

**THE CITY OF FREDERICK
MAYOR AND BOARD OF ALDERMEN**

ORDINANCE NO: G-23-13

AN ORDINANCE concerning

Commercial vehicle restrictions

FOR the purpose of repealing the prohibition against vehicles of a certain weight driving on certain city streets; defining “commercial motor vehicle”; prohibiting the operation of commercial motor vehicles on certain streets; authorizing the Director of Public Works to designate such streets; establishing certain exceptions; authorizing the installation of signage; and establishing a penalty for violations.

BY repealing and reenacting, with amendments,
Sec. 13-14
The Code of the City of Frederick, 1966 (as amended)

SECTION I. BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that Sec.13-14 of The Code of the City of Frederick, 1966 (as amended) is hereby repealed and a new Sec. 13-14 is added to read as follows:

Sec. 13-14. Commercial motor vehicle restrictions.

- (a) Prohibition.** Except as otherwise provided in subsection (c) of this section, a commercial motor vehicle may not drive upon a street posted with a sign prohibiting these vehicles. For purposes of this section, “commercial motor vehicle” has the meaning given in the Maryland Code, Transportation Article, § 16-803.
- (b) Designation.** The Director of Public Works shall determine which streets to be posted under this section. In making a determination, the Director shall consider a totality of the circumstances, including but not limited to the proximity to commercial hubs that attract commercial motor vehicle traffic, the Comprehensive Plan, and the Complete Streets Policy.
- (c) Exceptions.** The prohibition of subsection (a) of this section does not apply to:

 - (1)** A vehicle owned by a government entity and operated for governmental purposes, including but not limited to emergency vehicles, sanitation trucks, and school buses;
 - (2)** A vehicle traveling on a designated street by necessity in order to permit the operator to make a local delivery, perform repairs or contracting services, or accomplish some other limited, lawful, and temporary purpose relating to a property located on the street.
- (d) Signage.** The Director of Public Works may erect and maintain appropriate signs on streets designated under this section as needed for the effective implementation and enforcement of this section.

- (e) **Violations.** The driver of a commercial motor vehicle who violates this section may be cited by an officer for failure to obey a traffic control device under Maryland Code, Transportation Article, § 21-201.

SECTION II. BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that in the event any provision, section, sentence, clause, or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this ordinance, it being the intent of the City that such remainder shall be and shall remain in full force and effect.

SECTION III. BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK that this ordinance shall take effect on the date it is approved by the Mayor and all other ordinances or parts of ordinances inconsistent with the provisions of this ordinance will as of that date be repealed to the extent of such inconsistency.

PASSED:

DATE:



**Michael C. O'Connor, President,
Board of Aldermen**

July 6, 2023

APPROVED:

DATE:



Michael C. O'Connor, Mayor

July 7, 2023

Approved for Legal Sufficiency:


