

## ARTICLE 19

### VEHICLE CONTROL

#### Section 19.1 Scope

The provisions of this Article are intended to add to and supplement the provisions of Titles 11 through 27 of the Transportation Article of the Annotated Code of Maryland, Chapter 31, "Motor Vehicles and Traffic," of the Montgomery County Code, and to accord with authority specifically granted to the Town of Glen Echo by Subtitle 8 of Title 21, Subtitle 1 of Title 25 and Subtitle 3 of Title 26 of that Article.

#### Section 19.2 Definitions

- a. The following terms shall within the meaning of this Article be defined as follows:

Official Sign: A sign posted by authority of the Town Council for the purpose of guiding, warning, regulating, limiting or otherwise controlling the movement or stopping, standing, and parking of motor vehicles upon the streets and roadways of the Town.

Vehicle Control Officer: A member of the Town Council duly and properly appointed by the Council to assist the Mayor and the Clerk-Treasurer in the enforcement of this Article.

- b. Section 31-1 of Chapter 31 of the Montgomery County Code, Motor Vehicles and Traffic, shall be construed in a matter consistent with the local nature of this ordinance. As appropriate, all references to "County" in those definitions shall be deemed references to the Town of Glen Echo.

#### Section 19.3 Authority for Establishing Traffic Control Measures

Whenever it is necessary and the judgment of the Town Council to ensure the public and pedestrian safety, control vehicular traffic, limit or channel vehicle movement or speed, or control parking on streets and other public space, that body is empowered to provide for the preparation and placement of appropriate signs, markings, speed bumps, speed humps and other physical devices which limit access, channel vehicle movement, reduce vehicle speed, or otherwise divert, slow, regulate or control traffic. The permanent removal of existing or erection of additional official signs, markings, or devices shall be authorized by the Town Council by ordinance before such action is taken. The Mayor, the Clerk-Treasurer and the Vehicle Control Officer shall all have authority to temporarily remove, cover or erect vehicle control signs in the event of an emergency or where such action is determined to be in the immediate public interest or safety. No such temporary measure shall remain in effect for more than 30 days without official authorization by the Council. It shall be the duty of all persons to comply with all official signs, markings, or devices within the Town.

#### Section 19.4 Applicability of Montgomery County Code

The Town of Glen Echo adopts Chapter 31 of the Montgomery County Code in its entirety, both as currently enacted and as it may be modified in the future.

Section 19.5 Driving Over Curbs, Sidewalks or Drainage Structures

It shall be unlawful for any person to drive or cause to be driven any motor vehicle on or over any curb, sidewalk or drainage structure without a special permit to do so from the Town Council; provided, that this Section shall not apply to sidewalk that is part of a driveway or in emergencies where suitable provision is made, by the laying of planking or otherwise, for the bridging of such curb, sidewalk or drainage structure in such a way that no damage will be done thereto.

Section 19.6 Parking of Unregistered Motor Vehicles or Trailers

It shall be unlawful to park any unregistered motor vehicle or trailer upon the streets and roadways of the Town at any time.

Section 19.7 Parking of Recreational Vehicles

It shall be unlawful to park any recreational vehicle upon the streets and roadways of the Town at any time, except that the owner or operator of any recreational vehicle described in this Section may make application to the Mayor, the Clerk-Treasurer or the Vehicle Control Officer to park such recreational vehicle upon the streets and roadways of the Town for no more than two (2) days, which application may be granted upon good cause shown

Section 19.8 Parking Vehicles; Impeding Traffic; Threatening Public Safety

No vehicle shall stop, stand or park upon any street or roadway of the Town so as to impede the movement of traffic or constitute a threat to public safety.

Section 19.9 Establishment of Emergency or Temporary No Parking Zones

The Mayor, the Clerk-Treasurer and the Vehicle Control Officer are all authorized and empowered at any time to designate any street or roadway within the Town as an emergency or temporary no parking zone, or temporarily to prohibit vehicular and pedestrian traffic on such streets and roadways in the event of emergency such as fires, riots, accidents or other events likely to attract large crowds, for the purposes of street maintenance or for any other public purpose. When and in the event such streets and roadways are so designated, parking of vehicles and vehicular and pedestrian traffic in such streets and roadways is prohibited.

Section 19.10 Parking Over 5 Days Prohibited

The parking of motor vehicles and trailers upon the streets and roadways of the Town for a period longer than five (5) consecutive days is hereby prohibited. In those cases where it is necessary for the owner or operator of a vehicle to park for a longer period, he may make application to the Mayor, the Clerk-Treasurer or the Vehicle Control Officer for extended parking, which application may be granted upon good cause shown.

Section 19.11 Parking Within 20 Feet of Intersections, Stop Signs or Crosswalks, or Within 15 Feet of Fire Hydrants

The parking of vehicles or trailers at any time on any street or roadway within a distance of less than fifteen (15) feet of a fire hydrant, or within a distance of less than twenty (20) feet from the nearest curb line of an intersecting street or roadway, or a marked crosswalk, is prohibited; provided, if there is a stop sign within the space where such parking is prohibited, then the prohibition shall extend to all space within twenty (20) feet of the stop sign.

Section 19.12 Obstructing Entrances to Public or Private Driveways

The parking of vehicles at any time on the streets and roadways of the Town in such a manner that any part of the vehicle is within five (5) feet of either curb edge of any opening to any public or private driveway or otherwise overlaps or obstructs such an opening is prohibited; except that an owner or occupant of a private residence may obstruct his or her own private residence driveway.

Section 19.13 Repair of Vehicles in Public Space Prohibited

It shall be unlawful for any person to dismantle, overhaul or effect major repairs of motor vehicles on any street, roadway, sidewalk, or public property within the Town. Minor repairs of a routine nature or minor emergency repairs are not within the purview of this Section.

Section 19.14 Impounding Illegally Parked Vehicles

a. Any vehicle parked in violation of this Article or otherwise parked so as to constitute a hazard to public safety or is so parked, stopped or standing so as to impede or obstruct a normal movement of traffic or pedestrians, may be impounded by the Mayor, the Clerk-Treasurer, the Vehicle Control Officer or their duly designated agents.

b. In any case involving the impoundment of a vehicle pursuant to this section, an administrative cost not to exceed \$25 shall be charged to the owner of the vehicle in addition to all outstanding fines and penalties assessed pursuant to violations of this Article, plus any towing or storage charges incurred.

c. All such fines, penalties, cost and charges shall be paid to the Town or its agent before the owner may reclaim or secure the release of the vehicle.

d. A vehicle impounded under this section for which the requisite fines, penalties costs and charges remain unpaid for more than thirty (30) days after impoundment may be disposed of in accordance with the abandoned vehicle procedures set forth in Section 19.15.

#### Section 19.15 Non-Street Parking Restrictions

It shall be unlawful to park, store, or leave any vehicle, whether attended or not; or for the owner of any vehicle to allow, permit, or suffer the same to be parked, stored, or left, whether attended or not, upon any public or private property in the Town, other than public streets and roadways, without the consent of the owner of such public or private property. The Mayor, the Clerk-Treasurer and the Vehicle Control Officer and their duly designated agents are all authorized to remove and impound any vehicle parked, stored, or left in violation of this Section and to keep the same impounded until the owner thereof, or other duly authorized person, shall deposit collateral in the amount and in the manner hereinafter provided for in the case of violations of this Article, and shall have paid to the Clerk-Treasurer and amount equal to the towage and any and all reasonable storage charges incurred by the Town in impounding such vehicle. In any prosecution under this Section proof that a vehicle was parked, stored or left on public or private property shall be prima facie evidence that the vehicle was so parked, stored or left without the consent of the owner of such public or private property. A vehicle impounded under this Section and for which the requisite collateral has not been deposited within thirty (30) days of impoundment may be deemed an abandoned vehicle and disposed of in accordance with the abandoned vehicle procedures set forth in Section 19.15.

#### Section 19.16 Unattended or Abandoned Vehicles

a. Whenever any vehicle is left unattended upon any street or roadway, sidewalk or other public property for an unreasonable length of time so as to impede traffic flow, constitute a safety or health hazard, or impair the aesthetic values of the community, the Mayor, the Clerk-Treasurer and the Vehicle Control Officer and their duly designated agents, upon the agreement of any two (2) of the Mayor, the Vehicle Control Officer and another member of the Town Council, are all authorized to impound and remove such vehicle and charge the owner thereof the costs of towing, storage, and any other charges incurred in connection therewith. If the owner fails to claim the vehicle for a period of thirty (30) days after it comes into the custody of the Town, it may be disposed of by the Town Council through its designated agent(s) at public sale, provided that an advertisement of the time, place and terms of sale, together with a description of the vehicle shall be published in at least one newspaper of general circulation in Montgomery County at least once each week for two successive weeks prior to the sale; provided, further, that a notice by registered mail shall be sent at least ten (10) days prior to the sale to the owner, at the address in the records of the Maryland Motor Vehicle Administration.

b. The certificate of the Town Council or its agent(s) that it has sold any motor vehicle at public auction to a purchaser shall constitute sufficient evidence of title to any motor

vehicle so sold in order to enable any such purchaser to obtain a title and registration from the Maryland Motor Vehicle Administration.

c. In the event that any vehicle is sold pursuant to the provisions of Sub-Section (a) of this Section, the payment of the expenses of any such sale, the amount of storage, charges for towing, and any repair charges incurred by the Town on account of the disposition of such vehicle shall be paid first from the proceeds of such sale. Any excess received as a result of such sale shall then be applied to the payment of all liens filed against the vehicle or part thereof and the balance, if any, received by the Town at any such sale shall be held by the Clerk-Treasurer for a period of one (1) year from the date of the sale. The Clerk-Treasurer shall pay such balance to any person who shall file a verified claim establishing the right thereto prior to the expiration of such year. If no such claim is filed within such period, the balance shall be transferred to the General Fund of the Town.

d. It shall be unlawful to park, store or leave any vehicle or part thereof in a wrecked, junked, unlicensed, or abandoned condition, whether attended or not, upon any privately-owned property within the Town. The Mayor, the Clerk-Treasurer and the Vehicle Control Officer and their duly designated agents, upon the agreement of any two (2) of the Mayor, the Vehicle Control Officer and another member of the Town Council, are all authorized to seize, remove and impound such vehicle or part thereof and charge the owner thereof the cost of towing, storage or any other charges incurred in connection therewith. If at the time of removal the owner fails to redeem the impounded property under the provisions of Sub-Section (e) of this Section, such vehicle or part thereof shall be disposed of by the Town Council through its designated agent(s) at public sale as set forth in Sub-Section (a) of this Section.

e. The Clerk-Treasurer shall keep a record of all vehicles or parts thereof which are impounded and shall be able at all times to furnish the owner with information as to the place of impoundment and the charges incurred, and shall be authorized to release such vehicle or part thereof to such owner upon payment of such charges and assurance to the Town that such vehicle or part thereof will not thereafter be left upon any public or private property within the Town in violation of any ordinance. Any impounded vehicle or part thereof shall remain impounded until disposition under this Section.

#### Section 19.17 Speed Limit

It shall be unlawful for any person to operate any vehicle upon the streets of the Town at a rate of speed in excess of twenty (20) miles per hour.

#### Section 19.18 Throwing Objects at Vehicles Prohibited

It shall be unlawful for any person to throw, propel or cause to be thrown any object, substance or missile at, against or into any vehicle within the Town; provided that the loading of vehicles is not prohibited.

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Section 19.19 Bicycle Safety Regulations

It shall be unlawful for any person to ride or operate a bicycle or similar vehicle upon any street or road within the Town after sunset unless such bicycle has a reflector on the rear and an operating light on the front thereof.

Section 19.20 Speed Humps and/or Raised Crosswalks

The Town is authorized to construct and maintain speed humps and/or raised crosswalks in the following locations:

Oxford Road	
Oberlin Avenue	Between MacArthur Boulevard and Bowdoin Street
Bryn Mawr Avenue	Between MacArthur Boulevard and University Avenue

Section 19.21 Stop Signs

a. All motor vehicles on the following streets moving in the following directions shall come to a full stop before proceeding across the following intersections:

Oxford Road:	In either direction at University Avenue. Northbound at MacArthur Boulevard
Princeton Avenue:	In either direction at University Avenue. Northbound at MacArthur Boulevard
Yale Avenue:	In either direction at University Avenue. Southbound at Columbia Avenue
Harvard Avenue:	In either direction at University Avenue. Northbound at MacArthur Boulevard Southbound at Columbia Avenue
Bryn Mawr Avenue:	In either direction at University Avenue. Northbound at MacArthur Boulevard
Wellesley Circle:	In either direction at Cornell Avenue at both the North and South ends of Town In either direction at University Avenue
Cornell Avenue:	In either direction at Vassar Circle

	Southbound at Wellesley Circle
Tulane Avenue:	Eastbound at MacArthur Boulevard In either direction at the former Trolley Right-of-Way
Oberlin Avenue:	Eastbound at MacArthur Boulevard
Bowdoin Street:	Northbound at Tulane Avenue
Radcliffe Lane:	Eastbound at Wellesley Circle

b. Appropriate official signs sufficient to implement this Section are authorized and shall be posted if not already in place.

#### Section 19.22 One-Way Streets

Vehicle movement on Vassar Circle in a clockwise direction is prohibited. Appropriate official signs sufficient to implement this Section are authorized and shall be posted if not already in place.

#### Section 19.23 No-Parking Zones

a. Parking shall be prohibited at all times on the following sides of the following streets:

Wellesley Circle:	Inner side
Vassar Circle:	Inner side
Cornell Avenue:	East side, South of Vassar Circle West Side, North of Vassar Circle
Bryn Mawr Avenue:	East side, entire length
Harvard Avenue:	East side, entire length
Yale Avenue:	West side, entire length
Princeton Avenue:	East side, entire length
Oxford Road:	East side, entire length
Columbia Avenue	South side, entire length

Tulane Avenue:	North side, entire length South Side, adjacent to 6119 Tulane Avenue (currently known as the “Inn at Glen Echo”)
Oberlin Avenue:	South side, entire length
Bowdoin Street:	West side, entire length

b. Appropriate official signs sufficient to implement this Section are authorized and shall be posted if not already in place.

Section 19.24 Snow Emergency Traffic Control

a. The Town Council hereby designates the following Town streets as snow emergency routes, which may be marked by snow emergency route signs:

University Avenue;

Oxford Road between MacArthur Boulevard and University Avenue;

Wellesley Circle, except for the small dead-end section above University Avenue;

Vassar Circle between Cornell and University Avenues; and

Cornell Avenue between MacArthur Boulevard and Vassar Circle.

b. Upon the declaration of a snow emergency by the Mayor by such public notice within the discretion of the Mayor as it is practical to give under the circumstances, the following traffic and parking regulations shall be in effect and shall continue in effect until the end of the emergency as determined by the Mayor. Such emergency may exist by reason of imminent or actual snow or ice conditions.

- (1) It shall be the duty of all persons within the Town to observe all snow emergency signs and orders during periods of emergency declared under this Section.
- (2) It shall be unlawful for any vehicle to be parked and left unattended during a snow emergency in any of the following locations:
  - (a) the South side of University Avenue;
  - (b) the East side of Oxford Road between MacArthur Boulevard and University Avenue;

- (c) the inner side of Wellesley Circle, except for the small "dead-end" section above University Avenue;
  - (d) the inner side of Vassar Circle between Cornell and University Avenues; or
  - (e) the west side of Cornell Avenue between MacArthur Boulevard and Vassar Circle.
- (3) The Mayor may further temporarily restrict or limit the parking of vehicles on Town streets for the purposes of facilitating snow and ice removal, providing such restrictions are declared and posted by suitable public notice on the day before they go into effect or earlier, and commence no earlier than 8:00 a.m. on the effective date.

c. Any vehicle parked and left unattended in violation of this Section may be impounded and removed by the Mayor, the Clerk-Treasurer, the Vehicle Control Officer or their duly authorized agents, and all costs of towing, storage or impounding shall be charged to the owner of the vehicle. All such charges including any fine or penalty shall be paid to the Town before the owner may reclaim the vehicle.

d. Neither the Town, nor its agents or contractors, shall be liable for damage to vehicles that are parked in violation of the snow emergency laws.

#### Section 19.25 Moving Violations

Violations of the provisions of Sections 19.17 through 19.22 Article shall be enforced by any law enforcement officer of the State of Maryland or Montgomery County and cited and prosecuted as offenses of Title 21 of the Transportation Article of the Annotated Code of Maryland, punishable as misdemeanors under the provisions of Title 27 of the Transportation Article.

#### Section 19.26 Parking Violations

a. Sections 19.5 through 19.13, 19.15, 19.16, 19.23 or 19.24 of this Article may be enforced by the Town Council, the Mayor, the Clerk-Treasurer, or the Vehicle Control Officer, in addition to any police or law enforcement officer, and shall be punishable as a municipal infraction pursuant to the provisions of Article 23A, §3 of the Annotated Code of Maryland, as amended. Such persons shall have the enforcement powers enumerated in Sections 31-53 (b) through (f) of the Montgomery County Code, and it shall be unlawful for any person to fail to obey or comply with a lawful order issued pursuant to such authority.

b. The following schedule of fines is established for parking violations; with each day that a violation continues deemed a separate offense:

(1)	Unauthorized use of handicapped parking space	\$250
(2)	Parking in violation of snow emergency	\$65
(3)	Violation of snow removal parking restrictions	\$40
(4)	Parking of unregistered vehicle	\$35
(5)	Violation of emergency or temporary no parking sign	\$35
(6)	Parking of commercial vehicle in residential area	\$30
(7)	Obstructing public or private driveway	\$30
(8)	Parked so as to impede or obstruct traffic or threaten public safety	\$35
(9)	Parking on curb, sidewalk, or drainage structure	\$35
(10)	Parking within twenty (20) feet of an intersection, stop sign or crosswalk	\$30
(11)	Parking, stopping or standing where prohibited by Town sign	\$30
(12)	Parking within fifteen (15) feet of a fire hydrant	\$35
(13)	Stopping, standing or parking in intersection or crosswalk, or adjacent to street repairs	\$35
(14)	Double parking	\$35
(15)	Parking with one or more of the curbside wheels more than one (1) foot from the curb or parking opposite the flow of traffic	\$25
(16)	All other violations	\$25

c. Any authorized person finding a vehicle parked in violation of this Article shall prepare a notice of violation to the owner or operator of the vehicle on a form approved by the Town Council and shall attach the notice to the vehicle.

- d. A notice of parking violation shall report:
  - (1) The vehicle identification by registration state and number.
  - (2) The section of this Article of which the vehicle was parked in violation.
  - (3) The date, time and location of the violation.
  - (4) The amount of fine charged for the violation and the manner, time and location for payment to the Town.
  - (5) The name of the person reporting the violation.
  - (6) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstance attending such violation.
  
- e. The notice of violation shall instruct the owner or operator of the vehicle, or either of them:
  - (1) to pay within thirty (30)) days to the Town as penalty and in full satisfaction for such violation, the fine provided for in this Article, or to give written notice, within thirty (30)) days, to the Town of the owner or operator's intention to contest the violation in the district court; and
  - (2) on the effect of failing to pay the fine or demanding trial within the prescribed time.
  
- f. It shall be the duty of each person preparing a notice of violation to report each such violation to the Town as soon thereafter as practicable.
  
- g. The notice and report shall bear corresponding serial numbers. All notices assigned for issuance shall be reported and fully accounted for by the person to whom the notices were assigned and any missing notices or reports shall be immediately reported to the Town.
  
- h. It shall be the duty of each authorized person to charge uniformly and consistently the official fine as established by this Article for each violation of this Article.
  
- i. Each owner or operator notified under the provisions of this section, shall, within thirty (30)) days of time when such notice was issued, pay to the Town as penalty and in full satisfaction of such violation, the sum amount of the fine as specified on such notice.
  
- j. In the event said owner of operator fails to comply with the foregoing and the instructions provided on a notice of violation within the period prescribed by this Article, the person is liable for the assessed fine and is also liable for an additional penalty of twenty-five dollars (\$25.00). In the event of such delinquency, the Town shall immediately give or cause to be given a notice in writing to such owner that the violation is overdue and delinquent, but that

the additional penalty has been added and that the failure of such owner to make such payment in full satisfaction of the violation fine and penalty, shall render such owner subject to the warrant and other penalties provided by this Article. The notice shall be mailed to the owner at the address then on file with the Maryland Motor Vehicle Administration.

k. Whenever any check or draft tendered to the Town in payment of any fine, penalty, cost or other charge as provided in this Article is dishonored by a bank or otherwise returned as uncollectible, a charge of twenty dollars (\$20.00) may be imposed and added to the amount due in order to defray the cost of its collection. In such cases, the Town may require that the total amount due be paid in the form of a certified check or money order.

#### Section 19.27 Effect of Failure to Pay Fine

It shall be unlawful for any owner or operator of a vehicle or any person to fail to satisfy a notice of violation or summons issued to such person or attached to a vehicle owned or operated by such person, fail to stand trial, fail to appear upon receipt of a summons or other written notification directing said person to appear before a judge of the district court and fail or refuse to make payment of fine for notice of violation within the time period specified by any provision of this Article. Such failure may be penalized as provided in Article 23A, §3 of the Annotated Code of Maryland.

#### Section 19.28 Presumption Reference to Illegal Parking

In any prosecution charging a violation of any provision of this Article governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the notice of violation was in violation of such provision together with proof that the defendant named in the notice of violation was at the time of such the registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who placed such vehicle at the point where, and for the time during which, such violation occurred.

#### Section 19.29 Severability Clause

If any word, phrase, clause, item, sentence, paragraph, section or part in or of this Article shall judicially be declared to be unconstitutional or the applicability thereof to any person or circumstances held invalid, the constitutionality of the remainder of this Article and the applicability thereof to other persons and circumstances shall not be affected thereby.

#### Section 19.30 Effective Date

This ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Mayor or passage by the Council over the Mayor's veto.

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Amended (Section 19.20): September 12, 2000  
Prior to amendment, Section 19.20 read as follows:

“Section 19.20     Speed Humps

The Town is authorized to construct and maintain speed humps in the following locations:

Oxford Road

South of University Avenue

Oberlin Avenue

Between MacArthur Boulevard and Bowdoin Street

Bryn Mawr Avenue

Between MacArthur Boulevard and University Avenue”