

Town of Somerset
Ordinance to Amend Building Regulations
(Sledding Areas)

Resolution No.: 11-21-1
Introduced: November 1, 2021
Adopted: December 6, 2021
Effective Date: January 11, 2022

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO
DELETE SECTION 195-13, REGARDING THE PROVISION OF
SLEDDING AREAS IN THE TOWN

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Section 83-17 of the Town Charter authorizes the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Town Charter, as it may deem necessary for the good government of the Town; for the protection and preservation the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein;

WHEREAS, after proper notice to the public, the Town Council introduced the following Ordinance in an open meeting conducted on the 1st day of November, 2021;

WHEREAS, after proper notice to the public, the Town Council considered the following Ordinance in public session assembled on the 6th day of December, 2021;

WHEREAS, the Town Council finds that the Town should no longer provide sledding areas on Town streets, as doing so can present a risk of harm, given increases in motor vehicle traffic;

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, the Town Council finds that the ordinance as hereinafter set forth is necessary for the good government of the Town; for the protection and preservation the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein.

NOW, THEREFORE, the Town Council does hereby adopt the foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this 6 day of December, 2021, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town Charter that the Code of Ordinances is hereby amended as follows:

* * *

Chapter 195
Vehicles and Traffic

* * *

Article III
Additional Regulations

§ 195-13 ~~Sledding areas.~~ **[Reserved]**

- ~~A.—Cumberland Avenue from Surrey Street west to the 4902 Cumberland Avenue driveway is designated as a sledding area. For the twenty four hour period following each substantial snowfall, as determined by the Mayor, snow in the sledding area shall be left unplowed and unsanded.~~
- ~~B.—The Mayor shall submit sledding rules to the Town Council for its approval. Each year, such rules shall be published in the Town Journal, along with the Town's plowing and sanding policy.~~
- ~~C.—During the sledding period, appropriate signs shall be erected to alert drivers of the sledding area. Rules shall be posted at the top and bottom of the sledding hill.~~
- ~~D.—Each year the Mayor shall communicate the sledding policy, along with a map outlining affected streets and alleys, to the Montgomery County Police and Fire Departments and the Bethesda Chevy Chase Rescue Squad.~~

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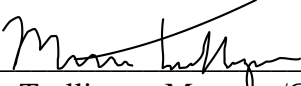
AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that:

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

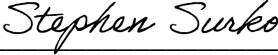
2. This Ordinance shall take effect on the 11 day of January, 2022 (36 calendar days after approval by the Mayor).

ATTEST:

TOWN OF SOMERSET

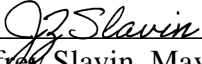


Matt Trollinger, Manager/Clerk-Treasurer
Town of Somerset



Stephen Surko, President
Town Council

Approved:



Jeffrey Slavin, Mayor
Town of Somerset

Date: 12/6/2022

Bold and Underline indicates new material

~~Strikethrough~~ indicates material deleted

* * * indicates material unchanged