

**ORDINANCE -2022-02**

**OF THE MAYOR AND COUNCIL OF THE TOWN OF CHEVERLY AMENDING CHAPTER 24 "STREETS, SIDEWALKS AND OTHER PUBLIC WORKS PROJECTS" OF THE TOWN CODE, BY REPEALING AND RE-ENACTING § 24-16.1(c) AND (d), TO REQUIRE A MEETING BETWEEN RESIDENTS AND THE TRAFFIC ENGINEER AFTER A PETITION TO INSTALL SPEED HUMPS IS VALIDATED, AND REQUIRING THE TRAFFIC ENGINEER TO SUBMIT ITS RECOMMENDATIONS TO THE MAYOR AND COUNCIL FOR CONSIDERATION; AND ELIMINATING THE REQUIREMENT THAT A TECHNICAL STUDY BE PERFORMED WITH EACH PETITION TO INSTALL SPEED HUMPS.**

WHEREAS, pursuant to § C-23 of the Town's Charter, the Mayor and Council are vested with the authority to pass ordinances and take such measures as they may deem necessary for the good government and improvement of the Town; and

WHEREAS, the Mayor and Council has determined the process to evaluate the need for installation of speed humps needs revision to make the process more effective and cost efficient; and

WHEREAS, the Mayor and Council have determined it is in the public interest to amend Chapter 24 "Streets, Sidewalks and Other Public Works Projects", § 24-16.1(c) and (d) to require a meeting between certain residents and the traffic engineer, who will then make recommendations to the Mayor and Council prior to the public hearing, and to eliminate the requirement of a technical study, which will be at the discretion of the Mayor and Council.

**SECTION 1. NOW THEREFORE, IT BE ORDAINED AND ENACTED**, by the Mayor and Council of the Town of Cheverly, that Chapter 24 "Streets, Sidewalks and Other Public Works Projects", § 24-16.1(c) and (d), "Traffic calming devices", be, and is hereby, repealed, re-enacted and amended to read as follows:

CAPS :Indicate language added to existing law  
 [Brackets] :Indicate language deleted from existing law  
 Asterisks \*\*\* :Indicate language remaining unchanged in existing law but not set forth in Ordinance

Sec. 24-16.1. – Traffic calming devices

(a) – (b) \* \* \* \*

(c) *Request for speed hump installation.* Request for a speed hump installation can be made by petition.

(1) *Petition request:*

- a. Residents of a street can submit a petition to the town administrator indicating that the residents of at least sixty (60) percent of the households of the street want speed humps to be installed on that street.
- b. If traffic calming installation(s) are being requested for only a block of a street the petition must be signed by residents of at least sixty (60) percent of the households on the block of the requested installation site, as well as those households on the street within two hundred fifty (250) feet of the requested installation site, as determined by the town administrator.
- c. The town clerk will validate the petition, will determine the total number of eligible households on the street, and will compute the percentage of households signing the petition. If that percentage is sixty (60) percent or greater, the town administrator will so inform the mayor, who shall schedule a public hearing **WITHIN 60 DAYS OF VALIDATION OF THE PETITION.**
- d. **IMMEDIATELY AFTER NOTIFICATION TO THE MAYOR OF THE VALIDATED PETITION, THE TOWN ADMINISTRATOR SHALL SCHEDULE A MEETING BETWEEN THE RESIDENTS OF THE STREET OR BLOCK AT ISSUE AND THE TRAFFIC ENGINEER. AT SAID MEETING, THE TRAFFIC ENGINEER SHALL DISCUSS THE CONCERNS OF THE RESIDENTS AND SHALL VISIT THE STREET OR BLOCK WITH THE RESIDENTS. AFTER MEETING WITH THE RESIDENTS, THE TRAFFIC ENGINEER SHALL SUBMIT ITS RECOMMENDATIONS TO THE MAYOR AND COUNCIL AT LEAST 30 DAYS BEFORE THE SCHEDULED PUBLIC HEARING.**

(2) *Town clerk authorized to develop standard form.* To assist residents in petitioning for speed humps, the town clerk is authorized to develop and distribute a standard "request for traffic calming installation" petition form.

(d) *Procedures for public hearing on speed hump petitions:*

(1) *Conduct of public hearing.*

- a. After having been notified by the town clerk that a valid petition has been received, the mayor will schedule a public hearing **WITHIN 60 DAYS** to solicit the opinions of the entire neighborhood and the town at large.
- b. The town clerk shall send notice of the public hearing to all residents of the street, or block as the case may be, which is proposed to receive traffic calming action,

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and to the local neighborhood citizen association. The public hearing shall be advertised in the Cheverly Newsletter.

- c. After conducting the public hearing and declaring the hearing record closed, the mayor and council shall announce its decision within fifteen (15) days of the close of the hearing record. Under extraordinary circumstances, this time limit may be extended by majority vote of the council.
  - d. The mayor and council may approve, approve with modifications, or deny the requested traffic calming installation. THE MAYOR AND COUNCIL MAY ALSO REQUEST A TECHNICAL STUDY PROVIDED BY THE DIRECTOR OF PUBLIC WORKS COMMENTING ON ANY HILL, CURVE OR STREET CONDITIONS OF CONCERN IN THE PLACEMENT OF THE DESIRED TRAFFIC CALMING.
  - e. The town clerk shall notify the petitioners, and their neighborhood or civic association of the mayor and council's decision, which shall also be published in the Cheverly Newsletter.
- (2) *Guidelines for evaluating public hearing.* The following criteria are intended to guide the mayor and council in determining whether a request for speed hump action is reasonable and justified. These shall not be considered exclusive criteria:
- a. The street proposed for a traffic calming installation has an identified speeding problem which cannot be alleviated in any other reasonable way than by a speed hump installation. Such a problem can be identified through a combination of resident complaints, police radar surveillance and ticketing practices, accident statistics, or history of previous efforts to control speeding on the street.
  - b. The street carries a higher volume of nonresidential traffic than would normally be expected.
  - c. The street has not been identified and is not used by the fire departments serving Cheverly as the primary fire and rescue route into Cheverly.
  - d. The installation of traffic calming be assessed for their potential impact on public transportation.
  - e. The potential impact of speed humps on adjacent neighborhoods be assessed.
  - f. ~~[A]~~ IF DIRECTED BY THE MAYOR AND COUNCIL, THE technical study provided by the director of public works commenting on any hill, curve or street conditions of concern in the placement of the desired traffic calming will be assessed.
  - G. RECOMMENDATIONS OF THE TRAFFIC ENGINEER, WHO SHALL MEET WITH THE RESIDENTS OF THE STREET OR BLOCK SUBJECT TO THE PETITION.

**AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity

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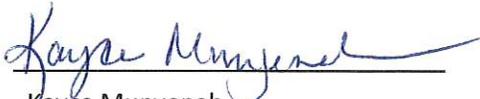
shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

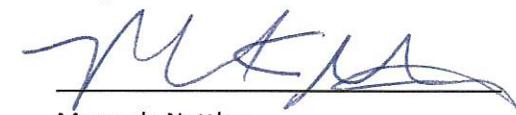
**AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect 30 days from the date of its adoption;

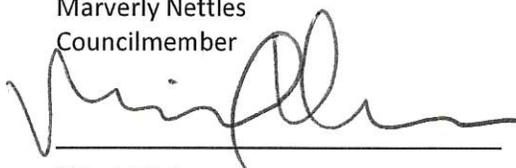
**AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall forthwith be published at least once in a newspaper having general circulation in the Town, and in the period between its passage and the effective date, and a complete copy of the ordinance shall be available for public inspection at the office of the Town Clerk during the aforesaid period.

**INTRODUCED** by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on February 10, 2022.

**ADOPTED** by the Town Council of the Town of Cheverly, Maryland, at a regular public meeting on April 14, 2022.

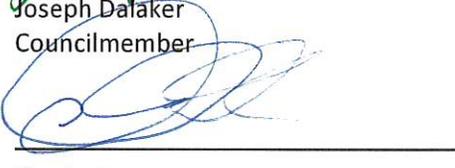
  
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Kayce Munyeneh  
Mayor

  
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Marverly Nettles  
Councilmember

  
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Micah Watson  
Councilmember

  
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Ted McCann  
Councilmember

  
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Joseph Dalaker  
Councilmember

  
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Charly Garces  
Councilmember

  
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Amy Fry  
Councilmember