

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, MARYLAND,
AMENDING CHAPTER 184 “VEHICLES AND TRAFFIC”, BY REPEALING AND
REENACTING ARTICLE VII “SPEED MONITORING SYSTEMS”, SECTION 184-45
“SYSTEMS IN SCHOOL ZONES AND WITHIN ONE-HALF MILE OF AN
INSTITUTION OF HIGHER EDUCATION” TO AMEND THE SECTION TO
CONFORM TO STATE MANDATED CHANGES

WHEREAS, pursuant to Md. Code Ann., Art. 23A, §2, the City of College Park, Maryland (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to prevent and remove nuisances; and

WHEREAS, §21-809 of the Transportation Article, Annotated Code of Maryland, as amended, authorizes the City to operate a speed monitoring system to enforce the speed limit in school zones and within ½ mile of an institution of higher education in the City; and

WHEREAS, pursuant to §21-809, as amended, the City has adopted this enforcement mechanism for increased public safety; and

WHEREAS, §21-809 was amended by the State Legislature effective in 2014; and

WHEREAS, it is appropriate to conform the City code language with that of amended §21-809.

Section 1. **NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the City of College Park, Maryland that Chapter 184 “Vehicles and Traffic”, §184-45 "Systems in school zones and within one-half mile of an institution of higher education", be, and is hereby amended to read as follows:

§184-45 Systems in school zones and within one-half mile of an institution of higher education.

A. The City, through an Agency established or designated by the City, is authorized to operate a speed-monitoring system to enforce the speed limit in conformance with § 21-809,

Transportation Article, Annotated Code of Maryland, as amended. The speed monitoring system shall be operated by a City agency through DULY AUTHORIZED Prince George's County police officers employed BY or under contract with the City, to be administered in conjunction with the City's Public Services Department.

B. Before activating a ~~non-unmanned stationary~~ speed-monitoring system, the City shall:

(1) Publish notice of the location of the speed-monitoring system on its website and in a newspaper of general circulation in the City.

(2) Ensure that each sign that designates a school zone ~~indicates~~ IS PROXIMATE TO A SIGN THAT, AND EACH SPEED LIMIT SIGN APPROACHING AND WITHIN THE INSTITUTE OF HIGHER EDUCATION ZONE:

(A) INDICATES that speed-monitoring systems are in use in THE school OR INSTITUTE OF HIGHER EDUCATION zone[s]; AND

(B) IS IN ACCORDANCE WITH THE MANUAL FOR AND THE SPECIFICATIONS FOR A UNIFORM SYSTEM OF TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE HIGHWAY ADMINISTRATION UNDER §25-104 OF THE TRANSPORTATION ARTICLE, ANNOTATED CODE OF MARYLAND.

C. * * * *

D. ~~[For a period of at least 30 days after the first speed monitoring system is placed in the City, a violation recorded by any speed monitoring system may be enforced only by issuance of a warning. At least 14 days of the thirty day warning period shall occur during a University of Maryland fall or spring semester.]~~ IF THE CITY MOVES OR PLACES A MOBILE OR STATIONARY SPEED MONITORING SYSTEM WHERE A SPEED MONITORING

SYSTEM HAS NOT PREVIOUSLY BEEN PLACED, THE CITY MAY NOT ISSUE A CITATION FOR A VIOLATION RECORDED BY THAT SPEED MONITORING SYSTEM:

(1) UNTIL SIGNAGE IS INSTALLED IN ACCORDANCE WITH SUBSECTION B OF THIS SECTION; AND

(2) FOR AT LEAST THE FIRST 15 CALENDAR DAYS AFTER THE SIGNAGE IS INSTALLED.

E. * * * *

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for _____ P.M. on the _____ day of _____, 2014, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on _____, 2014 provided that

a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the _____ day of _____ 2014.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the _____ day of _____ 2014.

EFFECTIVE the _____ day of _____, 2014.

ATTEST:

THE CITY OF COLLEGE PARK, MARYLAND

By: _____
Janeen S. Miller, City Clerk, CMC

By: _____
Andrew M. Fellows, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney