

TOWN OF COTTAGE CITY
RESOLUTION 2025-07

A RESOLUTION OF THE COTTAGE CITY COMMISSION APPROVING THE TEMPORARY CLOSURE 43RD AVENUE (MUN. ROUTE NO. 0430), FOR CONSTRUCTION PURPOSES WITH RESTRICTED PARKING AT CERTAIN TIMES; PROVIDING FOR THE ERECTION AND PLACEMENT OF ALL APPROPRIATE TRAFFIC CONTROL SIGNS AND DEVICES; PROVIDING THAT THE TOWN OF COTTAGE CITY POLICE DEPARTMENT AND ITS DESIGNEES SHALL ENFORCE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE; AND FURTHER APPROVING A CONSTRUCTION NOTICE TO RESIDENTS AND CERTAIN RIGHT OF ENTRY AGREEMENTS WITH CERTAIN PROPERTY OWNERS ABUTTING SAID RIGHT OF WAY

Introduced by: Cottage City Commission

WHEREAS, the Town of Cottage City is working in conjunction with Charles P. Johnson & Associates and other Contractor to improve and repair 43rd Avenue; and

WHEREAS, the improvements to 43rd Avenue may consist of 1.) Install storm drain system from the alley at the southwest property corner of 3702 43rd Avenue, to intersection of the alley with 43rd Avenue, to the front parking lot entrance of 4210 Bladensburg Road, and then connect to the existing County storm drain inlet on 43rd Avenue; 2.) Repave the alley from behind 3708 43rd Avenue to the intersection with 43rd Avenue. Part of the repaving will be to alter the alley grading to direct stormwater flows down the alley to the proposed storm drain inlet near the southwest property corner of 3702 43rd Avenue; 3.) Extend storm drain from the proposed storm drain inlet, at the intersection of the alley with 43rd Avenue, along the western side of 43rd Avenue towards Bunker Hill Road. The purpose of this storm drain is to tie the roof drains and sump pump discharges directly into the storm drainpipe; 4.) Replace the curb and gutter on both sides of 43rd Avenue from Bunker Hill Road to Bladensburg Road; 5.) Mill and Overlay the entire width of 43rd Avenue from Bunker Hill Road to Bladensburg Road; 6.) Repave section of alley behind 4300 Bladensburg Road that has standing water issues with concrete pavement section suitable for large trucks; and 7.) Each house on the western side of 43rd Avenue receives at least one stub out connection to the storm drainpipe; 8.) If roof down spout or sump pump discharges are already located at the property line, then the stub out connection will be connected to the existing discharge points; and

WHEREAS, the State Highway Administration has prepared a Route Number Index Map for Cottage City available at https://www.roads.maryland.gov/Town_Gridmaps/TownMap_039_CottageCity.pdf; and

WHEREAS, the duration of the construction period is anticipated to last for 8 weeks and the dates are subject to change depending on the weather: Projected construction dates are September 3rd through November 15, 2025; and

WHEREAS, pursuant to Section 66 of the Town Charter, the Town has control of all public ways in the Town except those that are under the jurisdiction of the State Highway Administration, and subject to the laws of the State of Maryland and said charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town; and

WHEREAS, Section 25-109 of the TR Art. of Md. Ann. Code grants to the legislative body of every local authority in Maryland, including the Town of Cottage City, as to highways under its

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jurisdiction, general powers to designate through highways and place appropriate signs at specified locations; and

WHEREAS, Section 25-106 of the TR Art. states that “[o]n every highway under its jurisdiction, a local authority shall place and maintain those traffic control devices that it considers necessary to carry out the provisions of the Maryland Vehicle Law or local traffic ordinances or to regulate, warn, or guide traffic [and] each of these traffic control devices shall conform to the manual and specifications of the State Highway Administration,” and

WHEREAS, Section 6-9, having the catchphrase of “Peace and Good Order,” of the Code of the Town of Cottage City (the “Town Code”) requires that all persons must obey all rules and signs posted by authority of the Town on public property and rights of way; and

WHEREAS, Section 9-4, having the catchphrase of “Parking signs, traffic control devices, and notices,” of the Town Code, as amended, authorizes the Cottage City Commission to erect such signs, traffic control devices and notices regarding parking and traffic for the common good but that the order to take such action shall be issued by ordinance or written resolution and said ordinance or resolution or a fair summary thereof shall be published in the Town newsletter or a newspaper of general circulation in the Town; and

WHEREAS, the Cottage City Commission finds that the regulation of vehicular traffic is necessary to promote pedestrian and traffic safety, to advise motorists of the proper and safe use of the Town’s roadways, especially during construction or street repair projects, and to protect the public and the residents from hazardous conditions, and to accomplish other purposes in furtherance of the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED that the Cottage City Commission hereby approves, adopts, and orders the following: The Town or its contractor shall install temporary signage in accordance with the Maryland Manual of Uniform Traffic Control Devices (2011 ed.) to designate a No Parking Zone along all or portions of 43rd Avenue to be closed to traffic completely or partially for the time period needed to install certain infrastructure; and

BE IT FURTHER RESOLVED AND ORDAINED that the Cottage City Police Department and its designees are hereby authorized to enforce the provisions of Section 6-9 et seq. of the Code of the Town of Cottage City; and

BE IT FURTHER RESOLVED AND ORDAINED that a fair summary of this Resolution shall be published in the Town newsletter and on the Town website as soon as practical after the effective date of this Resolution; and

BE IT FURTHER RESOLVED AND ORDAINED that several right of entry agreements with abutting landowners of the aforementioned public ways are attached hereto, as Exhibits 1-4, and are hereby approved by said Commission as follows: **3702, 3704, 3706, 3708, 3710, 3712, & 3714 43rd Avenue**; and

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BE IT FURTHER RESOLVED AND ORDAINED that the Commissioner-Chair shall be authorized to sign this Resolution on behalf of the Commission; and

AND BE IT FURTHER RESOLVED AND ORDAINED that this Resolution shall take effect immediately upon passage.

INTRODUCED by the Cottage City Commission at a Meeting held on September 2, 2025.

PASSED by the Cottage City Commission at a Meeting held on September 2, 2025.

ATTEST:

TOWN OF COTTAGE CITY, MARYLAND

John Hoatson, Town Manager

By: _____
Wanda Wheatley, Commissioner-Chair

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Manager of the Town of Cottage City, Maryland, that on the 2nd of September 2025 with __ Aye votes and __ Nay votes, the aforesaid Resolution 2025-07 passed.

John Hoatson, Town Manager

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