

ORDINANCE O-2-09
Code of the Town of Cheverly

An Ordinance whereby the Mayor and Council make it illegal to leave the motor running for an unattended motor vehicle.

WHEREAS, Article VII, Section C-23A (12)&(14) of the Charter of the Town of Cheverly grants to the Mayor and Town Council the power to regulate the use of public ways and to prevent nuisances within the Town; and

WHEREAS, the Mayor and Town Council deem it a safety and environmental hazard to leave unattended motor vehicles running.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council, in regular session assembled, that Section 27-5 of the Cheverly Code be amended by adding Subsection (o) as follows:

Sec. 27-5. Parking and driving restrictions.

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It shall be unlawful, within the corporate limits of Cheverly to:

(a)~~~Park any vehicle within fifteen (15) feet of a fire hydrant or within a bus stop zone marked by a sign or within twenty-five (25) feet of the intersection of curblines.

(b)~~~Park any vehicle on or across any sidewalk, or to park in such a manner as to block any street, road, highway or alley or driveway.

(c)~~~Park any vehicle in the same place on any street, road or highway longer than seventy-two (72) consecutive hours without a permit issued by the town administrator.

(d)~~~Drive or park any motor-powered vehicle, such as automobiles, motor scooters, motorcycles and trucks, or any trailer or heavy equipment, on any sidewalk, park strip, parkway or public park in the Town of Cheverly.

(e)~~~Park or store within any area zoned R-55 or R-10, on the street, at any time during the hours between 7:00 p.m. and 7:00 a.m. Monday through Saturday, at any time between 7:00 a.m. and 7:00 p.m. except temporarily, while actually loading or unloading persons or property or while associated with work being performed on the premises, and at any time on Sundays or holidays, any motor vehicle or vehicle that:

(1)~~~Is greater than eighty (80) inches in width, including all protrusions except side mirrors, and two hundred forty (240) inches in length from bumper to bumper;

(2)~~~Displays advertising;

(3)~~~Visibly carries equipment ordinarily used for the furtherance of any commercial enterprise;

(4)~~~Is visibly being used for storage; or

(5)~~~Is a boat, a non-motorized trailer, or a boat and trailer.

Note A.~ The town administrator may grant a temporary permit for a vehicle not meeting the above requirements to park on a specific street, so long as the permit is not valid for more than seven (7) days, a resident of the town makes proper application to the town administrator, and the town and the town administrator determines that the following criteria are met:~

(1)~~~The vehicle does not disrupt visibility or traffic flow;

(2)~~~The vehicle does not present a hazard to the public or town property;

(3)~~~The vehicle is there by permission of one of the residents of the town; and

(4)~~~No more than two (2) permits are granted to the same person in any calendar year.

(f)~~~Park or store any unlicensed or disabled motor vehicle, heavy machinery or equipment on any street, alley, right-of-way, public property, or within the area reserved for vehicular parking of any area zoned for apartments, except while any such heavy machinery or equipment is actually in use in connection with the construction, repair or maintenance of any building.

(g)~~~Park, stop or stand a vehicle on any private property not owned by the owner or driver of the vehicle unless the person has express or implied permission from the property owner, his tenant or his agent, to park, stop or stand the vehicle, as the case may be.

(h)~~~Drive any vehicle other than one on official business in such a way as to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

(i)~~~Drive any vehicle over any unprotected hose of a fire department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of a police or fire department official.

(j)~~~Park any vehicle within any public park or grounds of public buildings in the Town of Cheverly, except in areas designated for vehicle parking when actively making use of or conducting public business within such public park or building.

(k)~~~Park any vehicle on either side in any alley so as to obstruct a driveway providing ingress or egress to any property.

(l)~~~Perform any repair or work of any nature on any vehicle, except that of an emergency or minor nature, while said vehicle is parked or located on any street, avenue, way, alley or any other part of a public right-of-way within the corporate limits of the Town of Cheverly, Maryland.

(m)~~~Operate any truck or other vehicle across the bridge on 64th Avenue crossing Cabin Branch which exceeds a gross weight of ten thousand (10,000) pounds, including the weight of the load.

(n)~~~Park a vehicle on Cheverly Avenue, Lydell Road, Pepsi Place or Schuster Drive in other than a right-wheels-to-curb position.

(O) ALLOW ANY MOTOR VEHICLE ON ANY PRIVATE PROPERTY, ON ANY STREET, ALLEY, PUBLIC RIGHT-OF-WAY, OR PUBLIC PROPERTY, TO OPERATE WHILE THE DRIVER IS NOT IN OR IMMEDIATELY BESIDE THE VEHICLE.

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 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 thirty (30) days from the date of its adoption; provided, however that a fair summary of the Ordinance is published at least once in a newspaper of general circulation in the Town of Cheverly.

INTRODUCED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on February 12, 2009, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on _____, 2009, at which meeting copies were available to the public for inspection.