

The Mayor and Commissioners of the Town of Elkton

Ordinance 7 - 2005

BY: Board of Commissioners

INTRODUCTION: August 17, 2005

ADOPTION: September 7, 2005

AN ORDINANCE CONCERNING

CODE OF THE TOWN OF ELKTON TITLE 10 VEHICLES AND TRAFFIC CHAPTER 10.32 TRAFFIC VIOLATION PENALTIES

FOR THE PURPOSE of amending the Code of the Town of Elkton, Title 10, Chapter 10.32, adjusting the fines for parking meter and handicap parking violations.

WHEREAS, Article XI-E., Constitution of the State of Maryland; Article 23A, Annotated Code of Maryland; and the Charter of the Town of Elkton provide for the authority of the Board to enact, amend, and/or repeal the ordinances of the Town of Elkton and compiled in the Code of the Town of Elkton (the "Code"); and

WHEREAS, the Board previously enacted an ordinance under the Code, Title 10, Vehicles and Traffic, Chapter 10.32, Traffic Violation Penalties, setting forth certain fines for violation of parking ordinances; and

WHEREAS, the Board has determined that penalties for violations relating to parking meters and handicap parking should be adjusted as set forth hereinafter.

NOW, THEREFORE, the Board hereby ordains that:

Section 1. The Code of the Town of Elkton, Title 10, Chapter 10.32, Traffic Violation Penalties, shall hereby be repealed; and

Section 2. The Code of the Town of Elkton, Title 10, Chapter 10.32, Traffic Violation Penalties, shall hereby be re-enacted to read as follows:

Code of the Town of Elkton Title 10 Vehicles and Traffic Chapter 10.32 Traffic Violation Penalties

Chapter 10.32

TRAFFIC VIOLATION PENALTIES

Sections:

- 10.32.010 Citations for parking violations.
- 10.32.020 Election to pay or stand trial.
- 10.32.030 Parking violation procedures.
- 10.32.040 Effect of parking violation on vehicle registration.
- 10.32.050 Fine for failure to pay penalty.

1. 10.32.010 Citations for parking violations.

A. Issuance of Citation. An officer who discovers a vehicle parking in violation of this title or regulation adopted under this chapter shall:

- 1. Deliver a citation to the driver or, if the vehicle is unattended, attach a citation to the vehicle in a conspicuous place;
- 2. Keep a copy of the citation, bearing his certification under penalty of perjury that the facts state in the citation are true.

B. Owner Presumed to be Recipient. In the absence of the driver, the registered owner of the vehicle is presumed to be the person receiving the citation.

C. Unless otherwise indicated in this chapter, all violations under this title which are cited on the adopted parking violation notice shall be subject to a fine of fifteen dollars (\$15.00) if paid within ten business days of the violation notice .

D. Unless otherwise indicated in this title, and with the exception of violations of Sections 10.08.030(C)(2) and 10.20.030(A), all violations under this title which are cited on the adopted parking violation notice shall be subject to a fine of twenty-five dollars (\$25.00) after ten business days of the violation notice.

E. Person(s) who elect to stand trial for the violation(s) cited on the parking violation notice shall be subject to a fine not exceeding one hundred dollars (\$100.00) for each violation.

F. Violations under this title involving Section 10.08.030(C)(2), parking in a space or zone marked as restricted for the use of handicapped individuals, shall be subject to a fine of One Hundred Dollars (\$100.00) for each violation.

G. Violations under this title involving Section 10.20.030, parking prohibited in a manner that interferes with or obstructs a clearly marked fire lane or fire hydrant area, is subject to a fine of one hundred dollars (\$100.00) for each violation.

H. Violations under this title involving Section 10.12.060, parking in metered zone, exceeding the two (2) hour maximum parking time period, are subject to a fine of twenty-five dollars (\$25.00) for each violation. (Amended By Ord. 02-97)

§ 10.32.020 Election to pay or stand trial.

A. Election to Person Receiving Citation. The person receiving a citation under this chapter shall:

- 1. Pay for the parking violation directly to the Town of Elkton, Finance Office or mail a check or money order in the amount indicated, payable to the "Town of Elkton," to the Town of Elkton, Finance Office, P.O. Box 157, Elkton, Maryland 21922-0157; or
- 2. Elect to stand trial for the violation.

- B. An election to stand trial shall be made by sending the parking violation notice to the Town of Elkton, Finance Office, P.O. Box 157, Elkton, Maryland 21922-0157 indicating the desire to stand trial and completing the required information indicated on the violation notice within thirty (30) days of the issuance of the notice.

§ 10.32.030 Parking violation procedures.

- A. General Procedure. The chief judge of the district court shall adopt procedures for the trial of parking violations under this chapter.
- B. Required Procedures. The procedures adopted under this section shall include provisions for notifying the person receiving a citation of:
1. The date of trial, which may not be less than fifteen (15) days from the date on which the notice of intention of the person to stand trial is received;
 2. The place of trial;
 3. The time of trial.

§ 10.32.040 Effect of parking violation on vehicle registration.

The town shall submit information relating to all non-paid parking citations to the Motor Vehicle Administration in accordance with the established requirements and the Maryland Vehicle Law.

§ 10.32.050 Fine for failure to pay penalty.

Any person violating any provision of this title or aiding, abetting or assisting in the violation of any provision thereof and who does not pay the penalty as provided shall be guilty of an infraction and shall, upon conviction, shall pay a fine not to exceed one hundred dollars (\$100.00) for each violation.

DATE OF EFFECT

THIS ORDINANCE shall be effective on **27th** day of **September, 2005**.

Mayor Joseph L. Fisona
Commissioner Charles H. Givens, Sr.
Commissioner Earl M. Piner, Sr.
Commissioner C. Gary Storke

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