VILLAGE OF FRIENDSHIP HEIGHTS
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VILLAGE COUNCIL
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JOHN CONLOW, *Treasurer*
ALLYSON ALT, *Parliamentarian*
ALFRED MULLER, *Historian*
JULIAN P. MANSFIELD, *Village Manager*

REVISED REGULATIONS

VILLAGE OF FRIENDSHIP HEIGHTS

1. Severability

The Village Council intends that if a court finds any portion of these regulations invalid for any reason that the provision determined to be invalid is severable from the remaining provisions.

2. Enforcement

(a) Each violation of these regulations may be charged as a misdemeanor or, except for violations of Section 11, as a Class B violation of the County Code. If a misdemeanor is charged, the penalty can be a fine not to exceed $100.00 and imprisonment in the jail of Montgomery County, Maryland not to exceed 30 days, unless otherwise provided in these regulations.

(b) The Village Council may also bring suit in the Circuit Court of Montgomery County in the name of the "Friendship Heights Village Council," for which purpose said council shall be deemed a body corporate, to compel a person to comply with these regulations

(c) If the Village Council has notified a person that the person must comply with these regulations and the person has not complied with the regulations within the time given to do so, the Village Council may seek an order of court allowing it to enter the property and abate any violation on the property to effect compliance with these regulations. If the Village Council enters a property and abates a violation of these regulations, the person who has not complied with these regulations is responsible for the costs and the Village Council can assess its costs against the property. Those costs are a lien against the property and may be collected in the same manner as the county taxes are collected and turned over to the treasurer of the Village Council.

3. Dogs Running At Large

The owner of a dog must not allow the dog to be at large within the limits of the Taxable Area of Friendship Heights. The terms "at large" and “owner’ have the same meaning in these regulations as they do in Chapter 5 of the Montgomery County Code.

4. Deposit and Removal of Dog Feces

An owner of a dog must not allow the dog to damage or defecate on property outside the owner's property. A dog may defecate on public property or the common area of property in which the owner shares an interest if the owner immediately removes and disposes of the feces by a sanitary method approved by the County. This regulation does not affect the right of a common ownership community to regulate or ban animals from the community's property or to regulate the conduct of animals that are on the community's property.

5. Accumulation of Waste, Water, Weeds and Other Offensive Matter

An owner, lessee, or any other person in charge of real property within the limits of the Taxable Area of Friendship Heights must not permit animal or vegetable waste,
stagnant water, weeds, or other offensive matter to accumulate on the property. A generalized plant growth exceeding a height of twelve inches is presumptively a noxious and dangerous condition that is a menace to public health or a fire hazard. Generalized plant growth does not include trees, ornamental shrubbery, flowers, garden vegetables, compost piles, or any plant certified and listed by the director of the department of environmental protection when used for soil stabilization purposes. The term "weed" has the same meaning given to it by Chapter 58 of the Montgomery County Code.

6. Accumulation of Garbage, Refuse, Rubbish, and Dangerous Substances

An owner, lessee, or any other person in charge of real property within the limits of the Taxable Area of Friendship Heights must not allow garbage, refuse and rubbish to accumulate on the property. An owner, lessee, or any other person in charge of real property within the limits of the Taxable Area of Friendship Heights must not allow any substance to accumulate on the property if its accumulation would create a danger to the public health or safety.

7. Noise

A person must not discharge any firearm, firecracker or fireworks, or other explosive at any time. Between the hours of 11:00 p.m. and 8:00 a.m., a person must not sound any horn, bell, siren, or noise-maker, or operate the engine of a lawnmower, garbage truck, or operate any engine in a stationary position for more than 10

seconds above idle speed. Noise caused by emergency work or warning devices necessary for public safety such as police, fire and ambulance sirens are allowed if the noise complies with the County law.

8. Public Rights-of-Way

(a) A person must not engage in construction, reconstruction, repair, grading, improvement or maintenance activity in, on, above or below the surface of any public road, lane, street, alley, avenue, bridge or other public right-of-way within the Village of Friendship Heights unless the construction, reconstruction, repair, grading, improvement or maintenance complies in all respects with the requirements of this regulation, and with any applicable franchise requirement of County law, such as Chapter 8A and sections 49-11 through 49-15 of the Montgomery County Code.

(b) The Village Council, under section 49-4 of the Montgomery County Code, adopts by reference Articles I and II of Chapter 49, entitled “Streets and Roads" of the Montgomery County Code 1994, except as follows:

(i) The terms "County Council," “County” (when used in its governmental sense), “Department" and “Director” mean the Friendship Heights Village Council. The term “County" (when used in its geographic sense) means the corporate limits of the Village of Friendship Heights. The term "County Executive” means the Mayor of the Village of Friendship Heights. Any requirement to obtain a franchise or other right from the County under sections 49-11 through 49-15 of the Montgomery County Code continues to apply in the Village, but is enforced by the County, except that if a franchise is granted by the County under sections 49-11 through 49-15 the Village Council retains the right to permit and otherwise control and regulate construction, reconstruction, repair, grading, improvement and maintenance activity in, on, above and below the public right-of-way.

The Village Council does not adopt sections 49-1, 49-2, 49-4, 49-5, 49-6, 49-11, 49-12, 49-13, 49-14, 49-15, 49-32, 49-36 and 49-44 of the Montgomery County Code.

(c) All amendments to the provisions of Articles I and II adopted in subsection (b) are effective within the Village of Friendship Heights upon the effective date of the amendment unless a resolution is adopted by the Friendship Heights Village Council disapproving the amendment.

(d) All Executive Regulations adopted by the County Executive for Montgomery County under the provisions of Articles I and II adopted in subsection (b) apply within the boundaries of the Village of Friendship Heights as if adopted by the Village Council unless the Village Council adopts a resolution disapproving the regulation.

9. Curb Cuts in Public Rights-of-Way

Before making cuts, storing supplies, erecting lifting equipment or working within a public right-of-way, a person must apply for and receive the approval of the Village Council. The requirements of this regulation are waived when an emergency has been declared by the Mayor of the Village of Friendship Heights or the County Executive.

10. Protections, Preservations, and Maintenance of Trees

(a) The Council finds that: to protect and promote the health, safety, comfort, convenience, welfare, and happiness of the residents of the Village and its visitors; to ensure the maintenance of property in decent and presentable condition; to aid in the abatement of air pollution; and to protect, enhance, and maintain the natural beauty of property of and in the Village; it is essential to protect, maintain and preserve to the maximum possible extent all trees within the corporate limits of the Village both on public and private lands.

(b) A person must not destroy, mutilate, cut down or otherwise remove any tree with a diameter of 4 inches or more (as measured 4 feet above ground level) from any lot, parcel or tract of land, unless the Village Council has given its consent in writing. The Village Council may consent to cutting down or removing a tree when doing so is consistent with the stated purpose of this regulation. The Village Council may presume when considering an application for consent to cut down or remove a dangerous or dead tree that cutting down or removing the tree is consistent with the purpose of this regulation.

(c) Before cutting down or removing a tree, a person must apply to the Village Council for approval. The application must be in writing and filed in duplicate with the Village Manager at least 7 days before the date of the requested cutting down or removal. The application must explain why the proposed cutting down or removal is consistent with the purpose of this regulation.

(d) The Village is exempt from this regulation when trimming or removing trees.

11. Handguns

(a) A person must not purchase, sell, transfer, possess or transport a handgun as defined in Article 27, Section 36F and referred to in Article 27, Section 36H(a), of the Annotated Code of Maryland, or any ammunition for or component of a handgun on or within 100 yards of parks, churches, schools, public buildings and other places of public assembly.

(b) This regulation does not apply to a person who possesses or transports a handgun, the ammunition for a handgun, or the components of a handgun if:

1. The person is a: (i) law-enforcement personnel of the United States, or of the State of Maryland, or of any County or City of the State of Maryland, or of the Friendship Heights Village Council, (ii) member of the armed forces of the United States or the National Guard while on duty or traveling to or from duty; or (iii) law- enforcement personnel of some other state or political subdivision of the state temporarily in the State of Maryland on official business; or (iv) jailer, prison guard, warden, or guard or keeper in any penal, correctional or detention institution in the State of Maryland; or (v) sheriff and temporary or full-time sheriff's deputy when on active assignment engaged in law enforcement, traveling to or from such assignment.

2. The person holds a valid permit to carry a handgun under Maryland law.

(c) A person who violates this regulation is guilty of a misdemeanor and may be punished upon conviction by a fine not exceeding $500.

Revised 5/20/25