



**Council of the Town of Leonardtown  
Ordinance No. 196  
Subject: Vehicles, Removal and Storage**

---

**Date Introduced on First Reading: May 11, 2020; Re-Introduced July 13, 2020**

**Council Public Hearing: 8/10, 2020**

**Date Passed on Second Reading: 8/10/20, 2020**

**Date Effective: 8/31, 2020**

---

**AN ORDINANCE** concerning

**CHAPTER 147 – VEHICLES, REMOVAL AND STORAGE OF, OF THE CODE OF THE TOWN OF LEONARDTOWN**

**FOR** the purpose of amending Chapter 147 – Vehicles, Removal and Storage of, of the Code of the Town of Leonardtown to incorporate the provisions of Title 25, Subtitle 2 of the Transportation Article of the Annotated Code of Maryland regarding the removal, storage and disposition of abandoned vehicles within the corporate limits of the Town and authorize the Town's designated law enforcement personnel to enforce the same; providing that the title of this Ordinance shall be deemed a fair summary; and generally relating to abandoned vehicles in the Town of Leonardtown.

**RECITALS**

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 5-202 and § 501(1) of the Charter of the Town of Leonardtown (the "Charter"), the Council of the Town of Leonardtown (the "Council") is authorized and empowered to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as they may deem necessary for the good government of the Town of Leonardtown (the "Town"); for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; to secure persons and property from danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the residents of the City and visitors thereto and sojourners therein; and

**WHEREAS**, pursuant to Md. Code Ann., Transportation § 25-101.1(b)(3) and § 501(55) of the Charter, the Council is authorized and empowered to pass ordinances regulating vehicles within the Town to the extent not otherwise covered by Titles 11 through 27 of the Annotated Code of Maryland (the “Maryland Vehicle Law”); and

**WHEREAS**, the Council has enacted Chapter 147 (Vehicles, Removal and Storage of) of the Code of the Town of Leonardtown (the “Town Code”) for the purpose of authorizing the removal and storage of any illegally parked or abandoned motor vehicle within the Town; and

**WHEREAS**, pursuant to Title 25, Subtitle 2 of the Transportation Article of the Annotated Code of Maryland, the Maryland General Assembly has enacted a comprehensive statutory scheme regarding the removal, storage and disposition of abandoned vehicles, which includes illegally parked vehicles, and, pursuant to § 25-201(e)(2) has authorized the police department of any political subdivision in the State to enforce the same; and

**WHEREAS**, the Council is desirous of amending Chapter 147 of the Town Code for the purposes of incorporating the provisions of Title 25, Subtitle 2 of the Transportation Article of the Annotated Code of Maryland and authorizing the Town’s designated law enforcement personnel to enforce the same within the corporate limits of the Town.

**WHEREAS**, the Council finds that the amendments set forth herein would be in the best interest of the health, safety, and welfare of the citizens of the Town.

**SECTION I. BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF LEONARDTOWN** that Chapter 147 – Vehicles, Removal and Storage of, of the Code of the Town of Leonardtown be and it is hereby amended as follows:

**Chapter 147, Vehicles, ~~Removal and Storage of~~ Abandoned**

**§ 147-1 Authority.**

The Town of Leonardtown, by and through the Town Administrator, may authorize the removal, ~~and storage~~ **and disposal** of any ~~illegally parked or~~ abandoned motor vehicle(s) located within the Town **by the Town’s designated law enforcement personnel in accordance with § 25-201, et seq. of the Transportation Article of the Annotated Code of Maryland, as amended from time to time.**

**§ 147-2 ~~Notice of intent to remove~~ Definitions.**

~~Prior to said removal, the Town Administrator shall have placed upon said offending motor vehicle(s) notice of intent to remove at least 72 hours prior to said removal.~~

**As used herein, the term “abandoned vehicle” shall have the meaning set forth in Md. Code Ann., Transp. § 25-201(b), as amended from time to time.**

~~§ 147-3 Reimbursement for costs.~~

~~The owner(s) of said offending motor vehicle(s) shall reimburse the Town of Leonardtown for all reasonable costs associated with removing said motor vehicle(s) before release of the vehicle to said owner(s).~~

**SECTION II. AND BE IT FURTHER ORDAINED** that the recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

**SECTION III. AND BE IT FURTHER ORDAINED** that, in this Ordinance, unless a section of the Town Code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. With respect to the substantive provisions of this Ordinance set forth in Section 1, language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

**SECTION IV. AND BE IT FURTHER ORDAINED** that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

**SECTION V. AND BE IT FURTHER ORDAINED** that all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION VI. AND BE IT FURTHER ORDAINED** that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**SECTION VII. AND BE IT FURTHER ORDAINED** that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the affirmative vote of four-fifths of the Councilpersons after veto by the Mayor.

Attest:

Laschelle E. McKay  
Laschelle E. McKay  
Town Administrator

Councilpersons of Leonardtown:

J. Maguire Mattingly, IV  
J. Maguire Mattingly, IV  
Vice President

virtual  
Tyler Alt  
Councilperson

Seal:

Nick Colvin  
Nick Colvin  
Councilperson

Christy Hollander  
Christy Hollander  
Councilperson

Mary Maday Slade  
Mary Maday Slade  
Councilperson

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 10<sup>th</sup> day of August, 2020.

Laschelle E. McKay  
Laschelle E. McKay, Town Administrator

In accordance with Section 210 of the Charter of the Town of Leonardtown, I hereby (Approve) or (Disapprove) Approve this Ordinance this 10<sup>th</sup> day of August 2020, 2020.

Daniel W. Burris  
Daniel W. Burris, Mayor