

**CITY OF HYATTSVILLE
ORDINANCE 2024-04**

**An Ordinance whereby the City Council Amends the City Code,
Chapter 114, Article II Traffic Regulations to add Section 114-
10, Stop Sign Monitoring Systems in School Zones.**

WHEREAS, the Maryland Code, Local Government Article, Section 5-202, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to pass ordinances that such legislative body deems necessary to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality; and

WHEREAS, Section C3-1 of the City Charter states that the Council has the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland as it may deem necessary for the good government of the City, for the protection and preservation of the City's property, rights, and privileges, for the preservation of peace and good order, for securing persons and property from violence, danger or destruction, and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors in the City; and

WHEREAS, Maryland Code, Transportation Article, Section 21-707.1, as amended, authorizes the legislative body of each municipal corporation in Prince George's County to pass ordinances authorizing the use of stop sign monitoring systems in school zones providing that the driver of a motor vehicle recorded failing to obey a stop sign is subject to a citation and a certain civil penalty under certain circumstances.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville in regular session assembled that Chapter 114, Article II of the City Code is hereby amended to read as follows:

* * *

§ 114-10. Stop sign monitoring systems in school zones. [Deleted 3-12-2011 by HO-2011-01]

A. The City of Hyattsville may use stop sign monitoring systems in school zones.

1. A "stop monitoring system," as defined in Maryland law, means a device designed to capture a recorded image of a violation.

2. "Violation," as defined under the bill, means a failure to come to a complete stop at a stop sign in violation of Maryland Code, § 21-707 of the Transportation Article. "Violation" does not include any action taken by a driver under the instruction of a police officer.

1 B. Before beginning the use of stop sign monitoring systems in school zones, the City shall:
21. Publish notice that the City has adopted the use of traffic control device stop sign monitoring
3 system on the City website and in a newspaper of general circulation within the City.

4
5 C. Unless the driver of the motor vehicle received a citation from a police officer at the time
6 of the violation, the owner or driver of a motor vehicle is subject to a civil penalty if the motor
7 vehicle is recorded by a stop sign monitoring system during the commission of a violation.
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9 D. The City shall mail to the owner liable under subsection C of this ordinance a citation that
10 shall include:

- 11 1. The name and address of the registered owner of the vehicle;
- 12 2. The registration number of the motor vehicle involved in the violation;
- 13 3. The violation charged;
- 14 4. The date and time of the violation;
- 15 5. The location of the violation;
- 16 6. The date and time of the violation;
- 17 7. A copy of the recorded image;
- 18 8. A signed statement by a technician employed by the City, that based on the review
19 of the recorded image, the motor vehicle was being operated during the time of the
20 violation; and
- 21 9. A statement indicating the recorded image is evidence of a violation; and
22 Information advising the following:
 - 23 i. The manner and time in which liability as alleged in the citation may be
24 contested in the District Court; and
 - 25 ii. That failure to pay the civil penalty or contest liability in a timely manner
26 is an admission of liability and may result in refusal or suspension of the
27 motor vehicle registration.

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29 E. The City may mail a warning notice in place of a citation to the owner liable under
30 subsection C of this ordinance.
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32 F. Before the City mails a citation to motor vehicle rental company, the City shall mail a
33 notice to the rental company indicating a citation will be issued within 45 days after receipt of the
34 notice, unless the rental company provides:

- 35 1. An under-oath statement indicating the name and last known mailing address of the
36 individual driving or renting the motion at the time of the violation;
- 37 2. An under-oath statement indicating the vehicle was stolen at the time of the
38 violation along with the police report associated with the theft; or
- 39 3. Payment for the penalty associated with the violation.
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41 G. The City may not mail a citation to a motor vehicle rental company if the company
42 complied with subsection F of this ordinance.

H. The citation must be mailed no later than two weeks after the alleged violation.

I. An individual who receives a citation under subsection C of this ordinance may:

1. Pay the fine in accordance with instructions on the citation; or

2. Elect to stand trial for the alleged violation.

J. The stop sign monitoring system in the City shall be conducted in compliance with all applicable provisions of the Maryland Vehicle Law.

K. City staff is hereby authorized to take those actions necessary to obtain any required permission from the state of Maryland or other government with jurisdiction to operate a stop sign monitoring system in school zones.

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect on October 6, 2024;

AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

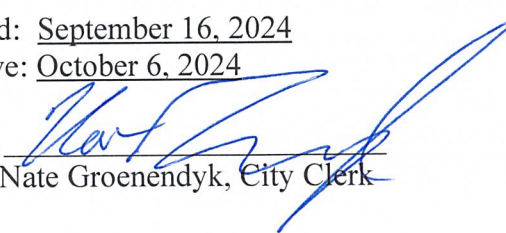
INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on August 5, 2024.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on September 16, 2024.

Adopted: September 16, 2024

Effective: October 6, 2024

Attest:


Nate Groenendyk, City Clerk


Robert S. Croslin, Mayor

Explanatory Note

1. Underlining indicates language being added to the Code.
2. *** Asterisks indicate language contained in the existing law that remains unchanged that is not reproduced in this ordinance as it is not substantively relevant to the changes being made and including it would make the ordinance overly long.

Link to Chapter 114 (last visited June 19, 2024):

<https://ecode360.com/36858679>

4861-8241-8640, v. 1