

Mayor Tracey Furman

**Council Member Darin Bartram
Council Member Nate Engle**



**Council Member Conor Crimmins
Council Member Bridget Hill-Zayat**

Released: February 11, 2022

**Monday, February 14, 2022
Town Council Meeting, 7:00 pm**

The Town Council Meeting will be held through the Zoom Video Conferencing application. We recommend downloading the Zoom app prior to the meeting at the following link: www.zoom.us

The Council Meeting will begin at 7:00 pm. Access to the meetings will be through the following Zoom Video Conferencing link:

<https://us02web.zoom.us/j/86332394134?pwd=bU9uS2YwRWNxTFNHQ0VsK2c4VmEzUT09>

Meeting ID: 863 3239 4134

Password: 150901

Or you may join the meeting by calling: +1 301 715 8592 US (Washington D.C) and entering the Meeting ID and Password above.

CALL TO ORDER

MOMENT OF SILENCE

APPROVAL OF MINUTES

Town Council Meeting Minutes of January 10, 2022

THE MAYOR AND TOWN COUNCIL

1. Kensington Volunteer Fire Department Administrative Grant:

- a. Acknowledge that the Town provided the Kensington Volunteer Fire Department (KVFD) with a \$4,000 grant to help assist in the purchase of new computers for administrative staff.

2. Town Alcohol Licensing (MC 28-22):

- a. Discuss amending the Town's Alcohol regulations to expand beyond the current aggregate of eight (8) licenses for on-site consumption.
 - i. Kathie Durbin and Ron Price, Alcohol Beverage Services (ABS).

3. 10311 Summit Avenue (Variance Hearing):

**Town of Kensington 3710 Mitchell Street Kensington, MD 20895
Phone 301.949.2424 Fax 301.949.4925
www.tok.md.gov**

- a. A Variance request by the applicant to encroach three (3) feet into the side yard setback on the southside of the property in accordance with Section 5-104, “Building Lines”, of the Town Code.
 - i. *If the Council supports the Variance request, a Resolution will be drafted for approval at the March 14, 2022, Town Council meeting.*
- 4. 3906 Washington Street (Variance Hearing):**
 - a. A Variance request by the applicant to encroach one foot, six (1’ 6”) into the required twenty (20) foot sum of the side yard setback in accordance with Section 5-104, “Building Lines”, of the Town Code.
 - i. *If the Council supports the Variance request, a Resolution will be drafted for approval at the March 14, 2022, Town Council meeting.*
- 5. Kensington Parkway Bicycling and Pedestrian Improvements:**
 - a. Presentation on the proposed bicycling and pedestrian improvements along Kensington Parkway.
- 6. Clum-Kennedy Park Improvements:**
 - a. Discuss the proposed new steps and boulder wall at Clum-Kennedy Park.

THE TOWN MANAGER AND STAFF

- 1. HB 0381 – Municipalities – Charter Amendments – Notices:**
 - a. Discuss sending a letter of support for HB 0381, which would allow municipalities to provide notice to residents of a proposed Charter Amendment through direct mail instead of posting within a newspaper of general circulation.
- 2. HB 1083 – County and Municipal Street Lighting Investment Act:**
 - a. Discuss sending a letter of support for HB 1083, which would allow Maryland Counties and Municipalities to convert its street lighting service to a customer-owned street lighting tariff.
- 3. HB 0100 – Sustainable Maryland Program Fund:**
 - a. Discuss sending a letter of support for HB 0100, which would establish funding for the Sustainable Maryland Program.

PUBLIC APPEARANCES

(The public is invited to speak on any subject that is not a topic on tonight’s agenda)

ORDINANCES, RESOLUTIONS, AND REGULATIONS

(Ordinances, resolutions, and regulations to be introduced or adopted following appropriate procedures required by the Town Code; or resolutions that may require discussion by the Mayor and Council prior to approval)

- 1. Ordinance No. O-03-2021 – 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.**
 - a. *If adopted by the Council, the Ordinance will take effect July 1, 2022.*
- 2. Charter Resolution No. CR-01-2022 (Introduction) – A CHARTER RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON AMENDING ARTICLE IV,**

“COUNCIL”, SECTION 403. QUALIFICATIONS OF COUNCIL MEMBERS, ARTICLE V, “THE MAYOR”, SECTION 503. QUALIFICATIONS OF THE MAYOR, AND ARTICLE VII, “REGISTRATION, NOMINATIONS, AND ELECTIONS”, SECTION 701, “QUALIFICATIONS OF VOTERS”, OF THE TOWN CHARTER TO ENABLE A NON-CITIZEN WHO IS A LAWFUL PERMANENT RESIDENT OR IS AUTHORIZED TO WORK IN THE UNITED STATES TO BE ELIGIBLE TO REGISTER TO VOTE IN TOWN OF KENSINGTON MUNICIPAL ELECTIONS.

a. The Public Hearing will be scheduled for Monday, March 14, 2022, 7:00 pm.

- 3. Ordinance No. O-01-2022** – AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON AMENDING CHAPTER 2, “GOVERNMENT AND ADMINISTRATION”, ARTICLE 2, “ELECTIONS”, SECTION 2-201. “GENERAL VOTER REGISTRATION” TO ENABLE A NON-CITIZEN WHO IS A LAWFUL PERMANENT RESIDENT OR IS AUTHORIZED TO WORK IN THE UNITED STATES TO BE ELIGIBLE TO REGISTER TO VOTE IN TOWN OF KENSINGTON MUNICIPAL ELECTIONS.

a. The Public Hearing will be scheduled for Monday, March 14, 2022, 7:00 pm.

- 4. Resolution No. R-01-2022** – A Resolution of the Mayor and Town Council Authorizing the Town Manager to contract for the installation of a speed hump along the 10400 block of Kensington Parkway, between Mannakee Street and Oberon Street.

a. A Petition was received from the residents of the block and the Mobility and Traffic Committee (MTC) recommended that a speed hump be installed following a traffic study.

- 5. Resolution No. R-02-2022** – A Resolution of the Mayor and Town Council Authorizing the Town Manager to establish Street Parking along the 3500 block of Plyers Mill Road.

- 6. Resolution No. R-03-2022** – A Resolution of the Mayor and Town Council Authorizing the Town Manager to establish ‘4 Hour Parking, 7:00 am – 5:00 pm, M-F’ along the 10500 block of St. Paul Street.

ADJOURNMENT

(The Mayor and Council may move to close the meeting and may move to reopen the meeting)

THE NEXT SCHEDULED MEETING(S) OF THE MAYOR AND TOWN COUNCIL WILL BE HELD:

Monday, March 14, 2022, 7:00 pm

**Charter Resolution No. CR-01-2022 – to Allow Lawful Permanent Residents or Individuals
Authorized to Work in the United States to Vote in
Town of Kensington Municipal Elections**

Dear Kensington Residents:

The Town was approached by several residents over the last few elections about the possibility of allowing lawful permanent residents, or individuals authorized to work within the United States, to vote within our Town municipal elections. These residents live in our community, and for the most part, own real property, have children who attend school, patronize our businesses, and have requested that we consider allowing them to vote within our Town elections.

In response to the request, the Mayor and Council designed a survey for distribution to all registered voters within the Town to gauge interest on two specific election-related questions. The survey was mailed to each registered voter in September 2021, and included the following questions:

1) Should the Council and Mayor propose an amendment to the Town Charter and Code to permit 16 and 17-year-old residents to vote in Town elections?

2) Should the Council and Mayor propose an amendment to the Town Charter and Code to permit Town residents to vote in Town elections without requiring them to be US citizens?

The Town received 394 survey responses (1,477 surveys were mailed) and we also made the survey available on our website for individuals who wanted to provide comment but were not currently registered voters. These surveys were differentiated from the mailed surveys, and we received two (2) additional online surveys for a total of 396 survey responses.

Our residents overwhelmingly responded against (70-30) allowing 16- and 17-year-olds to vote in Town elections; however, only a slight majority of residents responded against (51-49) allowing non-citizens to vote in Town elections. However, a number of respondents indicated that they would consider supporting lawful permanent residents, or those authorized to work within the United States, if the survey question was clarified.

In response to the survey results, **the Mayor and Council will introduce Charter Resolution No. CR-01-2022, at the February 14 Town Council meeting and schedule the Public Hearing for Monday, March 14, 2022, 7:00 pm.** The Charter Resolution will allow additional public comment by our residents with respect to possibly allowing lawful permanent residents or individuals authorized to work in the United States to vote in our Town election by amending Article VII, Section 701, of the Town Charter:

A CHARTER RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON AMENDING ARTICLE IV, "COUNCIL", SECTION 403. QUALIFICATIONS OF COUNCIL MEMBERS, ARTICLE V, "THE MAYOR", SECTION 503. QUALIFICATIONS OF THE MAYOR, AND ARTICLE VII, "REGISTRATION, NOMINATIONS, AND ELECTIONS", SECTION 701, "QUALIFICATIONS OF VOTERS", OF THE TOWN CHARTER TO ENABLE A NON-CITIZEN WHO IS A LAWFUL PERMANENT RESIDENT OR IS AUTHORIZED TO WORK IN THE UNITED STATES TO BE ELIGIBLE TO REGISTER TO VOTE IN TOWN OF KENSINGTON MUNICIPAL ELECTIONS.

Once the Charter Resolution has been introduced, we encourage all our residents to provide comment by either attending the **Public Hearing on Monday, March 14, 2022, 7:00 pm**, or by sending an email to Mayor.Council@tok.md.gov.

Currently, there are twelve Maryland municipalities that allow lawful permanent residents to vote within their elections, including the following Montgomery County municipalities: Chevy Chase Section 3; Barnesville; Garrett Park; Glen Echo; Martin's Addition; Somerset; Takoma Park; and the Town of Chevy Chase.

The Charter Resolution would not allow lawful permanent residents or those authorized to work within the United States to vote in Federal, State, or County elections. If adopted by the Mayor and Council, voting rights would be extended to lawful permanent residents and those authorized to work within the United States for Town elections only.

We encourage discussion of Charter Resolution No. CR-01-2022 among our many residents and ask that everyone please keep the comments respectful, as we consider extending voting rights to certain residents who already live within our Town.

Town of Kensington

Charter Resolution No. CR-01-2022

Introduced: February 14, 2022

Public Hearing: March 14, 2022

Adopted: _____

A CHARTER RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON AMENDING ARTICLE IV, "COUNCIL", SECTION 403. QUALIFICATIONS OF COUNCIL MEMBERS, ARTICLE V, "THE MAYOR", SECTION 503. QUALIFICATIONS OF THE MAYOR, AND ARTICLE VII, "REGISTRATION, NOMINATIONS, AND ELECTIONS", SECTION 701, "QUALIFICATIONS OF VOTERS", OF THE TOWN CHARTER TO ENABLE A NON-CITIZEN WHO IS A LAWFUL PERMANENT RESIDENT OR IS AUTHORIZED TO WORK IN THE UNITED STATES TO BE ELIGIBLE TO REGISTER TO VOTE IN TOWN OF KENSINGTON MUNICIPAL ELECTIONS.

A Charter Resolution of the Mayor and Council of the Town of Kensington, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and of §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended; and

WHEREAS, §5-202 *et seq.* of the Local Government Article, Annotated Code of Maryland, authorizes the Mayor and Council to adopt those laws as they may deem 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; and

WHEREAS, various long-term residents of the Town who are not United States citizens but have permanent residence in the United States, or who are authorized to work in the United States, have requested that the Mayor and Council enable their ability to register to vote in Town elections; and

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

CAPS : Indicate matter added in amendment of proposed Charter Amendment.

CAPS : Indicate matter deleted in amendment of proposed Charter Amendment.

Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Charter Amendment.

WHEREAS, the Mayor and Council undertook a review of the Charter with respect to registration of voters; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to amend the Charter to enable residents of the Town who are not United States citizens but who are permanent residents or authorized to work in the United States to register to vote in Town elections.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Kensington, Maryland, that:

Section 1. Article IV, “The Council”, Section 403, “Qualifications of Council Members” of the Town Charter is repealed, re-enacted and amended to read as follows:

Section 403. Qualifications of Council Members.

Council Members shall have resided in the Town for at least one year immediately preceding their election, **SHALL BE UNITED STATES CITIZENS**, and shall be qualified to be registered voters of the Town. Council Members shall maintain permanent residence in the Town during their term of office.

Section 2. Article V, “The Mayor”, Section 503, “Qualifications of the Mayor”, of the Town Charter is repealed, re-enacted and amended to read as follows:

Section 503. Qualifications of the Mayor.

The Mayor shall have resided in the Town for at least one year immediately preceding the election, **SHALL BE A UNITED STATES CITIZEN**, and shall be qualified to be registered voter of the Town. The Mayor shall maintain permanent residence in the Town during the term of office.

Section 3.

Article VII, “Registration, Nominations and Elections”, Section 701 “Qualifications of Voters” of the Town Charter is repealed, re-enacted and amended as follows:

Section 701. Qualifications of Voters

Every person who (a) is a citizen of the United States, OR WHO IS NOT A CITIZEN OF THE UNITED STATES BUT IS A PERMANENT RESIDENT OR IS AUTHORIZED TO WORK IN THE UNITED STATES, (b) is at least eighteen years of age, (c) has resided within the corporate limits of the Town for thirty (30) days, and (d) is registered in accordance with the provisions of this Charter, shall be a qualified voter of the Town. Every qualified voter of the Town shall be entitled to vote at any or all Town elections.

Section 4. **BE IT FURTHER RESOLVED** that this Charter Resolution was introduced on the 14th day of February, 2022, and was considered for adoption after a public hearing. It is adopted this 14th day of March, 2022, after at least 21 days of prior public notice of the public hearing and shall be and become effective upon the fiftieth (50th) day after its passage by the Town unless petitioned to referendum in accordance with §4-304 *et seq.* of the Local Government Article, Annotated Code of Maryland, within forty (40) days following its passage. A complete and exact copy of this Charter Resolution shall be posted in the Town offices located at 3710 Mitchell Street, Kensington, Maryland 20895 for forty (40) days following its passage by the Mayor and Council and a fair summary of the Charter Resolution shall be published in a newspaper having general circulation in the Town not less than four (4) times, at weekly intervals, also within the forty (40) day period following its adoption by the Town.

Section 5. **BE IT FURTHER RESOLVED** that after the Charter Resolution hereby enacted becomes effective, either as herein provided or following referendum, the Town Manager for the Town of Kensington shall send separately, by certified mail, return receipt requested, to the Department of Legislative Reference, the following information concerning the Charter Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the Town of Kensington or in the referendum; and (iv) the effective date of the Charter Resolution.

Section 6. **BE IT FURTHER RESOLVED** that if any provision of this Resolution 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 application of this Resolution or of the Charter which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution and of the Charter are hereby declared to be severable.

INTRODUCED by the Mayor and Council of the Town of Kensington, Maryland at a regular meeting on the 14th day of February, 2022.

ADOPTED by the Mayor and Council of the Town of Kensington, Maryland in public meeting assembled on the 11th day of March, 2022.

EFFECTIVE the 31st day of May, 2022.

ATTEST:

TOWN OF KENSINGTON

Susan Engels, Town Clerk-Treasurer

By _____
Tracey Furman, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson, Town Attorney

ORDINANCE No. O-01-2022
OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON AMENDING
CHAPTER 2, “GOVERNMENT AND ADMINISTRATION”, ARTICLE 2, “ELECTIONS”,
SECTION 2-201. “GENERAL VOTER REGISTRATION” TO ENABLE A NON-CITIZEN
WHO IS A LAWFUL PERMANENT RESIDENT OR IS AUTHORIZED TO WORK IN THE
UNITED STATES TO BE ELIGIBLE TO REGISTER TO VOTE IN TOWN OF
KENSINGTON MUNICIPAL ELECTIONS.

WHEREAS, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the Town of Kensington (hereinafter, the “Town”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the residents of the municipality and to prevent and remove nuisances; and

WHEREAS, the Mayor and Council have the power to determine the eligibility requirements for voting in municipal elections in the Town; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to amend the Charter to enable residents of the Town who are not United States citizens but who are permanent residents or authorized to work in the United States to register to vote in Town elections; and

WHEREAS, Chapter 2, “Government and Administration”, Article 2, “Elections”, Section 2-201, “General voter registration”, was adopted by the Mayor and Council to implement voter registration in the Town; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to amend Section 2-201 to conform to the said Charter amendment.

Section 1. **NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the Town of Kensington, Maryland that Chapter 2, “Government and

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

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

CAPS : Indicate matter added in amendment

[Brackets] : Indicate matter deleted in amendment

Administration”, Article 2, “Elections”, Section 2-201, “General Voter Registration,” of the Code of the Town of Kensington be, and is hereby, repealed and re-enacted with amendments to read as follows:

Section 2-201. General Voter Registration.

(a) All persons residing within the corporate limits of the Town of Kensington who are now registered voters of the Town shall remain registered as long as they shall meet the qualifications for voters described in Section 701 of the Town Charter, unless such registration shall be withdrawn as hereinafter provided. (b) Pursuant to Section 701 of the Town Charter, ~~[qualified citizens]~~ A RESIDENT WHO IS A CITIZEN OF THE UNITED STATES, OR WHO IS NOT A CITIZEN OF THE UNITED STATES BUT IS A PERMANENT RESIDENT OR IS AUTHORIZED TO WORK IN THE UNITED STATES , who ~~[are]~~ IS at least 17 years old and will be 18 years old or older on or before the next Town election may register at the Town office on any day in which the office is open for official business, and at regular meetings of the Mayor and Council, or at such other times and places as may be announced from time to time prior to 9:00 p.m. on the fifth Monday preceding any election.

(c) Pursuant to Section 707 of the Town Charter, any Town resident registered with the Montgomery County Board of Supervisors of Elections shall be deemed registered for Town elections, provided that the application for such registration is received by the Montgomery County Board of Supervisors of Elections no later than 9:00 p.m. on the fifth Monday prior to an election.

(d) The Board of Supervisors of Elections shall appoint as registrar the Clerk-Treasurer. Said registrar shall have all the power and duties, including that of administering oaths, to properly register any qualified ~~[citizen]~~ RESIDENT.

(e) Qualified [~~citizens~~] RESIDENTS may also be registered to vote by the Board of Supervisors of Elections at such other times as may be announced from time to time by the Mayor.

(f) The Board of Supervisors of Elections shall review the books of registration prior to the second Monday in May preceding the next Town election for removal of any person who has died, who has moved out of Town, or who is otherwise legally disqualified. The Board of Supervisors of Elections shall report, in writing to the Town Council the names of all persons whose registrations are withdrawn and the reasons therefor. All questions arising in connection with the registration or withdrawal of registration of any person shall be determined and decided as provided in Section 707 of the Town Charter.

(g) The Board of Supervisors of Elections, appointed pursuant to Section 702 of the Town Charter shall remain in office until their successors are appointed and shall meet from time to time to carry out their duties.

(h) Even though a person may be on the registration rolls of the Town such person may not vote unless he or she is a qualified voter. The Board of Supervisors of Elections may require any person who comes to the polls to vote at any election to furnish proof that such [~~a~~] person is a resident of the Town under the provisions of Section 701 of the Town Charter.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the Town of Kensington that upon formal introduction of this proposed Ordinance, the Town Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the Town Clerk. The proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council, shall be:

- a. Posted at the town hall by the next business day;

- b. Posted on the official town website;
- 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.

The public hearing shall be held at least fifteen (15) days after introduction and may be held separately or in connection with a regular or special council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. This Ordinance shall become effective on _____ provided that the ordinance or a fair summary thereof is:

- a. Posted at the town hall by the next business day for at least two (2) weeks;
- b. Posted on the official town website;
- c. Sent to those persons listed on the official town email list /mail subscription service; and
- d. Published once in the town newsletter.

If any part of provision of this ordinance is lawfully declared 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 or of the Code.

INTRODUCED by the Mayor and Council of the Town of Kensington, Maryland at a public meeting assembled on the _____ day of _____ 2022.

ADOPTED by the Mayor and Council of the Town of Kensington, Maryland at a public meeting assembled on the _____ day of _____ 2022.

EFFECTIVE the _____ day of _____, 2022.

ATTEST:

TOWN OF KENSINGTON

By: _____

Susan Engels, Clerk-Treasurer

By: _____

Tracey Furman, Mayor

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:**

Suellen M. Ferguson, Town Attorney

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.

CAPS

[Brackets]

Asterisks * * *

CAPS

[Brackets]

: 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 February, 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 February, 2022.

CAPS

[Brackets]

Asterisks * * *

CAPS

[Brackets]

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:Indicate matter added in amendment

: Indicate matter deleted in amendment

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

CAPS

[Brackets]

Asterisks * * *

CAPS

[Brackets]

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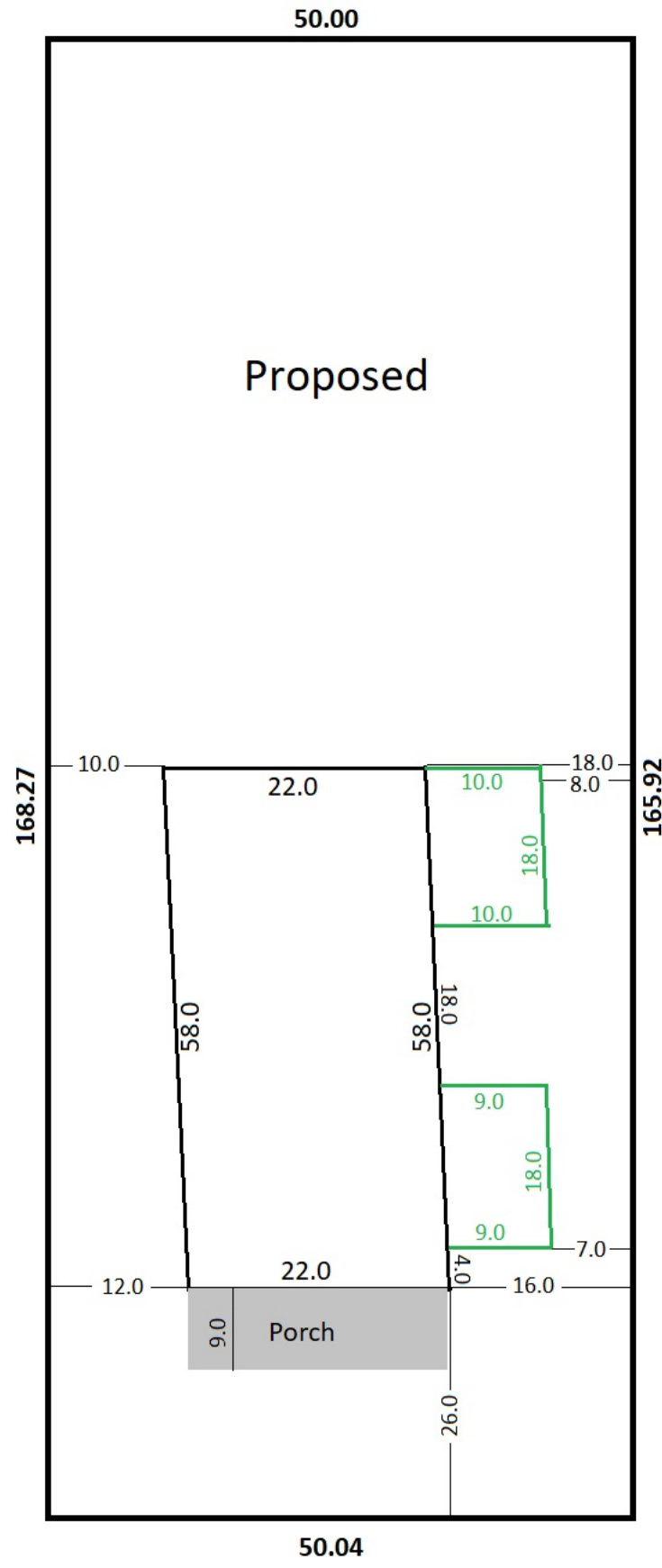
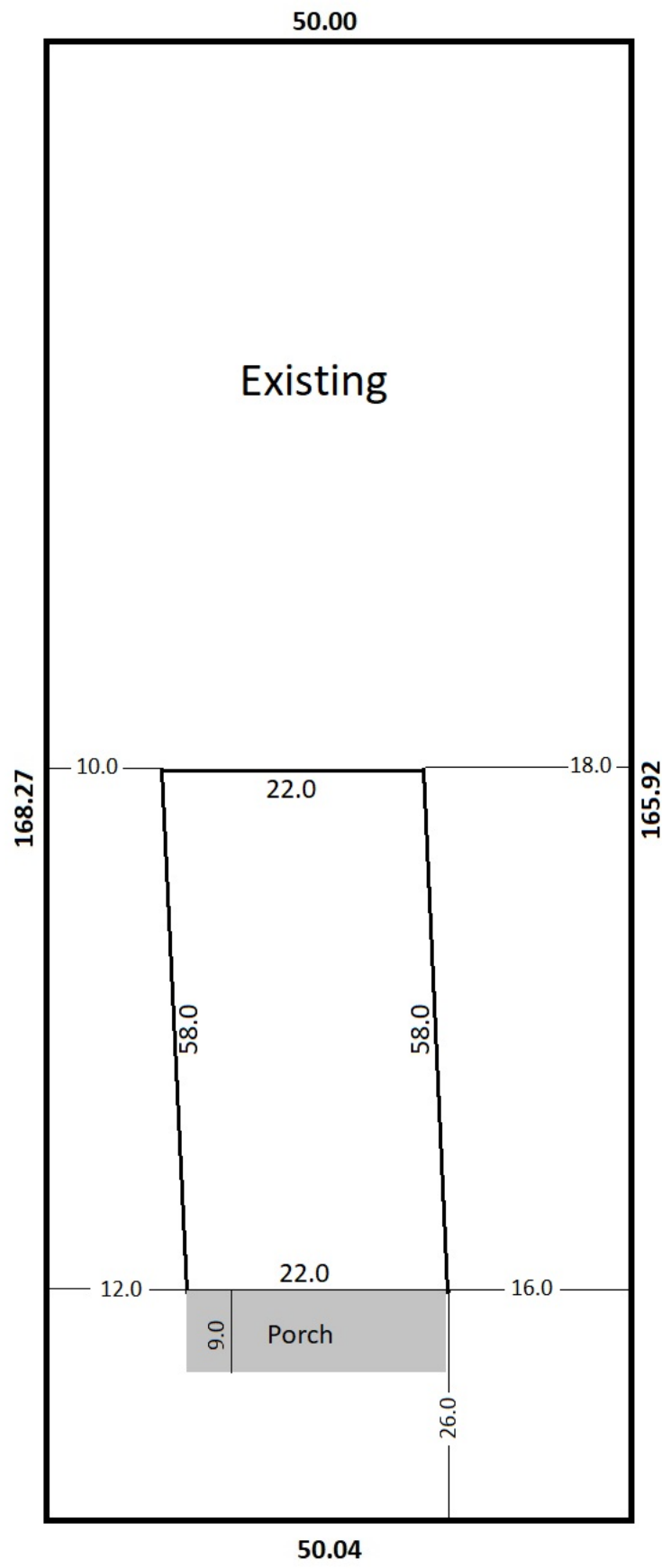
: Indicate matter added in amendment

: Indicate matter deleted in amendment

Kristi and Kevin Jones
10311 Summit Avenue
Re: Variance Request

Letter of Justification

- We have an extremely narrow lot that is on the border of allowing for variance. We are looking to add more width to our home and hope that our narrow, awkwardly slanted lot would allow for some leeway to make this look right.
- Although the homes across the street from us are not part of the town, our plan would be consistent with those homes that are permitted to extend further out.
- We are aware that Thrive Montgomery County could actually allow for loosened restrictions at some point, but would prefer to work closely with the Town to ensure the outside aesthetics and spacing of our addition work well for everyone.
- We want to avoid the option of building an accessory dwelling elsewhere in our yard that we believe would be permitted by the county.
- We have an elderly parent moving in with us in the coming months and would like to create reasonable and comfortable accommodations that fit within Town rules, but would also allow for more space.



Proposed plan is within Montgomery County R-60 regulations for lots that existed prior to January 1st, 1954.

Additions are the minimum size needed to add usable interior space to our home.

Our lot is rhombus shaped, and our home is perpendicular to Summit Ave, creating a unique issue with side setbacks. The homes fronting Summit Avenue are the only 50' wide lots with this issue, the other Town of Kensington lots this wide are rectangular.

Our lot is 50' wide, which is the skinniest lot in Kensington, and over 6' skinnier than the average lot in the 10300 block of Summit Ave.

This proposed addition would eliminate any need to add a secondary structure to house aging parents.

10300 Block Summit Ave
 Lot Widths:
 10302: 80'
 10306: 62.04'
 10311: 50.04'
 10313: 50.04'
 10315: 50.04'
 10316: 56.67'
 10317: 50.04'
 10318: 63'
 10319: 50.04'
 10320: 57'
 10321: 50.04'
 10323: 50.04'
 10324: 60'
 10325: 50.04'
 10326: 55'
 10327: 68'
 Average: 56.38'

BENNETT FRANK McCARTHY

a r c h i t e c t s , i n c .

1400 Spring Street, Suite 320, Silver Spring, Maryland 20910-2755

27 January 2022

Matt Hoffman, Town Manager
Town of Kensington
3710 Mitchell Street
Kensington, MD 20895

Re: 3906 Washington Street

Dear Mr. Hoffman,

Please accept the following explanation for our variance application at 3906 Washington Street. I am happy to provide any further information and appreciate the time spent on behalf of my clients, Joe Akman and Jessica Veffer, in considering this matter.

The subject property is a single-family residence; two stories with an attic and a partially finished walk out basement. The home has an existing rear addition; one story with an unfinished basement below. The west side of the existing home and rear addition encroach on the side yard setback by about 2'-10". The existing rear addition is flush with the west side of the home, and projects about 3'-4" beyond the east side of the home. This addition is not consistent with the character of the home. The home is located in the Kensington Historic District.

The owners are seeking to add bedroom space to the home, and to make the existing rear addition more compatible with the character of the home. Their first intention was to add bedroom space within the attic. Several historic limitations make that approach unfeasible. As a result they have decided to seek a two-story rear addition to replace the existing one story addition. Their hope is to add the desired bedroom space while also improving the character of the previous rear addition.

Feedback from Kensington and MNCPPC Historic staff indicates that the rear addition will need to be limited to the width of the existing house (actually, less to satisfy a requirement to step in the addition at the corners of the original home to distinguish the new construction from the historic massing). This reduces the width of the addition by roughly 4'-6" from the existing addition footprint. The proposed addition will be the same depth as the former rear addition.

Given that historic limitations are reducing the size of the home to the east, we are seeking to maintain as much of the existing footprint at the west side of the home, where the previous addition had encroached on a side setback. We have received a HAWP and got positive feedback on the improvement to the character of the home and addition from HPC staff. The most impacted neighbor (to the west) is presently a vacant lot. We believe the historic limitations on the lot combined with the present house location present a hardship and feel that our proposed solution represent a minimum encroachment solution to mitigate the impact of this project on the community.

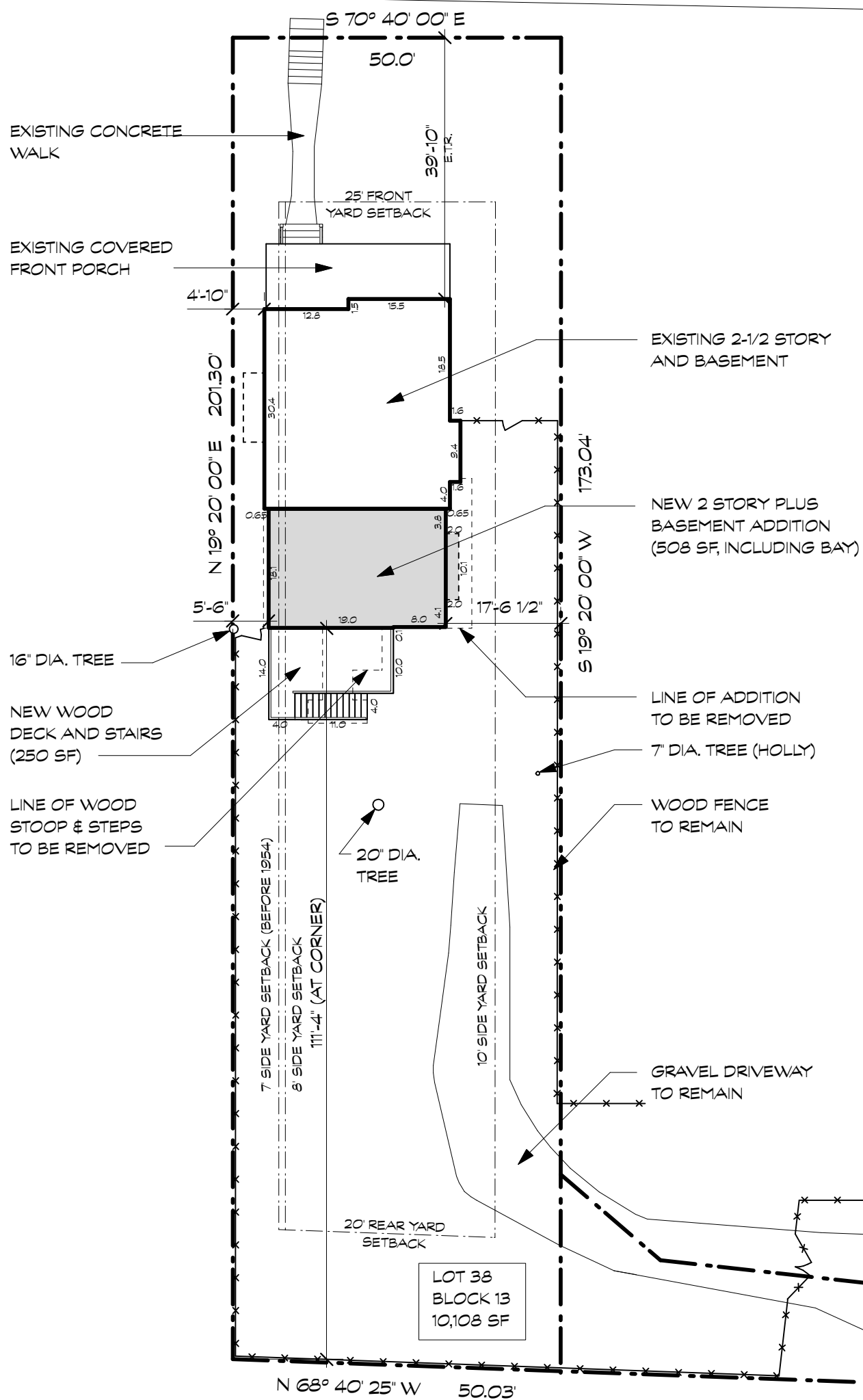
I welcome any questions.

Sincerely,



Shawn Buehler, Architect

WASHINGTON STREET



LEGEND

— · — · — · — · —	PROPERTY LINE
— · — · — · — · —	SETBACK LINE
— — — — —	BUILDING OUTLINE
— x — x — x —	WOOD FENCE



SK-1

AKMAN VEFFER RENOVATION
3906 Washington Street, Kensington, MD 20895

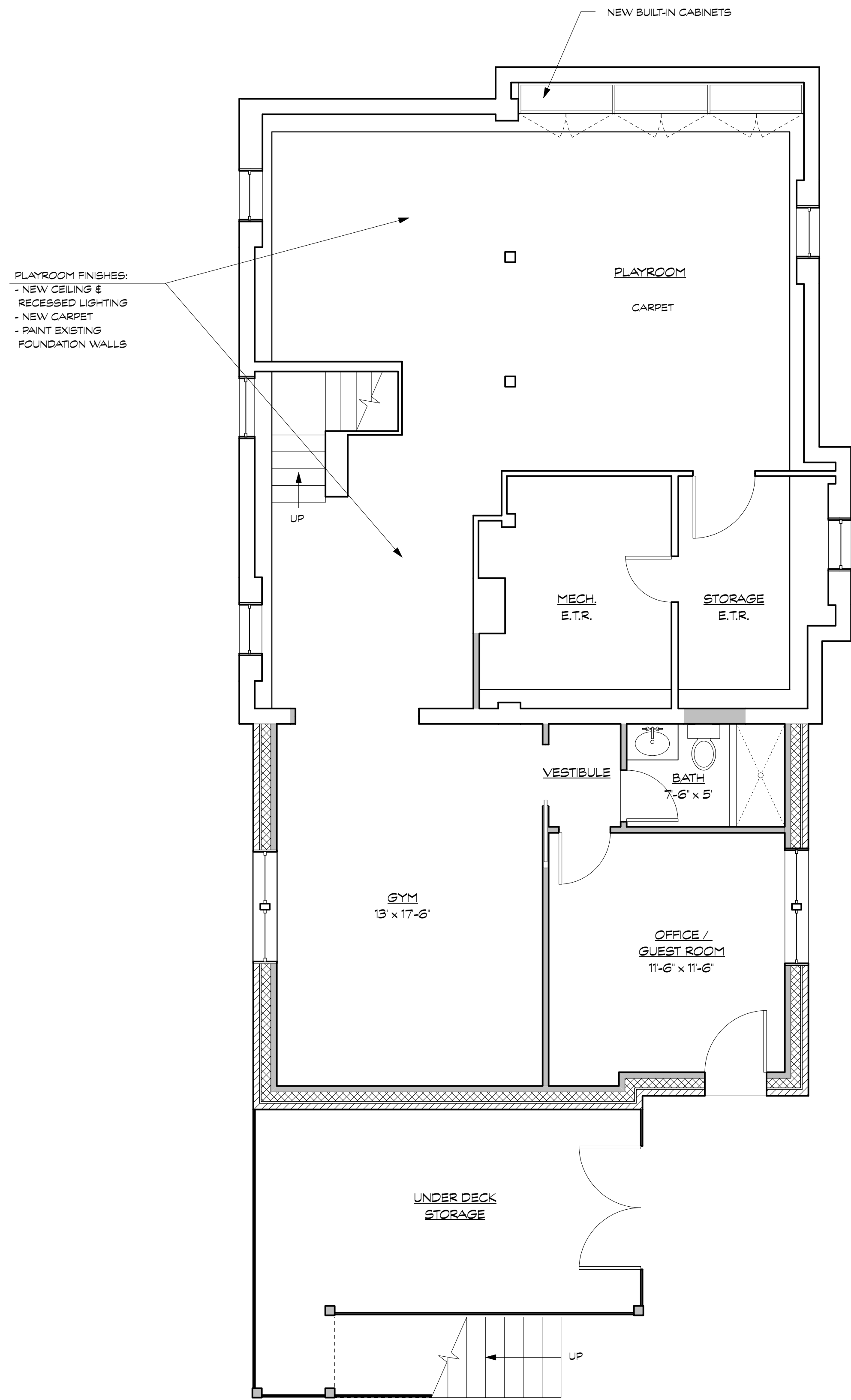
PROPOSED SITE PLAN
Scale: 1" = 20'-0"

#2120

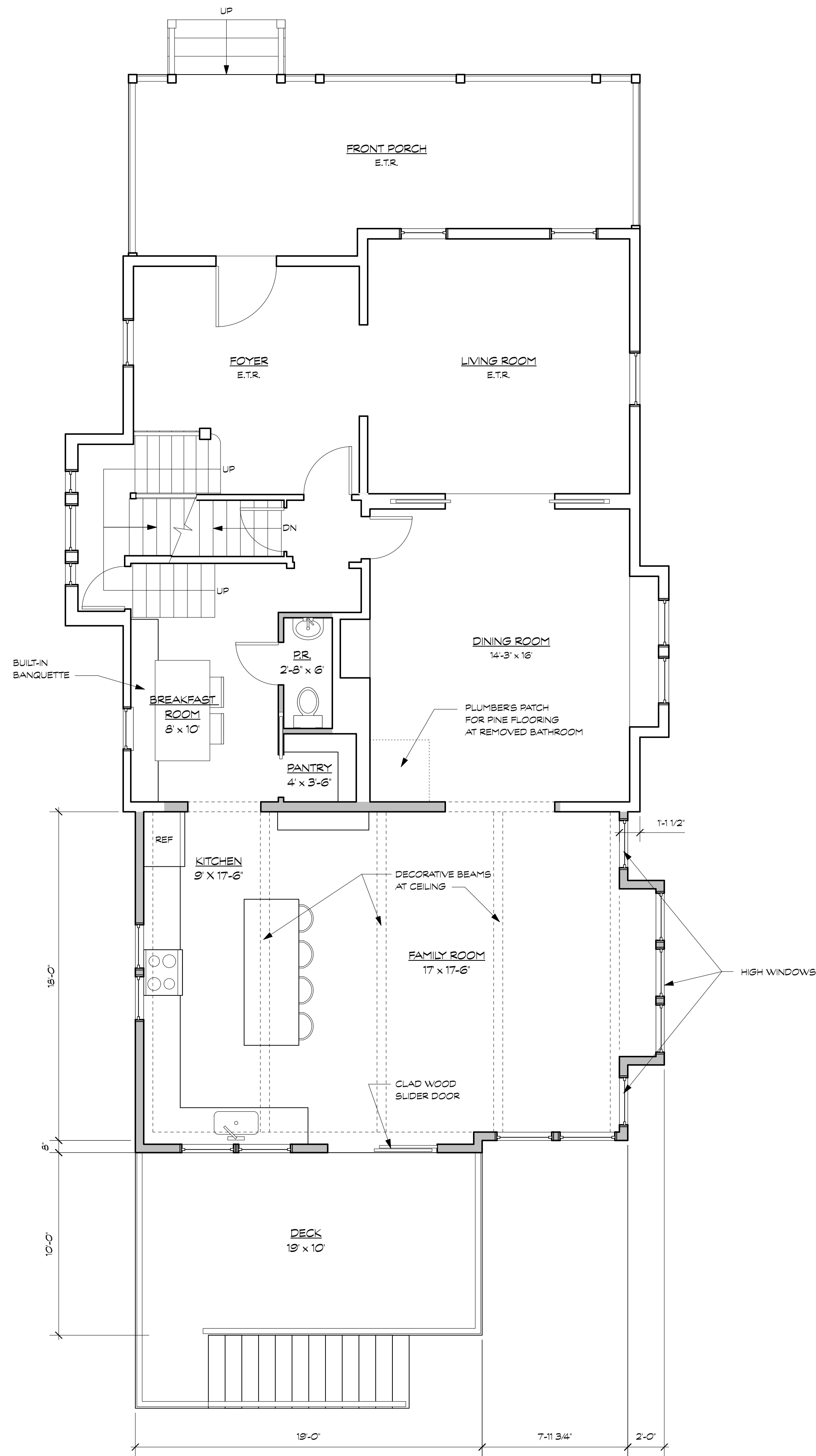
BENNETT FRANK McCARTHY
a r c h i t e c t s , i n c .

1400 Spring Street, Suite 320, Silver Spring, Maryland 20910-2755
(301) 585-2222 www.bfmarch.com fax (301) 585-8917

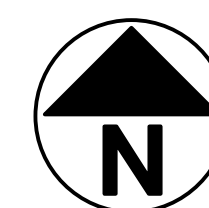
1 Feb. 2022



1 PROPOSED BASEMENT PLAN
 Scale: 1/4" = 1'-0"



2 PROPOSED FIRST FLOOR PLAN
 Scale: 1/4" = 1'-0"



WALL LEGEND	
	EXISTING WALLS AND PARTITIONS TO REMAIN
	NEW WOOD FRAMED WALLS AND PARTITIONS
	NEW LOW WALLS

BENNETT FRANK MCCARTHY **architects, inc.**

1400 Spring Street, Suite 320, Silver Spring, Maryland 20910-2755
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DATE	ISSUE - REMARKS

I CERTIFY THAT THESE CONTRACT DOCUMENTS WERE PREPARED UNDER MY SUPERVISION OR APPROVED BY ME AND I AM A DULY LICENSED REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

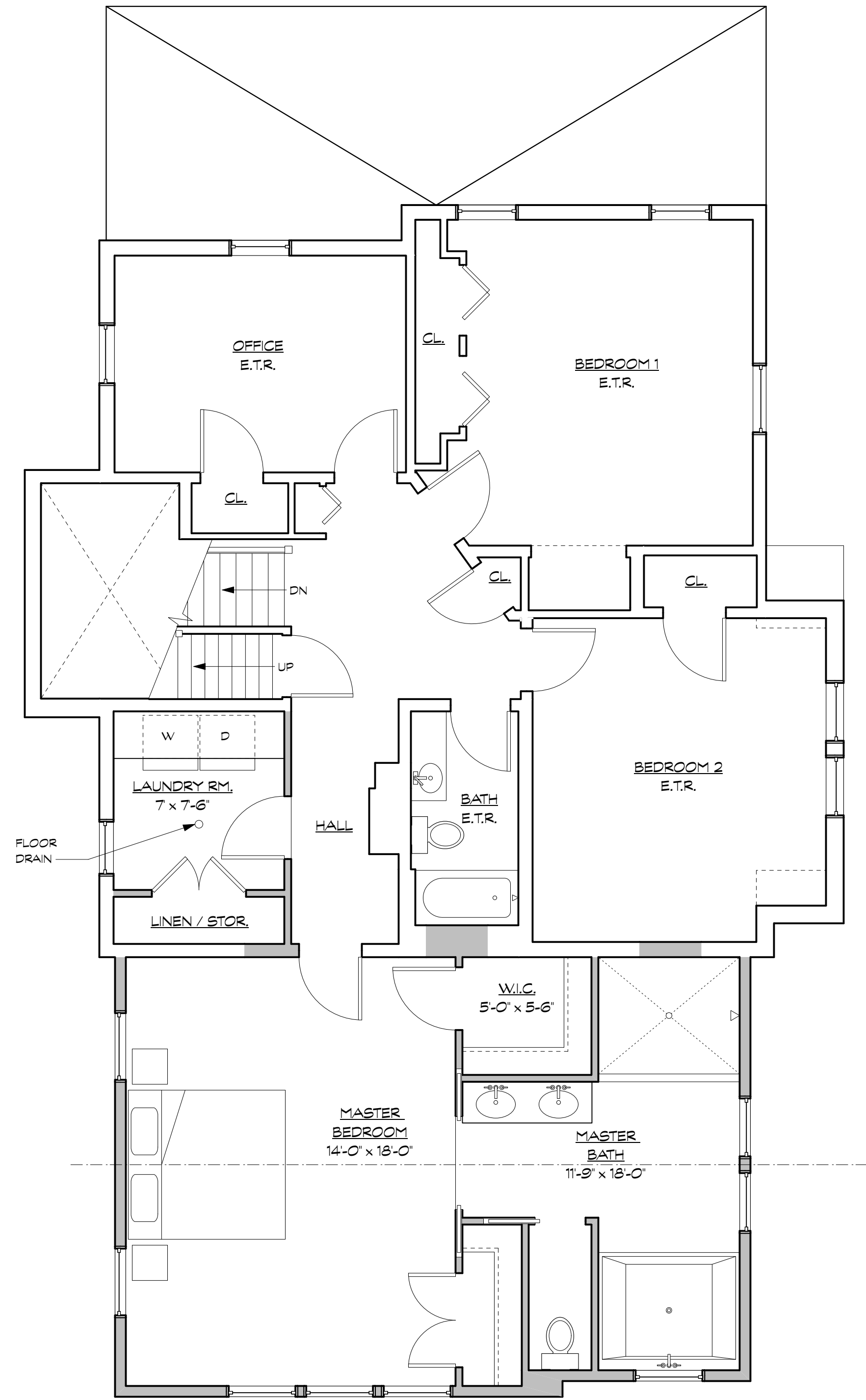
LICENSE #: _____ EXPIRATION DATE: _____

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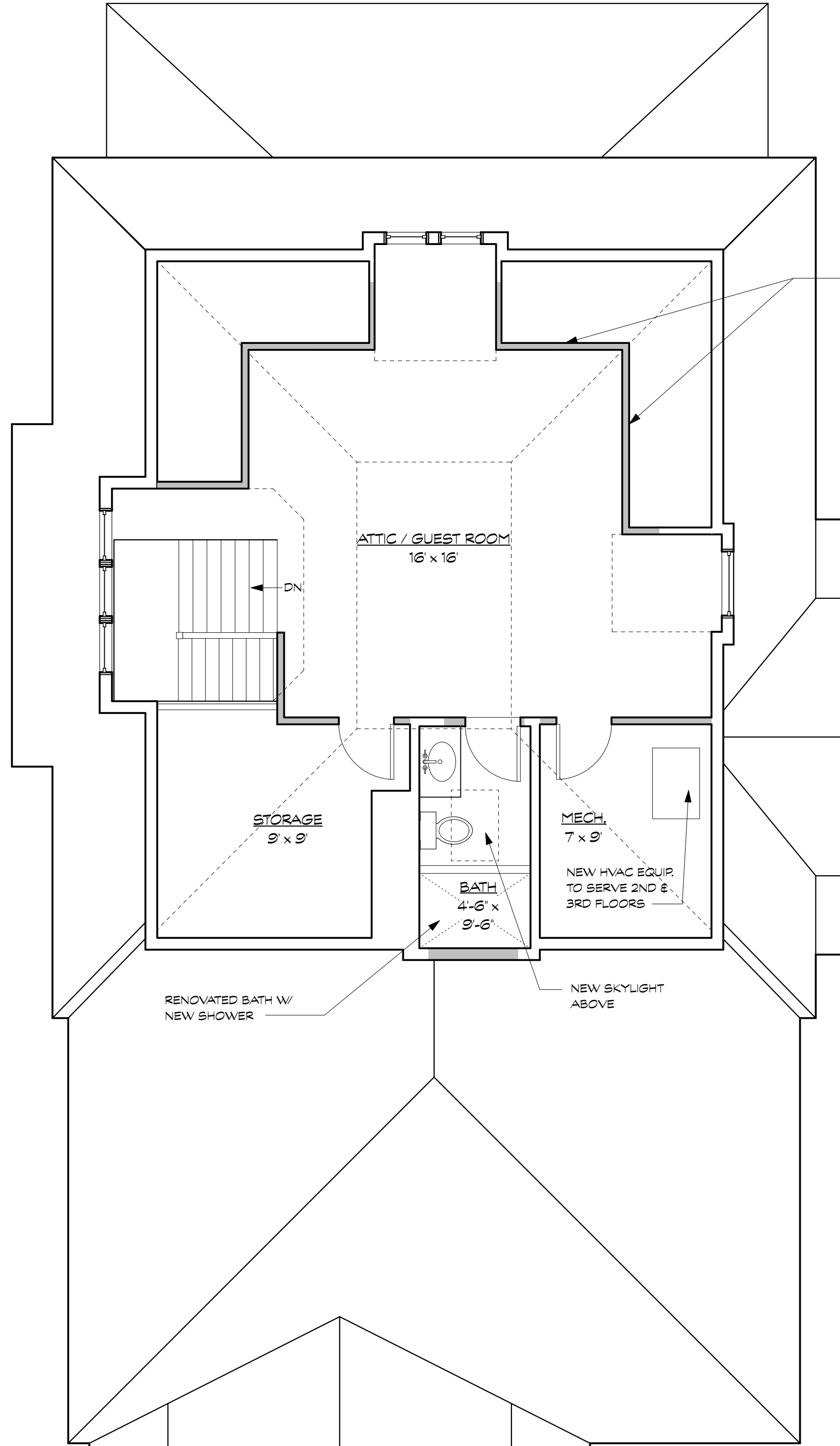
AKMAN VEEFFER RENOVATION
 3906 Washington Street, Kensington, MD 20895
 Project # 2120

**BASEMENT &
 FIRST FLOOR
 PLANS**
A100

13 DEC. 2021 - PROGRESS SET



1 PROPOSED SECOND FLOOR PLAN
Scale: 1/4" = 1'-0"



2 PROPOSED THIRD FLOOR PLAN
Scale: 1/4" = 1'-0"



WALL LEGEND	
	EXISTING WALLS AND PARTITIONS TO REMAIN
	NEW WOOD FRAMED WALLS AND PARTITIONS
	NEW LOW WALLS

BENNETT FRANK MCCARTHY
architects, inc.

1400 Spring Street, Suite 320, Silver Spring, Maryland 20910-2755
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AKMAN VEEFER RENOVATION
3906 Washington Street, Kensington, MD 20895
Project # 2120

SECOND & THIRD FLOOR PLANS
A101

13 DEC. 2021 - PROGRESS SET



1 SIDE ELEVATION
Scale: 1/4" = 1'-0"



2 REAR ELEVATION
Scale: 1/4" = 1'-0"



3 SIDE ELEVATION
Scale: 1/4" = 1'-0"

BENNETT FRANK McCARTHY
a r c h i t e c t s , i n c .

1400 Spring Street, Suite 320, Silver Spring, Maryland 20910-2755
(301) 585-2222 www.bfmarch.com fax (301) 585-8917

[illegible]

I CERTIFY THAT THESE
CONTRACT DOCUMENTS
WERE PREPARED UNDER
MY SUPERVISION OR
APPROVED BY ME AND I
AM A DULY LICENSED
REGISTERED ARCHITECT
UNDER THE LAWS OF THE
STATE OF MARYLAND.

LICENSE #:

EXPIRATION DATE:

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AKMAN VEFFER RENOVATION

3906 Washington Street, Kensington, MD 20895

Project # 2120

13 DEC. 2021 - PROGRESS SET

ELEVATIONS

A200

**CLUM-KENNEDY PARK
ENTRANCE STEPS**

FREDERICK AVENUE

5'

16"

9 +/-

REMOVE

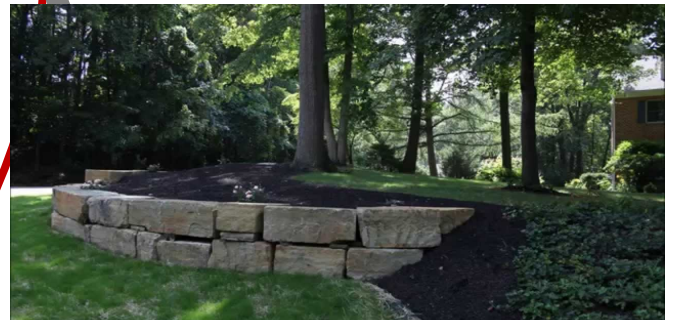
**FIVE FEET FROM EXISTING
RIGHT CORNER**

EXAMPLE



THER-

BRICK RISER



**BOULDER SEAT WALL -
FLAT BOULDERS APP. 36" LONG X 18" TALL**

4'

SHORB LANDSCAPING

BY: DEB



"Cultivating Naturally Elegant Properties"

10518 Warfield Street, Kensington, MD 20895-2424
PHONE 301-897-3503 - FAX 301-897-2967 - ShorbLandscaping.com

January 25, 2022

To: Tracey Furman
Town Of Kensington
mayor.tracey@tok.md.gov

Proposal: 8147 Clum-Kennedy Park Entrance Steps

Property: Clum-Kennedy Park
10207-10225 Kensington Pkwy
Kensington, MD 20895

Customer:
Town Of Kensington
3710 Mitchell Street
Kensington, MD 20895
mjhoffman@tok.md.gov

Proposal Provided By:
Debbie Schweitzer
240-778-3178
debbies@jsli.com

Proposal: 8147 Clum-Kennedy Park Entrance Steps

Thank you for this opportunity to offer our landscaping services.

We take great pride in our award winning work, and outstanding customer service.

Please read through our scopes of work, along with the Contract Conditions on the last page of this proposal.

Feel free to contact me if you have any questions.

We look forward to working with you!

Entrance Steps

DESCRIPTION	QTY	IMAGE
Transplant existing Boxwood.		
Remove existing steps and dispose of.		
Hand railing will be removed and reinstalled in tread during job.		
Remove app. ten feet +/- of existing brick walkway. Place bricks to side. Bricks will be re laid per plan with additional brick as necessary. New brick will be brick used in construction of new portion of walkway and edged with Ultra Pro Edging.		
Construct new steps per design. Reinforced concrete base with rebar 1' on center, 2" thermal treads, brick risers. Each step is 5' x 16". Riser is app. 6 -7" in height.		
Grade and mulch area as necessary.		

TOTAL: \$9,690.00
TAX: \$0.00

Boulder Wall

DESCRIPTION	QTY	IMAGE
Install PA Mountain Boulders as seat wall similar to what is shown in photos. Boulders will be app. 3' long x 18" tall and placed in soil on bed of #57 Gravel.		
Grade and mulch around boulders.		
*Includes pruning Aucuba left side facing steps from park. Plants to be pruned back to app. 3'		

TOTAL: \$3,775.24
TAX: \$0.00

COST BREAKDOWN

BID DESCRIPTION	PRICE	TAX	TOTAL	CUSTOMER'S INITIALS
Entrance Steps	\$9,690.00	\$0.00	\$9,690.00	_____
Boulder Wall	\$3,775.24	\$0.00	\$3,775.24	_____

PAYMENT SCHEDULE

SCHEDULE	PRICE	TAX	TOTAL
Deposit	\$4,435.00	\$0.00	\$4,435.00
Balance	\$9,030.24	\$0.00	\$9,030.24
	\$13,465.24	\$0.00	\$13,465.24

Enjoy our [VIDEO](#) of Watering Guidelines for newly installed plants

Submitted By: Debbie Schweitzer

1/25/2022
Date

I authorize this work, as denoted with my initials above. I have read and agree to the Contract Conditions.

Client's Authorizing Signature

Date

CONTRACT CONDITIONS

JOHN SHORB LANDSCAPING, INC (JSLI) AGREES TO:

1. PERFORM all work to the specifications of the Landscape Contractor's Association.
2. CONTACT Miss Utility prior to digging.
3. CARRY INSURANCE to include liability, property damage and Workman's Compensation in accordance to local law. Certificates of insurance are available upon request.
4. HOLD the FOLLOWING LICENSES: MD Pesticide Operators License #23920, MD Fertilizer Applicators License F-0077, MD Home Improvement Contractors # 51633
5. WARRANTY ALL PLANTS that we have purchased & installed to remain in good health for 12 months from the date of installation, unless otherwise noted. This warranty does NOT cover sod, seasonal flowers, transplanted material, nor plant material which has been damaged beyond our control such as: drought, insects, disease, vandalism, extreme weather conditions (ice storms, wind storms, fire, etc.). This guarantee only applies to the plant material included in a job that has been paid in full.
6. MAKE PLANT REPLACEMENTS once, free of charge with the original species and original size of the warranted plant material, when the appropriate season permits.
7. EXTEND our WARRANTY for 4 ADDITIONAL YEARS (for a total of 5 YEARS) provided that we are contracted to perform ongoing, weekly landscape maintenance services. This warranty can be transferred to future owners of this property who continue with our maintenance services without delay.
8. Honor the pricing for 90 days from when this proposal was submitted.

THE CLIENT:

1. Affirms that the work, as described on this proposal, IS ON THE CLIENT'S PROPERTY.
2. ASSUMES MAINTENANCE RESPONSIBILITY for all plant material, unless JSLI is providing ongoing landscape maintenance services. Responsibilities include, proper watering and prevention of disease and insect infestations. Watch our [VIDEO](#) on how to properly water your new plants.
3. Will NOT SOLICIT, hire or employ any JSLI employees, nor its subcontractors, nor employees of a JSLI subcontractor.
4. Agrees to INDEMNIFY JSLI and HOLD JSLI HARMLESS for damage to property of others, including private and/ or public underground utilities, pipes, cables, conduits, etc., that have not been identified in advance of the work. The Client shall be liable for the cost of removing any obstructions which impedes our work, including rock, hard pan, compacted sub-soil, or other foreign material that were not made known to JSLI when this proposal was submitted.
5. AGREES TO OUR PAYMENT TERMS: All amounts not paid within 30 days of the bill date are subject to a financial charge of 24% per year (2% per month). The Client agrees to pay all legal fees and / or collection fees associated with collecting past due accounts. Payments made with Credit Cards are subject to a 2.5% convenience fee.

DISPUTES shall be referred to a USA&M in the county or city where the work is being performed, for arbitration in accordance with the applicable United States Arbitration and Mediation Rules of Arbitration. The arbitrator's decision shall be final and legally binding, and judgment may be entered thereon. Each party shall be responsible for its share of the arbitration fees. In the event a party fails to proceed with arbitration, unsuccessfully challenges the arbitrator's award, or fails to comply with the arbitrator's award, the other party is entitled to costs of suit, including all reasonable attorneys' fee, for having to compel arbitration or defend or enforce the award. In any dispute, JSLI's liability to Client is limited to actual damages only. In no event will JSLI be liable for any indirect, special, consequential, or punitive damages, or for loss of profits or loss of use, under any theory or liability, whether in contract, tort, strict liability, expressed or implied warranty, or otherwise.

Interpretation and enforcement of this agreement will be governed by Maryland law. Price assumes there are no fees, dues, subscriptions, participation schemes etc. that contractor shall bear in order to receive payment other than de minimus bank transfer fees.

HOUSE BILL 381

L3

2lr1521
CF SB 368

By: **Delegate Solomon**

Introduced and read first time: January 19, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities – Charter Amendments – Notice**

3 FOR the purpose of modifying the manner in which the chief executive officer of a
4 municipality may fulfill certain notice requirements; and generally relating to
5 methods of providing notice of municipal charter amendment resolutions.

6 BY repealing and reenacting, with amendments,
7 Article – Local Government
8 Section 4–304(b) and 4–305(f)
9 Annotated Code of Maryland
10 (2013 Volume and 2021 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Local Government**

14 4–304.

15 (b) **(1)** The chief executive officer of the municipality shall give notice of the
16 resolution that proposes an amendment to the municipal charter by:

17 **[(1)] (I)** posting an exact copy of the resolution at the main municipal
18 building or other public place for the 40 days after the resolution is adopted; and

19 **[(2)] (II) 1.** publishing a fair summary of the proposed amendment in
20 a newspaper of general circulation in the municipality:

21 **[(i)] A.** at least four times;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(ii)] B. at weekly intervals; and

2 [(iii)] C. within the 40 days after the resolution is adopted; OR

3 2. DELIVERING A COPY OF A FAIR SUMMARY OF THE
4 PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL ONCE TO EVERY
5 RESIDENCE IN THE MUNICIPALITY.

6 (2) THE DELIVERY REQUIRED UNDER PARAGRAPH (1)(II)2 OF THIS
7 SUBSECTION MAY BE ACCOMPLISHED BY INCLUDING A FAIR SUMMARY OF THE
8 PROPOSED CHARTER AMENDMENT IN A NEWSLETTER OR ANY OTHER REGULAR
9 MUNICIPAL PUBLICATION.

10 4–305.

11 (f) (1) The chief executive officer of the municipality shall give notice of a
12 submission of a proposed charter amendment by:

13 [(1)] (i) 1. posting an exact copy of the proposed amendment at the
14 main municipal building or other public place for at least 4 weeks immediately preceding
15 the referendum at which the question is to be submitted; and

16 [(ii)] 2. on the day of the referendum, posting a similar copy at the
17 place for voting; and

18 [(2)] (II) 1. publishing notice of the referendum and a fair summary of
19 the proposed amendment in a newspaper of general circulation in the municipality at least
20 once in each of the 4 weeks immediately preceding the referendum; OR

21 2. DELIVERING A COPY OF A FAIR SUMMARY OF THE
22 PROPOSED CHARTER AMENDMENT EITHER BY HAND OR BY MAIL TO EVERY
23 RESIDENCE IN THE MUNICIPALITY.

24 (2) THE DELIVERY REQUIRED UNDER PARAGRAPH (1)(II)2 OF THIS
25 SUBSECTION MAY BE ACCOMPLISHED BY INCLUDING A FAIR SUMMARY OF THE
26 PROPOSED CHARTER AMENDMENT IN A NEWSLETTER OR ANY OTHER REGULAR
27 MUNICIPAL PUBLICATION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2022.

SENATE BILL 835

L6, C5

0lr3575
CF HB 1034

By: **Senator Lee**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **County and Municipal Street Lighting Investment Act**

3 FOR the purpose of authorizing a certain county or municipality, after giving certain notice
4 to certain persons, to convert its street lighting service to a certain
5 alternative—energy—only tariff, submit a request to acquire certain street lighting
6 equipment from the electric company, and enter into an agreement to purchase
7 electricity for a certain use from any available electricity supplier under certain
8 circumstances; authorizing a county or municipality to acquire certain street lighting
9 equipment by condemnation under a certain circumstance; authorizing a county or
10 municipality to request that an electric company remove certain street lighting
11 equipment under certain circumstances; requiring a county or municipality to pay
12 the fair market value of certain street lighting equipment that is being removed and
13 the costs of its removal under certain circumstances; providing that the fair market
14 value of certain street lighting equipment shall be calculated in a certain manner;
15 requiring a certain county or municipality to notify a certain electric company of any
16 alteration to the county's or municipality's street lighting equipment inventory
17 within a certain period of time under certain circumstances; prohibiting a certain
18 agreement or contract for sale or license agreement from including certain fees or
19 other costs under certain circumstances; prohibiting an electric company from
20 making certain requirements of a certain county or municipality; requiring that
21 certain workers be fully qualified and meet certain requirements; authorizing
22 certain disputes, subject to a certain exception, to be submitted to the Public Service
23 Commission for resolution; requiring the Commission to issue a determination on
24 certain disputes within a certain time period; requiring a jury to determine the fair
25 market value of certain street lighting equipment subject to a condemnation
26 proceeding in a certain manner; requiring each electric company to develop a certain
27 alternative—energy—only tariff for street lighting on or before a certain date; limiting
28 the fees that may be included in a certain alternative—energy—only tariff; requiring
29 that a certain alternative—energy—only tariff provide for monthly bills for street
30 lighting that include a schedule of electricity charges based on a certain
31 determination; prohibiting the alternative—energy—only tariff from including certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



charges; requiring that, for street lighting equipment in use on a certain date, the alternative–energy–only tariff shall use certain calculation methods and rates that existed on a certain date; requiring the alternative–energy–only tariff to provide for reasonable rates for street lighting equipment that is adopted after a certain date; requiring the alternative–energy–only tariff to provide for options for certain street lighting controls; requiring the Commission to issue a decision regarding the adoption of a certain alternative–energy–only tariff within a certain period of time after receiving the alternative–energy–only tariff from an electric company; requiring the Commission to issue a determination on a dispute regarding the terms of an alternative–energy–only tariff within a certain period of time after receiving a request for resolution; stating the findings and declarations of the General Assembly; making certain clarifying changes; defining certain terms; and generally relating to the purchase of certain street lighting equipment by a county or municipality from an electric company and tariffs for street lighting.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 1–1309
Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)

BY adding to
Article – Public Utilities
Section 4–212
Annotated Code of Maryland
(2010 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Local Government

1–1309.

(a) **(1)** In this section[, “electric”] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) “**ELECTRIC** company” has the meaning stated in § 1–101 of the Public Utilities Article.

(3) “**FAIR MARKET VALUE**” MEANS THE NET BOOK VALUE OF THE PROPERTY, CALCULATED USING FEDERAL ENERGY REGULATORY COMMISSION (FERC) ACCOUNTING METHODS, AND NOT USING METHODS OTHER THAN THOSE USED FOR STANDARD RATE SETTING, AS THE ORIGINAL COST OF THE PROPERTY, LESS DEPRECIATION, OF ANY ACTIVE OR INACTIVE EXISTING STREET LIGHTING EQUIPMENT INSTALLED IN THE COUNTY OR MUNICIPALITY AS OF THE DATE THE

COUNTY OR MUNICIPALITY ENTERS INTO AN AGREEMENT TO PURCHASE THE PROPERTY, EXERCISES ITS RIGHT OF CONDEMNATION, OR REQUESTS THE REMOVAL OF THE EQUIPMENT.

(4) (I) "STREET LIGHTING EQUIPMENT" MEANS ALL EQUIPMENT OWNED BY AN ELECTRIC COMPANY USED TO LIGHT STREETS IN THE COUNTY OR MUNICIPALITY.

(II) "STREET LIGHTING EQUIPMENT" INCLUDES:

1. ALL CAPITAL EQUIPMENT AS DEFINED UNDER FERC ACCOUNT 373;

2. LIGHTING BALLASTS, FIXTURES, MAST ARMS, PHOTOCELLS, LOOPS, AND ANY OTHER EQUIPMENT NECESSARY FOR THE CONVERSION OF ELECTRIC ENERGY INTO STREET LIGHTING EQUIPMENT;

3. DECORATIVE STREET AND AREA LIGHTING;

4. SOLID-STATE LED LIGHTING TECHNOLOGIES; AND

5. INDUCTION LIGHTING TECHNOLOGIES.

(III) "STREET LIGHTING EQUIPMENT" DOES NOT INCLUDE JOINT USE UTILITY POLES ON WHICH THE EQUIPMENT IS FIXED.

(B) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(1) TAXPAYERS ARE MANDATED TO PAY ELECTRIC COMPANIES LARGE SUMS EVERY YEAR TO LIGHT STREETS IN COUNTIES AND MUNICIPALITIES;

(2) COUNTIES AND MUNICIPALITIES ARE LIMITED IN HOW THIS PUBLIC SAFETY RESOURCE CAN BE MANAGED BECAUSE THE COUNTIES AND MUNICIPALITIES OFTEN DO NOT OWN OR CONTROL THE STREET LIGHTING EQUIPMENT WITHIN THEIR JURISDICTIONS;

(3) STREET LIGHTING IS A SIGNIFICANT ENERGY EXPENSE FOR COUNTIES AND MUNICIPALITIES AND PRESENTS AN OPPORTUNITY FOR COMMUNITIES TO REDUCE THEIR CARBON FOOTPRINT AND ADDRESS CLIMATE CHANGE THROUGH EFFICIENCY UPGRADES;

(4) THERE IS OFTEN INSUFFICIENT INCENTIVE IN THE APPLICABLE ELECTRIC RATE TARIFF FOR INSTALLING ENERGY EFFICIENT LIGHTING

1 TECHNOLOGIES THAT MAY REDUCE BOTH POWER AND MAINTENANCE EXPENSES;

2 (5) THERE IS NO ADEQUATE PROVISION IN THE APPLICABLE
3 ELECTRIC RATE TARIFF FOR COUNTIES AND MUNICIPALITIES TO WORK
4 COLLECTIVELY TO MANAGE THE MAINTENANCE OF STREET LIGHTING EQUIPMENT;

5 (6) COUNTIES AND MUNICIPALITIES AROUND THE COUNTRY HAVE
6 SAVED CONSIDERABLE RESOURCES BY PURCHASING THEIR STREET LIGHTING
7 EQUIPMENT FROM ELECTRIC COMPANIES AND CONTRACTING FOR THE
8 MAINTENANCE INDEPENDENTLY; AND

9 (7) STREET LIGHTING COSTS SHOULD BE REDUCED AND SERVICE
10 SHOULD BE IMPROVED BY:

11 (I) IMPROVING PUBLIC SAFETY WITH STREET LIGHTS THAT
12 PROVIDE BETTER ILLUMINATION;

13 (II) REDUCING MAINTENANCE COSTS BY ALLOWING COUNTIES
14 AND MUNICIPALITIES TO OWN THE STREET AND AREA LIGHTING WITHIN THEIR
15 JURISDICTIONS AND TO ENTER INTO REGIONAL MAINTENANCE SERVICE
16 CONTRACTS;

17 (III) REDUCING WHOLE SYSTEM COST THROUGH COUNTY OR
18 MUNICIPAL OWNERSHIP AND BY ADOPTING TARIFFS THAT INCLUDE ONLY THE
19 DISTRIBUTION ENERGY CONSUMED;

20 (IV) PROVIDING FOR THE USE OF INNOVATIVE TECHNOLOGIES
21 FOR MORE EFFICIENT LIGHTING; AND

22 (V) PROVIDING MORE RESPONSIVE SERVICE FOR LIGHTING
23 REPAIRS.

24 [(b)] (C) This section applies to all counties and municipalities.

25 [(c) On written request by a county or municipality, an electric company shall sell
26 to the county or municipality some or all of the electric company's existing street lighting
27 equipment that is located in the county or municipality.]

28 (D) (1) AFTER GIVING 60 DAYS' WRITTEN NOTICE TO THE ELECTRIC
29 COMPANY AND THE PUBLIC SERVICE COMMISSION, A COUNTY OR MUNICIPALITY
30 THAT RECEIVES STREET LIGHTING SERVICE FROM AN ELECTRIC COMPANY IN
31 ACCORDANCE WITH A TARIFF PROVIDING FOR THE USE BY THE COUNTY OR
32 MUNICIPALITY OF STREET LIGHTING EQUIPMENT OWNED BY AN ELECTRIC

1 COMPANY MAY:

2 (I) CONVERT ITS STREET LIGHTING SERVICE TO AN
3 ALTERNATIVE-ENERGY-ONLY TARIFF SET IN ACCORDANCE WITH § 4-212 OF THE
4 PUBLIC UTILITIES ARTICLE;

5 (II) SUBMIT A REQUEST TO ACQUIRE THE STREET LIGHTING
6 EQUIPMENT FROM THE ELECTRIC COMPANY AT SOME OR ALL LOCATIONS WITHIN
7 THE COUNTY OR MUNICIPALITY; AND

8 (III) ENTER INTO AN AGREEMENT TO PURCHASE ELECTRICITY
9 FOR THE USE OF THE STREET LIGHTING EQUIPMENT FROM ANY AVAILABLE
10 ELECTRICITY SUPPLIER.

11 (2) IF THE COUNTY OR MUNICIPALITY AND THE ELECTRIC COMPANY
12 FAIL TO AGREE TO THE PURCHASE PRICE OR CONDITIONS OF PURCHASE OF THE
13 STREET LIGHTING EQUIPMENT, THE COUNTY OR MUNICIPALITY MAY ACQUIRE THE
14 EQUIPMENT BY CONDEMNATION.

15 [(d)] (E) (1) If the county or municipality [purchases] ACQUIRES street
16 lighting equipment from an electric company AND CONVERTS THE STREET LIGHTING
17 SERVICE TO AN ALTERNATIVE-ENERGY-ONLY TARIFF IN ACCORDANCE WITH
18 SUBSECTION (D) OF THIS SECTION, the county or municipality shall pay to the electric
19 company the fair market value of the street lighting equipment.

20 (2) (I) AFTER ACQUIRING STREET LIGHTING EQUIPMENT IN
21 ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION, THE COUNTY OR
22 MUNICIPALITY MAY REQUEST THAT THE ELECTRIC COMPANY REMOVE THE STREET
23 LIGHTING EQUIPMENT THAT IS LOCATED IN THE COUNTY'S OR MUNICIPALITY'S
24 JURISDICTION THAT HAS NOT BEEN ACQUIRED FROM THE ELECTRIC COMPANY.

25 (II) THE COUNTY OR MUNICIPALITY SHALL PAY TO THE
26 ELECTRIC COMPANY:

27 1. THE COST OF THE REMOVAL OF THE STREET
28 LIGHTING EQUIPMENT BY THE ELECTRIC COMPANY; AND

29 2. THE FAIR MARKET VALUE OF THE STREET LIGHTING
30 EQUIPMENT THAT IS REMOVED.

31 [(e)] (F) A county or municipality that [purchases] ACQUIRES street lighting
32 equipment in accordance with SUBSECTION (D) OF this section:

33 (1) shall be responsible for the maintenance of the street lighting

equipment; [and]

(2) may contract with an outside entity for the maintenance of the street lighting equipment; AND

(3) SHALL NOTIFY THE ELECTRIC COMPANY OF ANY ALTERATION TO THE COUNTY'S OR MUNICIPALITY'S STREET LIGHTING EQUIPMENT INVENTORY WITHIN 30 DAYS AFTER THE ALTERATION.

[(f)] (G) (1) Any person who controls the right to use space on any pole, lamppost, or other mounting surface previously used in the county or municipality by the electric company for street lighting equipment shall allow a county or municipality that has purchased the street lighting equipment to assume the rights and obligations of the electric company with respect to the space for the unexpired term of any lease or other agreement under which the electric company used the space.

(2) Notwithstanding paragraph (1) of this subsection, the county or municipality may not restrict or prohibit universal access for electricity or any other service by assuming the rights and obligations of an electric company as to space on any pole, lamppost, or other mounting surface used for street lighting equipment.

(H) ANY AGREEMENT OR CONTRACT FOR SALE OR LICENSE AGREEMENT THAT APPLIES TO EQUIPMENT MOUNTED ON JOINT USE POLES MAY NOT INCLUDE ANY FEES OR OTHER COSTS NOT INCLUDED IN THE ALTERNATIVE-ENERGY-ONLY TARIFF UNDER § 4-212 OF THE PUBLIC UTILITIES ARTICLE.

(I) AN ELECTRIC COMPANY MAY NOT REQUIRE FROM A COUNTY OR MUNICIPALITY ACQUIRING STREET LIGHTING EQUIPMENT UNDER SUBSECTION (D) OF THIS SECTION:

(1) ANY PROTECTIONS OR INDEMNIFICATIONS; OR

(2) ANY STANDARDS THE ELECTRIC COMPANY DOES NOT CURRENTLY PROVIDE OR REQUIRE OF THE ELECTRIC COMPANY IN THE OPERATION AND MAINTENANCE OF STREET LIGHTING EQUIPMENT.

(J) ALL WORKERS EMPLOYED BY A COUNTY OR MUNICIPALITY TO OPERATE AND MAINTAIN STREET LIGHTING EQUIPMENT SHALL BE FULLY QUALIFIED AND MEET ANY FEDERAL AND STATE REQUIREMENTS.

(K) [(3)] (1) [Any] EXCEPT AFTER A COUNTY OR MUNICIPALITY INITIATES A CONDEMNATION PROCEEDING, ANY dispute between an electric company and a county or municipality [arising under this subsection shall] REGARDING THE FAIR MARKET VALUE OF THE STREET LIGHTING EQUIPMENT OR ANY OTHER MATTER ARISING IN CONNECTION WITH THE ACQUISITION OF STREET LIGHTING EQUIPMENT

1 IN ACCORDANCE WITH PARAGRAPH (D)(1) OF THIS SECTION MAY be submitted to the
2 Public Service Commission for resolution.

3 (2) WITHIN 60 DAYS AFTER RECEIPT OF A REQUEST FOR
4 RESOLUTION, THE PUBLIC SERVICE COMMISSION SHALL ISSUE A DETERMINATION
5 ON A DISPUTE SUBMITTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS
6 SUBSECTION.

7 (L) IF STREET LIGHTING EQUIPMENT IS THE SUBJECT OF A CONDEMNATION
8 PROCEEDING, A JURY IN THE PROCEEDING SHALL DETERMINE THE FAIR MARKET
9 VALUE AS PROVIDED FOR IN THIS SECTION.

10 Article – Public Utilities

11 4-212.

12 (A) IN THIS SECTION, “STREET LIGHTING EQUIPMENT” HAS THE MEANING
13 STATED IN § 1-1309 OF THE LOCAL GOVERNMENT ARTICLE.

14 (B) (1) ON OR BEFORE DECEMBER 1, 2020, EACH ELECTRIC COMPANY, IN
15 CONSULTATION WITH THE MARYLAND ENERGY ADMINISTRATION, SHALL FILE WITH
16 THE COMMISSION AN ALTERNATIVE-ENERGY-ONLY TARIFF FOR STREET LIGHTING
17 THAT INCLUDES ONLY ELECTRIC DISTRIBUTION FEES.

18 (2) (I) THE ALTERNATIVE-ENERGY-ONLY TARIFF SHALL PROVIDE
19 FOR MONTHLY BILLS FOR STREET LIGHTING THAT SHALL INCLUDE A SCHEDULE OF
20 ELECTRICITY CHARGES BASED ON A DETERMINATION OF ANNUAL KILOWATT-HOUR
21 USAGE PER LUMEN RATING OR NOMINAL WATTAGE OF ALL TYPES OF STREET
22 LIGHTING EQUIPMENT BUT MAY NOT INCLUDE FACILITY, SUPPORT, REACTIVE OR
23 PREVENTIVE MAINTENANCE, FIXED MAINTENANCE, OR ACCESSORY CHARGES.

24 (II) THE DETERMINATION IN SUBPARAGRAPH (I) OF THIS
25 PARAGRAPH SHALL BE MADE:

26 1. IN ACCORDANCE WITH APPROVED METHODS OF
27 DETERMINATION FOR UNMETERED STREET LIGHTS; OR

28 2. BASED ON INFORMATION RECEIVED FROM LIGHTING
29 CONTROLS THAT MEASURE USAGE AND COMPLY WITH ANSI C12.20.5 STANDARDS
30 FOR ACCURACY.

31 (3) (I) FOR STREET LIGHTING EQUIPMENT IN USE IN A COUNTY OR
32 MUNICIPALITY ON OCTOBER 1, 2020, THE ALTERNATIVE-ENERGY-ONLY TARIFF
33 SHALL USE CALCULATION METHODS AND RATES THAT EXISTED ON OCTOBER 1,

1 **2020.**

2 (II) THE ALTERNATIVE-ENERGY-ONLY TARIFF SHALL PROVIDE
3 FOR REASONABLE RATES FOR STREET LIGHTING EQUIPMENT THAT IS ADOPTED
4 AFTER OCTOBER 1, 2020.

5 (4) THE ALTERNATIVE-ENERGY-ONLY TARIFF SHALL PROVIDE FOR
6 OPTIONS FOR VARIOUS STREET LIGHTING CONTROLS, INCLUDING:

7 (I) CONVENTIONAL DUSK/DAWN OPERATION USING
8 PHOTOCCELL TECHNOLOGY OR SCHEDULING CONTROLS;

9 (II) SCHEDULE-BASED DIMMING OR ON/OFF CONTROLS THAT
10 DIM OR TURN OFF STREET LIGHTS DURING PERIODS OF LOW ACTIVITY; AND

11 (III) ACTUAL USAGE AS PROVIDED BY CONTROLS THAT PROVIDE
12 THAT INFORMATION AND COMPLY WITH ANSI C12.20.5 FOR ACCURACY.

13 (C) WITHIN 60 DAYS AFTER RECEIVING AN ALTERNATIVE-ENERGY-ONLY
14 TARIFF FROM AN ELECTRIC COMPANY, THE COMMISSION SHALL ISSUE A DECISION
15 REGARDING THE ADOPTION OF THE ALTERNATIVE-ENERGY-ONLY TARIFF.

16 (D) WITHIN 60 DAYS AFTER RECEIPT OF A REQUEST FOR RESOLUTION, THE
17 COMMISSION SHALL ISSUE A DETERMINATION ON A DISPUTE REGARDING THE
18 TERMS OF AN ALTERNATIVE-ENERGY-ONLY TARIFF ADOPTED IN ACCORDANCE
19 WITH THIS SECTION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2020.

HOUSE BILL 100

F2, M3

(PRE-FILED)

2lr0968
CF 2lr0340

By: **Delegate Solomon**

Requested: October 27, 2021

Introduced and read first time: January 12, 2022

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Sustainable Maryland Program Fund – Establishment**

3 FOR the purpose of establishing the Sustainable Maryland Program Fund as a special,
4 nonlapsing fund to expand and enhance Sustainable Maryland's promotion and
5 support of communities in Maryland in the effort to realize environmental, economic,
6 and social sustainability; requiring interest earnings of the Fund to be credited to
7 the Fund; and generally relating to the Sustainable Maryland Program Fund.

8 BY adding to

9 Article – Education

10 Section 13–105

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2021 Supplement)

13 BY repealing and reenacting, without amendments,

14 Article – State Finance and Procurement

15 Section 6–226(a)(2)(i)

16 Annotated Code of Maryland

17 (2021 Replacement Volume)

18 BY repealing and reenacting, with amendments,

19 Article – State Finance and Procurement

20 Section 6–226(a)(2)(ii)144. and 145.

21 Annotated Code of Maryland

22 (2021 Replacement Volume)

23 BY adding to

24 Article – State Finance and Procurement

25 Section 6–226(a)(2)(ii)146.

26 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2021 Replacement Volume)

Preamble

WHEREAS, Ensuring that Maryland communities are sustainable and environmentally responsible, and use resources efficiently to ensure a prosperous future, is of the utmost importance to our citizens; and

WHEREAS, Sustainable Maryland, a program of the Environmental Finance Center at the University of Maryland, College Park Campus, supports the mission and priorities of State agencies by coordinating access to the full suite of State programs and resources that can support communities to enhance and expand local economies, infrastructure, and stewardship; and

WHEREAS, Sustainable Maryland helps Maryland communities to choose a direction for their greening efforts, complete their chosen actions with guidance from program tools, trainings, and other resources, and gain recognition for their accomplishments; and

WHEREAS, Sustainable Maryland acts as an extension arm of the School of Architecture, Planning, and Preservation; and

WHEREAS, Maryland's Built Environment School serves the University of Maryland's land grant mission as a conduit for sharing and applying the research, education, and technical resources of the University with communities throughout the State; and

WHEREAS, Sustainable Maryland develops the next generation of leaders by offering students paid and volunteer opportunities to apply their knowledge, research, and skills to real-world local issues; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

13–105.

(A) IN THIS SECTION, “FUND” MEANS THE SUSTAINABLE MARYLAND PROGRAM FUND.

(B) THERE IS A SUSTAINABLE MARYLAND PROGRAM FUND.

(C) THE PURPOSE OF THE FUND IS TO EXPAND AND ENHANCE SUSTAINABLE MARYLAND'S PROMOTION AND SUPPORT OF COMMUNITIES IN THE STATE IN THE EFFORT TO REALIZE ENVIRONMENTAL, ECONOMIC, AND SOCIAL

1 SUSTAINABILITY.

2 (D) THE UNIVERSITY OF MARYLAND ENVIRONMENTAL FINANCE CENTER
3 SHALL ADMINISTER THE FUND.

4 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
5 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

6 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
7 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

8 (F) THE FUND CONSISTS OF:

9 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

10 (2) INTEREST EARNINGS; AND

11 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
12 THE BENEFIT OF THE FUND.

13 (G) THE FUND MAY BE USED ONLY FOR:

14 (1) OFFERING TRAINING AND EDUCATION TO ENSURE COMMUNITIES
15 ARE WELL INFORMED ON ADVANCES IN SUSTAINABILITY SCIENCE, POLICY, AND
16 PRACTICE;

17 (2) OUTREACH AND ENGAGEMENT TO BUILD LOCAL CAPACITY AND
18 INSTITUTIONALIZE SUSTAINABILITY EFFORTS WITHIN COMMUNITIES, INCLUDING:

19 (I) AN ANNUAL SUSTAINABILITY CONFERENCE;

20 (II) A PEER-TO-PEER LEARNING EXCHANGE; AND

21 (III) SUSTAINABLE MARYLAND GREEN TEAM ROADSHOWS;

22 (3) DEVELOPING AND EXPANDING THE SUSTAINABLE MARYLAND
23 PROGRAM;

24 (4) IMPROVING GREEN COMMUNITY CERTIFICATION TIERS WITH NEW
25 STRATEGIES AND ACTIONS;

26 (5) PROVIDING ANNUAL COMMUNITY INNOVATION SMALL GRANTS TO
27 HELP COMMUNITIES PILOT NEW INNOVATIVE STRATEGIES;

28 (6) RECOGNIZING COMMUNITY EFFORTS TOWARD ACHIEVING GREEN

CERTIFICATION; AND

(7) ADMINISTRATIVE EXPENSES RELATED TO THE SUSTAINABLE MARYLAND PROGRAM.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND FOR THE SUSTAINABLE MARYLAND PROGRAM IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THE SUSTAINABLE MARYLAND PROGRAM.

(K) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$750,000 TO THE FUND.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

144. the Health Equity Resource Community Reserve Fund;

[and]

145. the Access to Counsel in Evictions Special Fund; AND

146. THE SUSTAINABLE MARYLAND PROGRAM FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

1 1, 2022.

Resolution No. R-01-2022

Adopted:

A Resolution of the Mayor and Town Council Authorizing the Town Manager to contract for the installation of an additional speed hump along the 10400 block of Kensington Parkway.

WHEREAS, Article VI, "Powers of the Council", Section 602, "Specific Powers", Subsection (40), "Streets", of the Town Charter states that the Council shall have the power to construct, maintain and improve the streets and to control the public ways of the Town; and

WHEREAS, Chapter IV, "Traffic and Vehicles", Article 3, "Traffic Control", Section 4-304, "Speed Bumps", of the Town Code states that the Town is empowered to install speed bumps at various locations throughout the Town; and

WHEREAS, The Council Adopted Guidelines and Procedures for installing speed humps December 10, 2018 to require a petition from affected residents of a certain block; and

WHEREAS, The Town has received a petition in support from at least sixty (60) percent of the affected residential properties for a speed hump along the 10400 block of Kensington Parkway; and

WHEREAS, the Traffic Committee reviewed and discussed the proposed speed hump along the 10400 block of Farragut Avenue and recommend the Traffic Order; and

NOW, THEREFORE, BE IT RESOLVED that the Town Manager is hereby authorized to contract for the installation of a speed hump along the 10400 block of Kensington Parkway.

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

EFFECTIVE the ____ day of February, 2022.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor

Resolution No. R-02-2022

Adopted:

A Resolution of the Mayor and Town Council Authorizing the Town Manager to establish street parking along the 3500 block of Plyers Mill Road.

WHEREAS, Article VI, “Powers of the Council”, Section 602, “Specific Powers”, Subsection (40), “Streets”, of the Town Charter states that the Council shall have the power to construct, maintain and improve the streets and to control the public ways of the Town; and

WHEREAS, Chapter IV, “Traffic and Vehicles”, Article 2, “Parking”, Section 4-202, “Parking Spaces”, Subsection (a) of the Town Code states:

Spaces for the parking of motor vehicles shall be designated along the streets and within Town owned parking lots from time to time by resolution of the Council. Parking signs shall be installed adjacent to each such area. It shall be unlawful for any person to park any vehicle contrary to such signs; and

WHEREAS the Mobility and Traffic Committee reviewed and discussed the proposed street parking spaces along the 3500 block of Plyers Mill Road and recommend the Traffic Order, contingent upon the support of residents at 3525 and 3527 Plyers Mill Road; and

WHEREAS, The Town has received comments supporting the Traffic Order from the resident at 3525 Plyers Mill Road; and

NOW, THEREFORE, BE IT RESOLVED that the Town Manager is hereby authorized to create and implement the aforementioned parking spaces along the 3500 block of Plyers Mill Road.

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

EFFECTIVE the ____ day of February, 2022.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor

Resolution No. R-03-2022

Adopted:

A Resolution of the Mayor and Town Council Authorizing the Town Manager to establish 'Four (4) Hour Parking, 7:30 am – 5:30 pm, M-F' along the 10500 block of St. Paul Street.

WHEREAS, Article VI, "Powers of the Council", Section 602, "Specific Powers", Subsection (40), "Streets", of the Town Charter states that the Council shall have the power to construct, maintain and improve the streets and to control the public ways of the Town; and

WHEREAS, Chapter IV, "Traffic and Vehicles", Article 2, "Parking", Section 4-202, "Parking Spaces", Subsection (a) of the Town Code states:

Spaces for the parking of motor vehicles shall be designated along the streets and within Town owned parking lots from time to time by resolution of the Council. Parking signs shall be installed adjacent to each such area. It shall be unlawful for any person to park any vehicle contrary to such signs; and

WHEREAS, The Town has received comment requesting the Traffic Order from the property located at 10520 Metropolitan Avenue to restrict all-day parking.

NOW, THEREFORE, BE IT RESOLVED that the Town Manager is hereby authorized to establish a 'Four (4) Hour Parking, 7:30 am – 5:30 pm, M-F' along the 10500 block of St. Paul Street.

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

EFFECTIVE the ____ day of February, 2022.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor