

# Common Ordinances-The City of Frederick

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## **Sec. 3-26. - Animals running at large prohibited.**

No animal shall be permitted to run at large at any time whatsoever within the city. All animals shall be confined to the property of their owner or the person who has possession or control of such animals by fencing or trolley line, unless leashed and accompanied by the owner or other person. The provisions of this section shall not apply to animals used by the City of Frederick under the terms authorized by the mayor and board of aldermen. Violation of this section is declared to be a municipal infraction. The penalty for violation shall be the sum of twenty-five dollars (\$25.00) per animal for the first offense, fifty dollars (\$50.00) per animal for the second offense, and seventy-five dollars (\$75.00) per animal for each subsequent violation per calendar year.

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*(Ord. No. G-177-16, § 1, 11-17-77; Ord. No. G-80-13, § 1, 7-17-80; Ord. No. G-97-58, § 1, 11-20-97; Ord. No. G-04-2, 3-18-04; Ord. G-06-12, 4-20-06)*

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**Cross reference—** Impoundment of dogs running at large, § 3-13.

## **Sec. 3-26.1. - Removal of feces.**

No owner or other person who has possession or control of a dog, animal, or other pet shall permit its feces to remain upon any of the streets, parks or sidewalks or in any public place within the police limits of the city. The owner or other person who has possession or control of a dog, animal, or other pet which deposits its feces upon any of the streets, parks or sidewalks or any public place within the police limits of the city shall remove such feces immediately therefrom or shall immediately cause such feces to be so removed therefrom. Violation of this section is declared to be a municipal infraction. The penalty for violation shall be the sum of twenty-five dollars (\$25.00) for the first offense, fifty dollars (\$50.00) for the second offense, and seventy-five dollars (\$75.00) for each subsequent violation per calendar year.

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*(Ord. No. G-80-14, § 1, 7-17-80; Ord. No. G-97-59, § 1, 11-20-97; Ord. G-06-13, 4-20-06)*

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## **Sec. 3-26.2. - Dogs prohibited at public or special events.**

No dog shall be permitted at certain public events within the city, whether the dog is kept on or off of a leash. These events for which this prohibition shall apply shall include the annual Fourth of July Celebration, the "In the Streets" festival, and the permanent seating area in the bandshell during the summer evening concerts at Baker Park. The provisions of this section shall not apply to police canine or dogs specially trained to assist the blind, disabled or handicapped. Violation of this section is declared to be a municipal infraction. The penalty for violation of this section shall be a fine in an amount not to exceed one hundred dollars (\$100.00).

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*(Ord. No. G-96-31, § 1, 8-15-96)*

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## **Sec. 3-29. - Feeding ducks and fowl prohibited.**

It shall be unlawful for any person to feed the ducks, geese and fowl within the boundaries of city parkland. Violation of this section is declared to be a municipal infraction. The penalty for violation of this section shall be the sum of twenty-five dollars (\$25.00) for the first offense, fifty dollars (\$50.00) for the second offense, and seventy-five dollars (\$75.00) for each subsequent violation per calendar year.

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*(Ord. No. G-96-39, § 1, 9-12-96; Ord. G-06-14, 4-20-06)*

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## **Sec. 6-8. - Intoxicating beverages—Prohibited in public parks.**

(a)

It is hereby declared to be a nuisance and unlawful for any person to possess, consume, sell, distribute, or use any intoxicating beverage in or on any of the public parks of the city, except as hereinafter provided. For the purposes of this section, "intoxicating beverage" shall mean alcohol, brandy, whiskey, rum, gin cordial, beer, ale, port, stout, wines, cider and any other spirituous, vinous, malt or fermented liquor, liquid or compound, by whatever name called, containing one-half of one per centum or more of alcohol by volume, which is fit for beverage purposes.

(b)

Notwithstanding the provisions of subsection (a) of this section, the possession, consumption, sale, distribution and use of beer and wine is permitted in city parks, as authorized by the mayor and board of aldermen.

(c)

Notwithstanding the provisions of subsection (a) of this section, the possession, consumption, sale, distribution and use of beer is permitted on and within Baker Park, which includes the park area from Bentz Street to Route

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15, for the Fourth of July celebration managed and operated by the office of special events only, provided the mayor and board of aldermen determine:

- (1) The office of special events has obtained a liquor license from the Frederick County Liquor License Commission.
- (2) The permittee/sponsor has provided evidence of adequate liability insurance coverage for the permitted event in an amount no less than one million dollars (\$1,000,000.00)
- (3) The specific location of the sale of alcoholic beverages shall not be located within three hundred (300) feet from any public school or church property primarily and regularly used for worship services and religious activities when such public school or church is in a regularly-scheduled session, meeting or service. The distance indicated in this subsection shall be measured from the nearest property line of such public school or church to the nearest point of the site where alcoholic beverages are possessed, consumed, sold, distributed or used.
- (4) The possession, consumption, sale, distribution and use of alcoholic beverages will take place within a beer garden and in controlled, orderly circumstances and will not have a detrimental effect, when considered in relation to the comfort, convenience, safety, welfare and order of the public in general.
- (5) The chief of police or his designee shall have the authority to revoke the alcoholic beverage permit immediately should the health, safety and welfare of the public in general so require.

(d) This section shall not apply to Harry Grove Stadium.

*(1961 Supp., § 12.51; Ord. No. G-95-16, § 1, 6-15-95; Ord. No. G-04-1, 3-18-04)*

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## **Sec. 22-28.1. - Non-motorized wheeled vehicles.\* (ORDINANCE G-12-02 UPDATED THIS 2-2-2012)**

- (a) Definitions. In this section the following words have the meanings indicated unless a different meaning is clearly intended from the context:
  - (1) City property. "City property" is any real property, except for streets, owned or controlled by the City of Frederick. "City property" includes, but is not limited to, parking lots, parking garages, parking ramps, sidewalks, paved pathways, and bridges.
  - (2) Non-motorized wheeled vehicle. A "non-motorized wheeled vehicle" is any vehicle with one or more wheels propelled by human power, including but not limited to bicycles, in-line skates, roller skates, scooters, and skateboards, but excluding baby strollers, wheelchairs, and walkers.
- (b) Non-motorized wheeled vehicles on city property. Except as otherwise provided in subsections (c) through (e) of this section, an individual may use a non-motorized wheeled vehicle on any city property.
- (c) Historic district. Within the historic district overlay district, excluding Carroll Creek Linear Park, an individual more than ten (10) years old may not use a non-motorized wheeled vehicle on any city property.
- (d) Carroll Creek Linear Park. Within the boundaries of Carroll Creek Linear Park, an individual more than ten (10) years old may not use a non-motorized wheeled vehicle, except for a bicycle, on any city property. During an event in Carroll Creek Linear Park permitted by the Department of Parks and Recreation, an individual more than ten (10) years old may not ride a bicycle in Carroll Creek Linear Park between Court Street and Wisner Street. Walking while pushing or pulling a bicycle is not a violation of this provision.
- (e) Signs prohibiting use. The Deputy Director for Parks and Recreation may post or cause to be posted signs prohibiting the use of one or more types of non-motorized wheeled vehicles in a specified location on city property. An individual may not use a non-motorized wheeled vehicle in contravention of a sign posted in accordance with this subsection.
- (f) Permission by resolution. The mayor and board of aldermen may, by resolution, make exceptions to the prohibitions set forth in subsections (c) through (e) of this section.

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(g)

City employees. The prohibitions set forth in subsections (c) through (e) of this section do not apply to city employees engaged in the performance of their official duties.

(h)

Manner of operation.

(1)

Negligent operation. An individual may not use any non-motorized wheeled vehicle in a careless or reckless manner that might endanger the safety or welfare of any other individual or property. An individual using a non-motorized wheeled vehicle shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other individual.

(2)

Helmet required. An individual less than sixteen (16) years old using or riding on a non-motorized wheeled vehicle must wear a helmet that meets or exceeds the standards for protective headgear for use in bicycling or in-line skating referenced in the Transportation Article of the Annotated Code of Maryland.

(3)

Bicycle safety equipment. A bicycle must be equipped with brakes and with a device for signaling others, including but not limited to a bell, horn, or similar device.

(i)

Enforcement.

(1)

By whom. Officers of the Frederick Police Department, employees of the Department of Code Enforcement, and park enforcement officers are hereby authorized to enforce the provisions of this section.

(2)

Municipal infraction. Except as otherwise provided in subsection (i)(3), each violation of this section is deemed a municipal infraction, punishable by a fine not to exceed one hundred dollars (\$100.00).

(3)

Helmets. A violation of subsection (h)(2) of this section will be enforced by the issuance of a warning that informs the offender of the requirements of subsection (h)(2) and provides educational materials about helmet use.

(4)

Impoundment. In addition to the penalty set forth in subsection (h)(2) of this section, a non-motorized wheeled vehicle may be impounded by an authorized enforcement officer. Upon payment of any fine imposed under subsection (i)(2) of this section, the owner of a non-motorized wheeled vehicle may reclaim the vehicle.

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**(Ord. No. G-07-24, § 1, 12-6-07)**

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**Editor's note**— Ord. No. G-07-24, adopted December 6, 2007, repealed and reenacted, with amendments, § 22-28.1 which pertained to non-motorized wheeled vehicles on sidewalks, and derived from Ord. No. G-03-22, 12-18-03.

## **\_\_\_ Sec 6-10 Vehicles on City lands**

Animal/Motor Vehicles may not be operated/parked in public parks or grounds unless written permission has been granted by the City. (*Fine \$25.*)

## **\_\_\_ Sec 6-9 Smoking in City Parks**

Smoke-free areas. The following are hereby designated smoke-free areas:

- 1) Any playground within a City park and any point within ten feet surrounding the playground;
- 2) the fixed seating area adjacent to the Baker Park bandshell; and
- 3) the fixed seating area adjacent to McCurdy Field

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Refer to The City of Frederick Charter and Code for exact wording and fines, go to <http://www.cityoffrederick.com/index.aspx?nid=149>