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STREETS
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ARTICLE I
Definitions

§ 126-10. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

1. **BUS** – A motor vehicle that is designed to carry more than ten (10) passengers and is used to carry people, or any other motor vehicle that is designed and used to carry people for compensation, except for a taxicab. To include school buses.
2. **COMMERCIAL VEHICLE** - A vehicle with a gross vehicle weight (GVW), gross vehicle weight rating (GVWR), or a gross combination weight rating (GCWR) of 10,001 pounds or more, and other vehicles as defined in Federal Motor Carrier Safety Administration, [49 CFR, 350.105](#).
3. **COMMISSIONERS** – The Board of Commissioners for the Town of Thurmont, including the Mayor.
4. **DELIVERY VEHICLE** – Any vehicle used to deliver goods and merchandise including cars, vans and trucks.
5. **EMERGENCY VEHICLES** – Includes, police, fire, ambulance, or other vehicles designated as emergency vehicles by the Commissioners or the Federal, State or County government.
6. **EMERGENCY SERVICE VEHICLE** – Any vehicle designated by the Commissioners or the Federal, State or County government as a vehicle supplying emergency services during an emergency, including, but not limited to, vehicles operating snow removal equipment, delivering, heating fuel, and public utility service vehicles.
7. **MOBILE HOME** - A trailer or semi-trailer designed, constructed and equipped to be used as a permanent or temporary living space and for use on highways.
8. **MOTOR HOME** - A motor vehicle designed and constructed primarily to provide living quarters for recreational, camping or travel use.
9. **NON-MOTORIZED WHEELED VEHICLE** - Any vehicle with one or more wheels propelled by human power, including, but not limited, to bicycles, in-line skates, roller skates, scooters, and skateboards, but excluding baby strollers, toy wagons, wheelchairs, and walkers.

10. **OPERATOR** - Includes every individual who drives, operates, moves or is in actual physical control of a vehicle.
11. **PARK** – To halt a vehicle, whether or not occupied, other than temporarily.
12. **SEMI-TRAILER** – A vehicle that: has no motor power; is designed to carry people or property and to be towed by a motor vehicle; and is constructed so that some of its weight and load rests on or is carried by another vehicle.
13. **SERVICE VEHICLES** – Vehicles owned, operated by or operated on behalf of the Town, Frederick County, State of Maryland, or Federal government when used during official business.
14. **SPORTS** – Includes, but is not limited to, basketball, hockey, soccer, baseball, football, handball, volleyball, badminton, tennis, wiffleball, stickball, and other sports.
15. **SPORTS EQUIPMENT** – Includes, but is not limited to, permanent or temporary movable basketball hoops or nets, hockey or soccer goals or nets, ramps, and any other sports or recreation equipment of any kind or nature.
16. **STAND** – To halt a vehicle whether or not it is occupied, other than temporarily, when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control device; or for the purpose of and while actually engaged in receiving or discharging passengers.
17. **STOP** – Where used in a mandatory sense, means the complete cessation from movement; and where used in a prohibitory sense, to halt even momentarily a vehicle, whether or not it is occupied, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control device.
18. **STREET** - Any public street, avenue, roadway, boulevard, highway, alley, cul-de-sac or other public place located in the Town and established for the operation of vehicles.
19. **TOWN** – Town of Thurmont
20. **TOWN PROPERTY** - Any real property, except for streets, owned or controlled by the Town. “Town property” includes, but is not limited to, parking lots, parks, parking garages, parking ramps, sidewalks, paved pathways, parks and bridges.
21. **TOWN SQUARE** – The intersection of Main Street and North Church Street / Water Street.

22. **TRAILER** – A vehicle that: has no motor power; is designed to carry people or property and to be towed by a motor vehicle; and is constructed so that no part of its weight rests on the towing vehicle.
23. **TRAVEL TRAILER** – A vehicle that is:
 - (a) mounted on wheels;
 - (b) of such a size and weight as not to require any special highway movement permits when towed by a motor vehicle;
 - (c) designed and constructed primarily to provide temporary living quarters for recreational, camping, or travel use; and
 - (d) no longer than 40 feet.
24. **TRUCK** – A motor vehicle, except a multipurpose passenger vehicle, that is designed, used or maintained primarily to carry property.
25. **TRUCK TRACTOR** – A vehicle that is a non-cargo carrying power unit that operates in combination with a semi-trailer or trailer.
26. **UNREGISTERED** – To include when the vehicle is not registered and/or the vehicle’s registration is expired, suspended, refused, revoked, and/or canceled.
27. **VEHICLE** - Any device in, upon or by which any person or property is or may be transported or towed upon a highway, to include any “low speed vehicle” and “motor scooter” as defined by Md. Code Ann., Transp., §§ 11-130.1 and 11-134.2 Vehicle does not include any device that is operated upon rails or tracks or any electronic personal assistive mobility device as defined by Md. Code Ann., Transp., § 21-101(j) .

ARTICLE II
Stopping, Standing and Parking Restrictions

§ 126-20. Stopping, standing, parking of vehicles.

1. No vehicle shall stop, stand or park within 15 feet of any:
 - a. Fire hydrant;
 - b. Street intersection; or
 - c. Within 20 feet of a crosswalk.

2. A vehicle that is stopped or parked on any street of the Town of Thurmont where parking is permitted shall:
 - a. **On two-way streets:** be stopped or parked parallel to the right hand curb or edge of the roadway, with its right hand wheels within 12 inches of that curb or edge of the roadway.
 - b. **On one-way streets:** be stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with:
 - i. Its right hand wheels within 12 inches of the right hand curb or edge of the roadway; or
 - ii. Its left hand wheels within 12 inches of the left hand curb or edge of the roadway.
 - c. No person may park any vehicle parallel to or to the left (double park) of a vehicle already parked.

3. No person shall stop, stand or park any vehicle:
 - a. Adjacent to fire lanes or curbs painted yellow or red; or
 - b. Where signs or marking have been erected or placed that prohibits or restricts the stopping, standing or parking of vehicles

4. Penalty for violation of this Section shall be a fine of \$30.00.

§ 126-21. Obstructing streets, driveways, and sidewalks.

1. No person may stop, stand or park any vehicle in such a manner so as to fully or partially obstruct or block:
 - a. Any street or sidewalk;
 - b. Any crosswalk; or
 - c. Any private driveway without the consent of the owner or occupants of the premises.

2. Penalty for violation of this Section shall be a fine of \$30.00.

§ 126-22. Parking spaces for individuals with disabilities.

1. **Restricted use** – No person may stop, stand or park any vehicle in a space or zone marked as restricted for the use of individuals with disabilities unless the vehicle displays special registration plates for disabled persons or a special permit for such person issued by a government entity authorized to do so.
2. Penalty for violation of this Section shall be a fine of \$140.00.

§ 126-23. Continuous parking on streets and public lots; limitations.

1. No person may stop, stand, or park any vehicle in the same location on any public street or in any public parking lot continuously for longer than 48 consecutive hours.
2. Penalty for violation of this Section shall be a fine of \$50.00.

§ 126-24. Parking unregistered motor vehicles and trailers.

1. No person may stop, stand or park any unregistered motor vehicle required to be registered by the State of Maryland on any public street or parking lot.
2. Penalty for violation of this Section shall be a fine of \$100.00.

§ 126-25. Parking restricted during street sweeping.

1. No person may stop, stand or park any vehicle on any street with parking meters when those parking meters have "No Parking" signs placed on them for the purpose of street sweeping.
2. Penalty for violation of this Section shall be a fine of \$30.00

ARTICLE III
Other Parking Restrictions

§126-30. Loading and Unloading Zones.

1. **Authorized zones** - Loading zones are hereby created in the business district of the Town.
2. **Designation of areas** - The Chief of Police, or his designee, is authorized and directed to designate certain parking spaces in the business district of Town to be loading zones between the hours of 7:30 a.m. and 11:00 a.m. An appropriate sign shall designate these spaces.
3. **Use of designated areas restricted** - No person may stop, stand or park any vehicle in loading zone spaces during the hours set forth above except for commercial or delivery vehicles actually engaged in loading and unloading merchandise sold or used by local merchants in the course of their business. Commercial vehicles so engaged shall load and unload expeditiously and promptly vacate the loading zones when loading or unloading has been completed.
4. Any commercial or delivery vehicle parked longer than thirty (30) minutes shall be in violation of this Section. The penalty for violation of this Section shall be a fine of \$30.00.

§ 126-31. Parking of commercial motor vehicles, motor homes, mobile homes; limitations.

1. No person may stop, stand or park any commercial motor vehicle, motor home, or mobile home on any of the streets of the Town for more than four (4) consecutive hours. The penalty for violation of this Section shall be a fine of \$50.00 dollars.
2. No more than one trailer, motor home or mobile home may be parked or stored on the same lot with an occupied dwelling.
3. No living quarters shall be maintained or any business conducted from any trailer, motor home or mobile home permitted pursuant to § 126-31.2 while it is parked or stored for more than 48 hours.
4. The penalty for violation of this Section shall be a fine of \$50.00 dollars.
5. Each and every week during which such offense shall continue after notice shall be deemed a separate offense.

§ 126-32. Construction trailers and roll-off dumpsters.

1. Construction trailers and roll-off dumpsters may not be parked on any street without a permit from the Town.
2. The owner or renter of the construction trailer or roll-off dumpster shall be responsible for any and all damage caused to the street by the construction trailer or roll-off dumpster.
3. Any trailer or roll-off dumpster used incidental to construction work shall be removed upon the completion or abandonment of the construction work.
4. The penalty for violation of this Section shall be a fine of \$50.00 dollars. Each and every day during which such offense shall continue after notice shall be deemed a separate offense.

ARTICLE IV
Parking Meter Regulations

§ 126-40. Installation and maintenance of meters.

1. The Town is authorized to provide for the installation, regulation, control, operation and use of parking meters and to maintain said meters in good and workable condition.
2. All parking meters shall be installed and maintained by the Street Department of the Town.
3. Each parking meter shall indicate how much time a vehicle may park in the space for each coin deposited and each meter shall continue in operation from the time of depositing the appropriate coin(s) until the expiration of the time paid for by the parker.

§ 126-41. Marking of spaces, parking within designated space.

1. Each vehicle parked adjacent or next to any parking meter shall park within any lines or markings established to designate the parking space.
2. No vehicle may be parked across any such line or marking or in such position that the vehicle is not entirely within the parking space so designated.
3. Penalty for violation of this Section shall be a fine of \$30.00.

§ 126-42. Parking Meters.

1. Parking meters shall be enforced between the hours of 9:00 A.M. and 6:00 P.M. Monday through Saturday. Parking meters shall not be enforced on Sundays, legal holidays as designated by the Town, and other hours/dates as established by the Commissioners.
2. No vehicle may be parked in a metered parking space longer than the maximum parking time designated on the parking meter, whether or not further payments are inserted into said meter.
3. Vehicles parked at the same meter after receiving an Overtime Parking Citation and exceeding the two (2) hour maximum time limit may be issued an additional citation for extended parking.
4. Penalty for violation of this Section shall be a fine of \$30.00

§ 126-43. Tampering with parking meters.

1. No person may interfere with the operation of a parking meter or to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Article.
2. Persons violating this Section shall be guilty of a misdemeanor and, upon conviction shall be subject to a fine of \$1,000 or imprisonment not exceeding six months or both.

§ 126-44. Substitute coins and “slugs”.

1. No person may deposit or cause to be deposited into any parking meter any slug, device or metallic object or any other substitute for a coin of the United States.
2. Penalty for violation of this Section shall be a fine of \$500.00.

§ 126-45. Use for purposes of loading and unloading.

1. Delivery or commercial vehicles may park in the metered parking spaces, when vacant, to load or unload merchandise without charge for a period not exceeding thirty (30) minutes. Should any delivery or commercial vehicle be parked longer than thirty (30) minutes it shall be considered overtime parking and subject to the penalties set forth in this Section.
2. Penalty for violation of this Section shall be a fine of \$30.00

§ 126-46. Parking Citations; Reporting of violations.

1. Any police officer for the Town reporting a violation of this Article shall report:
 - a. The number of the parking meter adjacent to the space that the vehicle is or was parked;
 - b. The issuing state and license plate number of the vehicle;
 - c. The section that has been violated; and
 - d. The amount of the fine.
2. Each such police officer shall attach to the vehicle a citation indicating the vehicle has been parked in violation of a provision of this Article and instructing the owner or operator to report to the Town office regarding the violation.

§ 126-47. Failure to Pay Fine.

1. In the event that an individual who is charged with a parking violation in accordance with this Article, does not pay the fine set forth on the citation within thirty (30) days from the date of the citation or elect to stand trial by sending notice of intention to stand trial at least five (5) days before the payment date specified in the citation, the fine shall be doubled.

Upon failure of an individual to pay the doubled value of the fine listed on the citation within sixty (60) days from the date of the citation, the Police Department shall “flag” the registration of the vehicle involved in the infraction by notifying the Motor Vehicle Administration of the non-payment of the fine in the case of an automobile registered in the State of Maryland.

2. The individual’s registration also will be flagged and the fine doubled if the individual elects to stand trial but fails to appear or pay the fine before trial.

§ 126-48. Disposition of fees collected.

The coins required to be deposited in parking meters as provided within this Article are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets, and also the cost of supervision and regulation of the parking of vehicles, and to cover the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters.

ARTICLE V
Use of Streets – Prohibited Acts

§126-50. Placing snow in public way.

1. No person may push, plow, blow and/or deposit snow from a parking lot or other place upon any streets, sidewalks or other public ways.
 - a. Residents shall not push, plow, blow and/or deposit snow from their driveway or sidewalks into or upon any traveled portion of a public way.
 - b. This section shall not apply to rowhouse residents clearing their sidewalks who place snow by the curb in the untraveled portion of the road.
2. If the responsible person or owner, occupant or party responsible for the property abutting the street, sidewalk or public way fails to remove the snow within two (2) hours of receiving notice from the Town to do so, the Street Department manager shall cause such removal and the costs incurred be billed to the responsible person or the owner, occupant or party responsible for the property abutting the street, sidewalk or public way.
3. The penalty for violation of this Section shall be a fine of:
 - a. \$100.00 for the first offense;
 - b. \$300.00 for the second offense; and
 - c. \$500.00 for the third and subsequent offense.

§ 126-51. Prohibition on playing sports and/or placement of sports equipment.

1. No person shall engage in or play any sports as defined in §126-10 of this Chapter, on or about or in such a manner as to obstruct or impede travel on any street, sidewalk or public way of the Town.
2. No person shall erect, construct or place any permanently affixed or temporary movable sports equipment within ten (10) feet of any street, sidewalk or public way of the Town.
3. The penalty for violation of this Section shall be fine of \$50.00 dollars. Each and every week during which such offense shall continue shall be deemed a separate offense.
4. In addition to the penalties set forth in paragraph (3) of this Section, if the sports equipment has not been removed within seven (7) days of notice, the sports equipment shall be subject to immediate impoundment. The fee to have the sports equipment released from impoundment shall be a sum of \$200.00. The impoundment fee shall be in addition to the cost of removal and other fines and penalties as set forth in this Section. All fines, penalties, costs and fees shall be satisfied prior to the release of the sports equipment.

5. In any case in which the violator is a minor, payment of any penalties, impoundment fees, and fines shall be the responsibility of the parent or legal guardian of the minor.
6. Within two business days of the impoundment, the Town will mail by First-Class mail a notice to the owner of the sports equipment, if known, or otherwise to the owner or occupant of the property abutting the sports equipment, notice that the equipment has been impounded and the party's right to seek return of the equipment upon payment of the requisite fees. The notice will further advise the party that the party may contest the impoundment and fees imposed in the same manner as the civil citation issued for the violation. If the party contests the citation and is found not guilty, the Town will release the property to the party upon proof of ownership and refund any impoundment fees paid.

§ 126-52. Marking of streets and public ways.

1. No person shall mark or cause to be marked any street or public way within the Town, other than those markings required to regulate and control traffic and placed by a government agency, without written permission granted by the Commissioners or its designee.
2. No person may erect or place any sign within the right of way or on any pole owned and or maintained by the Town on any street within the Town. Each sign, signal, marking, or device prohibited by this Section is hereby deemed a public nuisance and any Town employee is authorized to remove it without notice.
3. Penalty for violation of this Section is a fine of \$30.00.

§ 126-53. Repairs to vehicles in streets.

1. No vehicle shall be repaired in any street or Town-owned property, except in case of emergency, and then only so as not to block or obstruct any street or sidewalk. No vehicle authorized to be repaired under this Section may be left unattended or on blocks, jack stands, ramps, or jacks for more than 24 hours.
2. For purposes of this section, "repair" includes but is not limited to, replacement of any part of a vehicle, any change or work done to any part of the vehicle, changing tires, draining or changing oil, inserting or draining any form of lubricant, coolant, fluid or other such item into the vehicle or any other such item in any manner related to vehicle repairs.
3. Any vehicle fluid deposited upon any street or Town property shall be cleaned, removed and disposed of by the responsible party within 24 hours of depositing said fluid in a manner that prevents the fluid from entering the Town's storm drains.

4. Penalty for violation of this Section shall be a fine of \$50.00. Each and every day during which such offense shall continue after notice shall be deemed a separate offense.

ARTICLE VI
Traffic Control and Regulations

§ 126-60. Traffic control devices; authority of Chief of Police.

1. The Chief of Police, or his designee, is hereby authorized to erect or place signs or devices or place markings for the control of traffic, including but not limited to stop signs, yield signs, signs prohibiting parking, signs restricting parking and signs prohibiting or restricting turns, at such locations and places as he may deem necessary.
2. All signs and devices shall be placed and consistent with Manual on Uniform Traffic Control Devices ([MUTCD](#)).

§ 126-61. Obedience to traffic control devices.

1. No driver of any vehicle shall disobey the instructions of any official traffic-control sign, device or marking placed in accordance with the provisions of this Article, unless at the time otherwise directed by a police officer.
2. Penalty for violation of this section shall be a fine of \$30.00.

§ 126-62. Non-motorized wheeled vehicles.

1. No person may operate any non-motorized wheeled vehicle on any sidewalk within two (2) blocks of the Town square.
2. The Chief of Police may post or cause to be posted signs prohibiting the use of one or more types of non-motorized wheeled vehicles in a specified location on Town property. No person may use a non-motorized wheeled vehicle in violation of a sign posted in accordance with this subsection.
3. The prohibitions set forth in subsections (1) and (2) of this Section do not apply to Town employees engaged in the performance of their official duties.

ARTICLE VII
Declaration of Emergencies

§ 126-70. Declaration of snow emergency.

1. Whenever the accumulation of snow and/or ice on any of the streets or other conditions in the Town shall be such that it may impede or prevent the passage of emergency vehicles, so as to interfere with the protection of the property, health and lives of the citizens of the Town, the Mayor, after consultation with the Chief of Police or his designee, may declare the existence of a “snow emergency” and shall give such notice of the existence and declaration thereof as he shall deem proper.
2. The Commissioners may, by resolution from time to time, designate streets or portions of streets to be known as “Snow Emergency Streets” for the purpose of snow removal.

§ 126-71. Snow emergency phases; Violations.

1. **Phase 1:**
 - a. Whenever the Superintendent of the Maryland State Police or his representative shall declare a snow emergency for all state highway snow emergency routes in the county, such declaration shall apply at the Town of Thurmont and shall continue in effect until the Superintendent or his representative declares it to be no longer necessary.
 - b. This phase requires that all vehicles operated on the streets within the Town be equipped with snow tires, all weather or season radial tires or tire chains.
 - c. The penalty for operating a vehicle without the equipment required by Phase 1 shall be a fine of \$50.00.
2. **Phase 2:**
 - a. When, after consulting, the Mayor, Chief of Police and the Superintendent of the Streets Department have determined that the weather and street conditions have deteriorated whereby restricting the movement and parking of vehicles on the streets within the Town would facilitate the clearing of the streets.

- b. This phase requires that, in addition to the requirements of Phase 1, parking is prohibited on designated snow emergency routes and streets.
- c. No vehicle may be parked and left unattended on any Snow Emergency Street two hours or later after a Phase 2 or 3 snow emergency has been declared. The penalty for violation shall be a fine of \$50.00 for each offense.

3. Phase 3:

- a. When, after consulting, the Mayor, Chief of Police and the Superintendent of the Streets Department have determined that the weather and street conditions have deteriorated whereby the movement of vehicles on the streets within the Town would be a danger to the citizens as well as the first responders.
- b. Only emergency vehicles and authorized emergency service vehicles will be permitted on streets within the Town of Thurmont.
- c. No person may operate or attempt to operate a vehicle on the streets of the Town other than those authorized to be operated during a declared Phase 3 snow emergency. The penalty for violation shall be a fine of \$50.00 for each offense.

§ 126-72. Marking of Streets.

All streets designated pursuant to §126-70 as Snow Emergency Streets shall be marked by appropriate No Parking signs during period of snow emergency. Permanent signs which give the warning “No Parking during Snow Emergency” may be posted at the beginning and end of each block on such streets.

§ 126-73. Impoundment of vehicles parked on Snow Emergency Streets.

- 1. The Police Department is authorized to take possession of and to remove any vehicle parked or abandoned on any of those streets in the Town which have been designated as Snow Emergency Streets two hours after a Phase 2 or 3 snow emergency has been declared.
- 2. Within twenty-four hours after the removal of a vehicle, the Chief of Police, or his designee, shall send written notice to the owner at his last known address. The owner of the vehicle may then recover the vehicle upon paying of all charges as may have been incurred for the removal and storage of the vehicle.

3. Any vehicle parked and/or left unattended on a Snow Emergency Street in violation of this section may be impounded and removed by the Police Department and all costs of towing, storage or impounding shall be charged to the owner of the vehicle. All such charges, shall be paid to the Town before the owner may reclaim the vehicle.

§ 126-74. Temporary emergency regulations.

1. Upon the declaration of a state of emergency, the Chief of Police, or his designee, may issue such temporary emergency regulations as he may deem necessary to regulate or prohibit, during such emergency, the parking of vehicles and the direction of traffic on any of the streets of the Town and shall give such notice thereof as he shall deem proper.
2. During such emergency no owner or driver of a vehicle shall cause, permit, allow any vehicle owned, in possession of or driven by him to be parked or driven contrary to the regulations of the Chief of Police or his designee. When the conditions creating the emergency no longer exist, notice shall be given of the termination of the temporary emergency regulations in such manner as may be deemed proper by the Chief of Police or his designee.
3. The penalty for violation shall be a fine of \$50.00 for each offense.