

CITY OF HAGERSTOWN, MARYLAND

**AN ORDINANCE AUTHORIZING THE ADDITION
OF SECTION 60-17 TO THE CITY CODE TO AUTHORIZE
SPEED MONITORING SYSTEMS IN SCHOOL ZONES AND
ESTABLISHING FINES FOR VIOLATION OF SPEED
LIMITS WITHIN THE ZONES**

RECITALS

WHEREAS, Section 21-809 of the Transportation Article of the Annotated Code of Maryland authorizes the use of speed monitoring systems within a school zone if authorized by the governing body of the local jurisdiction, and

WHEREAS, the Mayor and Council believe it is in the best interest for the safety of its citizens that a speed monitoring system be implemented for school zones within the City of Hagerstown pursuant to the Maryland Code.

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland as its duly constituted legislative body as follows:

1. That the Code of the City of Hagerstown be amended by adding Section 60-17 to read as follows:

§60-17 Speed Monitoring Systems in School Zones.

1. The City of Hagerstown hereby adopts Section 21-809 of the Transportation Article of the Annotated Code of Maryland hereinafter "the Law" and incorporates the terms thereof into this section except as modified herein.

2. That the City of Hagerstown Police Department is authorized to implement the use of speed monitoring systems within school zones pursuant to the Law.

3. That reasonable notice be provided by newspaper and on the City website of the enactment of this Ordinance as required by the Law.

4. That pursuant to subsection (b)(v) of the Law that for at least 30 days after the monitoring system is placed that a violation be enforced only by the issuance of a warning.

5. That pursuant to subsection (b)(vii) of the Law if unmanned stationary speed monitoring systems are to be used that the appropriate notices and signs indicating their use be provided in accordance with the provisions of the Law and that their operation be limited to the period 6 a.m. to 8 p.m. Monday through Friday as provided in the Law and

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that appropriate training of the operators and calibration of the system be provided as required in the Law.

6. The City Council shall establish by separate Ordinance school zones and maximum speed limits where not already established by the State Highway Administration pursuant to Section 21-803.1 of the Transportation Article.

7. The City Police shall be the operators of the speed monitoring system but may enter into an Agreement with a contractor to supply and maintain the equipment.

8. That Section (c)(2) of the Law is hereby amended to read as follows:

(c)(2) A civil penalty is established of \$40.00 per violation, subject however to a discount of \$5.00 if paid within 7 days of the issuance of the citation or subject to an additional late fee of \$20.00 if paid more than 30 days after the issuance of the citation.

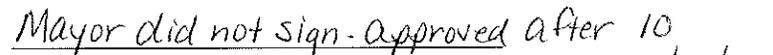
9. The immobilizing and impounding provisions of Section 60-9 of the Hagerstown City Code apply to a failure to pay citations under this section.

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED that this Ordinance shall become effective at the expiration of thirty (30) calendar days following its approval.

WITNESS AND ATTEST
AS TO CORPORATE SEAL


Donna K. Spickler, City Clerk

MAYOR AND COUNCIL OF THE
CITY OF HAGERSTOWN, MARYLAND


Robert E. Bruchey, II, Mayor *day period - 2/13/12*

Date of Introduction: *December 20, 2011*
Date of Passage: *January 31, 2012*
Effective Date: *March 13, 2012*

PREPARED BY:
NAIRN & BOYER, CITY ATTORNEY

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