



# Town of Berwyn Heights

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## ORDINANCE 149

### AN ORDINANCE AUTHORIZING A SPEED AND RED LIGHT CAMERA ENFORCEMENT PROGRAM

#### Section 1. Purpose and Authority

- A. Purpose – The purpose of the Ordinance is to authorize a speed camera enforcement program pursuant to § 21-809, and a red light camera enforcement program pursuant to § 21-202.1 of the State of Maryland Transportation Article
- B. Authority – The authority to provide for the protection of the health, safety, and welfare of the residents of and visitors to the Town is provided in Section 401 – General Powers of the Town of Berwyn Heights Charter.

#### Section 2. Speed and Red Light Camera Enforcement

- A. Speed and red light camera enforcement, using a mobile speed or red light monitoring camera system, is authorized at locations within the Town as determined by the Chief of Police or designated representative. After the first speed or red light camera monitoring system is placed or moved within the Town, for a period of at least 30 days, a violation recorded during that period by the speed or red light camera monitoring system may be only enforced by the issuance of a warning.
- B. The Town Council approves and authorizes the use of mobile speed or red light monitoring systems provided by a vendor, as determined by Town Council, for speed and red light camera monitoring enforcement within the Town.
- C. § Section 21-803.1 of the Transportation Article of Maryland law authorizes a municipal governing body to establish a school zone within a half-mile radius of any school. Fifty-one percent of property owners of a block and/or blocks or a Town Council recognized community organization may petition the Town Council to consider establishing additional school zone(s).
- D. The Speed and Red Light Camera Monitoring Enforcement Program shall be conducted in compliance with all of the applicable provisions of speed and red light camera monitoring enforcement laws and the Maryland Vehicle law.

#### Section 3 Penalties

- A. Any civil penalty for a Speed or Red Light Monitoring System violation that is unpaid longer than forty-five (45) days is eligible for a late fee. Any Speed or Red Light

Monitoring System violation that is unpaid longer than sixty (60) days is eligible for flagging and shall be subject to a municipal flagging fee, in addition to any Maryland Motor Vehicle Administration fees.

- B. All Speed or Red Light Monitoring System violation civil penalties, late fees and municipal flagging fees shall be set from time-to-time by resolution of the Town Council of the Town of Berwyn Heights.

#### Section 4. Severability

If any section or part of a section of this Ordinance shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance.

Adopted: 11/9/2009  
Effective: 12/2/2009  
Amended: 05/11/2013  
Effective: 05/31/2013  
Adopted: 11/10/21  
Effective: 12/1/21