

Monday, Nov. 16, 2015

I'm here to request the mayor and council reconsider Snow Ordinance 1983-10, and or Article III, Section VIII of the Frostburg City Code, which in my opinion is outdated, vague, arbitrary and, in short, is a bad law.

Shortly after midnight on the morning of Sept. 7, an estimated 500 people – mostly college students – gathered in the neighborhoods on and around Wood Street. These individuals "were causing a disturbance and impeding traffic." Officers from the Frostburg Police Department, Frostburg State University Police Department, Allegany County Sheriff's Office and Maryland state troopers from LaVale and McHenry – as well as Trooper 5, the state police helicopter – responded to the scene.

Officers were able to restore peace to the area within minutes, the news release said.

I applaud these officers' efforts to resolve things peacefully. In the Frostburg Police Department's news releases, I noticed there was no mention of any arrests made or citations issued.

Flash forward about two months. I have four children – ages 16, 13, 6 and 2 – and that night into Sunday morning, Nov. 8, I decided to sleep in. I'm a newer resident to the area, and I did not remember to take into consideration Snow Ordinance 1983-10. According to the citation left on the windshield of my truck, it is illegal to park on my part of Mill Street from 8 a.m. to noon.

I began looking for information to determine the city's intent of this ordinance. In obtaining a copy of the original ordinance form the city administrator, I noticed these key phrases:

- it becomes necessary to clear streets ... of snow and debris
- because of said condition, certain streets ... should be kept free and clear
- Between 2 a.m. and 6 a.m.

The original ordinance indicates the areas the ordinance is in effect. I could find no mention of Mill Street.

According to 1997-4, which according to the city administrator is the most recent version of the ordinance, I still could find no mention of Mill Street being included in the affected area.

In addition, the ordinance continues to mention "during snow" as a catalyst, and vehicles left in place "post a danger to public safety and impedes the clearing of streets."

Further, the most updated version of the ordinance indicates that there is no citation to be issued but that the vehicle will be towed. In this instance, the city of Frostburg failed to follow its own ordinance.

On Nov. 8 at 10:10 a.m., it was about 50 degrees, sunny, dry and the last measurable snow had taken place at least six months prior. Where was the public emergency?

How can a ruly crowd of more than 500 college students be disbursed by four law enforcement agencies and a police helicopter without a single citation or arrest, but on a quiet Sunday morning a vehicle is ticketed for parking on the side of the street? It seems the city has, at best, its priorities in disarray. The town I recently moved from would have knocked on my door and asked me if I was familiar with the ordinance, asked me to move my truck and reminded me to have a nice day.

Specifically, I request:

- My citation be considered "pending," and no further action taken until this council has taken an appropriate amount of time to reconsider the issue
- A moratorium on issuing Snow Ordinance parking violations when there's no snow on the ground - again, until council has reconsidered issue.

Did the issuing of this citation make the city safer? Did it mitigate a public emergency? Did it help street crews clear the snow? On all three, of course not.

There seems to be no good reason for this law. There's never a bad time to fix a bad law. This is a bad law.