

**TOWN OF ROCK HALL, MARYLAND**

**ORDINANCE No. 2023-02**

AN ORDINANCE concerning

Chapter 215 (Vehicles and Traffic) of the Code of the Town of Rock Hall, Maryland

FOR the purpose of amending Chapter 215 (Vehicles and Traffic) of the Code of the Town of Rock Hall to modify the degree of infraction associated with the receipt of a parking ticket, clarify language regarding multiple offenses, amend prohibited parking locations by street name for accuracy, and update certain language to reflect the current Annotated Code of Maryland referenced; providing that the title of this Ordinance shall be deemed a fair summary, and generally relating to municipal infractions in the Town of Rock Hall.

**RECITALS**

**WHEREAS**, pursuant to Md. Code Ann., Transp. § 26-301(b), the Council of the Town of Rock Hall (the "Council") is authorized and empowered to adopt ordinances or regulations that regulate the parking of vehicles; and

**WHEREAS**, pursuant to § 502 of the Charter of the Town of Rock Hall (the "Charter"), the Council is empowered to adopt by ordinance and enforce within the corporate limits of the Town of Rock Hall (the "Town") parking regulations not in conflict with the laws of the State of Maryland or with the Charter; and

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't § 6-102, unless State law classifies a violation as a criminal offense, the Council is authorized and empowered to provide by law that a violation of the Code of the Town of Rock Hall (the "Town Code") is a municipal infraction and subject to a fine not exceeding \$1,000.00 for each municipal infraction; and

**WHEREAS**, pursuant to § 1306 of the Charter, certain ordinances are considered municipal infractions as defined in Md. Code Ann., Art. 23A, § 3(b)(1), which is now codified as Local Gov't § 6-102, and shall be punishable as set forth therein; and

**WHEREAS**, pursuant to the foregoing statutory authority, the Council enacted Chapter 215 (Vehicles and Traffic) of the Town Code, which sets forth the general regulations for parking within the corporate limits of the Town; and

**WHEREAS**, the Council, for the good and welfare of the community, deems it necessary and appropriate to amend Chapter 215 (Vehicles and Traffic) of the Town Code for the purposes of amending the degree of infraction pursuant to a parking ticket, updating the table of restricted parking locations for clarity, and amending outdated language.

**NOW, THEREFORE BE IT HEREBY ORDAINED AND ENACTED** by the Council of the Town of Rock Hall that:

### **§ 215-1. Scope.**

The provisions of this article are intended to be in addition to and supplementary to the provisions of [~~Article 66-1/2~~] **the Transportation Article** of the Annotated Code of Maryland[~~1957 Edition~~], as amended, and in accordance with the authority specifically granted **thereby**[~~said Article~~].

### **§ 215-2. Traffic and parking control signs.**

Whenever, in the judgment of the Mayor and Council of Rock Hall, it is necessary for the safety or control of vehicular or pedestrian traffic or for the regulation of the use of parking areas, the Mayor and Council may erect or cause to be erected weight limit, stop, no-parking, speed limit, one-way and other traffic control and parking restriction signs designed to control, regulate, warn or guide traffic or limit parking on public streets, highways or other areas in the Town of Rock Hall. It shall be the duty of all persons to observe such signs, and any person failing to observe any such sign shall, upon conviction thereof, be guilty of a [~~misdemeanor~~] **municipal infraction**. Nothing herein contained shall be deemed to constitute a repeal of the authority heretofore granted by the Mayor and Council of Rock Hall for the erection of traffic control and parking restriction signs, and a failure to observe any such signs heretofore erected shall be subject to the same penalties as set forth hereafter.

### **§ 215-3. Stopping, standing or parking prohibited in specific places.**

- A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device, in any of the following places:

\* \* \*

- (8) Within 20 feet of the driveway entrance to any fire department station **or** within 75 feet of said entrance when sign-posted.

### **§ 215-4. Notice of violation; payment of penalty; issuance of summons.**

- A. Every duly authorized police officer of the Town of Rock Hall shall attach to any vehicle found to be in violation of §§ 215-2 and 215-3 of this article a notice to the owner thereof that such vehicle has been in violation of the provisions of this article and instructing such owner to **either mail the amount due or** report to the Town Clerk-Treasurer during regular office hours thereof in regard to such violation. Each such owner shall, at such time as specified on the notice of violation attached to such vehicle, pay at the office of the Town Clerk-Treasurer to the clerk in charge thereof, as a penalty and in full satisfaction of such violation, the sum provided in § 215-9. Failure of such owner to make such payment upon such conditions shall render the owner subject to the penalty hereinafter imposed.

### **§ 215-7. Parking restrictions.**

\* \* \*

- E. No parking. There shall be no parking of any kind or nature of any motor vehicles on the following streets within the Town of Rock Hall:

Name of Street	Side	Location
Chesapeake Avenue	Both	From Main Street to Sharp Street
Main Street	East	Between <u>East Sharp Street</u> <u>and</u> Maryland Route 20 [ <del>and Maryland Route 674</del> ]
Rock Hall Avenue (also known as Gratitude Road or Maryland Route 20) [Amended 9-5-1996 by Ord. No. 96-04]	North	From the center line of North Main Street west 245 feet
Rock Hall Avenue (also known as Gratitude Road or Maryland Route 20) [Amended 9-5-1996 by Ord. No. 96-04]	<del>[North]</del> <u>West</u>	From [ <del>a point 440 feet west of the center line of North Main Street</del> ] <u>Liberty Street</u> to Hawthorne Avenue
<del>Sharp Street</del>	<del>[Both]</del>	<del>[From Main Street (Maryland Route 445) to Boundary Avenue]</del>
South Main Street* (also known as Maryland Route 445)	Both	From the Methodist Church Hall to Boundary Avenue
<u>No Parking on Chesapeake Avenue within town limits</u>	<u>Both</u>	
<u>No Parking on North Sharp Street within town limits</u>	<u>Both</u>	

\* \* \*

#### § 215-9. Violations and penalties.

Violations of this article shall be punishable as a municipal infraction. Violators shall be subject to a fine [~~not to exceed \$100~~] as indicated on the parking ticket. [~~Repeat offenders~~] Each additional offense may be assessed a fine not to exceed \$200[~~for each offense~~].

**SECTION 2.** The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

**SECTION 3.** In this Ordinance, unless a section of the code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out and enclosed in brackets. Substantive language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

**SECTION 5.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6.** The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

This Ordinance was introduced at a public meeting of the Council of the Town of Rock Hall, held on the 9<sup>th</sup> day of March, 2023, and having been reviewed and considered for final action after a public hearing on the 13<sup>th</sup> day of April, 2023, was duly passed and enacted on the 13<sup>th</sup> day of April, 2023.

**COUNCIL OF THE TOWN OF ROCK HALL**

  
Dawn Jacobs, Mayor yes  
(VOTE)

  
Carolyn Jones, Vice Mayor yes  
(VOTE)

  
Timothy Edwards, Councilmember (VOTE)

  
Eleanor Collyer, Councilmember yes  
(VOTE)

  
James Cook, Councilmember yes  
(VOTE)

Approved as to form:

\_\_\_\_\_  
Patrick W. Thomas, Town Attorney

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**COUNCIL OF THE TOWN OF ROCK HALL**

 yes  
Dawn Jacobs, Mayor (VOTE)

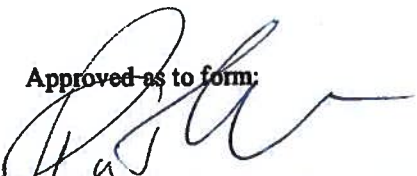
 yes  
Carolyn Jones, Vice Mayor (VOTE)

absent  
Timothy Edwards, Councilmember (VOTE)

 yes  
Eleanor Collyer, Councilmember (VOTE)

 X  
James Cook, Councilmember (VOTE)

Approved as to form:

  
Patrick W. Thomas, Town Attorney