

LEGISLATIVE RESOLUTION 22-0-08

Resolution and Ordinance of the Town of University Park to amend Chapter 9 “Traffic and Vehicles”, Article 1, “Traffic”, Section 9-103, “Speed limits” to.

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Mayor and Common Council of the Town of University Park have the power to pass such ordinances as deemed necessary to protect the health, safety and welfare of the residents of the municipality and to prevent and remove nuisances; and

WHEREAS, §21-803 and §21-803.1, the Transportation Article, Annotated Code of Maryland, authorize the Town to decrease the maximum speed limit for streets within its municipal boundaries and under its jurisdiction in a school zone during school hours; and

WHEREAS, §21-803.1 defines a school zone as an area within a half-mile radius of any school; and

WHEREAS, all of the streets in the Town are within a one half-mile radius of a school and so are eligible to be included in a designated school zone; and

WHEREAS, the Mayor and Common Council have adopted Chapter 9, “Traffic and Vehicles”, of the Town Code to regulate parking, speed and traffic in the Town; and

WHEREAS, issues with speed and pedestrian safety have arisen in the Town; and

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[Brackets] indicate matter deleted from existing law

\* \* Asterisks\* \* indicate existing law which are unchanged but not set forth in the ordinance

CAPITALS INDICATE MATTER ADDED BY AMENDMENT TO THE PROPOSED ORDINANCE

[Brackets] indicate matter deleted by amendment to the proposed ordinance

WHEREAS, the Mayor and Common Council, have determined that it is in the public interest to reduce the speed limit to 20 miles per hour in the Town on streets located in a school zone for which the speed limit is currently 25 miles per hour.

Section 1: NOW THEREFORE be it resolved and ordained by the Mayor and Common Council of the Town of University Park that Chapter 9 "Traffic and Vehicles", Article 1 "Traffic", Section 9-104 "Parking", of the Code of the Town of University Park, be repealed, re-enacted and amended to read as follows:

Section 9-103 Speed limits

No person shall operate a motor vehicle over any public:

- A. [Roadway] STREET in excess of 25 miles per hour, unless otherwise posted; or
- B. Driveway, alley, or parking area, in excess of five miles per hour.

NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS SECTION, NO PERSON MAY OPERATE A MOTOR VEHICLE IN EXCESS OF 20 MILES PER HOUR BETWEEN THE HOURS OF 6:00 A.M. AND 8:00 P.M., MONDAY THROUGH FRIDAY, ON A STREET LOCATED IN A DESIGNATED SCHOOL ZONE, UNLESS OTHERWISE POSTED. THE TOWN COUNCIL IS HEREBY AUTHORIZED TO DESIGNATE SCHOOL ZONES BY RESOLUTION. THIS SECTION IS INTENDED ONLY TO SET THE SPEED LIMIT AND DOES NOT LIMIT THE ABILITY OF THE TOWN TO OPERATE A SPEED MONITORING SYSTEM ON A HIGHWAY IN A RESIDENTIAL DISTRICT WITH A MAXIMUM POSTED SPEED LIMIT OF 35 MILES PER HOUR ON ANY TOWN STREET.

Section 2. Be it further resolved that this ordinance shall become effective twenty (20) days after enactment by the Mayor and Common Council of University Park. If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the Town that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

Section 3: Be it further resolved that a complete and exact copy of this proposed Ordinance shall be posted on the entrance door of the Town Building of University Park,

Maryland, for a period of not less than ten (10) days, and a fair summary of this Ordinance shall be published at least once in a newspaper having general circulation in the community.

APPROVED this 8<sup>th</sup> day of November, 2022

ATTEST:

  
Alexandra Hegeman, Town Clerk

MAYOR AND COMMON COUNCIL  
TOWN OF UNIVERSITY PARK

By:   
Joel Biermann, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Suellen M. Ferguson, Town Attorney