

Bill No. 33-05
Concerning: Silver Spring Parking Lot
District—Amendments
Revised: November 28, 2005 Draft No. 2
Introduced: October 11, 2005
Enacted: December 13, 2005
Executive: December 21, 2005
Effective: March 22, 2006
Sunset Date: None
Ch. 35, Laws of Mont. Co. 2005

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Perez

AN ACT to:

- (1) modify the boundaries of the Silver Spring Parking Lot District
- (2) generally amend County law regarding parking lot districts.

By Amending

Montgomery County Code
Chapter 60, Special Taxing Area Laws
Sections 60-1(a) and 60-15

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 60-1 ~~[[is]]~~ and 60-15 are amended as follows:**

2 **60-1. Special taxing areas continued; areas defined.**

3 (a) Silver Spring Parking Lot District. The Silver Spring Parking Lot
4 District shall consist of all land in the Thirteenth Election District of the County
5 within the area described as follows:

6 Commencing at a point on the Maryland-District of Columbia boundary line at the
7 intersection of the west right-of-way of Georgia Avenue within the Maryland-District
8 of Columbia boundary line and running in a northwesterly direction along the
9 Maryland-District of Columbia boundary line to its intersection with the east right-of-
10 way of Sixteenth Street; thence in a northerly direction along the east right-of-way
11 line of Sixteenth Street to its intersection with the northwest right-of-way line of
12 [Colesville Road; thence in a northeasterly direction along the northwest right-of-way
13 line of Colesville Road, crossing east-west highway, to its intersection with the
14 southwest right-of-way line of the B & O Railroad; thence in a northwesterly
15 direction along the southwest right-of-way line of the B & O Railroad, crossing
16 Spring Street, to its intersection with the northwest right-of-way line of] Spring
17 Street; thence in a northeasterly direction along the northern right-of-way line of
18 Spring Street, crossing Second Avenue, First Avenue, Georgia Avenue and Alton
19 Parkway, then southeasterly to its intersection with the northwest right-of-way line of
20 Fairview Road; thence in a northeasterly direction approximately 390 feet along the
21 northwest right-of-way line of Fairview Road to its intersection with the westward
22 prolongation of the southwest line of Lots 1 and 2, Block B, Section 4, Woodside
23 Park, as recorded January 30, 1923, in Plat Book 3, Plat 244, among the land records
24 of Montgomery County, Maryland; thence crossing Fairview Road in a southeasterly
25 direction along the said southwest line of Lots 1 and 2, Block B, Section 4, Woodside
26 Park, to its intersection with the southwest right-of-way line of Noyes Drive; thence

27 in a southeasterly direction along the southwest right-of-way line of Noyes Drive to
28 its intersection with the northwest right-of-way line of Colesville Road; thence
29 crossing Colesville Road in a southeasterly direction to the intersection of the
30 southeast right-of-way line of Colesville Road and the southwest line of the Silver
31 Spring Public Library site, Parcel No. P959; thence along said line to the southeast
32 right-of-way line of Ellsworth Drive; thence in a southwesterly direction along the
33 southeast right-of-way line of Ellsworth Drive to its intersection with the common
34 line of the Academy of the Holy Names site and the northeast line of Evanswood
35 Sec. 1 Subdivision, also shown as the common lot line of Lot 9 and Lot 10,
36 Evanswood Section One, as recorded March 2, 1932, in Plat Book 5, Plat 439 among
37 the land records of Montgomery County, Maryland; thence in a southeasterly
38 direction along the northeast lot lines of Lots 9, 8, 7, 6, 5, 4, 3, 2 and 1 as shown on
39 aforesaid plat, crossing Pershing Drive along a prolongation of said line to its
40 intersection with the southeast right-of-way line of Pershing Drive; thence in a
41 southwesterly direction along the southeast right-of-way line of Cedar Street; thence
42 in a southeasterly direction along the northeast right-of-way line of Cedar Street,
43 crossing Wayne Avenue, to its intersection with the southeast right-of-way line of
44 Wayne Avenue; thence in a southwesterly direction along the southeast right-of-way
45 line of Wayne Avenue for approximately 750 feet, to its intersection with the east lot
46 line of Lot 24, Block 4 in Jordan's and Smith's Addition to Silver Spring Park, as
47 recorded June 2, 1925, in Plat Book 4, Plat 301, among the land records of
48 Montgomery County, Maryland; thence in a southeasterly direction along the east
49 line of Lot 24 to the southeast corner of Lot 24; thence in a southwesterly direction
50 approximately 15 feet to the northeast corner of Lot 14, Block 4, Jordan's and Smith's
51 Addition to Silver Spring Park, as shown on aforesaid plat; thence in a southeasterly
52 direction along the east line of Lot 14, as shown on aforesaid plat, to the northwest
53 right-of-way line of Bonifant Street; thence in a southerly direction crossing Bonifant

54 Street to the intersection of the southeastern right-of-way line of Bonifant Street and
55 the northeast corner of Lot 5, Block U, Silver Spring Park, as shown in Plat Book 1,
56 Plat 99, recorded April 4, 1909, among the land records of Montgomery County,
57 Maryland, also being the same as the northeast corner of Montgomery County Public
58 Parking Facility 29; thence in a southerly direction along the common lot line being
59 the east line of Lot 5 and the west line of Lot 6 as shown on the aforesaid plat,
60 crossing Easley Street along the southern prolongation of said line to its intersection
61 with the south right-of-way line of Easley Street; thence in a westerly direction along
62 the south right-of-way line of Easley Street approximately 50 feet to its intersection
63 with the common lot line being the west line of Lot 7 and the east lot line of Lot 28,
64 Block P, Silver Spring Park, as shown in Plat Book 1, Plat 99 recorded April 4, 1909,
65 among the land records of Montgomery County, Maryland; thence in a southerly
66 direction along the common line of Lot 7 and Lot 28, Block P and the common line
67 of Lot 18 and Lot 19, Block P, Silver Spring Park, as shown on aforesaid plat,
68 crossing Thayer Avenue to the intersection of the south right-of-way line of Thayer
69 Avenue and the common lot line being the east lot line of Lot 5 and the west lot line
70 of Lot 6, Block G, as shown on a "Map of building Sites for Sale at Silver Spring," as
71 recorded May 23, 1904, in Plat Book 1, Plat 54, among the land records of
72 Montgomery County, Maryland; thence in a southerly direction along the common
73 lot line of Lot 5 and Lot 6, Block G, and with a prolongation of said line to the south
74 right-of-way line of a 20-foot alley dividing Block G and Block H, as shown on
75 aforesaid map of Silver Spring Building Sites; thence in a westerly direction
76 approximately 50 feet along the south line of said alley to its intersection with the
77 common lot line being the east line of Lot 4 and the west line of Lot 5, Block H, as
78 shown on the aforesaid map of Silver Spring building Sites; thence in a southerly
79 direction along the common lot line of Lot 4 and Lot 5, Block H, to its intersection
80 with the northern right-of-way line of Silver Spring Avenue; thence crossing Silver

81 Spring Avenue to the intersection of the southern right-of-way line of Silver Spring
82 Avenue and the common lot line being the east line of Lot 4 and the west line of Lot
83 5, Block I, as shown on the aforesaid map of Silver Spring Building Sites; thence in a
84 southerly direction along the common lot line of Lot 4 and Lot 5, Block I, crossing a
85 20-foot alley dividing Block I and Block J, as shown on aforesaid map of Silver
86 Spring Building Sites, to its intersection with the south right-of-way line of said alley
87 and the common lot line, being the east line of Lot 4 and the west line of Lot 5, Block
88 J, as shown on aforesaid map of Silver Spring building Sites; thence in a southerly
89 direction along the common lot line of Lot 4 and Lot 5, Block J, to its intersection
90 with the northern right-of-way line of Sligo Avenue; thence along a southern
91 prolongation of the said common lot line of Lot 4 and Lot 5, Block J, to its
92 intersection with the southern right-of-way line of Sligo Avenue; thence in a
93 northwesterly direction along the southern right-of-way line of Sligo Avenue to its
94 intersection with the northeast corner of Lot 19, Block A, shown on a plat of Blair
95 Section 1, recorded June 7, 1922 in Plat Book 3, Plat 229 among the land records of
96 Montgomery County, Maryland; thence in a southerly direction along the east line of
97 Lot 19, Block A, to its intersection with the remainder of Lot 25, Block A, as shown
98 on aforesaid plat; thence in an easterly direction approximately 15 feet to its
99 intersection with the northwest corner of Lot 51, Block A, as shown on a plat of
100 Blair, Section 1, recorded November 16, 1935, in Plat Book 8, Plat 626, among the
101 land records of Montgomery County, Maryland; thence in a southerly direction along
102 the west line of said Lot 51 to its intersection with the northern right-of-way line of
103 Gist Avenue; thence along a southerly prolongation of the west line of said Lot 51 to
104 the southern right-of-way line of Gist Avenue; thence in a westerly direction along
105 the southern right-of-way line of Gist Avenue to its intersection with the eastern
106 right-of-way line of Fenton Street; thence in a southerly direction along the eastern
107 right-of-way line of Fenton Street crossing Philadelphia Avenue, Isington Street and

108 New York Avenue to its intersection with the corporate limit line of the City of
 109 Takoma Park; thence in a southwesterly direction with the corporate limit line of the
 110 City of Takoma Park crossing the northeast right-of-way line of the B & O Railroad
 111 to its intersection with the southwest right-of-way line of the B & O Railroad; thence
 112 in a southeasterly direction with the southwest right-of-way line of the B & O
 113 Railroad to its intersection with the northeast right-of-way line of Blair Road; thence
 114 in a northwesterly direction along the northeast right-of-way line of Blair Road to its
 115 intersection with a prolongation of the southeast line of Parcel One, Yost's Addition
 116 to Silver Spring as shown in Plat Book 85, Plat 8874, recorded March 13, 1968,
 117 among the land records of Montgomery County, Maryland; thence in a southwesterly
 118 direction along said line to its intersection with the northeast line of Eastern Avenue,
 119 said line also being the Maryland-District of Columbia boundary line; thence in a
 120 northwesterly direction along the Maryland-District of Columbia boundary line to the
 121 point of beginning.

122 There shall also be included in the foregoing described area any lot partially within
 123 and partially without the described area.

124 * * *


125 **60-15. Parking meters; enforcement of parking and standing regulations.**

126 (a) The county executive is hereby authorized, pursuant to the procedures
 127 prescribed by law, to adopt regulations for the installation, maintenance and
 128 operation of parking meters along, and limiting the time motor vehicles may park on,
 129 the streets, highways and alleys located within each district and on the parking lots
 130 within each district acquired by or leased to the county, by the use of parking meters
 131 or otherwise [], and to prescribe parking meter or other fees for parking on such
 132 parking lots, streets, highways and alleys[]; except, that on all off-street parking
 133 facilities leased to the county revenue authority, such authority shall have the
 134 responsibility for the installation, maintenance and operation of parking meters on

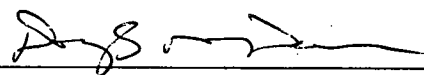
135 such facilities and for the adoption of regulations, rates, fees and other charges
 136 relating to the facilities operated and managed by it. After the adoption of such
 137 regulations, the county may purchase, install, maintain and operate any such parking
 138 meters on all streets, highways, alleys and on off-street parking facilities not leased to
 139 the revenue authority, in accordance with such regulations; provided, that the location
 140 thereof is approved by the county executive. All parking meter fees collected within
 141 each district shall be applied as provided in the following section, and the department
 142 of police, or any other county employees specifically designated by an executive
 143 order of the county executive, or his designee, shall enforce such regulations
 144 regarding parking and parking meters in the same manner as they enforce parking
 145 and traffic regulations applicable to the public streets and alleys of the county.

* * *

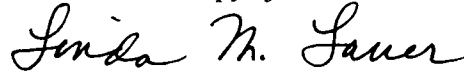
148 *Approved:*

149  12/15/2005
 George L. Leventhal, County Council Date

150 *Approved:*

151  12/21/05
 Douglas M. Duncan, County Executive Date

152 *This is a correct copy of Council action.*

153  1/3/06
 Linda M. Lauer, Clerk of the Council Date