



Myersville Town Hall
301 Main Street
P.O. Box 295
Myersville, MD 21773

TOWN OF MYERSVILLE

TOWN OFFICE

Phone: (301) 293-4281
Fax: (301) 293-3080
Hours 8:00 am – 4:00pm
www.Myersville.org

12/13/24

NOTICE TO CITIZENS OF MYERSVILLE

Winter Road Maintenance Impasse with Frederick County – Canada Hill Road

The Mayor and Council of the Town of Myersville wish to inform all citizens of an ongoing issue with the Frederick County Executive and County Council regarding the ownership and maintenance of a portion of Canada Hill Road within the Town. After exhaustive efforts by the Town to reach a resolution on road ownership, the Mayor and Council have encountered an impasse with the County that may have a negative impact on routine road maintenance, particularly for Canada Hill Road through the 2024-2025 winter period.

Background Information: A portion of Canada Hill Road between Clark Road and Church Hill Road was annexed into the municipal limits of Myersville in 2022 as part of an annexation of adjoining residential properties. Frederick County subsequently indicated an interest in transferring road ownership to the Town. However, the Town declined this offer at that time due to significant tax implications for Town citizens.

- **County's Proposed Improvements:** In early 2023, the County identified funding to improve the adjacent sidewalk along this portion of Canada Hill Road. However, this effort was halted in late summer, with the County offering to proceed only if the Town agreed to accept ownership of the road. The County later indicated that it would not provide snow removal for this section of road during the 2023-24 winter unless the Town agreed to reimburse the County for this service.
- **Legal Notice and Position on Ownership:** In response to this situation, the County's legal counsel sent notice to the Town that, based on its review of the Town Charter, the County believes the road, along with all other County roads previously annexed into the Town limits, are now the responsibility of the Town, regardless of any formal transfer and acceptance of ownership.
- **Town's Response and Negotiations:** While the Town disagrees with the County's legal position, the Mayor and Council expressed willingness to consider accepting ownership of certain County roads, under the condition that those roads would be brought into "like new" condition, as required for all newly developed streets. The County declined this request, asserting that the road transfer has already occurred, despite the absence of a formal process for transferring road ownership.

Impact on Town Services: As a result of this impasse, the following result will occur for snow removal for the 2024-2025 winter period:

- **The Town WILL NOT direct its contractor to clear the portion of Canada Hill Road in question, as this road remains under the ownership and maintenance responsibility of the County**

Good Faith Offer: Understanding the potential impact on residents, the Mayor and Council offered to pay the County for snow removal services for the portion of Canada Hill Road for the 2024-25 winter season, pending legal resolution. However, the County has rejected this offer.

Next Steps: Given the County's position, the Town has no option but to seek judicial intervention. The Mayor and Council will proceed with the appropriate legal processes to obtain a court ruling that affirms that the portion of Canada Hill Road in question remains under the ownership and maintenance responsibility of Frederick County.

The Town will continue to keep citizens informed of developments as the legal process unfolds. Thank you for your attention and understanding.

Mayor and Council of the Town of Myersville