Regular Meeting

Agenda Item #	5
Meeting Date	September 26, 2005
Prepared By	Susan Silber, City Attorney
Approved By	Barbara B. Matthews, City Manager

Discussion Item	Ordinance re: Amendment to the Takoma Park Code, Chapter 14.04, Nuclear Free Zone Chapter
Background	This ordinance would expand the authority of the Nuclear Free Zone Committee to ensure the safety of the City from transportation of radioactive materials and reduce the risk of attacks by terrorists. The ordinance was introduced for first reading on September 19, 2005.
Policy	Update the Nuclear Free Zone provisions in the Code, originally passed in 1983.
Fiscal Impact	None, but depends on work of the Committee.
Attachments	Ordinance (for second reading)
Recommendation	Adopt this Ordinance at second reading. This Ordinance is endorsed by the NFZ Committee.
Special Consideration	

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Introduced by: Councilmember Elrich

First Reading: September 19, 2005
Second Reading:
Effective Date:

ORDINANCE NO. 2005-29

(Amendments to the Nuclear-free Zone Chapter to ensure safety in the City of Takoma Park from transportation of radioactive materials and reduce the risk of attacks by terrorists.)

WHEREAS, Chapter 14.04 of the Code of the City of Takoma Park establishes the City of Takoma Park as a nuclear-free zone; and

WHEREAS, the Code of the City of Takoma Park does not address transportation of high-level nuclear waste through the City; and

WHEREAS, transportation of high-level nuclear waste through the City poses threats to the health and safety of the City through accidental discharge, intentional acts, acts of terrorism, or merely by being in close proximity to such shipments; and

WHEREAS, the rail line passing through the City of Takoma Park is expected to be used for transportation of high-level nuclear waste to a federal repository and such shipments may commence within the next two years; and

WHEREAS, the Council wishes to improve the safety of the City through increased public awareness of potential risks related to the transportation of high-level nuclear waste through the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, that Chapter 14.04, Nuclear-free Zone of the *Takoma Park Code*, is amended as follows:

CHAPTER 14.04. NUCLEAR-FREE ZONE

* * * *

Sec. 14.04.020 Purpose.

The purpose of this Act is to establish the City as a nuclear-free zone in that work on nuclear weapons is prohibited and that harmful exposure to high-level nuclear waste is limited within the City limits. ~~and that [c]~~Citizens and representatives are urged to redirect resources previously used for nuclear weapons and nuclear power generation towards endeavors which promote and enhance life, such as human services, including child care, housing, schools, health care, emergency services, public transportation, energy conservation, public assistance and jobs.

Sec. 14.04.030 Findings.

It is the finding of the Mayor and Council of the City, that:

* * * *

J. The production of nuclear energy creates highly radioactive nuclear waste whose transportation through the City creates substantial risk to the public safety and welfare of the City.

* * * *

Sec. 14.04.110 Nuclear-Free Takoma Park Committee.

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C. The Committee shall have the following duties and responsibilities:

* * * *

5. The Committee shall maintain a collection of current materials concerning the production of nuclear weapons and the components thereof and the transportation of high-level nuclear waste resulting from the production of nuclear weapons and nuclear energy. From this information and from consultations with individuals and organizations involved in the nuclear weapons and nuclear energy debate, the Committee shall annually prepare and report to the City Council a list of nuclear weapons producers to guide the City, its officials, staff and agents in the implementation of Sections 14.04.050 and 14.04.060 of this Act. The Committee shall also make recommendations to the City Council from this information and from consultations with individuals and organizations involved in the transportation of high-level nuclear waste on how best to promote the safety and welfare of the City from harmful exposure to high-level nuclear waste.

Adopted this _____day of _____, 2005 by roll-call vote as follows:

Aye:
Nay:
Absent:
Abstain:

EXPLANATORY NOTE

* * * * indicates language or sections of the *Takoma Park Code* not reproduced in this Ordinance.

Additions to the existing language of the *Takoma Park Code* are shown by underlining.

~~Deletions~~ to the existing language of the *Takoma Park Code* are shown by ~~strikeout~~.