

**MAYOR AND TOWN COUNCIL OF COLMAR MANOR**

**ORDINANCE NO. 0 - 3 - 2008**

AN EMERGENCY ACT concerning the revision of the penalties provided for specific violations of various provisions of the Town of Colmar Manor Code (the "Code") all as set forth herein.

**SECTION 1. FINDING OF FACT.** The Mayor and Town Council, following a public hearing on the subject of this ordinance, find that the penalties provided in the Code are ineffective and no longer serve a deterrent to violations of the Code, and that the Maryland General Assembly and the Governor have recognized this situation by increasing the amount of fines and other penalties that can be imposed by municipal governments for the violation of their ordinances.

**SECTION 2. FINDING OF FACT.** The Mayor and Town Council, following a public hearing on the subject of this ordinance, find that pursuant to Section 307 of the Town Charter, that an emergency exists requiring that adoption of this ordinance as an emergency ordinance, that the period between introduction and adoption may be suspended by the unanimous vote of the members of the Town Council who are present, but in no case less than two-thirds of those eligible to vote, and that this ordinance shall take effect on the day of its adoption.

**SECTION 3. BE IT ENACTED** by the Mayor and Town Council of Colmar Manor that Section 2.7 of Article 2, Section 4.6 of Article 4, Section 6.6 of Article 6, Section 7.7 of Article 7 and Section 8.6 of Article 8, Section 9.7 of Article 9, and Section 10.16 of the Code be and the same are repealed and reenacted with amendments, and that a new Section 5.8 of Article 5 be added to the Code, all to read as follows:

**Article 2 - Animals**

Section 2.7. Violation of this Article shall be declared a municipal infraction. The penalty for violation shall be fifty (\$50) for each initial offense, and one-hundred dollars (\$100) for each repeat or reoccurring offense.

**Article 4 - Building & Fire Codes**

Section 4.6 Violation of this Article shall be declared a municipal infraction. The penalty for violation shall be and one-hundred dollars (\$100) for each initial offense, and two-hundred fifty dollars (\$250) for each repeat or reoccurring offense.

**Article 5 - Health**

Section 5.9 Any violation of this Article, except for violations of Section 5.8 hereof, is declared to be a municipal infraction. The penalty for each initial infraction shall be fifty dollars (\$50.00) and for each repeat, or continuing infraction shall be one-hundred dollars (\$100.00). Violation of this Article shall be declared a municipal infraction. The penalty for violation shall be fifty (\$50) for each initial offense, and one-hundred dollars (\$100) for each repeat or reoccurring offense.

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**Article 6 – Licensing**

Section 6.6 Violation of this Article is declared to be a municipal infraction. The penalty for each initial infraction shall be one-hundred dollars (\$100.00), and for each additional or continuing infraction, the penalty shall be two-hundred and fifty dollars (\$250.00).

**Article 7 – Peace and Order**

Section 7.7 Violation of this Article shall be declared a municipal infraction. The penalty for violation shall be one-hundred dollars (\$100) for each initial offense, and two-hundred dollars fifty (\$250) for each repeat or reoccurring offense.

**Article 8 – Loitering**

Section 8.6 Violation of this Article shall be declared a municipal infraction. The penalty for violation shall be one-hundred dollars (\$100) for each initial offense, and two-hundred dollars fifty (\$250) for each repeat or reoccurring offense.

**Article 9- Streets and Sidewalks**

Section 9.7 Violation of sections 9.2, 9.3, 9.4 and 9.5 shall be declared a municipal infraction. The penalty for violation shall be fifty (\$50) for each initial offense, and one-hundred dollars (\$100) for each repeat or reoccurring offense.

**Article 10- Traffic**

Section 10.16. PENALTIES AND ADMINISTRATIVE FEE. Because of the expenses to the Town for the flagging of vehicles with outstanding violations, the Clerk-Treasurer is authorized to impose a fee of up to twenty-five dollars (\$25.00) for the processing of such violations issued under this Article 10, traffic, which are not paid within thirty (30) days of their issuance.

Violation of this Article of this Article shall be declared a municipal infraction. The penalty for violation shall be fifty dollars (\$50.00) for the first violation and one-hundred dollars (\$100.00) for each subsequent violation.

Any violation of Sections 4, 5, 7, 8, 10, 12, 14 or 15 is hereby declared to be a municipal infraction. The penalty for violation shall be Fifty Dollars (\$50.00) for each initial offense and One Hundred Dollars (\$100.00) for each repeat offense

**SECTION 4. BE IT FURTHER ENACTED** that this Ordinance is declared to be an emergency ordinance and shall take effect on the day of its enactment.

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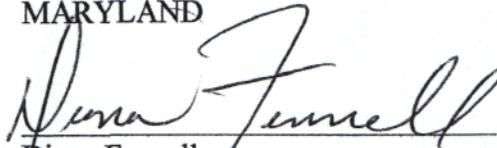
Introduced on the 12<sup>th</sup> day of August 2008.

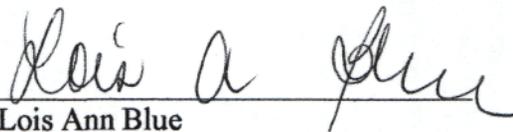
Adopted on the 5<sup>th</sup> day of November 2008.

ATTEST:

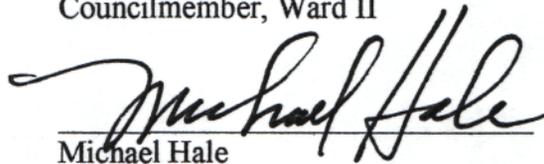
  
Daniel R. Baden  
Clerk-Treasurer

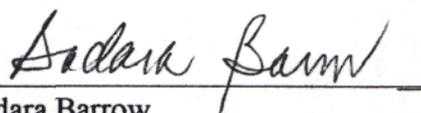
MAYOR AND TOWN COUNCIL  
OF COLMAR MANOR,  
MARYLAND

  
Diana Fennell  
Mayor

  
Lois Ann Blue  
Councilmember, Ward I

Absent  
\_\_\_\_\_  
Frances Smith  
Councilmember, Ward II

  
Michael Hale  
Councilmember, Ward III

  
Sadara Barrow  
Councilmember, Ward IV

I certify that the following motion was made at the meeting of the Mayor and Town Council of Colmar Manor held on November 5, 2008.

Motion: Councilmember Barrow moved that the Mayor and Town Council adopt Ordinance No. 0 - 3 - 2008, an emergency act, repealing and reenacting with amendments Section 2.7 of Article 2, Section 4.6 of Article 4, Section 6.6 of Article 6, Section 7.7 of Article 7 and Section 8.6 of Article 8 of the Code and adding new Section 5.9 for Article 5, and repealing and reenacting

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with amendments Section 9.7 of Article 9, and Section 10.16 of Article 10, all concerning penalties and fees for violation of Town ordinances.

Motion Seconded: Councilmember Hale.

Vote: 4-0 (Councilmember Smith absent)

Clerk-Treasurer to the Mayor and Town  
Council of Colmar Manor

  
Daniel R. Baden