person shall park a vehicle in any such designated place.

C. No person shall park a vehicle within an alley or upon a street or highway in such manner or under such conditions as to block the free movement of vehicular traffic.

D. No person shall park a vehicle on any street, highway, or alley for a longer period than twenty-four (24) hours, other than in front of the immediate property owned or occupied or under the control of the owner of said vehicle.

E. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four thousand (4,000) pounds on any street, highway, or alley for a longer period

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than four (4) hours, unless the owner or person in charge thereof secures a permit in writing from the Town Clerk or administrative head of the Police Department to remain for a longer period of time.

F. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four (4,000) pounds for a longer period than one hour (1) on any street or highway in front of any property used or intended to be used exclusively for residence purposes; provided, however, that the provisions of the section shall not apply to commercial trucks which are parked for the purpose of or in connection with the performance of work or services for or on behalf of any person within a radius of one (1) block from such property used or intended to be used exclusively for residence purposes.

G. When signs are erected or posted for purposes of cleaning the streets, or repairing the streets, or for purposes of parades or for any other corporate reasons in each block giving such notice, no such person shall park any vehicle, either attended or unattended upon any street over which said sign shall be posted.

H. When a section of the curb along any street is colored red by the application of paint or other material and by proper authority, no person shall park a vehicle there at any time.

I. No person shall park a vehicle, other than a motorbus at any place established and designated as a motorbus stop or station.

J. No person shall park a vehicle, other than a taxicab, at any place established and designated as a taxicab stand.

K. No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within five (5) feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within twenty (20) feet of a driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance, except at locations not deemed necessary by the Mayor and Council, when properly sign-posted.
- (7) Alongside of or opposite any street excavation or obstruction when such parking would obstruct traffic.
- (8) At any place where official signs prohibit parking.

L. Coin Deposit: Violation. Except in a period of emergency determined by an officer of the Fire Department or Police Department, or in compliance with the directions of a police officer or traffic-control sign or signal, **or as otherwise established by Ordinance or regulations adopted by the Mayor and Council**, when any vehicle shall be

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parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the parking meter space, immediately deposit or cause to be deposited in the meter such proper coin of the United States in such amount as shall be set by the Mayor and Councilor their lawfully designated agent, as is required for such parking and as is designated by the proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin and to set the timing mechanism in operation when so required, shall constitute a violation of this Ordinance. Upon the deposit of such coin and the setting of the timing mechanism in operation, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which the parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If such vehicle shall remain parked in such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, the, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this Ordinance.

M. To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as described in this Ordinance, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

N. To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle is occupying such parking space has already been parked beyond the period prescribed or such parking space.

O. To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

P. To deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Ordinance.

Q. To deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.

R. Unattended Vehicles: No person shall stand or park a vehicle upon any roadway for the principal purpose of displaying it for sale or washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

S. Restricted Parking: No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the

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ignition and removing the key, or when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

T. Time Limits: It shall be unlawful for the owner or person responsible for any vehicle to park or leave for more than twenty-four (24) hours or to permit an individual or corporation to park or leave for more than twenty-four (24) hours, upon the public streets, alleys, ways, or any property of the Town of Williamsport, any unlicensed, disabled, or wrecked vehicle.

SECTION 3: HOURS OF OPERATION

Parking meters shall be operated in the parking meter zones between the hours of 9:00 A.M. and 5:00 P.M., Monday through Saturday of each week, except that such meters shall not be operated on national public holidays or Sundays.

SECTION 4: PERMITS

- A. Authorization. In accordance with the terms of this Ordinance and any regulations adopted hereunder, the Town Clerk and other representatives of the Town authorized from time to time by the Mayor and Council shall have the authority to issue Permits which shall exempt vehicles registered in the State of Maryland and owned by persons physically residing within the Corporate limits of the Town from the requirements of Section 2 (L) – Coin Deposit: Violation of this Ordinance.
- B. Eligibility. Any resident of the Town of Williamsport who is the owner or co-owner of a vehicle registered in the State of Maryland is eligible to obtain a Permit subject to the restrictions and conditions set forth in this Ordinance.
- C. Real Property Owners. All residents of the Town who 1.) own real estate within the Corporate limits of the Town; 2.) Physically reside at that property; 3.) are current on the payment of their town real estate taxes, and 4.) own one or more vehicles registered in the State of Maryland shall be eligible to receive one Permit at no charge. Additional Permits may be obtained at the cost of \$50.00 each. Only one sticker at no charge shall be issued to a household regardless of the number of title owners to the real property. Any resident obtaining a Permit under this subsection shall be required to pay any outstanding real estate taxes or show proof that same shall be paid through an escrow agent before the Permit shall issue.
- D. Long Term Tenants. A long term tenant shall be a resident of the Town who can demonstrate through utility bills or other proof satisfactory to the Town Clerk that the resident has lived at the same address within the Town limits for a period of five (5) or more years. All residents who (1) are long term tenants as defined in this Ordinance; (2) physically reside at the rented property; (3) and own one (1) or

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more vehicles registered in the State of Maryland shall be eligible to receive one (1) permit at no charge. Additional Permits may be obtained at the cost of \$50.00 each. Only one sticker at no charge shall be issued to a household regardless of the number of long term tenants who reside on the premises.

E. Other Residents. All other persons physically residing within the Town of Williamsport who own one (1) or more vehicles registered in the State of Maryland shall be entitled to purchase one (1) permit for each vehicle upon the payment of a fifty (\$50.00) dollar per vehicle fee and presentation of proof satisfactory to the Town Clerk of physical residence within the Corporate limits of the Town.

F. Affixation/Removal/Transfer of Permit.

1. The Town Clerk, Town Meter Attendant, or any other individual authorized by the Mayor and Council shall physically affix the Permit to the vehicle. The vehicle must be brought to Town Hall during business hours or at times specified by the Mayor and Council for the purpose of affixing the Permit. The owner of the vehicle shall be responsible for the presentation of the proper vehicle(s) and the intentional and/or unintentional failure to cause the Permit to be affixed to the correct vehicle shall be considered a violation of this Ordinance by the Permittee.

2. A transfer of a Permit to a replacement vehicle is permitted upon the payment of a five (\$5.00) dollar transfer fee. The transfer of the Permit or the affixation of the replacement permit shall be performed by the Town Clerk, Town Meter Attendant, or other authorized person. Failure to follow this procedure shall automatically void the Permit and shall constitute a violation of this Ordinance by the Permittee.

G. Term of Permit. All Permits issued hereunder shall be valid from July 1 through June 30 of each fiscal year of the Town. Permits may be obtained at any time during the fiscal year but all Permits shall expire at midnight June 30 of each year. The fees for the Permits issued hereunder are considered annual fees and shall not be pro-rated, with the exception that the fees for fiscal year 2006-07 shall be \$35.00 .

H. The Mayor and Council may designate by resolution certain meters or areas which are not exempt.

SECTION 5: IMPOUNDING OF VEHICLES

A. Irrespective of other provisions of this Ordinance for penalizing illegal parking of vehicles in the following specified instances and addition thereto, the duly authorized enforcement office and/or a police officer are hereby authorized and directed to tow away or have towed away by a competent person, all vehicles violating parking prohibitions contained in any of the previous provisions of this Ordinance.

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(1) When it becomes necessary for the Town to carry out the provisions of this section by moving a vehicle illegally parked as aforesaid, it shall be the duty of the Town to provide storage space for such vehicle, either in a municipal garage or in a safe and dependable private garage, but, nevertheless nothing herein shall be taken or construed as obligating the Town or any municipal department for damage done to or destruction of such vehicle so stored, unless by law otherwise provided.

(2) The cost of the towing and storage as hereinbefore provided shall be determined as follows:

a. If the towing or storage is done by the Town the cost therefore shall be in accordance with the reasonable expenses incident to the same, plus a reasonable charge as compensation therefore.

b. If the towing or storage is done by a private company or individual, then the cost shall be at the rate usually charged for such service by such company or individual, but in no case shall the cost exceed a reasonable compensation for the actual labor, material or space involved.

c. It shall be entirely within the discretion of the Town as to whether the towing and storage provided in this section shall be done by a municipal department or by a private company or individual, but, nevertheless, the Town shall exercise its best judgment in determining the means for such towing and the place for the storing so that the cost of the same shall be kept to a minimum.

(3) Upon a determination by the Town of the cost of towing and storing an illegally parked vehicle, the same shall be charged against the owner of the vehicle and shall be added to and be made a part of, any fine thereafter imposed for such violation.

(4) Irrespective of any method for collecting fines for traffic violations otherwise provided, and in addition thereto, all towing and storage costs imposed under this section shall constitute and be a lien against any vehicle so found to be illegally parked and such lien shall not be lost, nor shall the same be considered waived by reason of the owner's taking possession of the vehicle before the costs are paid.

(5) In the event that any vehicle is towed and stored in accordance with the provisions herein contained, and is not claimed by the owner within thirty (30) days of notice to said owner; then the Police Department of the Town of Williamsport may sell said vehicle at public sale after advertising in the newspaper for three (3) consecutive weeks and notice to the owner thereof by registered mail, return receipt requested at the owner's last known address.

In the event that the owner shall not be available or shall refuse the notice, the sale and lien shall be valid if conducted in accordance with the provisions hereof. In the event that there is a surplus of over and above the proceeds and actual towing, storage, and advertising and legal costs involve dafter the ale of said vehicle, the said sums shall be paid to the owner of the vehicle where he is able to be located; and

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where not located said sums shall be forfeited to the general fund of the corporation.

SECTION 6: INTERPRETATION

Nothing in this Ordinance shall be construed as prohibiting the Mayor and council from providing for bus stops, taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans or other commercial vehicles.

SECTION 7: ENFORCEMENT

This Ordinance shall be enforced by (a) any police officer and! or (b) a parking regulation enforcement officer who may be designated by the Mayor and Council.

The parking regulation enforcement officers are hereby authorized to issue citations for violation of this Ordinance and shall enforce this Ordinance in accordance with the provisions of the Annotated Code of Maryland, Transportation, Subtitle 3, Parking Ordinances and Regulations, Section 26-301, et seq. and as it may from time to time be amended.

SECTION 8: PENALTIES

A. General.

The violation of this Ordinance in addition to the other remedies provided herein, shall be considered a misdemeanor. Any person upon conviction shall be fined not less than Two (\$2.00) Dollars nor more than Fifty (\$50.00) Dollars. Each violation of this Ordinance shall constitute a separate offense and each day shall constitute a separate offense.

B. In the event that any vehicle is unlawfully parked in accordance with the provisions of this Ordinance for a period of twenty-four (24) hours, the Town through its duly authorized enforcement officer is hereby authorized to direct the tow or have towed away by a competent person all such vehicles violating the parking prohibitions contained in this Ordinance.

C. In the event any person perceives a parking citation pursuant to this Ordinance and fails to pay same in accordance with this Ordinance and the Annotated Code of Maryland, the Town shall have the right to utilize, among other remedies, those administrative remedies available to the Town pursuant to the Transportation Article of the Annotated Code of Maryland including but not limited to the suspension of the violators registration. If the Town is required to take administrative action against a person violating this Ordinance, the Town shall have the right to assess in addition to any other penalties set forth herein administrative fees which shall be paid prior to any reinstatement of the violator's registration or lifting of any suspension which may be imposed.

D. Specific Violations.

The following fines shall be assessed and collected if the person receiving same does not elect to stand trial pursuant to the Annotated Code of Maryland, Transportation

Article:

- (1) Parking overtime - \$10.00.
- (2) Parking during designated street sweeping times - \$10.00.
- (3) Double parking - \$5.00
- (4) No parking sign - \$10.00
- (5) Parking on a red line - \$5.00
- (6) Parking on a red line going the wrong way - \$10.00
- (7) Blocking a walkway - \$10.00
- (8) Blocking an alley - \$5.00
- (9) Parking the wrong way - \$10.00
- (10) Parking in front of a fire hydrant - \$5.00.
- (11) Violation of Section 4 of this Ordinance - \$100.00

SECTION 9: HEADINGS - MISCELLANEOUS

The paragraph headings contained herein are for the convenience and reference and are not intended to define or limit the scope of any provision of this Ordinance.

All references made, and all nouns and pronouns used in this Ordinance shall be construed in the singular or plural, and in such gender as the sense and circumstances require.

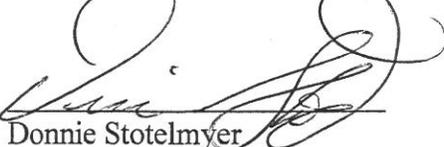
SECTION 10: SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of the remaining provisions shall remain in full force and effect.

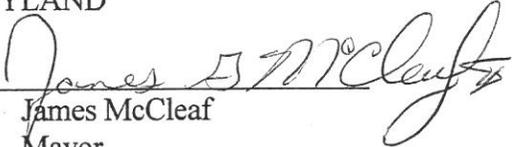
SECTION 11: EFFECTIVE DATE

The effective date of this Ordinance shall be and is August 1, 2010.

WITNESS AND ATTEST
AS TO CORPORATE SEAL


Donnie Stotemyer
Town Clerk

MAYOR AND COUNCIL OF THE
TOWN OF WILLIAMSPORT,
MARYLAND

By: 
James McCleaf
Mayor

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DATE OF INTRODUCTION: June 14, 2010
DATE OF PASSAGE: July 12, 2010
EFFECTIVE DATE: August 1, 2010

Record and Return to:
Donnie Stotemyer, Town Clerk
P. O. Box 307
Williamsport, MD 21795

JUL 23 2010

Resol.Amend.Chpt 33.07.12.10

CHAPTER 33

AN ORDINANCE REGULATING PARKING, STOPPING AND STANDING WITHIN THE CORPORATE LIMITS OF THE TOWN OF WILLIAMSPORT, MARYLAND

SECTION 1.

A. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different meaning, the following terms shall, for the purposes of this Ordinance, have the meanings indicated in this Section.

1. Disabled: Shall mean incapable of moving under its own power.
2. Operator: Shall mean and include every individual who shall operate a vehicle as the owner or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle.
3. Park, Parking: Shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.
4. Parking Meter: Shall mean and include any mechanical device or meter not inconsistent with the Ordinance, placed or erected for the regulation of parking by authority of this Ordinance. Each parking meter installed shall indicate by proper legend the legal parking time established by the Town and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.
5. Parking Meter Space: Shall mean any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.
6. Parking Meter Zone: Shall mean and include any restricted street upon which parking meters are installed and in operation.
7. Parking Permit: Shall mean a sticker, decal, or other device issued by the Town in accordance with Section 4 of this Ordinance.
8. Unlicensed: Shall mean not having the proper tag as required by the

Laws of the State of Maryland.

9. Vehicle: Shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

10. Wrecked: Shall mean the vehicle is damaged to the extent that the cost of repairing the vehicle would be more than the market value of the vehicle in its damaged condition.

SECTION 2: PROHIBITED PARKING AND UNLAWFUL ACTS

The following parking is prohibited.

A. When signs prohibiting parking are erected on narrow streets, no person shall park a vehicle in any such designated place.

B. When signs are erected upon approach to hazardous or congested areas, no person shall park a vehicle in any such designated place.

C. No person shall park a vehicle within an alley or upon a street or highway in such manner or under such conditions as to block the free movement of vehicular traffic.

D. No person shall park a vehicle on any street, highway, or alley for a longer period than twenty-four (24) hours, other than in front of the immediate property owned or occupied or under the control of the owner of said vehicle.

E. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four thousand (4,000) pounds on any street, highway, or alley for a longer period than four (4) hours, unless the owner or person in charge thereof secures a permit in writing from the Town Clerk or administrative head of the Police Department to remain for a longer period of time.

F. No person shall park a truck tractor, trailer, semi-trailer or any combination thereof or any commercial vehicle designed for or capable of carrying a load in excess of four (4,000) pounds for a longer period than one hour (1) on any street or highway in front of any property used or intended to be used exclusively for residence purposes; provided, however, that the provisions of the section shall not apply to commercial trucks which are parked for the purpose of or in connection with the performance of work or services for or on behalf of any person within a radius of one (1) block from such property used or intended to be used exclusively for residence purposes.

G. When signs are erected or posted for purposes of cleaning the streets, or repairing the streets, or for purposes of parades or for any other corporate reasons in each block giving such notice, no such person shall park any vehicle, either attended or unattended upon any street over which said sign shall be posted.

H. When a section of the curb along any street is colored red by the application of paint or other material and by proper authority, no person shall park a vehicle there at any time.

I. No person shall park a vehicle, other than a motorbus at any place established and designated as a motorbus stop or station.

J. No person shall park a vehicle, other than a taxicab, at any place established and designated as a taxicab stand.

K. No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within five (5) feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within twenty (20) feet of a driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance, except at locations not deemed necessary by the Mayor and Council, when properly sign-posted.
- (7) Alongside of or opposite any street excavation or obstruction when such parking would obstruct traffic.
- (8) At any place where official signs prohibit parking.

L. Coin Deposit: Violation. Except in a period of emergency determined by an officer of the Fire Department or Police Department, or in compliance with the directions of a police officer or traffic-control sign or signal, or as otherwise established by **Ordinance or regulations adopted by the Mayor and Council**, when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the parking meter space, immediately deposit or cause to be deposited in the meter such proper coin of the United States in such amount as shall be set by the Mayor and Council or their lawfully designated agent, as is required for such parking and as is designated by the proper directions on the meter, and when required by the directions on the meter, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon, and failure to deposit such proper coin and to set the timing mechanism in operation when so required, shall constitute a violation of this Ordinance. Upon the deposit of such coin and the setting of the timing mechanism in operation, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which the parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If such vehicle shall remain parked in such parking space beyond the parking time limit set for such parking space, and if the meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and

such parking shall be deemed a violation of this Ordinance.

M. To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as described in this Ordinance, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

N. To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle is occupying such parking space has already been parked beyond the period prescribed or such parking space.

O. To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

P. To deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Ordinance.

Q. To deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.

R. Unattended Vehicles: No person shall stand or park a vehicle upon any roadway for the principal purpose of displaying it for sale or washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

S. Restricted Parking: No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, or when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

T. Time Limits: It shall be unlawful for the owner or person responsible for any vehicle to park or leave for more than twenty-four (24) hours or to permit an individual or corporation to park or leave for more than twenty-four (24) hours, upon the public streets, alleys, ways, or any property of the Town of Williamsport, any unlicensed, disabled, or wrecked vehicle.

SECTION 3: HOURS OF OPERATION

Parking meters shall be operated in the parking meter zones between the hours of 9:00 A.M. and 5:00 P.M., Monday through Saturday of each week, except that such meters shall not be operated on national public holidays or Sundays.

SECTION 4: PERMITS

- A. Authorization. In accordance with the terms of this Ordinance and any regulations adopted hereunder, the Town Clerk and other representatives of the Town authorized from time to time by the Mayor and Council shall have the authority to issue Permits which shall exempt vehicles registered in the State of Maryland and owned by persons physically residing within the Corporate limits of the Town from the requirements of Section 2 (L) – Coin Deposit: Violation of this Ordinance.
- B. Eligibility. Any resident of the Town of Williamsport who is the owner or co-owner of a vehicle registered in the State of Maryland is eligible to obtain a Permit subject to the restrictions and conditions set forth in this Ordinance.
- C. Real Property Owners. All residents of the Town who 1.) own real estate within the Corporate limits of the Town; 2.) Physically reside at that property; 3.) are current on the payment of their town real estate taxes, and 4.) own one or more vehicles registered in the State of Maryland shall be eligible to receive one Permit at no charge. Additional Permits may be obtained at the cost of \$50.00 each. Only one sticker at no charge shall be issued to a household regardless of the number of title owners to the real property. Any resident obtaining a Permit under this subsection shall be required to pay any outstanding real estate taxes or show proof that same shall be paid through an escrow agent before the Permit shall issue.
- D. Long Term Tenants. A long term tenant shall be a resident of the Town who can demonstrate through utility bills or other proof satisfactory to the Town Clerk that the resident has lived at the same address within the Town limits for a period of five (5) or more years. All residents who (1) are long term tenants as defined in this Ordinance; (2) physically reside at the rented property; (3) and own one (1) or more vehicles registered in the State of Maryland shall be eligible to receive one (1) permit at no charge. Additional Permits may be obtained at the cost of \$50.00 each. Only one sticker at no charge shall be issued to a household regardless of the number of long term tenants who reside on the premises.
- E. Other Residents. All other persons physically residing within the Town of Williamsport who own one (1) or more vehicles registered in the State of Maryland shall be entitled to purchase one (1) permit for each vehicle upon the payment of a fifty (\$50.00) dollar per vehicle fee and presentation of proof satisfactory to the Town Clerk of physical residence within the Corporate limits of the Town.
- F. Affixation/Removal/Transfer of Permit.
1. The Town Clerk, Town Meter Attendant, or any other individual authorized by the Mayor and Council shall physically affix the Permit to the vehicle. The vehicle must be brought to Town Hall during business hours or at times specified by the Mayor and Council for the purpose of affixing

the Permit. The owner of the vehicle shall be responsible for the presentation of the proper vehicle(s) and the intentional and/or unintentional failure to cause the Permit to be affixed to the correct vehicle shall be considered a violation of this Ordinance by the Permittee.

2. A transfer of a Permit to a replacement vehicle is permitted upon the payment of a five (\$5.00) dollar transfer fee. The transfer of the Permit or the affixation of the replacement permit shall be performed by the Town Clerk, Town Meter Attendant, or other authorized person. Failure to follow this procedure shall automatically void the Permit and shall constitute a violation of this Ordinance by the Permittee.

G. Term of Permit. All Permits issued hereunder shall be valid from July 1 through June 30 of each fiscal year of the Town. Permits may be obtained at any time during the fiscal year but all Permits shall expire at midnight June 30 of each year. The fees for the Permits issued hereunder are considered annual fees and shall not be pro-rated, with the exception that the fees for fiscal year 2006-07 shall be \$35.00 .

H. The Mayor and Council may designate by resolution certain meters or areas which are not exempt.

SECTION 5: IMPOUNDING OF VEHICLES

A. Irrespective of other provisions of this Ordinance for penalizing illegal parking of vehicles in the following specified instances and addition thereto, the duly authorized enforcement office and/or a police officer are hereby authorized and directed to tow away or have towed away by a competent person, all vehicles violating parking prohibitions contained in any of the previous provisions of this Ordinance.

(1) When it becomes necessary for the Town to carry out the provisions of this section by moving a vehicle illegally parked as aforesaid, it shall be the duty of the Town to provide storage space for such vehicle, either in a municipal garage or in a safe and dependable private garage, but, nevertheless nothing herein shall be taken or construed as obligating the Town or any municipal department for damage done to or destruction of such vehicle so stored, unless by law otherwise provided.

(2) The cost of the towing and storage as hereinbefore provided shall be determined as follows:

a. If the towing or storage is done by the Town the cost therefore shall be in accordance with the reasonable expenses incident to the same, plus a reasonable charge as compensation therefore.

b. If the towing or storage is done by a private company or individual, then the cost shall be at the rate usually charged for such service by such company or individual, but in no case shall the cost exceed a reasonable compensation for the actual labor, material or space involved.

c. It shall be entirely within the discretion of the Town as to whether the towing and storage provided in this section shall be done by a municipal department or by a private company or individual, but, nevertheless, the Town shall exercise its best judgment in determining the means for such towing and the place for the storing so that the cost of the same shall be kept to a minimum.

(3) Upon a determination by the Town of the cost of towing and storing an illegally parked vehicle, the same shall be charged against the owner of the vehicle and shall be added to and be made a part of, any fine thereafter imposed for such violation.

(4) Irrespective of any method for collecting fines for traffic violations otherwise provided, and in addition thereto, all towing and storage costs imposed under this section shall constitute and be a lien against any vehicle so found to be illegally parked and such lien shall not be lost, nor shall the same be considered waived by reason of the owner's taking possession of the vehicle before the costs are paid.

(5) In the event that any vehicle is towed and stored in accordance with the provisions herein contained, and is not claimed by the owner within thirty (30) days of notice to said owner; then the Police Department of the Town of Williamsport may sell said vehicle at public sale after advertising in the newspaper for three (3) consecutive weeks and notice to the owner thereof by registered mail, return receipt requested at the owner's last known address.

In the event that the owner shall not be available or shall refuse the notice, the sale and lien shall be valid if conducted in accordance with the provisions hereof. In the event that there is a surplus of over and above the proceeds and actual towing, storage, and advertising and legal costs involve dafter the ale of said vehicle, the said sums shall be paid to the owner of the vehicle where he is able to be located; and where not located said sums shall be forfeited to the general fund of the corporation.

SECTION 6: INTERPRETATION

Nothing in this Ordinance shall be construed as prohibiting the Mayor and council from providing for bus stops, taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans or other commercial vehicles.

SECTION 7: ENFORCEMENT

This Ordinance shall be enforced by (a) any police officer and! or (b) a parking regulation enforcement officer who may be designated by the Mayor and Council.

The parking regulation enforcement officers are hereby authorized to issue citations for violation of this Ordinance and shall enforce this Ordinance in accordance with the provisions of the Annotated Code of Maryland, Transportation, Subtitle 3, Parking Ordinances and Regulations, Section 26-301, et seq. and as it may from time to time be amended.

SECTION 8: PENALTIES

A. General.

The violation of this Ordinance in addition to the other remedies provided herein, shall be considered a misdemeanor. Any person upon conviction shall be fined not less than Two (\$2.00) Dollars nor more than Fifty (\$50.00) Dollars. Each violation of this Ordinance shall constitute a separate offense and each day shall constitute a separate offense.

B. In the event that any vehicle is unlawfully parked in accordance with the provisions of this Ordinance for a period of twenty-four (24) hours, the Town through its duly authorized enforcement officer is hereby authorized to direct the tow or have towed away by a competent person all such vehicles violating the parking prohibitions contained in this Ordinance.

C. In the event any person perceives a parking citation pursuant to this Ordinance and fails to pay same in accordance with this Ordinance and the Annotated Code of Maryland, the Town shall have the right to utilize, among other remedies, those administrative remedies available to the Town pursuant to the Transportation Article of the Annotated Code of Maryland including but not limited to the suspension of the violators registration. If the Town is required to take administrative action against a person violating this Ordinance, the Town shall have the right to assess in addition to any other penalties set forth herein administrative fees which shall be paid prior to any reinstatement of the violator's registration or lifting of any suspension which may be imposed.

D. Specific Violations.

The following fines shall be assessed and collected if the person receiving same does not elect to stand trial pursuant to the Annotated Code of Maryland, Transportation Article:

SECTION 7. PENALTIES

- (1) Parking overtime - \$5.00.
- (2) Parking during designated street sweeping times - \$5.00
- (3) Double parking - \$5.00
- (4) No parking sign - \$10.00
- (5) Parking on a red line - \$5.00
- (6) Parking on a red line going the wrong way - \$10.00
- (7) Blocking a walkway - \$10.00

- (8) Blocking an alley - \$5.00
- (9) Parking the wrong way - \$10.00
- (10) Parking in front of a fire hydrant - \$5.00.
- (11) Violation of Section 4 of this Ordinance - \$100.00

SECTION 9: HEADINGS - MISCELLANEOUS

The paragraph headings contained herein are for the convenience and reference and are not intended to define or limit the scope of any provision of this Ordinance.

All references made, and all nouns and pronouns used in this Ordinance shall be construed in the singular or plural, and in such gender as the sense and circumstances require.

SECTION 10: SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of the remaining provisions shall remain in full force and effect.

SECTION 11: EFFECTIVE DATE

The effective date of this Ordinance as modified and reenacted is and shall be July 2, 2007.

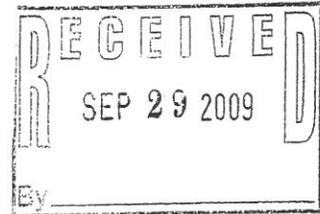
Reenacted: September 11, 1989
Chapter 34 in 1989 Codification.

Subsequently Reenacted: March 1, 2005 (Chapter 33 – 2005 Codification)

Section 7(D) Amended 2005
Section 4 – Permits – Amended 2007

Chapter 33 Modified, Amended and Reenacted:

Introduced: May 14, 2007
Date of Passage: June 11, 2007
Effective Date: July 2, 2007



CHAPTER 33-B

**AN ORDINANCE TO CONTROL AND REGULATE ABANDONED,
WRECKED, DISMANTLED, JUNKED OR INOPERATIVE VEHICLES**

SECTION 1: PURPOSE

The purpose of this Ordinance is to limit and restrict the outdoor storage, parking, repair or unreasonable accumulation of junk, unused, partially dismantled, or non-operating motor vehicles or new or used motor vehicle parts upon public and private premises within the Town limits to prevent degradation of the environment caused by such activities and to minimize the devaluation of property values and the psychological ill effects of the presence of such vehicles upon adjoining residents and property owners and the consistent maintaining of a nuisance.

SECTION 2: DEFINITIONS

As used in this Ordinance, the following terms shall have the following meanings unless the context clearly indicates that a different meaning is intended:

- (a) **Junk Yard** - Any area where waste, discarded or salvaged materials are bought, sold, exchanged, bailed, parked, stored, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places for yards for storage of salvaged house wrecking and structural steel materials and equipment, either for profit or not for profit.
- (b) **Town** - The Town of Williamsport, Maryland.
- (c) **State** - The State of Maryland
- (d) **County** - Washington County, Maryland
- (e) **Junked Motor Vehicle** - Any motor vehicle which does not have lawfully affixed thereto both an unexpired license plate or plates and a current motor vehicle safety inspection certificate and the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded.
- (f) **Motor Vehicle** - Any self propelled land vehicle which can be used for towing or transporting people or materials, including but not limited to, automobiles, trucks, buses, motor homes, motorized campers, motorcycles, motor scooters, tractors, snowmobiles, dune buggies, and other off the road vehicles.
- (g) **Person** - Any person, firm, partnership, association, corporation, company, or organization of any kind.
- (h) **Private Property** - Any real property within the town which is privately owned and which is not public property as defined in this section.
- (i) **Public Property** - Any street or highway which shall include the entire width

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between the boundary lines of every way publicly maintained for the purposes of vehicular travel, and shall also mean any other publicly owned property or facility.

- (j) **Removal** – The physical relocation of a motor vehicle or motor vehicle accessories to an authorized location.
- (k) **Disabled** – Incapable of moving under its own power.
- (l) **Unlicensed** – Not having the proper tag as required by the laws of the State of Maryland.
- (m) **Wrecked** - The vehicle is damaged to the extent that the cost of repairing the vehicle would be more than the market value of the vehicle in its damaged condition.

SECTION 3: PROHIBITED STORAGE

It shall be unlawful for any person owning or having custody of any junked, rusted, wrecked, dismantled, partially dismantled, inoperative, or abandoned motor vehicle or motor vehicle accessories to store or permit any such vehicle or accessories to remain on any private property within the town for a period of more than thirty (30) days.

It shall further be unlawful for any person owning any private property in the Town to store or permit to remain any such vehicles or accessories on said property for more than a like period. Such storage is declared to be a public nuisance and may be abated or removed and penalties imposed as provided in this ordinance.

It shall be unlawful for any person, after notification to remove any junked, wrecked, dismantled, rusted, partially dismantled, inoperative or abandoned motor vehicle or motor vehicle accessories from any private property has been given, to move same to any other private property upon which storage is not permitted or onto any public highway or other public property for purposes of storage.

SECTION 4: JUNKYARDS

The maintenance of a junkyard is prohibited and shall be considered unlawful in the Town.

SECTION 5: PERMITTED STORAGE

This Ordinance shall not apply to any motor vehicle or motor vehicle accessory stored within an enclosed building, or on the premises of the business enterprise operated in a lawful place and manner when necessary for the operation of such business enterprise, in a storage place or a depository maintained in a lawful place and manner. If same are junked, wrecked, unlicensed or inoperable, then such storage of same is prohibited under the provisions of this ordinance.

SECTION 6: RESPONSIBLE PERSONS

The registered owner or actual owner of any such motor vehicle or motor vehicle accessories

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Washington County

as herein defined, the owner of the private property or the lessee or other persons in the possession of any private property upon which motor vehicle and/or motor vehicle accessories are located shall be responsible for the removal of same from the private property or to have same completely housed within a building in accordance with this Ordinance.

SECTION 7: NOTICE OF REMOVAL

In the event of a violation of this Ordinance, the Mayor and Council through its duly authorized agent(s) shall give written notice of a violation of this Ordinance to the responsible person or persons found to be in violation of the provisions of this Ordinance. Said notice shall be in writing and demand that the violation be corrected and the motor vehicle and/or motor vehicle accessories be removed from said private property or properly housed within five (5) days of notification. The notice, if possible, shall be delivered to the responsible person(s) or sent by registered mail with return receipt requested. If the responsible person(s) cannot be located, notification under this section may be accomplished by posting the notice upon the premises and sending a copy of the notice to the responsible person(s) at the last known address of the responsible person (s).

SECTION 8: REMOVAL OF MOTOR VEHICLES OR MOTOR VEHICLE ACCESSORIES

If, after notification pursuant to this Ordinance, the responsible person(s) fails and/or refuses to remove the motor vehicles(s) or motor vehicle accessories from said private property and/or store same in accordance with this Ordinance, the Mayor and Council through its duly authorized agents may cause the motor vehicle(s) and/or motor vehicle accessories to be removed by a commercial tow truck to a commercial garage, auto wrecking yard or other suitable place for disposal at the sole cost and expense of the responsible person(s). In the event the Town is required to take such action, it may file a civil action, in addition to any other penalties or remedies provided herein, in the appropriate court against the responsible person(s) upon whom the notice was served to recover all costs related to the removal, storage and/or disposal of said motor vehicle(s) or motor vehicle accessories, together with court costs and reasonable attorneys fees.

SECTION 9: SALE OF UNCLAIMED VEHICLES/PROPERTY

(1) Whenever any vehicle impounded pursuant to the provisions of this section shall remain unclaimed by the owner or other persons legally entitled to possession or responsible for the vehicle for a period of thirty (30) days from the date that the notice to the owner was mailed set forth herein, the Town may sell such vehicle at a public auction in accordance with the provisions of Title 25 of the Transportation Article of the Annotated Code of Maryland.

(2) The proceeds of the sale shall be applied in the following order:

- (a) Satisfaction of any liens of record;
- (b) Payment of expenses of giving notice and advertising and holding same,

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- including reasonable attorney's fees;
- (c) All storage, towing, impoundment, immobilization, and preservation charges;
 - (d) All fines and administrative charges outstanding against the owner of the vehicle under this section; and
 - (e) The balance to the registered owner of the vehicle and lien holder of record, if applicable.

SECTION 10: ABANDONED VEHICLES

The provisions of this Ordinance are in addition to and not in derogation of the provisions of the Transportation Article of the Annotated Code of Maryland applicable to abandoned vehicles, including but not limited to the provisions of Title 25 thereof. The procedures set forth therein shall be and are applicable and remain in full force and effect. If any provision of this Ordinance is in conflict with same, the most stringent is applicable.

SECTION 11: PENALTIES

A. A violation of the terms of this Ordinance by any person, firm, or corporation of whatsoever nature or kind shall be subject to the penalties set forth in Article 3 (General Penalty). Nothing herein contained shall prevent the town from taking such other lawful action as necessary to prevent a violation of this Ordinance.

B. Each day that the responsible person(s) fails and/or refuses to comply with the notice required herein after the expiration of the seventy-two (72) hour period shall constitute a separate offense subject to the penalties set forth in Section 11-A.

WITNESS AND ATTEST
AS TO CORPORATE SEAL


Town Clerk

TOWN OF WILLIAMSPORT,
MARYLAND


James McCleaf, Mayor

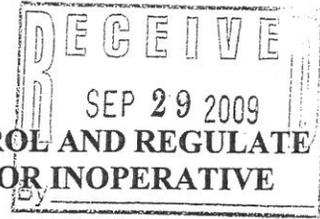
Introduced: November 12, 2007
Passed: December 10, 2007
Effective: December 31, 2007

Record and Return to:

Town Clerk
Town of Williamsport
P.O. Box 307
Williamsport, MD 21795

SEP 18 2009

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Resolutions - Towns
Clerk of the Circuit Court
Washington County



**RESOLUTION TO ENACT AN ORDINANCE TO CONTROL AND REGULATE
ABANDONED, WRECKED, DISMANTLED, JUNKED OR INOPERATIVE
VEHICLES**

WHEREAS, the Town of Williamsport currently does not have in effect a comprehensive Ordinance to Control and Regulate Abandoned, Wrecked, Dismantled, Junked or Inoperative Vehicles;

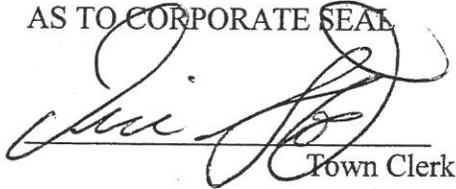
WHEREAS, the Mayor and Council have determined that it is in the best interest of the citizenry of the Town of Williamsport to provide by Ordinance for the control and regulation of same;

WHEREAS, the Mayor and Council deem it to be in the best interest of the citizenry of the Town of Williamsport to adopt and enact the Ordinance to Control and Regulate Abandoned, Wrecked, Dismantled, Junked or Inoperative Vehicles attached to this resolution as Exhibit "A" and incorporated herein by reference.

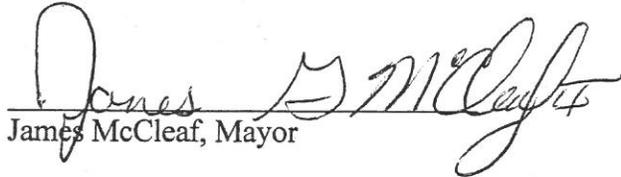
NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED that "CHAPTER 33-B, AN ORDINANCE TO CONTROL AND REGULATE ABANDONED, WRECKED, DISMANTLED, JUNKED OR INOPERATIVE VEHICLES" which is attached hereto as Exhibit "A" and incorporated herein by reference be approved and enacted; and be it further

RESOLVED, ENACTED AND ORDAINED that the Mayor is hereby is authorized to execute this Resolution and any other documents necessary to effectuate the purposes of the enacted Ordinance.

WITNESS AND ATTEST
AS TO CORPORATE SEAL


Town Clerk

TOWN OF WILLIAMSPORT,
MARYLAND


James McCleaf, Mayor

Introduced: November 12, 2007
Passed: December 10, 2007
Effective: December 31, 2007

Record and Return to:

SEP 18 2009

Town Clerk
Town of Williamsport
P.O. Box 307
Williamsport, MD 21795

Resolution.Abandoned Veh.12.01.07

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CHAPTER 33-B

AN ORDINANCE TO CONTROL AND REGULATE ABANDONED, WRECKED, DISMANTLED, JUNKED OR INOPERATIVE VEHICLES

SECTION 1: PURPOSE

The purpose of this Ordinance is to limit and restrict the outdoor storage, parking, repair or unreasonable accumulation of junk, unused, partially dismantled, or non-operating motor vehicles or new or used motor vehicle parts upon public and private premises within the Town limits to prevent degradation of the environment caused by such activities and to minimize the devaluation of property values and the psychological ill effects of the presence of such vehicles upon adjoining residents and property owners and the consistent maintaining of a nuisance.

SECTION 2: DEFINITIONS

As used in this Ordinance, the following terms shall have the following meanings unless the context clearly indicates that a different meaning is intended:

- (a) **Junk Yard** - Any area where waste, discarded or salvaged materials are bought, sold, exchanged, bailed, parked, stored, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places for yards for storage of salvaged house wrecking and structural steel materials and equipment, either for profit or not for profit.
- (b) **Town** - The Town of Williamsport, Maryland.
- (c) **State** - The State of Maryland
- (d) **County** - Washington County, Maryland
- (e) **Junked Motor Vehicle** - Any motor vehicle which does not have lawfully affixed thereto both an unexpired license plate or plates and a current motor vehicle safety inspection certificate and the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded.
- (f) **Motor Vehicle** - Any self propelled land vehicle which can be used for towing or transporting people or materials, including but not limited to, automobiles, trucks, buses, motor homes, motorized campers, motorcycles, motor scooters, tractors, snowmobiles, dune buggies, and other off the road vehicles.
- (g) **Person** - Any person, firm, partnership, association, corporation, company, or organization of any kind.
- (h) **Private Property** - Any real property within the town which is privately owned and which is not public property as defined in this section.
- (i) **Public Property** - Any street or highway which shall include the entire width

between the boundary lines of every way publicly maintained for the purposes of vehicular travel, and shall also mean any other publicly owned property or facility.

- (j) **Removal** – The physical relocation of a motor vehicle or motor vehicle accessories to an authorized location.
- (k) **Disabled** – Incapable of moving under its own power.
- (l) **Unlicensed** – Not having the proper tag as required by the laws of the State of Maryland.
- (m) **Wrecked** - The vehicle is damaged to the extent that the cost of repairing the vehicle would be more than the market value of the vehicle in its damaged condition.

SECTION 3: PROHIBITED STORAGE

It shall be unlawful for any person owning or having custody of any junked, rusted, wrecked, dismantled, partially dismantled, inoperative, or abandoned motor vehicle or motor vehicle accessories to store or permit any such vehicle or accessories to remain on any private property within the town for a period of more than thirty (30) days.

It shall further be unlawful for any person owning any private property in the Town to store or permit to remain any such vehicles or accessories on said property for more than a like period. Such storage is declared to be a public nuisance and may be abated or removed and penalties imposed as provided in this ordinance.

It shall be unlawful for any person, after notification to remove any junked, wrecked, dismantled, rusted, partially dismantled, inoperative or abandoned motor vehicle or motor vehicle accessories from any private property has been given, to move same to any other private property upon which storage is not permitted or onto any public highway or other public property for purposes of storage.

SECTION 4: JUNKYARDS

The maintenance of a junkyard is prohibited and shall be considered unlawful in the Town.

SECTION 5: PERMITTED STORAGE

This Ordinance shall not apply to any motor vehicle or motor vehicle accessory stored within an enclosed building, or on the premises of the business enterprise operated in a lawful place and manner when necessary for the operation of such business enterprise, in a storage place or a depository maintained in a lawful place and manner. If same are junked, wrecked, unlicensed or inoperable, then such storage of same is prohibited under the provisions of this ordinance.

SECTION 6: RESPONSIBLE PERSONS

The registered owner or actual owner of any such motor vehicle or motor vehicle accessories

as herein defined, the owner of the private property or the lessee or other persons in the possession of any private property upon which motor vehicle and/or motor vehicle accessories are located shall be responsible for the removal of same from the private property or to have same completely housed within a building in accordance with this Ordinance.

SECTION 7: NOTICE OF REMOVAL

In the event of a violation of this Ordinance, the Mayor and Council through its duly authorized agent(s) shall give written notice of a violation of this Ordinance to the responsible person or persons found to be in violation of the provisions of this Ordinance. Said notice shall be in writing and demand that the violation be corrected and the motor vehicle and/or motor vehicle accessories be removed from said private property or properly housed within five (5) days of notification. The notice, if possible, shall be delivered to the responsible person(s) or sent by registered mail with return receipt requested. If the responsible person(s) cannot be located, notification under this section may be accomplished by posting the notice upon the premises and sending a copy of the notice to the responsible person(s) at the last known address of the responsible person (s).

SECTION 8: REMOVAL OF MOTOR VEHICLES OR MOTOR VEHICLE ACCESSORIES

If, after notification pursuant to this Ordinance, the responsible person(s) fails and/or refuses to remove the motor vehicles(s) or motor vehicle accessories from said private property and/or store same in accordance with this Ordinance, the Mayor and Council through its duly authorized agents may cause the motor vehicle(s) and/or motor vehicle accessories to be removed by a commercial tow truck to a commercial garage, auto wrecking yard or other suitable place for disposal at the sole cost and expense of the responsible person(s). In the event the Town is required to take such action, it may file a civil action, in addition to any other penalties or remedies provided herein, in the appropriate court against the responsible person(s) upon whom the notice was served to recover all costs related to the removal, storage and/or disposal of said motor vehicle(s) or motor vehicle accessories, together with court costs and reasonable attorneys fees.

SECTION 9: SALE OF UNCLAIMED VEHICLES/PROPERTY

(1) Whenever any vehicle impounded pursuant to the provisions of this section shall remain unclaimed by the owner or other persons legally entitled to possession or responsible for the vehicle for a period of thirty (30) days from the date that the notice to the owner was mailed set forth herein, the Town may sell such vehicle at a public auction in accordance with the provisions of Title 25 of the Transportation Article of the Annotated Code of Maryland.

(2) The proceeds of the sale shall be applied in the following order:

- (a) Satisfaction of any liens of record;
- (b) Payment of expenses of giving notice and advertising and holding same,

- including reasonable attorney's fees;
- (c) All storage, towing, impoundment, immobilization, and preservation charges;
 - (d) All fines and administrative charges outstanding against the owner of the vehicle under this section; and
 - (e) The balance to the registered owner of the vehicle and lien holder of record, if applicable.

SECTION 10: ABANDONED VEHICLES

The provisions of this Ordinance are in addition to and not in derogation of the provisions of the Transportation Article of the Annotated Code of Maryland applicable to abandoned vehicles, including but not limited to the provisions of Title 25 thereof. The procedures set forth therein shall be and are applicable and remain in full force and effect. If any provision of this Ordinance is in conflict with same, the most stringent is applicable.

SECTION 11: PENALTIES

A. A violation of the terms of this Ordinance by any person, firm, or corporation of whatsoever nature or kind shall be subject to the penalties set forth in Article 3 (General Penalty). Nothing herein contained shall prevent the town from taking such other lawful action as necessary to prevent a violation of this Ordinance.

B. Each day that the responsible person(s) fails and/or refuses to comply with the notice required herein after the expiration of the seventy-two (72) hour period shall constitute a separate offense subject to the penalties set forth in Section 11-A.

EFFECTIVE DATE: 12/31/07

ENACTED: 12/10/07

REENACTED: 12/10/07

Received
Planning & Zoning

**RESOLUTION TO REVOKE, AMEND AND REENACT CHAPTER 33-C,
"ORDINANCE REGULATING VEHICULAR WEIGHT"**

WHEREAS, the Town of Williamsport currently has in effect a comprehensive Ordinance for the protection and preservation of its streets and ways by prohibiting heavy truck usage and the utilization of Conocheague Street from its intersection with Potomac Street southward to the Town Limits;

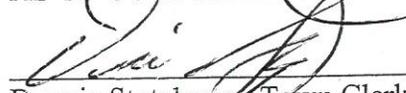
WHEREAS, the Mayor and Council have determined that it is in the best interest of the citizenry of the Town of Williamsport to amend certain provisions of said Ordinance relating to Section One - Regulation of Weight'

WHEREAS, the Mayor and Council deem it to be in the best interest of the citizenry of the Town of Williamsport to repeal the existing Chapter 33-C, "Ordinance Regulation Vehicular Weight" and to amend, approve and re-enact said Chapter 33-C, "Second Amended Ordinance Regulating Vehicular Weight", as attached to this Resolution as Exhibit "A" and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED that "CHAPTER 33-C, SECOND AMENDED ORDINANCE REGULATING VEHICULAR WEIGHT" which is attached hereto as Exhibit "A" and incorporated hereby reference be approved and enacted; and be it further

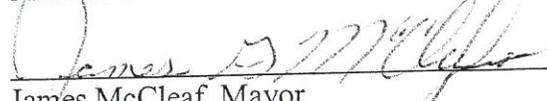
RESOLVED, ENACTED AND ORDAINED that the Mayor is hereby authorized to execute this Resolution, the Ordinance and any other documents necessary to effectuate the purposes of the enacted Ordinance.

WITNESS AND ATTEST
AS TO CORPORATE SEAL



Donnie Stotelmyer, Town Clerk

TOWN OF WILLIAMSPORT,
MARYLAND



James McCleaf, Mayor

Introduced: November 11, 2013
Passed: December 9, 2013
Effective: December 9, 2013

Record and Return to:

Mr. Donnie Stotelmyer, Town Clerk
Town of Williamsport
P. O. Box 307
Williamsport, Maryland 21795

DJN H82
Jan 22, 2014 01:36 PM

SECOND AMENDED CHAPTER 33-C

ORDINANCE REGULATING VEHICULAR WEIGHT

Preamble

The Mayor and Council, as the duly constituted legislative body, have determined that it is in the best interest of the Town of Williamsport and the citizenry in general to revise certain provisions of its comprehensive "Ordinance Regulating Vehicular Weight" specifically as same relate to Section One - Regulation of Weight.

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED hat Chapter 33 - C entitled, "ORDINANCE REGULATION VEHICULAR WEIGH", be and the same is hereby revoked in its entirety; and

Be it further **RESOLVED, ENACTED, and ORDAINED** that said Chapter 33-C, "ORDINANCE REGULATING VEHICULAR WEIGHT" is hereby approved, adopted amended and reenacted to read as follows:

AMENDED CHAPTER 33-C

ORDINANCE REGULATING VEHICULAR WEIGHT

The Town of Williamsport is responsible for the maintenance, upkeep and regulation of its streets, alleys and other public ways. The Town is also actively engaged in economic development initiatives in the Town Center area of Williamsport. As a result of regular and frequent use of Conococheague Street, Potomac Street, and some of the other streets within the Town by heavy truck traffic, the Town has been experiencing excessive wear, tear and damage to its streets. As a result of substantial reductions in State and Federal funding, the Town's ability to maintain and repair the streets that are damaged as a result of said vehicular traffic has substantially reduced leaving the Town with inadequate financial means to handle the damage and problems associated with vehicular traffic by heavy vehicles traveling through the Town. Additionally, the Mayor and Council is attempting to promote, develop and foster economic growth in the downtown and Town Center and believes that a substantial reduction of heavy truck traffic on Conococheague Street from the intersection of Potomac Street, southward to the Town limits would help promote, develop and foster commercial economic growth along Conococheague Street in Williamsport's Town Center.

The Mayor and Council deem that it is in the best interest of the citizenry of the Town of Williamsport and for the protection and preservation of its streets and ways to prohibit the utilization of Conococheague Street from its intersection with Potomac Street southward to the Town Limits by vehicles with a Gross Vehicle Weight of Twenty-Six Thousand (26,000) Pounds or more. Pursuant to the powers vested in the Town of Williamsport by its Charter, the Annotated Code of Maryland and the Maryland

Liber 12 Folio 0318

Acts, Ordinances, Resolutions- Town
Clerk of the Circuit Court
Washington County

Constitution, the Mayor and Council for the Town of Williamsport deem it necessary and appropriate to pass this Ordinance.

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED as follows:

Section One - Regulation of Weight

A. No vehicle as defined by the "Transportation Article" of the Annotated Code of Maryland with a gross vehicle weight (GVW) of Twenty-Six Thousand (26,000) Pounds or greater shall be permitted to use, travel over, move upon, and/or utilize the following streets within the Corporate Limits of the Town of Williamsport:

1. Conococheague Street from its intersection with Potomac Street southward the intersection of Conococheague Street and Sunset Avenue.
2. Artizan Street from its intersection with Potomac Street southward to the intersection of Artizan Street and Sunset Avenue.

B. The Gross Vehicle Weight (GVW) for purposes of this Ordinance shall be defined as the manufacturer's rating that is specified on the vehicles' Vehicle Identification Number (VIN) Plate.

Section Two - Exceptions

The provisions of this Ordinance shall not apply to:

- (a) Emergency Vehicles
- (b) Vehicles utilized for local deliveries. In order to qualify as a local delivery for purposes of this Ordinance the operator of the vehicle must be able to provide a manifest or similar official document indicating that travel over the prohibited area is necessary for purposes of the delivery.
- (c) Vehicles being used for governmental purposes such as road construction, water an sewer installation and/or replacements, and/or hauling for governmental purposes within the Town.
- (d) Temporary ingress and egress by vehicles delivering and/or removing materials, debris, dirt, stone, etc. to/from any site located within the area descried in this Ordinance.
- (e) Any other one time or temporary use approved in advance by the Mayor and Council upon written request to the Town Clerk.
- (f) Vehicles primarily designed and used for agricultural purposes.
- (g) Passenger and/or school buses.
- (h) Waste pick up and disposal vehicles necessary for the pickup and removal of trash and/or recyclables within the prohibited area.
- (i) Any other temporary emergency use resulting from traffic diverted from Interstate 81 and/or Interstate 70.

Liber 12 Folio 0319

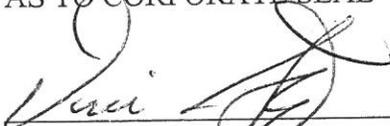
Acts, Ordinances, Resolutions- Town
Clerk of the Circuit Court
Washington County

Section Three - Penalties/Remedies

(a) A violation of the terms of this Ordinance by any person, firm, or corporation of whatsoever nature or kind shall be subject to a fine not to exceed Five Hundred (\$500.00) Dollars. Upon the issuance of a citation pursuant to this Ordinance, the alleged offender may pay the sum of One Hundred (\$100.00) Dollars as a pre-established prepaid penalty within ten (10) days of the issuance of the citation. In the event the pre-paid amount of One Hundred (\$100.00) Dollars is not paid within a period of thirty (30) days from the issuance of the citation, the penalty for the violation of this Ordinance shall automatically increase to Five Hundred (\$500.00) Dollars unless the alleged offender elects to request a Trial in the District Court for Washington County, Maryland, prior to the expiration of the aforesaid thirty (30) day time period. The Uniform Citation System shall be utilized for the issuance of any citations resulting from alleged violations of this Ordinance. Nothing herein contained shall prevent the Town from taking such other lawful action as may be necessary to prevent or correct a violation of this Ordinance.

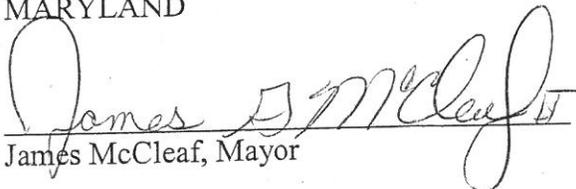
BE IT FURTHER RESOLVED, ENACTED and ORDAINED that this Ordinance was introduced on November 11, 2013, and shall be considered an Emergency ordinance and shall be effective on its date of passage, December 9, 2013.

WITNESS AND ATTEST
AS TO CORPORATE SEAL



Donnie Stotelmyer, Clerk

THE TOWN OF WILLIAMSPORT,
MARYLAND



James McCleaf, Mayor

Date Introduced: November 11, 2013
Date of Passage: December 9, 2013
Effective Date: December 9, 2013

Record and Return to: JAN 24 2014

Mr. Donnie Stotelmyer, Town Clerk
Town of Williamsport
P. O. Box 307
Williamsport, Maryland 21695

Chapter 33-C Vehicular Weight Enacted 10/10/11 and Effective 10/30/11;
Amended 01/09/12; Second Amendment 12/09/13.

KUCZYNSKI & KUCZYNSKI, P. A.

Attorneys at Law

KUCZYNSKI BUILDING
55 N. JONATHAN STREET

HAGERSTOWN, MARYLAND 21740

Edward L. Kuczynski

of Counsel

Robert E. Kuczynski

Telephone

(301) 797-9120

Facsimile

(301) 797-4317

January 9, 2012

Mayor and Council
Town of Williamsport
P. O. Box 307
Williamsport, Maryland 21795

Re: Amendment to Chapter 33-C "Ordinance Regulating Vehicular Weight"
Our File: W-47 #36

Gentlepersons:

In accordance with the discussions which were held at the December 12, 2011 meeting, we have made revisions to Chapter 33-C "Ordinance Regulating Vehicular Weight" which was introduced by the Town of December 12, 2011 and will be passed and effective on Monday, January 9, 2012.

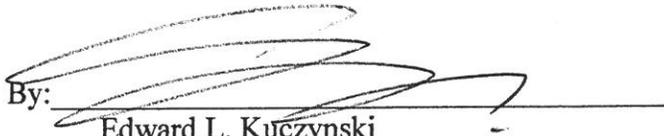
Enclosed please find a copy of the proposed Amended Ordinance, Resolution Authorizing same, and the requisite Notice for publication in the Herald Mail following the passage of the revised Ordinance.

As you can see from the Ordinance, same is being passed as an Emergency Ordinance with an introduction date of December 12, 2012 and passage and effective date this as of this date.

If you have any questions, or any desire any changes please advise. Thank you for the opportunity of handling this matter on your behalf.

Very truly yours,

KUCZYNSKI & KUCZYNSKI, P.A.

By: 

Edward L. Kuczynski

ELK/rgr

Encls. (As Noted Within)

cc: Mr. Donnie Stotelmyer, Clerk (w/encl.)

**RESOLUTION TO REVOKE, AMEND AND REENACT CHAPTER 33-C,
"ORDINANCE REGULATING VEHICULAR WEIGHT"**

WHEREAS, the Town of Williamsport currently has in effect a comprehensive Ordinance for the protection and preservation of its streets and ways by prohibiting heavy truck usage and utilization of Conococheague Street from its intersection with Potomac Street southward to the Town limits;

WHEREAS, the Mayor and Council have determined that it is in the best interest of the citizenry of the Town of Williamsport to amend certain provisions of said Ordinance relating to Section Three - Penalties/Remedies;

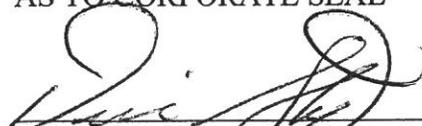
WHEREAS, the Mayor and Council deem it to be in the best interest of the citizenry of the Town of Williamsport to repeal the existing Chapter 33-C, "Ordinance Regulating Vehicular Weight" and to amend, approve and re-enact said Chapter 33-C, "Amended Ordinance Regulating Vehicular Weight", as attached to this resolution as Exhibit "A" and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED that "CHAPTER 33-C, "AMENDED ORDINANCE REGULATING VEHICULAR WEIGHT" which is attached hereto as Exhibit "A" and incorporated herein by reference be approved and enacted; and be it further

RESOLVED, ENACTED AND ORDAINED that the Mayor is hereby is authorized to execute this Resolution and any other documents necessary to effectuate the purposes of the enacted Ordinance.

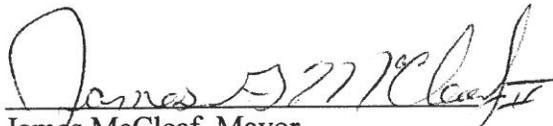
RESOLVED, ENACTED AND ORDAINED that the Mayor is hereby is authorized to execute this Resolution and any other documents necessary to effectuate the purposes of the enacted Ordinance.

WITNESS AND ATTEST
AS TO CORPORATE SEAL



Donnie Stotemyer, Town Clerk

TOWN OF WILLIAMSPORT,
MARYLAND



James McCleaf, Mayor

Introduced: December 12, 2011
Passed: January 9, 2012
Effective: January 9, 2012

Record and Return to:

Town Clerk
Town of Williamsport
P.O. Box 307
Williamsport, MD 21795

Resolution Adopting Revised Chpt 33C. Vehicular Weight. 01.09.12

AMENDED CHAPTER 33-C

ORDINANCE REGULATING VEHICULAR WEIGHT

Preamble

The Mayor and Council, as the duly constituted legislative body, have determined that it is in the best interest of the Town of Williamsport and the citizenry in general to revise to amend certain provisions of its comprehensive "Ordinance Regulating Vehicular Weight" specifically as same relate to Section Three - Penalties/Remedies;

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED that Chapter 33-C entitled, "ORDINANCE REGULATING VEHICULAR WEIGHT", be and the same is hereby revoked in its entirety; and

Be it further **RESOLVED, ENACTED and ORDAINED** that said Chapter 33-C, "ORDINANCE REGULATING VEHICULAR WEIGHT" is hereby approved, adopted, amended and reenacted to read as follows:

DJW WAG1
Jan 18, 2012 12:07 PM

AMENDED CHAPTER 33-C

ORDINANCE REGULATING VEHICULAR WEIGHT

The Town of Williamsport is responsible for the maintenance, upkeep and regulation of its streets, alleys and other public ways. The Town also is actively engaged in economic development initiatives in the Town Center area of Williamsport. As a result of regular and frequent use of Conococheague Street, Potomac Street, and some of the other streets within the Town by heavy truck traffic, the Town has been experiencing excessive wear, tear and damage to its streets. As a result of substantial reductions in State and Federal funding, the Town's financial ability to maintain and repair the streets that are damaged as a result of said vehicular traffic has substantially reduced leaving the Town with inadequate financial means to handle the damage and problems associated with vehicular traffic by heavy vehicles traveling through the Town. Additionally, the Mayor and Council is attempting to promote, develop and foster economic growth in the downtown and Town Center and believes that a substantial reduction of heavy truck traffic on Conococheague Street from the intersection of Potomac Street, southward to the Town limits would help promote, develop and foster commercial economic growth along Conococheague Street in Williamsport's Town Center.

The Mayor and Council deem that it is in the best interests of the citizenry of the Town of Williamsport and for the protection and preservation of its streets and ways to prohibit the utilization of Conococheague Street from its intersection with Potomac Street southward to the Town Limits by vehicles with a Gross Vehicle Weight of Twenty-Six Thousand (26,000) Pounds or more. Pursuant to the powers vested in the Town of Williamsport by its Charter, the Annotated Code of Maryland and the Maryland

Constitution, the Mayor and Council for the Town of Williamsport deem it necessary and appropriate to pass this Ordinance.

NOW, THEREFORE, BE IT RESOLVED, ENACTED and ORDAINED
as follows:

Section One - Regulation of Weight

A. No vehicle as defined by the "Transportation Article" of the Annotated Code of Maryland with a gross vehicle weight (GVW) of Twenty-Six Thousand (26,000) Pound or greater shall be permitted to use, travel over, move upon, and/or utilize the street known as Conococheague Street from its intersection with Potomac Street southward to the intersection of Conococheague Street and Sunset Avenue.

B. The Gross Vehicle Weight (GVW) for purposes of this Ordinance shall be defined as the manufacturer's rating that is specified on the vehicles' Vehicle Identification Number (VIN) Plate.

Section Two - Exceptions

The provisions of this Ordinance shall not apply to:

- (a) Emergency vehicles
- (b) Vehicles utilized for local deliveries. In order to qualify as a local delivery for purposes of this Ordinance the operator of the vehicle must be able to provide a manifest or similar official document indicating that travel over the prohibited area is necessary for purposes of the delivery.
- (c) Vehicles being used for governmental purposes such as road construction, water and sewer installation and/or replacement, and/or hauling for governmental purposes within the Town.
- (d) Temporary ingress and egress by vehicles delivering and/or removing materials, debris, dirt, stone, etc. to/from any site located within the area described in this Ordinance.
- (e) Any other one time or temporary use approved in advance by the Mayor and Council upon written request to the Town Clerk.
- (f) Vehicles primarily designed and used for agricultural purposes.
- (g) Passenger and/or school buses.
- (h) Waste pick up and disposal vehicles necessary for the pickup and removal of trash and/or recyclables within the prohibited area.
- (i) Any other temporary emergency use resulting from traffic diverted from Interstate 81 and/or Interstate 70.

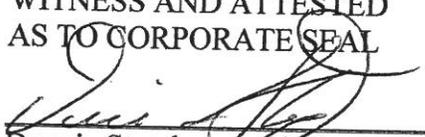
Section Three - Penalties/Remedies

(a) A violation of the terms of this Ordinance by any person, firm, or corporation of whatsoever nature or kind shall be subject to a fine not to exceed Five

Hundred (\$500.00) Dollars. Upon the issuance of a citation pursuant to this Ordinance, the alleged offender may pay the sum of One Hundred (\$100.00) as a pre-established prepaid penalty within ten (10) days of the issuance of the citation. In the event the pre-paid amount of One Hundred (\$100.00) Dollars is not paid within a period of thirty (30) days from the issuance of the citation, the penalty for the violation of this Ordinance shall automatically increase to Five Hundred (\$500.00) Dollars unless the alleged offender elects to request a Trial in the District Court for Washington County, Maryland, prior to the expiration of the aforesaid thirty (30) day time period. The Uniform Citation System shall be utilized for the issuance of any citations resulting from alleged violations of this Ordinance. Nothing herein contained shall prevent the Town from taking such other lawful action as may be necessary to prevent or correct a violation of this Ordinance.

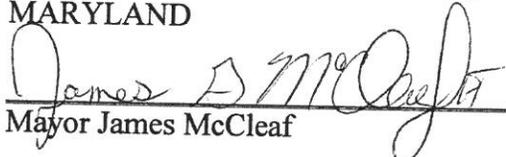
BE IT FURTHER RESOLVED, ENACTED and ORDAINED that this Ordinance was introduced on December 12, 2011 and shall be considered an Emergency Ordinance and shall be effective on the date of its passage, January 9, 2012.

WITNESS AND ATTESTED
AS TO CORPORATE SEAL



Donnie Stotemyer, Clerk

THE TOWN OF WILLIAMSPORT,
MARYLAND



Mayor James McCleaf

Date Introduced: December 12, 2011
Date of Passage: January 9, 2012
Effective Date: January 9, 2012

Record and Return to:

JAN 20 2012

Mr. Donnie Stotemyer, Town Clerk
Town of Williamsport
P. O. Box 307
Williamsport, Maryland 21795



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Kendal P. Philbrick, Acting Secretary

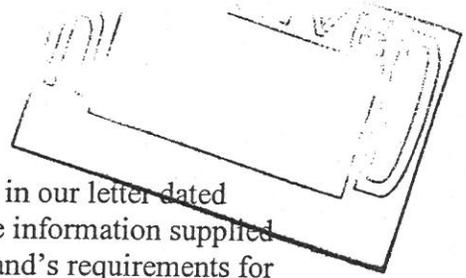
W-47
#18

May 28, 2003

Kuczynski & Kuczynski, P.A.
Town of Williamsport
55 N. Jonathan Street
Hagerstown, MD 21740

Dear Messrs. Kuczynski:

This letter is to notify you that the information requested in our letter dated January 16, 2003 has been provided by Washington County. The information supplied demonstrates that the Town of Williamsport has satisfied Maryland's requirements for establishing an acceptable stormwater management program.



Sincerely,

Charles H. Wallis, P.E.
Water Resources Engineer

cc: Washington County

