

## The Town of Upper Marlboro

RESOLUTION: 2022-25

SESSION: Regular Town Meeting

DATED: November 22, 2022

### **A RESOLUTION AUTHORIZING SETTING OF FINES FOR PARKING VIOLATIONS, ASSOCIATED FEES, AND RATES FOR THE INCREASE OF FINES FOR CERTAIN TOWN CITATIONS**

**WHEREAS**, the Board of Commissioners for the Town of Upper Marlboro, a body politic and corporate of the State of Maryland, under its Charter and as a municipal corporation; and

**WHEREAS**, the Board of Commissioners for the Town of Upper Marlboro is authorized under Section 11 of Town Ordinance 2016-02 to adopt by resolution any future penalties, fines and rates of increase of fines upon non-payment as necessary; and

**WHEREAS**, the current fines, penalties and rates of increase of fines have remained unchanged for over ten (10) years, and

**WHEREAS**, the Board of Town Commissioners of the Town of Upper Marlboro has considered the desirability of certain changes in the fines currently levied for various parking or traffic violations and fines related thereto; and

**WHEREAS**, the Board of Town Commissioners has determined to make certain changes.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Town Commissioners for the Town of Upper Marlboro exercises its authority to change the following parking fines as follows:

#### **Fine/Fee Schedule**

<b>Section of Ord. 2016-02, as amended</b>	<b>Parking Regulation Violation</b>	<b>Fine</b>
§5.A	Parking of Vehicles for more than 48 hours	\$60
§5.B	Commercial Vehicle and Recreational Vehicle parked between 5 p.m. and 7 a.m., Mondays through Fridays, or at any time on weekends or holidays.	\$60
§5.C	Abandoned Vehicles	\$100
§5.D	Construction materials placed or stored on any public right-of-way	\$100
§5.E	Making major repairs within public right-of-way	\$60
§5.F	Parking or standing more than twelve (12) inches from the curb or edge of improved surface	\$60
§5.G.1	Driveway entrances	\$60
§5.G.2	Fire hydrant, parking within fifteen (15) feet	\$250
§5.G.3	Crosswalk, parking within twenty (20) feet of a crosswalk at an	\$60

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	intersection	
§5.G.4	Traffic control devices, parking within thirty (30) feet on the approach	\$60
§5.G.5	Signs prohibiting parking	\$60
§5.G.6	Handicapped zone	\$250
§5.G.7	Sidewalk	\$60
§5.G.8	Roadway Passage	\$60
§5.G.9	Mailboxes	\$60
§5.G.10	Truck parking	\$60
§5.G.11	Obstruction of Traffic	\$60
§6.A.1 & .2	Parked on Expired Meter	\$35
§6.A.3	Parked across line	\$35
§6.A.4	Unloading commercial vehicle beyond reasonable time	\$60
§6.A.5	Tamper or impair the usefulness of any parking meter	\$60
§6.A.6	Counsel, aid or abet any violation of the Ordinance	\$60
§6.A.7	Exceeding handicapped parking in a parking space for more than twice the maximum time period permitted on the parking meter, not to exceed four hours	\$60
§6.A.8	Failure to have both plates properly displayed at all times on the vehicle as required by law.	\$60
§6.A.9	Parking more than one (1) vehicle per parking space	\$60
§8.A	Parking during declared snow emergency on the even numbered side of Spring Branch Drive	\$60
§9.A.(1)	Unattended vehicle parked or left standing	Impound
§9.A.(2)	Parked with three (3) or more outstanding parking or parking meter violation citations issued within a consecutive eighteen (18) period	
§9.A.(3)	Parked or disabled in a “no parking at any time, tow-away zone” zone	Impound
§9.A.(3)	Blocking a private driveway	Impound
§9.A.(4)	Vehicle with improper, illegal or expired license plates parked or left standing, or stored	Impound
Ord. 2016-02, as amended	Any other parking fine not described above	\$60

*Notes:*

*(1) A violation of any provision of Ordinance 2016-02 as amended is deemed a misdemeanor and any person convicted of such violation shall be fined not less than twenty-five (\$25.00) dollars nor more than five hundred (\$500.00) dollars.*

*(2) Unless stated otherwise in Ordinance 2016-02, as amended, moving violations are not within the scope of this Fine/Fee Schedule Resolution but are enforced by the issuance of Maryland State citations per Maryland Law. The schedule of fines and penalties for moving violations of the Md. Transposition Article are determined by the State and set out in a document prepared by the Chief Administrative Judge of the District Court of Maryland and referred to as the “Schedule of preset fines and/or penalty deposits,” as such document (form #DC-CR-090) may be amended from time to time.*

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**AND BE IT FURTHER RESOLVED**, that pursuant to Town Ordinance 2016-02 after thirty (30) days of issuance, all unpaid citation totals shall double; and fifteen (15) days thereafter, if still unpaid, the automobile record will be submitted to the Maryland Motor Vehicle Administration's vehicle registration flagging program pursuant to Regulation 11.15.21.01 et seq. of the Code of Maryland Regulations ("COMAR") wherein associated flagging fees will be assessed. Separate administrative flagging fees which shall be paid to the Motor Vehicle Administration in the amount specified by COMAR Reg. 11.11.05.04 and the Town in the amount of \$30.00 shall be in addition to any fee or penalty assessed by the Town for each parking violation reported.

**AND BE IT FURTHER RESOLVED**, by the Board of Commissioners for The Town of Upper Marlboro, Maryland, that the following fees shall be set and in place effective January 9<sup>th</sup>, 2023, and remain in effect until a new Resolution is passed.

**INTRODUCED and ADOPTED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on this 22<sup>nd</sup> day of November, 2022.

ATTEST:

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
John Hoatson, Town Clerk

\_\_\_\_\_  
Sarah Franklin, President

Date: \_\_\_\_\_

\_\_\_\_\_  
Charles Colbert, Commissioner

\_\_\_\_\_  
Janice Duckett, Commissioner

\_\_\_\_\_  
Thomas Hanchett, Commissioner

\_\_\_\_\_  
Karen Lott, Commissioner

### CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 22<sup>nd</sup> day of November 2022.

\_\_\_\_\_  
John Hoatson, Town Clerk