

15-5. Authority of County Executive to erect traffic signs; penalty for failure to observe.

Whenever in the judgment of the County Executive it is necessary for the safety or control of vehicular or pedestrian traffic, he is authorized to provide for the erection of "stop," "no parking," speed limit, and other traffic control signs on public streets, highways or other areas in the county; provided that no such sign shall be erected on state highways without the approval of the State Roads Commission; and, provided, that no such sign shall be erected at the cost of the county government in any incorporated town or special taxing area unless the Council has by resolution consented to the payment of such cost. It shall be the duty of all persons to observe such signs and any person failing to observe any such sign shall, upon conviction thereof, be guilty of a misdemeanor and shall be punishable by a fine not exceeding one hundred dollars or imprisonment not exceeding six months or both. Section 785 of the Code of Public Local Laws of Montgomery County (1947 edition) is hereby repealed, but any ordinance or resolution adopted thereunder by the Board of County Commissioners shall continue in full force and effect until specifically repealed by the Council.

*Section 2.* Section 15-7, Chapter 15, title "Motor Vehicles and Traffic," of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

157. Same—By County Executive.

Whenever, in the judgment of the County Executive, it is necessary for the safety and control of vehicular or pedestrian traffic, the County Executive is hereby authorized to issue traffic orders restricting and/or limiting the movement of automobiles or other vehicles on the streets and roads under the jurisdiction of Montgomery County. The County Executive is further authorized to designate certain roads as truck routes for use by all trucks of a specified weight and to prohibit trucks of a specified weight on other roads under the jurisdiction of Montgomery County. The County Executive shall provide for the erection of signs to give public notice of said traffic orders and any traffic order passed pursuant to this section shall not be effective until said signs have been erected. The traffic orders issued hereunder shall be recorded in a permanent file open to the public.

Nothing contained in this section shall prohibit the use of county streets or roads by emergency vehicles, delivery and service vehicles, or other vehicles necessary for the protection of life and property. No traffic order issued under this section shall be effective within the jurisdiction of any incorporated town that has the authority to construct and maintain its own streets and roads without the consent of such incorporated town.

It shall be the duty of all persons to observe the signs and regulations issued hereunder, and any person failing to observe any such sign and regulation shall, upon conviction thereof, be guilty of a misdemeanor and subject to a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days in jail or both fine and imprisonment.

*Section 3.* Until December 7, 1970, the duties prescribed in this Act to be performed by the County Executive shall be performed by the County Manager.

*Section 4.* Severability.

The provisions of this Act are severable and if any provision, sentence, clause, section or part thereof is held illegal, invalid or unconstitutional