

ORDINANCE NO. 49 A

**AN ORDINANCE OF THE COMMISSIONERS OF MARDELA SPRINGS TO REGULATE PARKING OF MOTOR VEHICLES WITHIN THE TOWN LIMITS OF MARDELA SPRINGS, MARYLAND, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.**

**WHEREFORE**, the Commissioners of Mardela Springs have determined that the public safety of the residents of the town requires the adoption of parking regulations and methods of enforcement within the Town.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Commissioners of Mardela Springs, as follows:

**Section 1.** Purpose.

The purpose of this ordinance is to establish rules and regulations regarding parking within the Town and to provide methods and procedures to enforce said parking regulations.

**Section 2.** Approval of Rules

The Commissioners of Mardela Springs, by adoption of resolutions, from time to time, shall have the power to:

- A) Designate the streets or parts of streets upon which there shall be no stopping or parking of vehicles.
- B) Exclude or restrict stopping or parking on designated streets or parts of streets during certain hours.
- C) Establish one-way streets.
- D) Designate fire routes and prohibit stopping or parking thereon upon certification from the fire chief of the Mardela Springs Volunteer Fire Department that such street or highway is required for use in attending fires.
- E) Prohibit commercial traffic from using certain streets or parts thereof.

Resolutions adopted in pursuance of this section shall be effective upon erection of signs by, or authorized by, the Commissioners, sufficient in number to apprise the ordinarily observant person of the existence of the regulation on the street affected.

**Section 3.** Compliance with Signs.

No person shall park, operate or drive any vehicle upon any municipal street or alley within the Town of Mardela Springs contrary to the direction of authorized signs posted on said streets.

**Section 4.** Enforcement Officers

The Commissioners of Mardela Springs shall designate and appoint authorized parking enforcement personnel by adoption of a resolution. In addition to the personnel appointed by the Commissioners, members of the Wicomico County Sheriffs Department and/or the Maryland State Police shall have the authority to enforce parking regulations of the Town.

**Section 5.** Enforcement

Any person observing a parking violation by a vehicle under this ordinance shall report:

1. The state license number of any such vehicle;
2. The nature of the violation and the time and place thereof;
3. Any other facts necessary to have a thorough understanding of the circumstances attending such violation.

In the case of a parking violation, each police officer or authorized parking enforcement personnel of the town making such a report also shall attach to such vehicle or deliver to the operator thereof, if present in the vehicle, a notice to the owner or operator thereof that such vehicle has been illegally parked and instructing such owner or operator where and when he may make payment of the penalty for such violation and the amount of the penalty for such violation; in case of any other violation, each police

officer or authorized parking enforcement personnel of the town making such a report also shall deliver to the operator or driver of such vehicle a notice that such vehicle has been operated or driven in violation of this chapter and instructing such operator or driver to appear at the district court for the county at the time and on the date specified in such notice with regard to such violation.

**Section 6.** Payments for parking violations.

Each owner of a vehicle to which is attached a notice, in accordance with the provisions of Section Five, may, within thirty (30) days of the time when such notice was attached to such vehicle, pay to the Town Clerk, as a penalty and in full satisfaction of the violation because of which such notice was attached to the vehicle in question, the full amount which is set forth on the notice as being payable in respect thereof. Such amount, for each such notice, shall be the amount designated therefore by the Commissioners, from time to time, provided that any proposed change in the amount shall be publicly posted by the Commissioners at the Town Hall for not less than fifteen (15) days prior to the effective date of the change.

**Section 7.** Failure to make payments.

The failure of the owner of a vehicle to which is attached a notice, in accordance with the provisions of Section Five, to make payment at the office of the Town Clerk within thirty (30) days as provided for in Section Six shall render such owner subject to a payment of twenty-five dollars (\$25.00) as a penalty for nonpayment. The failure to make payment of said twenty-five dollars (\$25.00) plus the original ticket amount shall render such owner subject to a punishment, upon conviction of each said parking violation, by a fine not exceeding thirty-five dollars (\$35.00).

**Section 8.** Reports and notices.

The report and notice referred to in Section Five shall bear corresponding serial numbers. All reports issued under such section shall be accounted for by the police officer or authorized enforcement

personnel to the Town Clerk. The Town Clerk shall render a written report thereof to the Council as often as the Council may require.

**Section 9.** That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

AND BE IT FURTHER ENACTED AND ORDAINED by the Commissioners of Mardela Springs, that any operator of said motor vehicles violating this Ordinance shall be deemed guilty of a "municipal infraction" as provided in Ordinance No. 43 of the Town of Mardela Springs, Maryland.

This above ordinance was introduced and read to the Commissioners of Mardela Springs, Maryland at their meeting on the 16<sup>th</sup> day of March, 2010, and was advertised as required and passed at the meeting held on the 20<sup>th</sup> day of April, 2010.

WITNESS:

Pat Hooper  
Pat Hooper, Clerk  
Subscribed and sworn to before me, in my presence, this 20 day of April, 2010, a Notary Public in and for the State of Maryland.  
Pat Hooper  
Notary Public  
My commission expires March 26, 2013

Jerrold C. Marshall  
Jerrold C. Marshall, President

Larry Sheekley  
Larry Sheekley, Vice President

Debra Bailey  
Debra Bailey

Stanford Robinson  
Stanford Robinson

J. Randy Slacum  
J. Randy Slacum