

Commissioners of Bel Air
Agenda
June 5, 2023

Resolution No. 1204-23

Fines and Penalties for Violations of Regulations in the Bel Air Town Code

RECOMMENDED MOTION: "...that proposed Resolution No. 1204-23, amending Resolution 1097-17 providing for fines and penalties for violation of regulations in the Bel Air Town Code, be received by the Board of Town Commissioners."

BACKGROUND

Article IV, Section 450-39 of the Bel Air Town Code authorizes the Board of Town Commissioners to establish by Resolution appropriate fines and penalties based on regulations set forth in the Bel Air Town Code.

ISSUES

Over the last year, the parking fund committee discussed the need to review the Town's fines and penalties as it relates to parking. The decline in parking revenues to fund the expenses in the parking fund along with the fines/penalties not significantly changing since June, 2001 were the two main reasons for conducting the analysis.

DISCUSSION/EXPLANATION

The Finance staff did an extensive review of comparable fines/penalties with twenty-four other Maryland jurisdictions and found that in most cases, the Town's fees were lower. In determining the fine/penalty to recommend, an average was calculated using the amounts from each violation from each municipality where applicable. The following are recommended changes:

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| 1. Parking at red curb/fire lane/fire hydrant | \$60.00 to \$100.00 |
| 2. Parking meter violation | \$15.00 to \$30.00 |
| 3. Garage lease/preferential residential/permit parking lot restrictions | \$25.00 to \$40.00 |
| 4. Parking at yellow curb/no parking zone/vehicle obstruction at crosswalk | \$50.00 to \$100.00 |
| 5. Parking within eight feet of a driveway entrance | \$30.00 to \$50.00 |
| 6. All other improper parking violations | \$35.00 to \$50.00 |

Based on the violations issued through mid-April, we estimate that the recommended changes increase parking fine revenues by approximately \$34,000 for fiscal year 2024. The effective date of the resolution will be July 1, 2023.

RECOMMENDATION

The staff recommends the Board of Town Commissioners receive Resolution No. 1204-23. A public hearing will be held on Tuesday, June 20, 2023 at 5:30pm at the McFaul Activity Center, 525 W. McPhail Road, Room #4.

RESOLUTION NO. 1204-23

**A RESOLUTION AMENDING RESOLUTION NO. 1097-17
FINES AND PENALTIES FOR VIOLATION OF REGULATIONS
IN THE BEL AIR TOWN CODE**

WHEREAS, Article IV, Section 450-39 of the Bel Air Town Code authorizes the Board of Town Commissioners to establish by Resolution appropriate fines and penalties based on regulations set forth in the Bel Air Town Code; and

NOW, THEREFORE, BE IT RESOLVED by the Bel Air Board of Town Commissioners that the following fines and penalties are hereby adopted:

Fines:

Tampering with Parking Meters	\$ 250.00
Parking at Red Curb/Fire Lane	\$ 60.00 \$100.00
Parking at Fire Hydrant	\$ 60.00 \$100.00
Violation of Thru Truck Traffic	\$ 60.00
Violation of Handicap Parking	\$ 140.00
Violation of Parking Regulations at Meters	\$15.00 \$30.00
Violation of Garage Lease Parking Restriction	\$ 25.00 \$40.00
Violation of Preferential Residential Parking Regulations	\$ 25.00 \$40.00
Violation of Permit Parking Lot Regulations	\$ 25.00 \$40.00
Parking at Yellow Curb or No Parking Zone	\$ 50.00 \$100.00
Vehicle Obstruction at Crosswalk	\$ 50.00 \$100.00
Parking within Twenty-Five Feet of an Intersection	\$ 50.00
Parking within Eight Feet of a Driveway Entrance	\$ 30.00 \$50.00
Violation of Long Bodies or Recreational Vehicle Regulations	\$ 50.00
All Other Improper Parking Violations	\$ 35.00 \$50.00
Penalty for Failure to Obtain a Vendor's Permit	\$ 100.00
Failure to obey traffic direction from an Authorized Traffic Controller	\$ 25.00

Penalties for Unpaid Fines Thirty Days After Issuance Date of Violation	\$ 10.00
And Every Thirty Days Thereafter	\$ 5.00
Penalty for each unsatisfied parking violation which results in the refusal of registration by the motor vehicle administration (flagging fee, VR-119 form)	\$15.00
Penalty for Duplicate VR-119 Release Fee For Flagged Parking Violations	\$ 10.00
Vehicle Immobilization Installation and Removal Fee	\$100.00

Penalties and Fines for Violation of Section 450-35:

- First time offenders shall be issued a written warning to cease the prohibited activity.
- Second time offenders shall have their skateboards or other similar devices confiscated by the Police Department. The law enforcement officer shall return the skateboard or other similar device only after the payment of a \$25.00 fine. In the case of a juvenile, the skateboard or other similar device will only be returned to the offending minor’s parent or guardian after the fine is paid. A Maryland Uniform Civil Citation will be used for the municipal infraction.
- Third time offenders shall have their skateboards or other similar devices confiscated. A Maryland Uniform Civil Citation will be used for this municipal infraction. Three or more offenses shall be punishable by a fine of \$100.00 per occurrence.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect July 1, 2023.

INTRODUCTION:
PUBLIC HEARING:
ENACTMENT:
EFFECTIVE:
AYES:
NAYS:
ABSENT:

Kevin M. Bianca, Chair
Board of Town Commissioners

Michael L. Krantz, Town Clerk