

Proposed
COUNCIL OF THE TOWN OF RIVERDALE PARK MARYLAND
RESOLUTION 2008-OR - 05

Introduced By: Council Member Timothy Kimbrough

Date Introduced: Introduction and first reading 10-6-08

Second reading and adoption _____

Amendments Adopted:

Date Adopted:

Date Effective:

An Ordinance concerning **Obstructions of public places**

For, the purpose of prohibiting the obstruction of public places by persons and objects.

Whereas, Article III, section 302-of the Town Charter for the Town of Riverdale Park Maryland Grants the Town of Riverdale Park Maryland **Specific Powers** to regulate the use of sidewalks and streets within the Town of Riverdale Park Maryland, and

Whereas, Article III, section 302-of the Town Charter for the Town of Riverdale Park Maryland Grants the Town of Riverdale Park Maryland **Specific Powers** to remove all nuisances and obstructions from the streets, lanes and Alleys, and from any lots adjoining thereto and any other places within the limits of the town, and

Whereas, Article III, section 302-of the Town Charter for the Town of Riverdale Park Maryland Grants the Town of Riverdale Park Maryland **Specific Powers** to prevent or abate by appropriate ordinance all nuisances that are so defined at common law, by this charter, or by the laws of the State of Maryland, whether they be herein specifically named or not,

THEREFORE BE IT RESOLVED THAT Chapter 57 STREETS AND SIDEWALKS ARTICLE I General Provisions §57-8. Of the Code be renamed as follows.

Change to this section is indicated by strike through. The new language is in bold italics

~~§ 57-8. Blocking street with merchandise.~~

§ 57-8. Obstructions of public places.

AND BE IT FURTHER RESOLVED THAT § 57-8. Of the Code be renamed and revised as follows. Changes to this section are indicated by strike through. The new language is in bold italics

~~***§ 57-8. Blocking street with merchandise.***~~

~~It shall be unlawful for any person to obstruct any sidewalk of the town with~~

~~Merchandise, and each day such obstruction shall be permitted to exist shall constitute a separate~~

~~Offense.~~

§ 57-8. Obstructions of public places.

- (a) As used in this section, “public place” means any place or space, including, but not limited to, a sidewalk, street, road, or other way, to which the general public has access and a right to use for any lawful purpose. “Public place” is not limited” to place devoted to the use by the general public.**
- (b) A person may not obstruct any public place so as to hinder or impede the free and uninterrupted passage of vehicular or pedestrian traffic on, in, along or across the public place,**
- (c) A person may not commit any act that prevents the free and uninterrupted ingress, egress, and regress in, on, to and from any public place and any lawful activity being conducted in or on the public place.**
- (d) A person may not obstruct any sidewalk of the town with merchandise, and each day such obstruction shall be permitted to exist shall constitute a separate offense.**
- (e) Whenever any person commits an act that is prohibited by subsections (b) or (c) of this section, a police officer or law enforcement officer shall order that person to cease from committing that act and, where appropriate, to move or remove any prohibited physical obstruction that was placed or created by such person before issuing any citation for municipal infraction.**

And be it further enacted that this Ordinance shall become effective twenty (20) days after its passage by the Council.

Attest:

COUNCIL OF THE
TOWN OF RIVERDALE
PARK MARYLAND

Patrick J. Prangley,
Town Administrator

Vernon Archer, Mayor