

Town Council News

Next meeting: Monday » 02.13.06 @ 7:30 p.m. in Council Room.
The public is invited to attend.

Actions at the January Council meeting included:

Authorized an additional \$300.00 for new locks on the Town Hall windows.
Passed Ordinance No. 2005-08; Municipal Infractions.
Passed Implementation Resolution for the Municipal Infractions Ordinance, using Option #1.
Continued work on Ordinance No. 2005-07; General Revisions. See Sections of Ordinance No. 2005-08 and the Implementation Resolution Development Updates...

Shady Grove Master Plan: The Montgomery County Council approved some form of this plan on or about January 17th.
Tax Reminder - Washington Grove - 1612

Please fill in Washington Grove 1612 in the appropriate box on your State income tax form. If someone else prepares your tax forms, include this notice with your tax information and if you file electronically; be sure to select Washington Grove under City, Town or Taxing Area. This DOES NOT increase your taxes, but DOES help ensure that the Town receives its proper share of local income tax revenue. Thanks for your help!
Planning Commission News

Next meeting: Wednesday » 02.01.06 @ 7:30 p.m. in Council Room.
The public is invited to attend.
Building Permits

If you are going to erect a building or structure (including fences), make structural alterations to, or move any existing building or other structure, you must first obtain a building permit from the Washington Grove Planning Commission. The Town zoning ordinance governs setbacks, lot coverage and height. Applications are available at the Town Office at 301-926-2256. The permit fee is \$10.00, payable to the Town of Washington Grove. Interior renovations, which involve electrical, plumbing, or load-bearing changes, generally require a County permit. A shed requires a County permit as well. The Town must first sign off all applications for County-required building permits. The Historic Preservation Commission will review most permits as well.

Building permits were issued for the following:
113 Grove Ave. » Porch/Roof
102 Ridge Rd. » Renovation
Historic Preservation News

Next meeting: Tuesday » 02.21.05 @ 7:30 p.m. in Council Room.
The public is invited to attend.

Reviews were written for the following:
113 Grove Ave. » Porch/Roof
125 Grove Ave. » Addition
Neighborhood Watch News

Report Crimes & Suspicious Activity!

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Mont. Co. Police non-emergency: 301-279-8000
Town Office: 301-926-2256
Betsy Klinger: 301-977-3517
Keith Gillis/Leigh Partington: 301-208-1437
Recreation Committee News

Next meeting: Wednesday » 01.25.06 @ 7:30 p.m. in Council Room.
The public is invited to attend.
Free Chamber Jam Session

Saturday, January 28, 2006, at 3:00 p.m. @ McCathran Hall
Introducing... "D A V I D A N G E L O" a new instrument made expressly for cellist Tanya Anisimova by award winning instrument maker David Rapkivian. The scroll of this amazing viola was designed and carved by the artist Alexander Anufriev. Both artists will be present to introduce the instrument to the public. Tanya will play works by Tchaikovsky, Ravel, and Debussy with guest performers Dr. Arnold Popkin, piano; Cynthia Tremblay, flute and David Chernyavsky, violin. A reception will follow the concert. Please Join Us!
Chase Winter Away!

St. Patrick's Day Ceili at McCathran Hall
Blackthorn and Ring of Kerry Dancers.
Saturday, March 11, 2006
Dance Workshop from 5:00 to 6:00 p.m.
Ceili 6:00 - 10:30 p.m.

Music by the Common Ground Ceili Band... Donations to help pay the band will be accepted at the door. Soda Bread & Tea will be available during the first break. Bring snacks and desserts to share. Soft drinks will be available. Sponsored by the Washington Grove Recreation Committee.
Woman's Club News

The Woman's Club "New Residents" Chili Supper will be held in McCathran Hall on Friday, February 24, 2006. Start time is 6:00 p.m.. This event is FREE and open to all Town residents. New residents are encouraged to attend. Non-alcoholic beverages will be served however, BYOB is fine.
Fall Leaf Collection Completed

At long last, the fall leaf collection is over. Despite equipment break-downs, snow, icy piles and rain, US Lawns was able to complete the fall pick up at noon on January 6th. That's only 5 days off schedule! Any piles made after that date are your responsibility unless you want them to sit until the spring collection in March.
What About McCathran Hall?

Did you know that McCathran Hall has a "Needs Committee"? The Committee is gathering recommendations for improvements needed - in the coming year and years thereafter - for McCathran Hall to enhance the building, its uses, and its users. If you have suggestions, send them along to Ann Briggs. The Committee's next meeting is February 8th at 3 p.m. in the Council Room, so comments should be sent before then. Send via e-mail; briggs3@comcast.net or via regular mail to the Town Office, P.O. Box 216.
New Bulletin Deadline Announced

The deadline for getting information into the Town Bulletin will now be the

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12th of each month. Information that does not get to the Town Office by the 12th of the month will be included in the next month's Bulletin, if appropriate.

Astronomy Anyone?

Anyone interested in helping to start up a Town Astronomy Club, please contact John Tomlin; 301-869-5854 or tomlinj@toad.net. All that is needed is an interest in the subject matter and a willingness to help out.

Art Club Meeting

The Washington Grove Art Club will meet on February 20th in McCathran Hall at 7:30 p.m. @ McCathran Hall. Come for "Let's Draw"... A Lesson in Perspective Drawing. Please bring a pencil, ruler, and paper. Sandy Klingenberg will do the instruction but please contact Rico Sturniolo 301-947-8881 or esturnio@comcast.net if you plan to participate.

Forestry Committee Meeting

February 8th, 7:30 p.m. in the Council Room. It's time to reactivate this group and start planning this spring's Arbor Day Celebration. New members are welcome. Let's keep our Tree City USA designation. After all, this IS a "Town Within A Forest".

Ordinance No. 2005-08 & Implementation Resolution

Please take a moment to read the following information concerning the Municipal Infractions Ordinance and the Implementation Resolution. These are summaries only. Copies of the full documents (Ordinance No. 2005-08 & Implementation Resolution) will be available after February 9, 2006 at the Town Office.

EXPLANATION

Presently, with the exception of certain parking and vehicular violations set forth in ARTICLE III of the Code of Ordinances, the only avenues available to the Town in the enforcement of its Ordinances are to pursue injunctive relief in the Circuit Court, which can be both costly and time-consuming, with no provision for recovery of costs and attorneys' fees, or refer a violation to the Montgomery County State's Attorney for criminal misdemeanor prosecution, in which case any fines are collected by, and payable to, the State.

Section 3. (b) of Article 23A of the Annotated Code of Maryland grants authority to the Town Council to provide that violations of any municipal ordinance shall be a civil "municipal infraction", with a fine payable to the Town.

Section 23 of the Charter of the Town grants the authority to the Town Council to adopt a Municipal Infractions ordinance, and further provides that "[t]he Council must set out by ordinance the procedures to follow in the issuance of a citation for a municipal infraction and the rights of any person receiving such a citation, provided said procedures and rights are consistent with state law."

The Town Council believes it is in the best interests of the Town, its residents, visitors thereto and sojourners therein, to adopt a municipal infractions ordinance, and to amend outdated penalty and severability provisions of the Code as now existing in ARTICLE IX of the Code of Ordinances.

ARTICLE IX
PENALTIES- ENFORCEMENT-SEVERABILITY
Section 1. Penalties
1.1 Misdemeanors

Except where a lesser penalty or fine is imposed by Ordinance of the Town Council relating to a violation of a specific Section of the Code of Ordinances, any person found guilty of violating any provision of this Code shall constitute a misdemeanor, and the person found guilty shall be subject to a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment not exceeding six (6) months or both such fine and imprisonment. Each day a violation continues shall constitute a separate offense. The imposition of a penalty pursuant to this section does not prevent license or permit revocation or the imposition of administrative sanctions.

1.2 Municipal Infractions

All violations of this Code may be prosecuted as Municipal Infractions. For purposes of this Code, a Municipal Infraction is a civil offense and a finding against the defendant is not a criminal conviction for any purpose, nor does it impose any of the civil disabilities ordinarily imposed by a criminal conviction. The fine to be imposed for a Municipal Infraction shall be in accordance with Table I of this Article unless otherwise provided in an Ordinance specific to a particular section of the Code of Ordinances. If neither this Article nor a particular section of the Code of Ordinances specifies the fine for a particular infraction, the fine is to be the maximum allowed by state law for a Municipal Infraction. Each day a violation continues shall constitute a separate and repeat violation. Municipal infraction fines are payable at the Town Hall in care of the Town Clerk. The imposition of a Municipal Infraction does not prevent license or permit revocation or the imposition of administrative sanctions.

1.3 Equitable Relief

The Town, in addition to, and not in lieu of, other remedies, may institute any appropriate civil action or proceeding to prevent, restrain, correct or abate violations of the Code of Ordinances and any administrative orders issued hereunder. The imposition of any municipal infraction or misdemeanor penalty shall not preclude the Town from instituting appropriate action or proceeding to require compliance with the provisions of the Code of Ordinances. In the event the Town is deemed to be the prevailing party in such litigation, the violator, in addition to adherence to any Order entered by a Court, shall be responsible to pay, which shall be reduced to a judgment in favor of the Town, all reasonable costs, expenses and attorneys' fees of the Town in pursuing such action.

Table I. Municipal Infractions VIOLATED ARTICLE & SECTION FINE

Article I Sections 1 through 12	\$100 per violation, per day
Article II All Sections	\$100 per violation, per day
Article III Section 2 and 3	\$25 per violation, per day
Article III. Section 7	\$100 for the first violation, and \$250 for subsequent violations
Article III. Section 8 and 9	\$25 per violation
Article III Section 11	\$250 per ton over the limit
Article III Section 12	\$25 per violation
Article VI All Sections	\$100 per violation
Article VII All Sections	\$100 per violation, per day
Article XIV All Sections	\$0.30 per square foot of non-compliance, or

\$1,000 per violation, per day

Section 2. Enforcement

The provisions of this Code of Ordinances shall be enforced by the Mayor of the Town, the Mayor Pro Tempore as appropriate, or his or her written designee; provided, however, that no person other than the Mayor or Mayor Pro Tempore shall have any authority to institute any such enforcement actions, absent a Resolution of the Town Council appointing such other written designee of the Mayor or Mayor Pro Tempore at a regular meeting of the Town Council or special meeting called for such purpose. Any notice of a Municipal Infraction shall be issued and served by the appropriate official set forth above in accordance with the provisions of Section 3, Article 23A, of the Annotated Code of Maryland as now existing or hereafter amended and/or re-designated. The Town shall not be liable for acts of commission or omission in connection with the enforcement and implementation of this Code of Ordinances.

Section 3. Lien Against Real Property

(please see full document)

Section 4. Severability

(please see full document)

Implementation Resolution Summary

The Council also passed an Implementation Resolution that allows for suspension or delay in assessing fines for pre-existing violations. Pre-existing violations will either be allowed to continue (grandfathered violations) as long as alterations are not made, or will be required to be corrected before July 9, 2007 (18 months). Pre-existing ordinance violations (mostly involving Article VII) will receive written notice before July 9, 2006. Violations not receiving a notice will be grandfathered by default. An appeal process is provided for.