

ORDINANCE NO. 4-23

ORDINANCE: To create a new
Transportation and Mobility
Commission to replace the Traffic and
Transportation Commission

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE,
MARYLAND** as follows:

SECTION I - That Chapter 2 of the Rockville City Code, entitled "Administration," and Chapter 23 of the Rockville City Code, entitled "Traffic," be amended as follows:

**Chapter 2
ADMINISTRATION**

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ARTICLE III. – BOARDS, COMMISSIONS, ETC.

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DIVISION 2. – FINANCIAL ADVISORY BOARD

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Secs. 2-242 – 2-250. – Reserved.

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DIVISION 3. – TRANSPORTATION AND MOBILITY COMMISSION

Sec. 2-251. – Created.

There is established a Transportation and Mobility Commission consisting of at least five but no more than nine members.

Sec. 2-252. – Membership.

- (a) The membership of the Transportation and Mobility Commission on March 27, 2023 shall comprise the current members of the Rockville Traffic and Transportation Commission, whose terms on the Transportation and Mobility Commission shall end on the date their terms on the Traffic and Transportation

Commission would have ended. If a current member of the Traffic and Transportation Commission is serving under an expired term, that member shall serve on the Transportation and Mobility Commission until a successor is appointed.

(b) Each new member of the Transportation and Mobility Commission shall serve for a term of three years, or until their successor is appointed.

(c) At least three members of the Traffic and Mobility Commission must be present to constitute a quorum. If there are more than five appointed members, a majority of the appointed members must be present to constitute a quorum.

Sec. 2-253. – Duties and responsibilities.

The Transportation and Mobility Commission shall:

(a) advise the Mayor and Council on opportunities to advance a multi-modal transportation and mobility network in the City of Rockville that is safe, equitable, convenient, fiscally resilient, and environmentally sustainable;

(b) provide written comments and recommendations to the Mayor and Council, as deemed appropriate by the Transportation and Mobility Commission or requested by the Mayor and Council, on existing and proposed City transportation and mobility-related programs, policies, and plans;

(c) coordinate with and, where appropriate, advise other City boards and commissions and City staff involved in transportation and mobility issues;

(d) advise the Mayor and Council on the annual budget regarding transportation and mobility matters;

- (e) provide written comments to the Mayor and Council and the Planning Commission on development applications as required by the Comprehensive Transportation Review;
- (f) administer the designation and revocation of permit parking areas as provided in City Code Section 23-44;
- (g) advise the Mayor and Council on the naming of newly constructed or reconstructed bridges within the City of Rockville; and
- (h) as directed by the Mayor and Council, engage with the public to extend transportation and mobility-related education efforts.

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Chapter 23

TRAFFIC

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ARTICLE II. – STOPPING, STANDING AND PARKING

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DIVISION 2. – PERMIT PARKING FOR RESIDENTS

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Sec. 23-44. – Creation of permit parking zones and designation of permit parking areas.

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(c) Subject to the notice and hearing requirements set forth in this section:

- (1) A request for the designation or revocation of a permit parking area encompassing more than fifteen (15) households (including the addition to or deletion from an existing permit parking area) shall be considered and decided by

the Transportation and Mobility ~~Traffic and Transportation~~ Commission, or such other entity so authorized by resolution of the Council.

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- (e) (1) Prior to designating or revoking a permit parking area encompassing more than fifteen (15) households, the Transportation and Mobility ~~Traffic and Transportation~~ Commission shall conduct a public hearing at which time any interested person shall be entitled to appear and be heard. Such hearing shall be held only after notice has been published in a newspaper of general circulation in the City. The notice shall state the purpose of the hearing and location and boundaries of the parking permit area under consideration for designation or revocation. In addition to the published notice, a written copy of such notice shall be sent by ordinary mail to the residents and owners of all real property located within, adjoining, or adjacent to the area under consideration.

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- (f) Decisions of the City Manager under this section shall be made in writing within sixty (60) days from the receipt of the petition. Unless a decision of the City Manager is appealed to the Transportation and Mobility ~~Traffic and Transportation~~ Commission pursuant to subsection (j) of this section, the decision of the City Manager shall become effective on the 16th day after the City Manager's decision.
- (g) Decisions of the Transportation and Mobility ~~Traffic and Transportation~~ Commission under this section shall be made in writing and filed with the City Clerk within thirty (30) days of the close of the record of the public hearing. The City Clerk shall provide each member of the Council with written notification of

the Commission's decision. Within thirty (30) business days of the City Clerk's notification, the Council may rescind or modify the decision of the Commission by resolution, based on the record before the Commission, in which case the decision of the Commission will be null and void. If within thirty (30) business days of the City Clerk's notification the Council takes no action to rescind or modify the decision of the Commission, the decision of the Transportation and Mobility Traffic and Transportation Commission shall become effective on the thirty-first business day following such notification. Notwithstanding the foregoing, the Council by motion may approve the Commission's decision within thirty (30) business days of the Clerk's notification, in which case the Commission's decision will become effective as of the date of the Council's approval of the Commission's decision.

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- (j) Any person aggrieved by a decision of the City Manager may appeal such decision to the Transportation and Mobility Traffic and Transportation Commission by filing a notice thereof with the Director of Public Works within fifteen (15) days of such decision. The Transportation and Mobility Traffic and Transportation Commission shall hear such appeal de novo. Any person aggrieved by a decision of the Transportation and Mobility Traffic and Transportation Commission that is not rescinded or modified by the Council, or by a decision of the Council, may appeal such decision to the Circuit Court for Montgomery County in accordance with Title 7, Chapter 200 of the Maryland Rules. For purposes of filing any appeal, the date of the decision of the Transportation and Mobility Traffic and Transportation

~~Transportation~~ Commission shall be the effective date of its decision and, in the case of a Council decision, the effective date of the resolution of the Council.

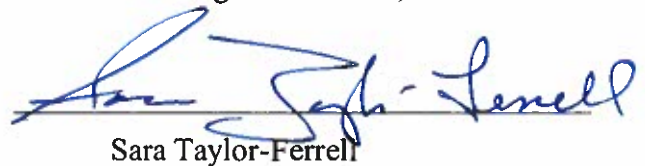
SECTION II. – That all resolutions adopted by the Mayor and Council of Rockville authorizing or creating a Traffic and Transportation Commission are hereby rescinded.

SECTION III. – That this ordinance shall take effect upon adoption.

NOTE: ~~Strikethrough~~ indicates material deleted.

Underlining indicates material added.

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council of Rockville at its meeting of March 27, 2023.



Sara Taylor-Ferrell

City Clerk/Director of Council Operation