

Filed and recorded October 18, 2005.

## TOWN OF MOUNTAIN LAKE PARK

### ORDINANCE NO. 2005-3

#### ENFORCEMENT ORDINANCE AMENDMENT

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF MOUNTAIN LAKE PARK AMENDING THE ENFORCEMENT ORDINANCE TO RESCIND THE CURRENT PROVISIONS IN ARTICLE 8, FAILURE TO PAY FINE, AND TO IMPLEMENT NEW PROVISIONS IN ARTICLE 8 TO SIMPLIFY THE PROCESS OF COLLECTING FINES.**

**WHEREAS**, the Mayor and Town Council of Mountain Lake Park is authorized by Article 23A of the Maryland Annotated Code and by the Mountain Lake Park Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to Mountain Lake Park, and;

**WHEREAS**, on January 8, 2004, the Mayor and Town Council of Mountain Lake Park adopted an enforcement ordinance which made violations of ordinances municipal infractions, and;

**WHEREAS**, the Mayor and Town Council finds it necessary to clarify the provisions of the Enforcement Ordinance with regard to the failure to pay fine provisions in Article 8 of the Enforcement Ordinance, and;

**WHEREAS** Article 8, Failure to Pay Fine of the January 8, 2004 Enforcement Ordinance states:

Section 1. If a person who receives a citation for an municipal infraction fails to pay the fine by the date of payment set forth on the citation and fails to file a notice of intention to stand trial, a formal notice of the infraction shall be sent to the person's last known address.

Section 2. If the citation is not satisfied within fifteen (15) days from the date of the notice, the person is liable for the fine specified on the citation.

Section 3. If after thirty-five (35) days, the citation is not satisfied, the Mayor or his or her authorized agent may request adjudication of the case through the District Court. The District Court shall schedule the case for trial and summon the defendant to appear.

**NOW, THEREFORE, BE IT ORDAINED AND RESOLVED**, Article 8 of the Enforcement Ordinance is rescinded and replaced by the following:

Section 1. If a person who receives a citation for a municipal infraction fails to pay the fine by the date of payment set forth on the citation and fails to file a notice of intention to stand trial, the Mayor or his or her authorized agent may request adjudication of the case through the District Court. The District Court shall schedule the case for trial and summon the defendant to appear.



Mayor and Town Council of Mountain Lake Park  
Enforcement Ordinance Amendment No. 2005-3

**BE IT FURTHER RESOLVED**, this ordinance amendment shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Mountain Lake Park. A public hearing on this zoning ordinance amendment shall be held on the 1st day of September, 2005, at 6:00 P. M. at the Town Hall located at 1007 Allegheny Drive, Mountain Lake Park, Maryland 21550.

**INTRODUCED** this 4th day of August, 2005.

**SECOND READING AND ADOPTION** this 1st day of September, 2005.

**THIS ORDINANCE AMENDMENT IS SUBJECT TO REFERENDUM AS OUTLINED IN ARTICLE 23A, SECTIONS 11 THROUGH 17.**

ATTEST:

Judy A. Paul  
Clerk/Treasurer

Patricia J. Jamar  
Councilmember

Jed Searey  
Councilmember

Linda K. Pike  
Councilmember

Barth L. Mantz  
Mayor

Donald W. Sincell  
Councilmember

Lu L. Call  
Councilmember



## TOWN OF MOUNTAIN LAKE PARK ORDINANCE CHECKLIST

1. 8/4/05 Introduce proposed ordinance to governing body. (Constitutes first reading)
2. 8/11/05 Publish public hearing date and time and a fair summary of proposed ordinance  
8/18/05 for two week intervals. (This date must be set at least 6 days but not more than 60 days after introduction for hearing.)
3. 9/1/05 Conduct public hearing, second reading and adoption of Ordinance.
4. 9/1/05 Ordinance will become effective immediately upon adoption.
5. 10/11/05 Wait 40 days to allow time for petition to ordinance referendum.
6. 10/12/05 If no petition, is received, promptly register the ordinance with the county, Clerk of Courts.

CLERK

*David K. Martin*



TOWN OF MOUNTAIN LAKE PARK  
ORDINANCE CHECKLIST

- 1. Introduce proposed ordinance to governing body. (Constitutes first reading) 8/4/02
- 2. Publish public hearing date and time and a fair summary of proposed ordinance for two week intervals. (This date must be set at least 6 days but not more than 60 days after introduction for hearing.) 8/11/02  
8/18/02

**ORDINANCES & RESOLUTIONS**

- 3. Filed and recorded October 18, 2005, 9/1/02
- in O & R Record, Liber D.K.M., No. 005, 9/1/02
- folio 361, one of the records in the 9/1/02
- Office of the Clerk of the Circuit Court 10/1/02
- for Garrett County, Maryland, and compared 10/15/02
- by: 10/15/02

*David K. Martin*, CLERK