

THE TOWN OF FOREST HEIGHTS
RESOLUTION 55-17

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST
HEIGHTS, MARYLAND CONSENTING TO AND APPROVING THE APPOINTMENT
AND PART TIME EMPLOYMENT OF A SPEED MONITORING SYSTEM PROGRAM
OMBUDSMAN**

Introduced By: Councilman Jonathon Kennedy, II

WHEREAS, during its 2014 regular session, the General Assembly of Maryland passed Senate Bill 350 and House Bill 929 entitled as the "Speed Monitoring Systems Reform Act of 2014," thereby mandating certain changes to local speed camera programs including the appointment of an ombudsman to review certain citations; and

WHEREAS, the Mayor and Council has or is considering Ordinance 04-14 amending Section 15.6 (Speed Monitoring Systems) of the Ordinance Code of the Town of Forest Height; and

WHEREAS, pursuant to Section 1 of said Ordinance 04-14, to be codified as Section 15.6(e) of the Town Ordinance Code, the Mayor with the approval of the Council shall designate an official or employee by resolution or ordinance to investigate and respond to questions or concerns about the speed monitoring system program and the local designee or ombudsman shall review a citation generated by a speed monitoring system if the person who received the citation requests a review thereof before the deadline for contesting liability under said Ordinance; and

WHEREAS, pursuant to said Ordinance 04-14 and state law, the ombudsman may not be employed by the speed monitoring system contractor or have been involved in any review of a speed monitoring system citation, other than a review of a citation requested by an alleged violator for review before the deadline for contesting liability; and

WHEREAS, pursuant to Subsection 7-302(e) of Md. Ann. Code, Courts and Judicial Proceedings Article, a political subdivision of this State that collects fines as a result of violations enforced by speed monitoring systems may recover the costs of implementing and administering said speed monitoring systems, and, subject to limitations established by law regarding the maximum amount of revenues that may be retained by the political subdivision, the political subdivision may spend the remaining balance solely for public safety purposes, including pedestrian safety programs, and

WHEREAS, the Town Council further find that Mr. Anthony Rease has the requisite experience, education and knowledge to serve as Ombudsman for the speed camera program and it is in the best interest of the Town to employ and thereby appoint Mr. Rease as Ombudsman.

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NOW THEREFORE BE IT RESOLVED, and enacted that the Town Council hereby approves the appointment of Mr. Anthony Rease as Ombudsman of the Speed Camera

Program to serve part time without benefits in said position at an hourly wage of \$20.00 for no more than 20 hours per week or less depending on the number of citations subject to review; and

BE IT FURTHER RESOLVED, that the Ombudsman shall report the number of citations reviewed each month to the Council and the disposition thereof and, except for Section 25.7, shall substantially follow were practical the hearing procedures found in Article 25 of the Town Ordinance Code; however, this provision shall be construed as directory only.

BE IT FURTHER RESOLVED, that line item 7301 (Speed Camera – Salaries) shall be used and designed within the FY 2018 Budget to defray the wage expense of said position at an amount not to exceed \$ \$12,500 unless approved by the Council.

BE IT FURTHER RESOLVED, that the position of Ombudsman shall report to the Mayor or her designee but in no event, shall said position or appointee report to or be supervised by the Town's speed camera vendor; and

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 19th day of July, 2017.

ATTEST:

SIGNATURE ON FILE

✓ Bonita Anderson, Town Clerk

THE MAYOR AND COUNCIL OF THE TOWN
OF FOREST HEIGHTS, MARYLAND

By: SIGNATURE ON FILE
Habeeb-Ullah Muhammad, Mayor

By: SIGNATURE ON FILE
Jonathon Kennedy II, Council President

ROLL CALL VOTE

MUHAMMAD
KENNEDY II
MCLAURIN
BARNES
HINES
SMITH-BARNES
BROWNSON

YEA/NAY/ABSTAIN/ABSENT

yes
yes
yes
yes
yes
yes
yes

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CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 19th day of July 2017 with 4 Aye votes and 0 Nay, constituting at least a four (4) vote majority, the aforesaid Resolution 55-17 passed.

SIGNATURE ON FILE

Bonita Anderson, Town Clerk