

Ordinance No. O-03-2021
Introduced: December 13, 2021
Public Hearing: January 10, 2022
Adopted: _____

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL TO AMEND CHAPTER IV, "TRAFFIC AND VEHICLES", ARTICLE 3, "TRAFFIC CONTROL", SECTION 4-302, "SPEED LIMITS IN THE TOWN OF KENSINGTON", TO REDUCE THE SPEED LIMIT ALONG TOWN MAINTAINED STREETS FROM 25 MILES PER HOUR TO 20 MILES PER HOUR.

WHEREAS, §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, authorizes the Mayor and Town Council to adopt such ordinances as it deems necessary to assure the good government of the Town of Kensington; to protect and preserve the rights, property and privileges of the Town; to preserve peace and good order; to secure persons and property from danger and destruction; and to protect the health, comfort and convenience of Town residents; and

WHEREAS, Section 602, "Specific Powers", subsection (a)(38), "Regulations", of the Town of Kensington Charter, authorizes the Town Council to adopt by ordinance and enforce within the corporate limits of the Town, traffic and speed regulations not in conflict with the laws of the State of Maryland; and

WHEREAS, §21-803 of the Transportation Article, Annotated Code of Maryland, authorizes the Town, if it determines on the basis of an engineering and traffic investigation that any maximum speed limit on roadways in the Town is greater than reasonable or safe under existing conditions, to establish a reasonable and safe maximum speed limit for said roadways; and

WHEREAS, the Mayor and Council have determined that 25 miles per hour on Town roadways is greater than reasonable or safe under existing conditions, and that the reasonable and safe maximum speed for Town roadways, except in school zones, is 20 mph; and

WHEREAS, the Mayor and Town Council have determined that it is in the public interest and necessary for the protection of public health, safety, and welfare, and the preservation of peace and good order, to repeal and re-enact Article 3, "Traffic Control", Section 4-302, "Speed Limits in Town of Kensington", of the Town Code to reduce the general speed limit in the Town to 20 mph.

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: Indicate matter added to existing law.

: Indicate matter deleted from law.

: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

: Indicate matter added in amendment

: Indicate matter deleted in amendment

NOW THEREFORE, the Mayor and Town Council of Kensington does hereby adopt the following ordinance:

Chapter IV

TRAFFIC AND VEHICLES

Article 3. Traffic Control

Section 4-302. Speed Limits in Town of Kensington

No motor vehicle shall be operated upon any street or other public way within the jurisdiction of the Town at a rate of speed exceeding [~~twenty-five (25)~~] **TWENTY (20)** miles per hour or fifteen (15) miles per hour in school zones.

AND BE IT FURTHER ORDAINED AND ORDERED, this ____ day of March, 2022, by the Mayor and Town Council of Kensington, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, and Article VI, “Powers of the Council”, Section 601, “General Powers” of the Town Charter that:

(1) If any part of provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part of 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 ____ day of July, 2022, provided the following:

(a) Posted at Town Hall by the next business day following introduction; and

(b) Posted on the official Town website; and

(c) Sent to those persons listed on the official Town email list/mail subscription service; and

(d) Published once prior to the public hearing in the Town newsletter or sent by substitute regular mail to newsletter circulation addresses.

INTRODUCED by the Mayor and Town Council of Kensington, Maryland at the regular public meeting assembled on the ____ day of December, 2021.

ADOPTED by the Mayor and Town Council of Kensington, Maryland at the regular public meeting assembled on the ____ day of March, 2022.

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EFFECTIVE the ____ day of July 2022.

ATTEST:

TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor

APPROVED AS TO FORM:

Suellen M. Ferguson, Town Attorney

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