

THE EFFECTIVE DATE OF THIS ORDINANCE IS May 1, 2018
ORDINANCE NO. 18-03-003

ORDINANCE
OF
THE COUNTY COUNCIL OF FREDERICK
COUNTY, MARYLAND

RE: PETITION TO ALTER COUNTY ROADS IN THE FREDERICK CITY WATERSHED

The Frederick County Department of Public Works ("DPW"), filed a Petition to Alter County Roads in the area known as the Frederick City Watershed ("Petition").

The purpose of the Petition is to alter the "Watershed Roads" by closing them using the process provided in the Annotated Code of Maryland, Local Government Article, § 12-512, and thereafter transferring them to The City of Frederick.

The "Watershed Roads" consist of approximately twelve (12) miles of various gravel roads, and a 0.8 mile long segment of Fishing Creek Road that has an asphalt surface. The "Watershed Roads" transect property owned by the City of Frederick located outside the City's municipal boundary. The "Watershed Roads" on Catoctin Mountain including portions of Delauter Road, Fishing Creek Road, Mountaintdale Road, and Gambrill Park Road as shown as both "Roads to be Transferred" and "To Be Closed" on the attached Exhibit A.

A notice of the intent to Petition was published once a week for three successive weeks in a newspaper of general circulation in the County at least 30 days prior to the filing of the Petition.

The City of Frederick has expressed interest in taking ownership and maintenance responsibility for these Watershed Roads to better protect the sensitive environments, reduce dumping, and control other illicit activities.

This matter was presented to the Frederick County Roads Board and on June 5, 2017, after public comments on the issue and a presentation by The City of Frederick staff, the Roads Board approved a motion to support the transfer of the Watershed Roads to The City.

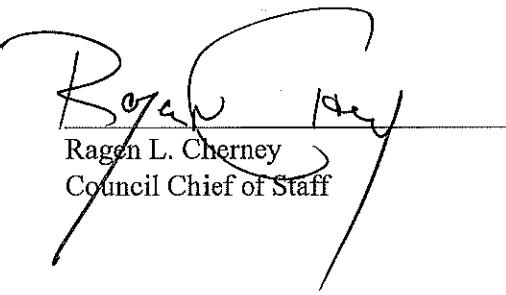
The County Council held a public hearing on May 1, 2018 to consider the petition during which members of the public and representatives of the petitioners had the opportunity to provide comments.

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that:

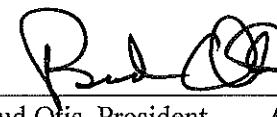
1. The Petition to Alter the Watershed Roads as shown as both "Roads to be Transferred" and "To Be Closed" on Exhibit A is hereby approved.
2. The Watershed Roads as shown as both "Roads to be Transferred" and "To Be Closed" on the attached Exhibit A are hereby closed.
3. The County Executive is hereby authorized to execute any quitclaim deed(s) and other documents necessary or incidental to transfer the County's interests associated with the Watershed Roads.
4. This Ordinance shall take effect sixty calendar days after enactment.

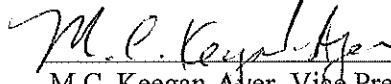
The undersigned hereby certify that this Ordinance was approved and adopted on the 1st day of May, 2018.

ATTEST:

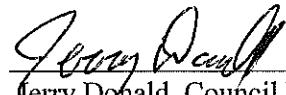

Ragen L. Cherney
Council Chief of Staff

COUNTY COUNCIL OF FREDERICK COUNTY,
MARYLAND

By: 
Bud Otis, President

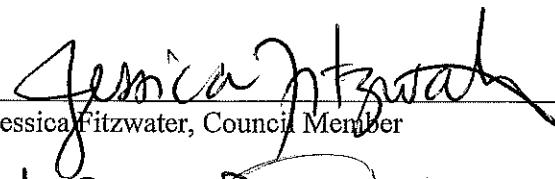

M.C. Keegan-Ayer, Vice President

AM
5/10/18

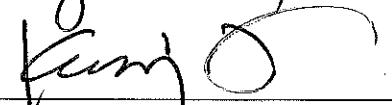

Terry Donald, Council Member


Tony Chmelik, Council Member


Billy Shreve, Council Member



Jessica Fitzwater, Council Member



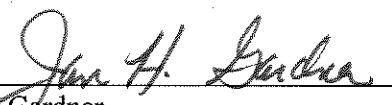
Kirby Delauter, Council Member

Received by the County Executive:

5-16-18

COUNTY EXECUTIVE ACTION:

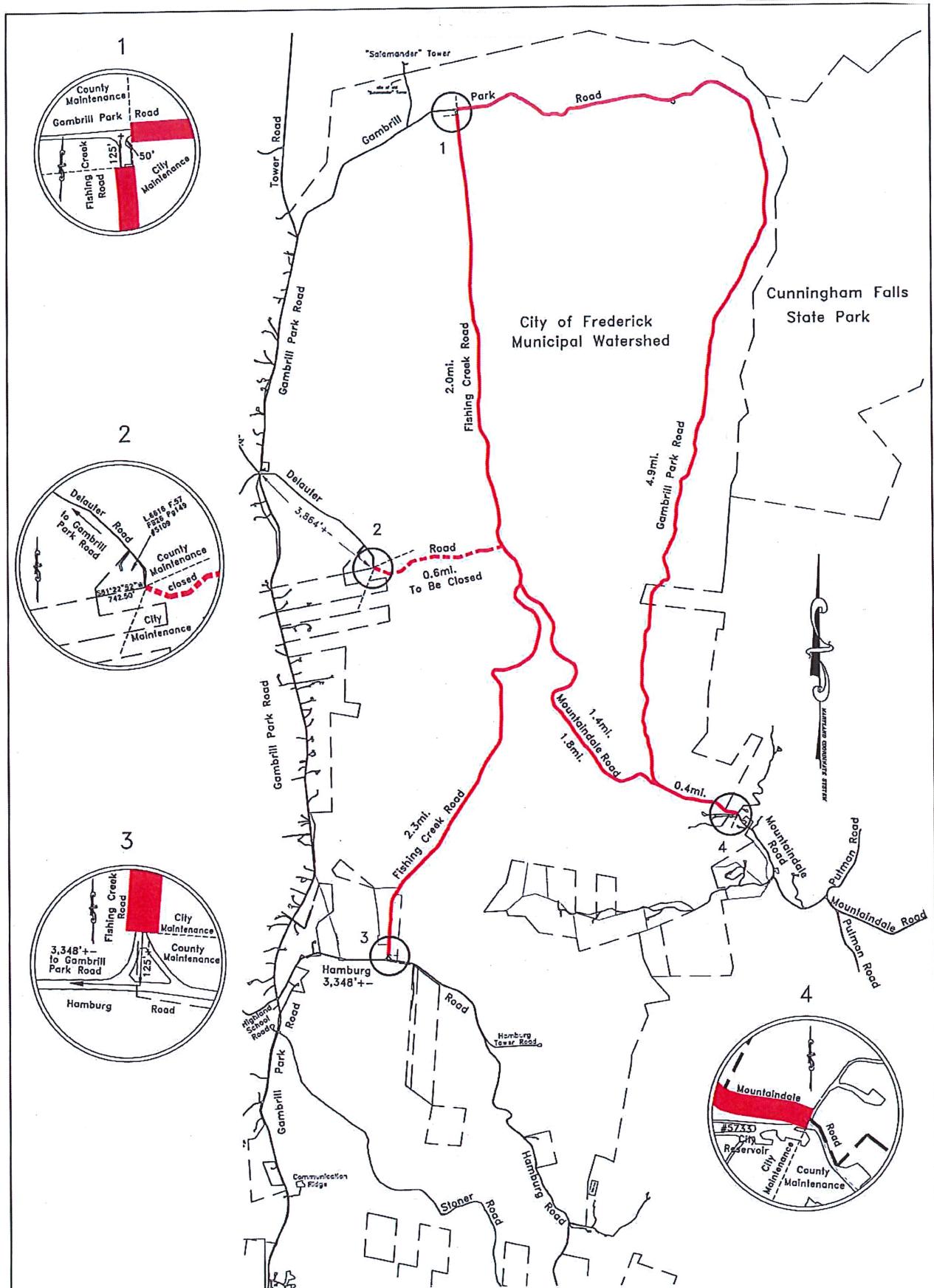
Approved Vetoed



Jan H. Gardner

Frederick County Executive

Exhibit A



Gambrill Park Road	4.9mi.
Mountaintop Road	1.8mi.
Fishing Creek Road	2.0mi.
Fishing Creek Road	2.3mi.
Delauter Road (to be closed)	0.6mi.
Total	11.6 mi.

Roads to be
Transferred
To Be Closed



Proposed Road Transfers
Within City Watershed
From Frederick County
to City of Frederick

DRAWN BY: hjs	DATE: 1-24-17
CHECKED BY: JR	DATE: 7-27-17
SCALE: 1" = 1,000'	SHEET: 1 of 1