

ORDINANCE NO. ORD-2017-08

**AN ORDINANCE ESTABLISHING SCHOOL ZONES AND AUTHORIZING THE
USE OF SPEED MONITORING SYSTEMS WITHIN SCHOOL ZONES IN
WASHINGTON COUNTY, MARYLAND**

RECITALS

1. Maryland Annotated Code, Transportation Article § 21-803.1, authorizes and empowers the Board of County Commissioners of Washington County, Maryland ("Board"), to establish a school zone within a half-mile radius of any school on any roadway under the Board's jurisdiction, to set a speed limit within the school zone that applies when properly signed, and to establish double fines for speeding violations within the school zone when signed to that effect.

2. Maryland Annotated Code, Transportation Article § 21-809, permits the use of speed monitoring systems within school zones in Washington County if the Board authorizes such use by local law enacted after reasonable notice and a public hearing.

3. The Board finds that it is in the best interest of the public health, safety, and welfare of the citizens of Washington County, Maryland, to enact "An Ordinance Establishing School Zones and Authorizing the Use of Speed Monitoring Systems Within School Zones in Washington County, Maryland" (the "Ordinance") pursuant to applicable Maryland law.

4. A public hearing was held on June 27, 2017, following due notice and advertisement of the Board's intention to enact the Ordinance.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, as follows:

1. A school is defined in this Ordinance as an accredited public, parochial, or private learning institution for one or more grades kindergarten through twelve within Washington County.
2. A speed monitoring system is defined in this Ordinance as a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least twelve (12) miles per hour above the posted speed limit.
3. For each school within Washington County, a school zone is hereby designated on any County roadway segment within a radius of 1,000 feet of the school where school-related activities take place, the distance of the radius being measured from the boundary lines constituting the school property.

4. For each school zone designated and established by this Ordinance, legally adequate signage, if not already existing, will be erected at each school zone in accordance with applicable Maryland law and guidelines issued by the Maryland State Highway Administration, as such law and guidelines may be amended from time to time.
5. To the extent that the Maryland State Highway Administration or a municipality located within Washington County has previously designated a school zone, or designates a school zone in the future, which is different from the designation in this Ordinance, such State Highway Administration or municipality designations will control.
6. The use of speed monitoring systems, pursuant to applicable Maryland law, is authorized within school zones designated and established under this Ordinance.
7. Before a speed monitoring system is activated within a school zone designated and established under this Ordinance, notice of the location of the speed monitoring system will be published on Washington County's official website and in a newspaper of general circulation within Washington County for at least the first fifteen (15) calendar days prior to activation of the speed monitoring system.
8. A speed monitoring system activated within a school zone designated and established under this Ordinance will operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.
9. If a mobile or stationary speed monitoring system is moved to or placed at a school zone in Washington County where a speed monitoring system has not previously been moved or placed, then no citation may issue for a violation recorded by that mobile or stationary speed monitoring system until legally adequate signage is installed and for at least the first fifteen (15) calendar days after the signage is installed.
10. A civil penalty in the amount of \$40 per violation is hereby established.
11. The official designated to implement and oversee the use of speed monitoring systems within school zones established within Washington County under this Ordinance is the Washington County Sheriff or designee(s) who will carry out such implementation and oversight in accordance with all applicable provisions and requirements of Maryland Annotated Code, Transportation Article § 21-809.

ADOPTED this 27th day of June, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Vicki C. Lumm
Vicki C. Lumm, Clerk

BY: Terry L. Baker
Terry L. Baker, President

Approved as to legal sufficiency:

Kendall A. McPeak
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Assistant County Attorney

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