



**TOWN OF FOREST HEIGHTS, MARYLAND
TOWN MEETING
VIRTUAL MEETING | WEDNESDAY, February 16, 2022 | 8:00 PM**

Agenda

Call to Order 8:00 PM

I. Roll Call Council

- | | | | | |
|---|--------------------------|---------|--------------------------|--------|
| 1. Calvin Washington, Mayor | <input type="checkbox"/> | Present | <input type="checkbox"/> | Absent |
| 2. Robert Barnes, Councilman -- Ward I | <input type="checkbox"/> | Present | <input type="checkbox"/> | Absent |
| 3. Troy Lilly, Councilman – Ward I | <input type="checkbox"/> | Present | <input type="checkbox"/> | Absent |
| 4. Clifton Atkinson, Councilman – Ward II | <input type="checkbox"/> | Present | <input type="checkbox"/> | Absent |
| 5. Theresa Brownson, Councilwoman – Ward II | <input type="checkbox"/> | Present | <input type="checkbox"/> | Absent |
| 6. Taunya Hines, Council President – Ward III | <input type="checkbox"/> | Present | <input type="checkbox"/> | Absent |
| 7. Paula Noble, Councilwoman – Ward III | <input type="checkbox"/> | Present | <input type="checkbox"/> | Absent |

II. Moment of Silence

III. Pledge of Allegiance to the Flag of the United States of America

IV. Approval of Agenda

- a. Minutes from February 7, 2022 will be presented at March 7th meeting.

V. Public Period (limit 2 minutes)

VI. Legislation

- a. **Resolution 04-22** A resolution to approve the submission of a legislative action request ("lar") to the Maryland Municipal League ("mml") for proposed legislation regarding municipal participation in the state tax refund intercept program (trip).
- b. **Resolution 05-22** A resolution of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Laron Swann, Jr. as a police officer to serve within the Forest Heights police department and to approve a reimbursement agreement.
- c. **Resolution 06-22** A resolution of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Terrence Goode, Sr. as a police officer to serve within the Forest Heights police department and to approve a reimbursement agreement.
- d. **Resolution 07-22** A resolution of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Andrew Thomas as a police officer to serve within the Forest Heights police department and to approve a reimbursement agreement.
- e. **Resolution 08-22** A resolution approving the donation of three vehicles to the Town of Forest Heights police department by St. Mary's County commissioners and hereby authorizing the mayor to enter into an agreement to accept the donation of said vehicles on behalf of the Town.
- d. **Ordinance 01-22** An ordinance of the Mayor and Council of the Town of Forest Heights, Maryland, revising article 15 (parking and traffic) of the Town



Ordinance Code by amending and adding certain provisions of said article as part ii (residential parking permits) to provide for a residential parking program in certain residential areas of the town, and generally relating to traffic and parking regulation within the Town of Forest Heights.

V. New Business

VI. Adjournment

<https://us02web.zoom.us/j/563484463>

Meeting ID: 563484463

One tap mobile

+13017158592, 563484463# US (Washington DC)

THE TOWN OF FOREST HEIGHTS
RESOLUTION 04-22

A RESOLUTION TO APPROVE THE SUBMISSION OF A LEGISLATIVE ACTION REQUEST (“LAR”) TO THE MARYLAND MUNICIPAL LEAGUE (“MML”) FOR PROPOSED LEGISLATION REGARDING MUNICIPAL PARTICIPATION IN THE STATE TAX REFUND INTERCEPT PROGRAM (TRIP)

Introduced By: Mayor Calvin Washington

WHEREAS, the Charter, Section 33-90 authorizes the Mayor and Council to pass certain legislation of a non-permanent or administrative nature by formal resolution in lieu of ordinance; and

WHEREAS, each year MML solicits legislative action requests from its member municipalities for proposed legislation to be supported during the next regular session of the Maryland General Assembly; and

WHEREAS, every Maryland municipal government receives a share of the Local Income Tax deducted from the County’s piggy-back share and the Comptroller is required to annually certify the amount of the State income tax liability of the residents of each municipality and special taxing district and to return the greater of either 17% of the county income tax liability to the respective governments or .37% of the State taxable income of municipal or taxing district residents; and

WHEREAS, the State’s TRIP program allows the State’s Central Collections Unit to collect debts owed to State Agencies by intercepting income tax refunds that would be otherwise payable to the taxpayer and applied toward the indebtedness; and

WHEREAS, the Town by contract with Municipal Collections of America (MCoA) collects delinquent debts from speed monitoring systems (SMS) and other traffic related violations through a debt collection agency; and

WHEREAS, MCoA includes State income tax offset programs as an inclusive component of its efforts in several states, and they are one of the most effective tools for payment, and this TRIP program will intercept any payment from the State (state income tax refund, casino/lottery, state employee pay, etc.) and apply the payment to the debt owed, and 35-40 states in the Union currently have offset programs, including Maryland, but unfortunately, the Maryland offset program specifically excludes municipalities and counties from participation; and

WHEREAS, as the volume of citations has increased for the Town due to annexation and added monitoring systems, the collections component of SMS revenues has increased such that 2021 delinquencies submitted to MCoA increased by 103% over the number of accounts sent in 2020, which contributed to a revenue increase of over 240% in 2021; and

WHEREAS, the Town Council finds that the Town and other municipalities of this State should encourage the General Assembly through its advocates at MML to avoid adverse legislation and either maintain the status quo or adopt legislation that does not impede the ability of

THE TOWN OF FOREST HEIGHTS
RESOLUTION 04-22

municipalities in enforcing and collecting on behalf of the State and the Town, speed camera violations.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves and authorizes the submission by the Mayor of a 2022 MML Legislative Action Request (LAR) regarding the TRIP Program explained herein above, attached hereto as Exhibit A, to be submitted on or before July 30, 2022; and

BE IT FURTHER RESOLVED, that the Mayor and Town Council further directs the Mayor and Town Attorney to take such action as necessary to communicate the purposes of this resolution and said LAR to MML staff, its legislative committee or its other members; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of February 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
WASHINGTON	_____
BROWNSON	_____
NOBLE	_____
BARNES	_____
HINES	_____
LILLY	_____
ATKINSON	_____

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Taunya Hines, Council President

THE TOWN OF FOREST HEIGHTS
RESOLUTION 04-22

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of February 2022 with _____ Aye votes and _____ Nay votes the aforesaid Resolution __-22 passed.

Sherletta Hawkins, Town Clerk

**TOWN OF FOREST HEIGHTS
RESOLUTION 05-22**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT OF LARON SWANN JR. AS A POLICE OFFICER TO SERVE WITHIN THE FOREST HEIGHTS POLICE DEPARTMENT AND TO APPROVE A REIMBURSEMENT AGREEMENT

Introduced By: Mayor Calvin Washington

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the “Charter”) the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Laron Swann Jr, has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Police Officer in the Police Department and it is in the best interest of the Town to appoint Mr. Swann as a Police Officer; and

WHEREAS, Mr. Swann graduated from Prince George’s Municipal Police Academy in October 2020 ; and

WHEREAS, the Chief of Police has advised that in order to maintain effective 24-hour police coverage for the town, the Police Department currently needs additional Police personnel; and

WHEREAS, American Rescue Plan Act funds have been identified to temporarily fund the additional personnel for approximately 2-3 months or until such time as funds allocated to the

**TOWN OF FOREST HEIGHTS
RESOLUTION 05-22**

Town by the Department of Justice COPS Grant can be utilized or another approved funding source can be identified if needed.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby consents to the Mayor's appointment of Laron Swann Jr. at the annual salary of \$50,000; and

BE IT FURTHER RESOLVED, that said officer's salary shall be paid from line item 8200 Salary from the FY2022 Budget; and

BE IT FURTHER RESOLVED, that the Town Council hereby approves the Reimbursement Agreement, attached hereto and incorporated herein, as Exhibit 1, which requires said officer to reimburse the Town in an amount not to exceed \$5,000 should he be unwilling to serve for the requisite minimum of two (2) years.

AND BE IT FURTHER RESOLVED, that the Mayor may sign said Vehicle Donation Agreement consistent with the terms and conditions agreed upon by the parties; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ___ day of February 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

WASHINGTON

BROWNSON

NOBLE

BARNES

HINES

LILLY

ATKINSON

ATTEST:

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

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Taunya Hines, Council President

Town of Forest Heights
Resolution 05-22

**TOWN OF FOREST HEIGHTS
RESOLUTION 05-22**

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the __ day of February 2022 with __Aye votes and ____ Nay votes the aforesaid Resolution 05-22 passed.

Sherletta Hawkins, Town Clerk

TOWN OF FOREST HEIGHTS
RESOLUTION 06-22

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT OF TERENCE GOODE SR. AS A POLICE OFFICER TO SERVE WITHIN THE FOREST HEIGHTS POLICE DEPARTMENT AND TO APPROVE A REIMBURSEMENT AGREEMENT

Introduced By: Mayor Calvin Washington

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the “Charter”) the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Terrence Goode Sr. has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Police Officer in the Police Department and it is in the best interest of the Town to appoint Mr. Goode as a Police Officer; and

WHEREAS, Mr. Goode graduated from Anne Arundel Community College Police Academy in 2021; and

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby consents to the Mayor’s appointment of Terrence Goode Sr. at the annual salary of \$50,000; and

BE IT FURTHER RESOLVED, that said officer’s salary shall be paid from line item 7423 Salary from the FY2022 Budget; and

TOWN OF FOREST HEIGHTS
RESOLUTION 06-22

BE IT FURTHER RESOLVED, that the Town Council hereby approves the Reimbursement Agreement, attached hereto and incorporated herein, as Exhibit 1, which requires said officer to reimburse the Town in an amount not to exceed \$5,000 should he be unwilling to serve for the requisite minimum of two (2) years.

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

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ___ day of February 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

WASHINGTON

BROWNSON

NOBLE

BARNES

HINES

LILLY

ATKINSON

ATTEST:

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

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Taunya Hines, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of February 2022 with ___ Aye votes and ___ Nay votes the aforesaid Resolution 06-22 passed.

Sherletta Hawkins, Town Clerk

Town of Forest Heights

Resolution 06-22

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**TOWN OF FOREST HEIGHTS
RESOLUTION 07-22**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST
HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT
OF ANDREW THOMAS AS A POLICE OFFICER TO SERVE WITHIN THE FOREST
HEIGHTS POLICE DEPARTMENT AND TO APPROVE A REIMBURSEMENT
AGREEMENT**

Introduced By: Mayor Calvin Washington

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the “Charter”) the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Andrew Thomas, has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Police Officer in the Police Department and it is in the best interest of the Town to appoint Mr. Thomas as a Police Officer; and

WHEREAS, Mr. Thomas graduated from Anne Arundel Community College in May 2021; and

WHEREAS, the Chief of Police has advised that in order to maintain effective 24-hour police coverage for the town, the Police Department currently needs additional Police personnel; and

WHEREAS, American Rescue Plan Act funds have been identified to temporarily fund the additional personnel for approximately 2-3 months or until such time as funds allocated to the

**TOWN OF FOREST HEIGHTS
RESOLUTION 07-22**

Town by the Department of Justice COPS Grant can be utilized or another approved funding source can be identified if needed.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby consents to the Mayor's appointment of Andrew Thomas. at the annual salary of \$50,000; and

BE IT FURTHER RESOLVED, that said officer's salary shall be paid from line item **8200** Salary from the FY2022 Budget; and

BE IT FURTHER RESOLVED, that the Town Council hereby approves the Reimbursement Agreement, attached hereto and incorporated herein, as Exhibit 1, which requires said officer to reimburse the Town in an amount not to exceed \$5,000 should he be unwilling to serve for the requisite minimum of two (2) years.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of February 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

WASHINGTON

BROWNSON

NOBLE

BARNES

HINES

LILLY

ATKINSON

ATTEST:

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

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Taunya Hines, Council President

**TOWN OF FOREST HEIGHTS
RESOLUTION 07-22**

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the __ day of February 2022 with ___Aye votes and ____ Nay votes the aforesaid Resolution 07-22 passed.

Sherletta Hawkins, Town Clerk

**RESOLUTION 08-22
THE TOWN OF FOREST HEIGHTS**

A RESOLUTION APPROVING THE DONATION OF THREE VEHICLES TO THE TOWN OF FOREST HEIGHTS POLICE DEPARTMENT FROM ST. MARY'S COUNTY COMMISSIONERS; AND HEREBY AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO ACCEPT THE DONATION OF SAID VEHICLES ON BEHALF OF THE TOWN

Introduced By: Mayor Calvin Washington

WHEREAS, the Town Council has authority to approve contracts and procurements pursuant to the Town Charter, Section 33-63, and Town Code, Section 20.4; and

WHEREAS, St Mary's County Commissioners wishes to donate three (3) Police vehicles the Town, and

WHEREAS, the vehicles are in good to excellent operating condition, are accompanied by a CARFAX Vehicle History Report, and have extensive equipment already installed; and

WHEREAS, the Police Department has recently received a police officer hiring grant resulting in an increase in staff and requiring more police vehicles to accommodate the increase in personnel and for the department fleet to remain efficient; and

WHEREAS, the Chief of Police has recognized the extremely long wait and backlog for brand new police vehicle purchases and orders and finds that this donation is a temporary and interim solution to obtain needed police vehicles in a quicker and timely manner.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves the Vehicle Donation Agreement attached hereto and incorporated by reference herein, according to the terms and conditions stated therein; and

AND BE IT FURTHER RESOLVED, that the Mayor may sign said Vehicle Donation Agreement consistent with the terms and conditions agreed upon by the parties; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of February 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

WASHINGTON

The Town of Forest Heights

Resolution 08-22

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**RESOLUTION 08-22
THE TOWN OF FOREST HEIGHTS**

BROWNSON	_____
NOBLE	_____
BARNES	_____
HINES	_____
LILLY	_____
ATKINSON	_____

ATTEST:

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

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Taunya Hines, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of February 2022 with ___ Aye votes and ___ Nay votes the aforesaid Resolution 08-22 passed.

Sherletta Hawkins, Town Clerk

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 01-22

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND REVISING ARTICLE 15 (PARKING AND TRAFFIC) OF THE TOWN ORDINANCE CODE, BY AMENDING AND ADDING CERTAIN PROVISIONS OF SAID ARTICLE AS PART II (RESIDENTIAL PARKING PERMITS) TO PROVIDE FOR A RESIDENTIAL PARKING PROGRAM IN CERTAIN RESIDENTIAL AREAS OF THE TOWN, AND GENERALLY RELATING TO THE REGULATION OF TRAFFIC AND PARKING WITHIN THE TOWN OF FOREST HEIGHTS.

Introduced By: Mayor Calvin Washington

WHEREAS, pursuant to Transportation Art., § 25-102(a)(1) and § 21-1001 *et seq.* of the Annotated Code of Maryland, the Town of Forest Heights (the “Town”) has the authority to regulate or prohibit the stopping, standing or parking of vehicles; and

WHEREAS, pursuant to Transportation Art., § 21-1003.1(a) (Residential parking permits) a local authority or a political subdivision may not issue a residential parking permit to the owner of a vehicle to be valid for a period in excess of 30 days unless the owner provides satisfactory evidence that: (1) The vehicle for which the parking permit is sought is registered in the State; or (2) The owner of the vehicle has obtained under § 13-402.1 of the Transportation Article of Md. Ann. Code: (i) A nonresident permit; or (ii) A complimentary guest card; and

WHEREAS, pursuant to § 33-20(a) of the Town Charter, the Council shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or said Charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein; and

WHEREAS, pursuant to § 33-20(b)(43) of the Town Charter, the Council of the Town of Forest Heights is empowered to pass ordinances not contrary to the laws and Constitution of this State, for the purposes of enforcing within the corporate limits certain police, health, sanitary, fire, building, plumbing, traffic, speed, parking, and other similar regulations; and

WHEREAS, pursuant to § 33-21 of said Charter, for the purpose of carrying out the powers granted in Section 33-20 or elsewhere in said Charter, the Council may pass all necessary ordinances and all the powers of the Town shall be exercised in the manner prescribed by said Charter, or, if the manner be not prescribed, then in such manner as may be prescribed by ordinance; and

CAPITALS	:	Indicate matter to be added to existing law
[Braackets]	:	Indicate matter to be deleted from existing law
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 01-22

WHEREAS, pursuant to § 33-22 of said Charter, to further ensure the observance of the ordinances of the Town, the Council shall have the power to provide that violation thereof be a misdemeanor or municipal infraction enforceable as provided under the general laws of the State and shall have the power to affix thereto a penalty of a fine not exceeding one thousand dollars (\$1,000.00) for each municipal infraction; and

WHEREAS, the Mayor and Council endeavors to provide for an adequate and effective code of traffic and parking regulations in order to promote the health, safety and welfare of the public and to further protect the property rights and liberty of the residents, businesses, visitors and sojourners of the Town; and

WHEREAS, the Mayor and Council hereby finds and declares the need exists to improve the appearance, healthful condition, peace and tranquility and value of the residential areas of the Town and strengthen the enforcement and abatement of violations of the Ordinance Code in instances involving the parking of motor vehicles on or near residential property.

SECTION 1.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, that Article 15 (Parking and Traffic) of the Town of Forest Heights as written herein below is hereby enacted, adopted, revised and amended such that said Ordinance Code and said Article shall henceforth read as follows:

* * *

Article 15 – Parking and Traffic

PART I. GENERAL

Section 15.1. Purpose.

The provisions of this Article are intended to be in addition to and supplementary to the current provisions of the Transportation Article of the Annotated Code of Maryland, as amended, and in accordance with authority specifically granted by said Article of the State Code.

Section 15.2. Definitions.

The following words and phrases when used in this Article, and for the purpose of this Article, have the meanings respectively ascribed to them in this section:

CAPITALS	:	Indicate matter to be added to existing law
[Brackets]	:	Indicate matter to be deleted from existing law
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 01-22

* * *

K. UNREGISTERED TRAILER — Any trailer of any type or size designed for use upon a street, road or highway which, is not registered with the appropriate motor vehicle agency of the State of Maryland or another state, and displaying evidence of such current registration.

L. VEHICLE — Any automobile, trailer, or other vehicle of a type required to be registered with the Maryland Motor Vehicle Administration as defined in Section 11-176 of the Transportation Article of the Annotated Code of Maryland, as amended.

M. Except when stated otherwise, whenever any words and phrases used herein are not defined in this Article but are defined in the state laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used in this Article.

* * *

Section 15.3.3. Parking of commercial or recreational vehicles, trailers, and boats, with or without trailers, on streets prohibited without permit.

A. No person shall park any commercial vehicle, commercial trailer, recreational vehicle or other registered trailer including but not limited to a camper trailer, boat trailer, or boat, with or without a trailer, upon any highway, road, street, public right-of-way or other public property anywhere in the Town within any one year period (365 days) of time without first obtaining a temporary parking permit from the Forest Heights Police Department.

B. A temporary parking permit may be issued for a fifteen-day maximum period with one fifteen-day renewal. The temporary parking permit fee shall be \$100 with a renewal fee of \$50 and may be established from time to time by resolution of the Council.

* * *

Section 15.13: Penalties; remedies; and fees.

A. Moving violations. All moving violations, including those by any individual violating Section 15.5 (Speed prohibited) or Subsection 15.3.2.N (Truck restrictions) of this ordinance code, shall be cited using the Maryland Uniform Complaint and Citation Form, and upon conviction, shall be fined and/or penalized in accordance with the schedule of fines and penalties determined by the State and set out in a document prepared by the Chief Administrative Judge of the District Court of Maryland and referred to as the “Schedule of Preset Fines and/or Penalty Deposits,” as such

CAPITALS	:	Indicate matter to be added to existing law
[Brackets]	:	Indicate matter to be deleted from existing law
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 01-22

document (Form #DC-CR-090) may be amended from time to time.

B. Nonmoving violations. Unless otherwise stated in this Article, all nonmoving violations shall be deemed misdemeanors, and shall, unless stated otherwise, subject the violator to a fine of \$75 which, if not paid within 20 days of the date of violation of notice, and shall double to a fine of \$150.

(1) The fine for violation of Section 15.3.2(h) with respect to parking within 15 feet of a fireplug shall be \$150 and, if not paid within 20 days, shall double to a fine of \$300.

* * *

PART II. RESIDENTIAL PARKING PERMITS

SECTION 15.17: FINDINGS OF FACT; PURPOSE AND INTENT

A. THE MAYOR AND TOWN COUNCIL FIND AND DECLARE THAT SERIOUS ADVERSE CONDITIONS OR THE EFFECT OF CERTAIN NUISANCES IN CERTAIN RESIDENTIAL AREAS AND NEIGHBORHOODS OF THE TOWN OF FOREST HEIGHTS RESULT FROM MOTOR VEHICLE CONGESTION, PARTICULARLY LONG-TERM OR FREQUENT ON STREET PARKING OF MOTOR VEHICLES OR TRAILERS ON THE PUBLIC STREETS OF SUCH AREAS AND NEIGHBORHOODS BY NONRESIDENTS THEREOF, AND BY INDIVIDUAL HOUSEHOLDS PARKING NUMEROUS VEHICLES OR TRAILERS, OR BY PARKING VEHICLES OR TRAILERS THAT ARE NOT PROPERLY REGISTERED.

B. THE MAYOR AND TOWN COUNCIL FURTHER FIND THAT THE CONTINUED VITALITY AND QUALITY OF LIFE OF THE TOWN DEPENDS ON THE PRESERVATION OF SAFE, HEALTHY, AND ATTRACTIVE NEIGHBORHOODS AND RESIDENTIAL AREAS. THE MAYOR AND TOWN COUNCIL FURTHER FINDS THAT AT LEAST ONE MAJOR FACTOR THREATENING THE SAFETY, HEALTH AND ATTRACTIVENESS OF THE TOWN'S NEIGHBORHOODS IS THE AVAILABILITY OF PARKING, BECAUSE THE NUMBER OF MOTOR VEHICLES AND TRAILERS ATTEMPTING TO PARK IN THOSE AREAS OFTEN EXCEEDS THE NUMBER OF AVAILABLE PARKING SPACES.

C. THE MAYOR AND TOWN COUNCIL FURTHER FIND THAT A PROGRAM OF PREFERENTIAL PARKING FOR RESIDENTS IN DESIGNATED NEIGHBORHOODS, WILL HELP TO REDUCE THE PARKING BURDEN IN THESE NEIGHBORHOODS AND, THUS, PROMOTE THE HEALTH, COMFORT AND CONVENIENCE OF THE TOWN'S RESIDENTS. ACCORDINGLY, THE MAYOR AND TOWN COUNCIL SPECIFICALLY

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FIND THAT THERE IS A COMPELLING NEED, (1) FOR MAINTENANCE OF THE ATTRACTIVENESS AND LIVABILITY OF THE TOWN'S NEIGHBORHOODS AND OTHER RESIDENTIAL AREAS WHICH WILL ENHANCE THE HEALTH, COMFORT AND CONVENIENCE OF THE TOWN NEIGHBORHOODS AND THEIR RESIDENTS, AND (2) TO HELP PROVIDE ON A DAILY BASIS FOR TOWN RESIDENTS TO FIND PARKING FOR THEIR VEHICLES AT OR NEAR THEIR RESIDENCES. THE MAYOR AND TOWN COUNCIL FURTHER FINDS THAT THE INFLUX OF MOTOR VEHICLES AND TRAILERS FROM NONRESIDENTS COMPETES WITH LIMITED AVAILABLE PARKING FURTHER BURDENING THE RESIDENTS OF THE TOWN.

D. THE PERMIT PARKING PROGRAM HEREIN ESTABLISHED IS INTENDED TO REDUCE HAZARDOUS TRAFFIC CONDITIONS RESULTING FROM THE USE OR OVERBURDENING OF STREETS WITHIN THESE AREAS OR NEIGHBORHOODS BY NONRESIDENTS; TO PROTECT THE RESIDENTS OF THESE AREAS FROM UNREASONABLE BURDENS IN GAINING ACCESS TO THEIR RESIDENCES; TO PRESERVE THE VALUE AND CHARACTER OF THE PROPERTY IN RESIDENTIAL DISTRICTS; TO MINIMIZE AIR AND NOISE POLLUTION; TO PROMOTE EFFICIENT STREET MAINTENANCE, WASTE COLLECTION, AND SNOW REMOVAL; TO ENCOURAGE CARPOOLING AND USE OF TRANSIT SYSTEMS; TO PRESERVE THE SAFETY OF CHILDREN AND OTHER PEDESTRIANS, AND FOR THE PEACE, GOOD ORDER, COMFORT, CONVENIENCE AND WELFARE OF THE INHABITANTS OF THE TOWN.

SECTION 15.18: DEFINITIONS

IN ADDITION TO THE DEFINITIONS FOUND IN SECTION 15.2 ABOVE AND FOR THE PURPOSES OF THIS PART II OF ARTICLE 15 (PARKING AND TRAFFIC), THE FOLLOWING WORDS SHALL HAVE THE MEANINGS DEFINED IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING:

A. *COMMUTER VEHICLE* MEANS A MOTOR VEHICLE, OTHER THAN A RESIDENT VEHICLE AS DEFINED BELOW PARKED IN A RESIDENTIAL AREA IN WHICH IT IS NOT REGISTERED.

B. *CURBSIDE PARKING SPACE* MEANS TWENTY (20) LINEAR FEET OF CURB, EXCLUSIVE OF THOSE PORTIONS OF THE CURB WHERE PARKING, APART FROM THE PROVISIONS OF THIS ARTICLE 15, IS OTHERWISE PERMITTED.

C. *PARKING LOT OR AREA* MEANS ANY PARKING LOT OR AREA OWNED BY OR

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LEASED TO THE TOWN ON WHICH VEHICLE OR TRAILER PARKING IS PERMITTED BY THE TOWN.

D. *RESIDENT* MEANS A PERSON WHO LIVES OR RESIDES IN A STRUCTURE APPROVED FOR RESIDENTIAL OCCUPANCY AND CAN DEMONSTRATE THE RIGHT TO OCCUPANCY OF A SPECIFIC RESIDENCE IN TOWN.

E. *RESIDENT VEHICLE* MEANS A VEHICLE INCLUDING TRAILERS PARKED IN A RESIDENTIAL AREA IN WHICH IT IS REGISTERED WITH THE TOWN IN ACCORDANCE WITH THE PROVISIONS OF THIS PART II OF ARTICLE 15 OF THE CODE AND IS VALIDLY REGISTERED IN THE TOWN OF FOREST HEIGHTS WITH THE STATE OF MARYLAND DEPARTMENT OF MOTOR VEHICLES.

F. *RESIDENTIAL DISTRICT* MEANS A CONTIGUOUS OR NEARLY CONTIGUOUS AREA CONTAINING PUBLIC STREETS AND HIGHWAYS OR PARTS THEREOF PRIMARILY ABUTTED BY RESIDENTIAL PROPERTY.

G. *NON-COMMERCIAL PROPERTY* MEANS PROPERTY ZONED FOR RESIDENTIAL BUT USED FOR SCHOOLS, PARKS, CHURCHES, FRATERNAL AND VETERAN ORGANIZATIONS, HOSPITALS AND NURSING HOMES.

H. *RESIDENCE* MEANS A DWELLING UNIT.

I. *RESIDENTIAL PARKING PERMIT AREA* MEANS A RESIDENTIAL AREA WITHIN THE TOWN WHERE CURBSIDE PARKING ON PUBLIC STREETS AND HIGHWAYS AND ON PROPERTY OWNED OR LEASED TO THE TOWN IS LIMITED AT POSTED TIMES UNLESS THE VEHICLE OR TRAILER PROPERLY DISPLAYS A PARKING PERMIT AUTHORIZED BY THIS ARTICLE.

SECTION 15.19: DESIGNATION OR WITHDRAWAL OF DESIGNATION OF RESIDENTIAL PARKING PERMIT AREAS.

A. EXCEPT AS PROVIDED HEREIN, THE RESIDENTIALLY ZONED AREAS OF THE TOWN OF FOREST HEIGHTS ARE HEREBY DESIGNATED AS A RESIDENT RESTRICTED PARKING AREA. CURBSIDE PARKING SPACES AND PROPERTY OWNED OR LEASED TO THE TOWN WHEREON PUBLIC PARKING IS PERMITTED IN TOWN AS HEREINAFTER DESIGNATED SHALL BE POSTED AS RESIDENTIAL PARKING PERMIT AREAS PERMITTING PARKING ONLY WHERE THE VEHICLE OR

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TRAILER DISPLAYS A PERMIT ISSUED BY THE TOWN PERMITTING RESIDENTIAL PARKING DURING SPECIFIED TIMES OF THE DAY.

B. CRITERIA. IN DETERMINING WHETHER AN AREA MAY BE DESIGNATED OR UNDESIGNATED AS A RESIDENTIAL PARKING PERMIT AREA, AND WHETHER RESTRICTIONS ARE TO BE IMPOSED, THE MAYOR AND TOWN COUNCIL SHALL CONSIDER FACTORS INCLUDING BUT NOT LIMITED TO THE FOLLOWING: (1) THE NUMBER OF DRIVEWAYS AVAILABLE TO A RESIDENTIAL BLOCK; (2) THE AVAILABILITY OF CURBSIDE PARKING SPACES, (3) THE DIFFICULTY OR INABILITY OF RESIDENTS OF THE AREA TO ACCESS ADEQUATE ON-STREET PARKING DUE TO WIDESPREAD USE OF PARKING SPACES BY NONRESIDENT OR IMPROPERLY REGISTERED VEHICLES, AND (4) THE NUMBER OF CARS WITH FOREST HEIGHTS RESIDENTIAL PARKING STICKERS ON A GIVEN BLOCK.

C. POSTING OF RESIDENTIAL PARKING PERMIT AREA. UPON THE INITIAL OR FUTURE EFFECTIVE DATES OF THE TOWN'S DESIGNATION OR WITHDRAWAL OF DESIGNATION, APPROPRIATE PARKING SIGNS SHALL BE ERECTED OR REMOVED IN THE DESIGNATED AREA OR AREAS. THE SIGNS SHALL PROMINENTLY INDICATE THAT CURBSIDE PARKING ON PUBLIC STREETS IN THE DESIGNATED AREA FOR THE TIMES POSTED IS PROHIBITED UNLESS THE VEHICLE OR TRAILER PROPERLY DISPLAYS A PARKING PERMIT AUTHORIZED BY THIS PART II OF ARTICLE 15. AT A MINIMUM, RESIDENTIAL PARKING PERMIT AREA SIGNS SHALL BE ERECTED AT THE FOLLOWING ENTRANCES OR GATEWAYS TO THE TOWN'S DESIGNATED RESIDENTIAL PARKING AREAS: (1) SENECA DRIVE NEAR THE INTERSECTION OF WOODLAND AND NORTH HURON DRIVES, (2) SHAWNEE DRIVE NEAR THE INTERSECTION OF LIVINGSTON ROAD, (3) COMANCHE DRIVE NEAR THE INTERSECTION OF LIVINGSTON ROAD, (4) ARAPAHOE DRIVE BETWEEN THE MUNICIPAL BUILDING AND LIVINGSTON ROAD, (5) DELAWARE DRIVE NEAR THE INTERSECTION WITH SACHEM DRIVE, (6) SACHEM LANE AT THE INTERSECTION OF SACHEM DRIVE, (7) THE INTERSECTION OF SACHEM AND TECUMSEH DRIVES, AND (8) SACHEM DRIVE AT THE INTERSECTION WITH CREE DRIVE.

D. THE MAYOR AND TOWN COUNCIL DECLARES AND ORDAINS THAT THE RESTRICTED PARKING PERMIT HOURS TO BE POSTED SHALL BE FROM 5:00 P.M. UNTIL 10:00 A.M. THE FOLLOWING DAY FOR EACH DAY OF THE WEEK INCLUDING SATURDAY AND SUNDAY.

E. THE PARKING RESTRICTIONS HEREIN ARE APPLICABLE TO ALL VEHICLES IN CURBSIDE PARKING SPACES ALONG PUBLIC STREETS AND HIGHWAYS IN THE

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DESIGNATED AREA THAT DO NOT PROPERLY DISPLAY A PARKING PERMIT AUTHORIZED BY THE PROVISIONS OF THIS PART II OF ARTICLE 15.

F. UNLESS THE MAYOR, WITH THE RECOMMENDATION OF THE CHIEF OF POLICE, DECIDES BY WRITTEN ORDER OR PROCLAMATION OTHERWISE AND GIVES AT LEAST TWO WEEKS' NOTICE IN THE TOWN'S NEWSLETTER, WEBSITE AND SOCIAL MEDIA SITE (I.E., FACEBOOK), THE INITIAL DESIGNATED RESIDENTIAL DISTRICTS SHALL BE COTERMINOUS WITH THE TOWN'S COUNCILMANIC WARDS AS ESTABLISHED AND DEFINED BY CHARTER PROVIDED THOSE AREAS ARE ZONED RESIDENTIAL.

G. NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, THE MAYOR AND TOWN COUNCIL MAY DESIGNATE, OR REMOVE THE DESIGNATION OF ANY AREA OF THE TOWN TO BE PARKING FOR RESIDENTIAL PARKING ONLY AT ANY AND ALL TIMES, TEMPORARILY OR PERMANENTLY. THE COUNCIL MAY CONDUCT A PUBLIC HEARING AFTER DUE NOTICE HAS BEEN PUBLISHED IN THE TOWN NEWSLETTER OR A NEWSPAPER OF GENERAL CIRCULATION IN THE TOWN.

SECTION 15.20: ISSUANCE, APPLICATION AND TRANSFER OF RESIDENTIAL PARKING PERMITS; OTHER REQUIREMENTS AND CONDITIONS.

A. ISSUANCE. RESIDENTIAL PARKING PERMITS FOR VEHICLES AND TRAILERS, AS OTHERWISE PERMITTED BY THIS ARTICLE, SHALL BE ISSUED BY THE TOWN AS PROVIDED HEREIN FOR A PERIOD OF THREE YEARS, WHICH ISSUANCE MAY BE RENEWED AS PROVIDED HEREIN.

B. APPLICATION FOR RESIDENTIAL PARKING PERMIT. THE APPLICANT IS TO PROVIDE AT A MINIMUM THE FOLLOWING INFORMATION FOR EACH MOTOR VEHICLE AND TRAILER TO RECEIVE A RESIDENTIAL PARKING PERMIT:

- (1) A VALID MARYLAND OR OTHER STATE VEHICLE REGISTRATION AND, IF APPLICABLE, A MOTOR VEHICLE REGISTRATION CHANGE OF ADDRESS CARD, SHOWING FOREST HEIGHTS AS THE TOWN OF RESIDENCE;
- (2) THE MAKE, MODEL, LICENSE PLATE NUMBER AND VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE OR TRAILER;
- (3) THE NAME, ADDRESS AND SIGNATURE OF THE APPLICANT FOR THE RESIDENTIAL PARKING PERMIT;

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(4) IF THE VEHICLE OWNER HAS A DRIVER'S LICENSE, A VALID MARYLAND MOTOR VEHICLE ADMINISTRATION DRIVER'S LICENSE_SHOWING FOREST HEIGHTS AS THE TOWN OF RESIDENCE OR A VALID MARYLAND MOTOR VEHICLE ADMINISTRATION DRIVER'S LICENSE AND A CHANGE OF ADDRESS CARD SHOWING FOREST HEIGHTS AS THE TOWN OF RESIDENCE; AND

(5) ANY OTHER INFORMATION DEEMED NECESSARY BY THE CHIEF OF POLICE TO VERIFY THAT THE APPLICANT FOR A RESIDENTIAL PARKING PERMIT IS A BONA FIDE RESIDENT OF THE TOWN.

C. THE RESIDENTIAL PARKING PERMIT SHALL DISPLAY THE PERMIT NUMBER AND ALPHA-NUMERICAL DESIGNATION OF THE RESIDENTIAL PARKING PERMIT AREA.

D. SUBJECT TO THE LIMITATIONS OUTLINED HEREIN, UPON THE APPLICANT'S SUBMISSION OF A COMPLETED AND VALIDATED RESIDENTIAL PARKING PERMIT APPLICATION, AND FULFILLMENT OF ALL APPLICABLE PROVISIONS HEREOF CONTROLLING ISSUANCE, OR TRANSFER OF RESIDENTIAL PARKING PERMITS, THE APPLICANT MAY RECEIVE ONE (1) RESIDENTIAL PARKING PERMIT, VALID FOR A PERIOD OF THREE YEARS BEGINNING ON MAY 15, 2022, OR THE DATE OF ISSUE, WHICHEVER COMES LATER, FOR THE VEHICLE OR TRAILER DESCRIBED IN THE APPLICATION. THE PARKING PERMIT SHALL BE SECURELY AFFIXED TO THE INSIDE OF THE WINDSHIELD ON THE DRIVER'S SIDE, OR AT SUCH OTHER LOCATION AS DIRECTED BY THE CHIEF OF POLICE. A RESIDENTIAL PARKING PERMIT FOR A TRAILER SHALL BE SECURELY AFFIXED TO THE TRAILER NEAR THE LICENSE PLATE OF THE TRAILER OR AT SUCH LOCATION AS DIRECTED BY THE CHIEF OF POLICE.

E. OTHER REQUIREMENTS AND CONDITIONS.

(1) NO RESIDENTIAL PARKING PERMIT SHALL BE ISSUED TO A VEHICLE OR A TRAILER WHOSE PRINCIPAL OPERATOR DOES NOT RESIDE WITHIN THE DESIGNATED RESIDENTIAL PARKING PERMIT AREA. EXCEPT AS PROVIDED HEREIN, THE APPLICANT FOR, AND HOLDER OF, THE RESIDENTIAL PARKING PERMIT SHALL BE THE OWNER OR PRINCIPAL OPERATOR OF THE VEHICLE OR TRAILER RECEIVING THE PARKING PERMIT.

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(2) PURSUANT TO TRANSPORTATION ART., § 21-1003.1(A) OF THE STATE CODE, THE TOWN MAY NOT ISSUE A RESIDENTIAL PARKING PERMIT TO THE OWNER OF A VEHICLE TO BE VALID FOR A PERIOD IN EXCESS OF 30 DAYS UNLESS THE OWNER PROVIDES SATISFACTORY EVIDENCE THAT: (1) THE VEHICLE FOR WHICH THE PARKING PERMIT IS SOUGHT IS REGISTERED IN THE STATE; OR (2) THE OWNER OF THE VEHICLE HAS OBTAINED UNDER § 13-402.1 OF THE TRANSPORTATION ARTICLE OF MD. ANN. CODE: (I) A STATE-ISSUED NONRESIDENT PERMIT; OR (II) A STATE-ISSUED COMPLIMENTARY GUEST CARD.

(3) A MOTOR VEHICLE OR TRAILER SHALL BE ISSUED A RESIDENTIAL PARKING PERMIT ONLY IF IT DISPLAYS VALID LICENSE PLATES ISSUED BY THE MARYLAND MOTOR VEHICLE ADMINISTRATION OR ITS EQUIVALENT AGENCY IN ANOTHER STATE.

(4) UPON NOTICE TO THE RESIDENT OF AN UNPAID CITATION ISSUED TO THE VEHICLE OR TRAILER OR ANY LICENSED OPERATOR THEREOF THAT IS LEGALLY OVERDUE, THE TOWN MAY REVOKE THE PERMIT.

(5) EXCEPT AS PROVIDED ELSEWHERE HEREIN AND SUBJECT TO CHANGE BY THE TOWN COUNCIL, THERE INITIALLY SHALL BE NO FEE FOR ANY RESIDENTIAL PARKING PERMIT ISSUED FOR ANY VEHICLE OR TRAILER TITLED TO A FOREST HEIGHTS RESIDENT AND NOT USED IN A TRADE OR BUSINESS.

(6) PERMITS ISSUED FOR TRAILERS WHICH ARE OPERATED BY FOREST HEIGHTS RESIDENTS AND USED IN THEIR BUSINESS OR TRADE SHALL BE SUBJECT TO PAYMENT OF A FEE OF \$100.00.

(7) PERMITS ISSUED FOR TRAILERS WHICH ARE OPERATED BY FOREST HEIGHTS RESIDENTS AND USED IN THEIR EMPLOYER'S BUSINESS OR TRADE SHALL BE SUBJECT TO PAYMENT OF A FEE OF \$300.00.

F. TRANSFER. UPON THE HOLDER'S PAYMENT OF ANY HEREINAFTER ESTABLISHED FEE SUBMISSION OF COMPLETE AND VALIDATED RESIDENTIAL PARKING PERMIT APPLICATION, FULFILLMENT OF ALL APPLICABLE PROVISIONS HEREOF CONTROLLING ISSUANCE, RENEWAL, OR TRANSFER OF RESIDENTIAL PARKING PERMITS, AND SURRENDER OF THE EXISTING RESIDENTIAL PARKING PERMIT, THE HOLDER SHALL RECEIVE A NEW RESIDENTIAL PARKING PERMIT FOR

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THEIR QUALIFYING VEHICLE OR TRAILER.

G. REPLACEMENT. UPON THE HOLDER'S PAYMENT OF ANY HEREINAFTER ESTABLISHED FEE, IF ANY, VERIFICATION OF THE HOLDER'S PRIOR SUBMISSION OF A COMPLETED AND VALIDATED RESIDENTIAL PARKING PERMIT APPLICATION, FULFILLMENT OF ALL APPLICABLE PROVISIONS HEREOF AND AFFIRMATION THAT THE HOLDER'S PERMIT WAS LOST, STOLEN, OR DESTROYED, THE HOLDER MAY RECEIVE A NEW RESIDENTIAL PARKING PERMIT. THE LOST, STOLEN OR DESTROYED PERMIT SHALL BE CONSIDERED VOID, AND THEREUPON ANY USE OF A VOIDED PERMIT IS PROHIBITED.

SECTION 15.21: USE OF PARKING PERMITS; EXEMPTIONS.

A. A PARKING PERMIT SHALL NOT GUARANTEE OR RESERVE A PARKING SPACE WITHIN A DESIGNATED RESIDENTIAL PARKING PERMIT AREA, NOR EXEMPT THE HOLDER FROM THE OBSERVANCE OF ANY TRAFFIC REGULATION OTHER THAN THE POSTED PARKING LIMITATIONS FOR RESIDENTIAL PERMIT PARKING AREAS. A PARKING PERMIT SHALL NOT AUTHORIZE THE STANDING OR PARKING OF ANY VEHICLE IN SUCH PLACES AND DURING SUCH TIMES WHEN THE STOPPING, STANDING OR PARKING OF VEHICLES IS PROHIBITED OR SET ASIDE FOR SPECIFIED TYPES OF VEHICLES, AND SHALL NOT EXCUSE THE OBSERVANCE OF ANY TRAFFIC ORDINANCE OR REGULATION.

B. WHENEVER THE HOLDER OF A PARKING PERMIT, OR THE VEHICLE OR TRAILER FOR WHICH THE RESIDENTIAL PARKING PERMIT WAS ISSUED, NO LONGER FULFILLS ONE OR MORE OF THE APPLICABLE PROVISIONS HEREOF CONTROLLING ISSUANCE, RENEWAL OR TRANSFER OF PARKING PERMITS, THE PERMIT SHALL BE DEEMED TO HAVE EXPIRED AND THE HOLDER SHALL NOTIFY THE TOWN AND SURRENDER THE PARKING PERMIT. UNTIL ITS EXPIRATION, SURRENDER OR REVOCATION, A PARKING PERMIT SHALL REMAIN VALID FOR SUCH TIME AS THE MAYOR AND TOWN COUNCIL DESIGNATE FOR RENEWAL AND THE HOLDER CONTINUES TO RESIDE WITHIN THE DESIGNATED RESIDENTIAL PARKING PERMIT AREA.

C. IT SHALL BE A VIOLATION HEREOF FOR THE HOLDER OF A PARKING PERMIT TO FAIL TO SURRENDER THE PERMIT WHEN DIRECTED TO DO SO BY THE CHIEF OF POLICE OR OTHER AUTHORIZED OFFICIAL OR EMPLOYEE OF THE TOWN.

D. IT SHALL BE A VIOLATION HEREOF FOR ANY PERSON TO REPRESENT IN ANY

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FASHION THAT A VEHICLE IS ENTITLED TO A PARKING PERMIT AUTHORIZED HEREIN WHEN THEY OR IT ARE NOT SO ENTITLED. THE DISPLAY OF A PARKING PERMIT ON A VEHICLE NOT ENTITLED TO SUCH A PARKING PERMIT SHALL CONSTITUTE SUCH A REPRESENTATION.

E. IT SHALL BE A VIOLATION HEREOF FOR ANY PERSON BY ANY MEANS TO DUPLICATE, ATTEMPT TO DUPLICATE OR DISPLAY A COUNTERFEIT PARKING PERMIT ISSUED UNDER THE TERMS HEREOF.

F. EXEMPTIONS.

(1) THE PROVISION HEREOF SHALL NOT SUPERSEDE THE PROVISIONS OF THE TOWN ORDINANCES, OR COUNTY AND STATE LAWS RELATING TO PARKING BY DISABLED PERSONS.

(2) THE FOLLOWING VEHICLES ARE SPECIFICALLY EXEMPTED FROM THE PARKING RESTRICTIONS IMPOSED HEREIN:

(A) A MOTOR VEHICLE OR TRAILER OWNED BY OR OPERATED UNDER CONTRACT TO A UTILITY OR OTHER ENTITY UNDER THE JURISDICTION OF THE STATE PUBLIC SERVICE COMMISSION, WHEN USED IN THE CONSTRUCTION, OPERATION, REMOVAL OR REPAIR OF UTILITY PROPERTY OR FACILITIES OR ENGAGED IN WORK IN THE DESIGNATED RESIDENTIAL PARKING PERMIT AREA.

(B) A MOTOR VEHICLE IDENTIFIED AS OWNED BY OR OPERATED UNDER CONTRACT TO A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AGENCY AND BEING USED IN THE COURSE OF OFFICIAL GOVERNMENT BUSINESS.

(C) AN AUTHORIZED EMERGENCY VEHICLE AS DEFINED BY STATE LAW.

SECTION 15.22: TEMPORARY PERMITS.

A. DISPLAY OF TEMPORARY PARKING PERMITS. ALL TEMPORARY PARKING PERMITS SHALL BE DISPLAYED ON OR ABOUT THE FRONT WINDSHIELD OF THE VEHICLE SO AS TO BE EASILY VISIBLE FROM OUTSIDE THE VEHICLE. SUCH PARKING PERMITS SHALL CONTAIN THE PERMIT NUMBER AND THE ALPHA-

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NUMERICAL DESIGNATION OF THE RESIDENTIAL PARKING PERMIT AREA.

B. TEMPORARY PARKING PERMITS

(1) THE TOWN MAY ISSUE TEMPORARY PARKING PERMITS TO TOWN RESIDENTS FROM TIME TO TIME IF THE RESIDENT DEMONSTRATES A NEED TO THE SATISFACTION OF THE TOWN THAT THE ISSUANCE OF A TEMPORARY PARKING PERMIT IS NECESSARY AND PROPER. EXAMPLES OF APPROPRIATE ISSUANCES OF TEMPORARY PARKING PERMITS INCLUDE BUT ARE NOT LIMITED TO VEHICLES THAT BELONG TO A STUDENT RESIDENT IN FOREST HEIGHTS DURING THE COURSE OF THEIR ACADEMIC YEAR OR A MEMBER OF THE ARMED FORCES OF THE UNITED STATES ON ACTIVE DUTY, OR A RESIDENT WHOSE HOME CANNOT BE OCCUPIED BECAUSE OF ONGOING IMPROVEMENTS, OR A CAREGIVER WHO CANNOT SATISFY THE REQUIREMENTS FOR A RESIDENTIAL PARKING PERMIT BUT CAN DEMONSTRATE REASONABLE NECESSITY OR HARDSHIP JUSTIFYING THE ISSUANCE OF A TEMPORARY PARKING PERMIT.

(2) TEMPORARY PARKING PERMITS ARE TO BE ISSUED FOR A PERIOD OF THREE (3) MONTHS OR LONGER COMMENSURATE WITH THE ACADEMIC TERM, MILITARY ASSIGNMENT, OR THE PERIOD OF TIME NO GREATER THAN IS NECESSARY TO COMPLETE THE MILITARY OR CARE GIVING ASSIGNMENT, OR THE PERIOD OF TIME NO GREATER THAN IS NECESSARY TO COMPLETE THE HOME IMPROVEMENT PERMITTING OCCUPANCY. IN EACH SITUATION THE INDIVIDUAL REQUESTING THE PERMIT SHALL PROVIDE TO THE TOWN SUCH INFORMATION AS REQUIRED BY THE TOWN TO ISSUE THE PERMIT AUTHORIZED BY THIS SECTION.

SECTION 15.23: VISITOR PARKING AND PERMITS.

A. THE TOWN COUNCIL MAY DESIGNATE ANY AREA OR PARKING SPACE IN THE TOWN TO BE PARKING FOR RESIDENTIAL VISITOR PARKING ONLY AT ALL TIMES, TEMPORARILY OR PERMANENTLY.

B. ISSUANCE OF VISITOR PERMITS. UPON APPLICATION OF ANY RESIDENT AND UPON GOOD CAUSE BEING SHOWN, THE CHIEF OF POLICE OR HER/HIS DESIGNEE MAY ISSUE A VISITOR PARKING PERMIT TO A RESIDENT FOR VEHICLES BELONGING TO A VISITOR TO THEIR RESIDENCE. SAID VISITOR PARKING PERMIT SHALL BE SUBJECT TO SUCH LIMITATIONS AS ARE REASONABLY IMPOSED BY THE

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CHIEF OF POLICE UPON ALLOCATION AND SHOWING OF GOOD CAUSE. THE ADMINISTRATIVE OFFICE MAY ALSO ISSUE TO A SPECIFIED RESIDENT AN UNLIMITED NUMBER OF VISITOR PERMITS. FOR THE PURPOSES HEREOF, THE RESIDENT SHALL BE THE HOLDER OF AND RESPONSIBLE FOR THE USE AND MISUSE OF VISITOR PARKING PERMITS ISSUED TO THE RESIDENT.

C. DISPLAY OF VISITOR PARKING PERMITS. ALL VISITOR PARKING PERMITS SHALL BE DISPLAYED ON OR ABOUT THE FRONT WINDSHIELD OF THE VEHICLE SO AS TO BE EASILY VISIBLE FROM THE OUTSIDE OF THE VEHICLE OR AS THE CHIEF OF POLICE MAY PRESCRIBE.

D. NO VEHICLE ISSUED A RESIDENTIAL VISITOR PARKING PERMIT SHALL PARK IN A PARKING SPACE POSTED FOR NON-PERMIT VEHICLE PARKING BETWEEN THE HOURS 5:00 P.M. AND 10:00 P.M.

SECTION 15.24: PARKING OF VEHICLE ISSUED RESIDENTIAL PARKING PERMIT IN SPACE POSTED FOR NON-PERMIT VEHICLE.

NO VEHICLE ISSUED A RESIDENTIAL PARKING PERMIT SHALL PARK IN A PARKING SPACE POSTED FOR NON-PERMIT VEHICLE PARKING BETWEEN THE HOURS 5:00 P.M. AND 10:00 P.M.

SECTION 15.25: RULEMAKING AND FEES.

A. THE CHIEF OF POLICE IS AUTHORIZED TO ESTABLISH ALL WRITTEN REGULATIONS AND PROCEDURES NECESSARY TO IMPLEMENT AND ENFORCE THE PROVISIONS OF THIS PART II OF ARTICLE 15, INCLUDING BUT NOT LIMITED TO REGULATING THE TOTAL NUMBER OF PARKING PERMITS PER RESIDENCE OR RESIDENTIAL DISTRICT, AND COLLECTING ALL FEES AND FINES PERTAINING TO THIS RESIDENTIAL PARKING PERMIT ORDINANCE. ALL SUCH WRITTEN REGULATIONS AND PROCEDURES SHALL BE PUBLISHED IN THE TOWN NEWSLETTER AND THE TOWN WEBSITE AT LEAST TWO WEEKS PRIOR TO THEIR EFFECTIVE DATE.

B. ANY FEES OR CHARGES AUTHORIZED BY THIS PART II OF ARTICLE 15 MAY BE MODIFIED OR ESTABLISHED FROM TIME TO TIME BY WRITTEN RESOLUTION OF THE TOWN COUNCIL.

SECTION 15.26: RESTRICTIONS, PENALTIES AND LIENS.

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ORDINANCE NO. 01-22

A. IT SHALL BE A MUNICIPAL INFRACTION FOR ANY PERSON TO PARK OR LEAVE STANDING ANY VEHICLE DURING THE TIME DESIGNATED ON THE POSTED SIGNS IN A DESIGNATED RESIDENTIAL PERMIT PARKING AREA, WITHOUT A PERMIT FOR SUCH ZONE. UNLESS OTHERWISE PROVIDED, THE PENALTY FOR EACH PARKING VIOLATION HEREOF SHALL BE A FINE OF SEVENTY-FIVE AND 00/00 DOLLARS (\$75.00).

B. IT SHALL BE A MUNICIPAL INFRACTION FOR ANY PERSON TO VIOLATE ANY OTHER PROVISION OF THIS ARTICLE 15, PART II OTHER THAN THE PARKING PROVISION AS OUTLINED IMMEDIATELY ABOVE IN SUBSECTION A THIS SECTION. THE PENALTY SHALL BE ONE HUNDRED DOLLARS (\$100.00).

C. THE FALSIFICATION OF ANY APPLICATION FOR A PERMIT OR TEMPORARY PERMIT, THE USE OF ANY PERMIT, GUEST PERMIT OR TEMPORARY PERMIT BY OTHER THAN THE PERMITEE AND THE ALLOWANCE OF SUCH USE BY A PERMITEE SHALL ALL CONSTITUTE MUNICIPAL INFRACTIONS. THE PENALTY SHALL BE A FINE OF FIVE HUNDRED AND 00/00 DOLLARS (\$500.00) FOR THE FIRST OFFENSE AND ONE THOUSAND AND 00//00 DOLLARS (\$1,000.00) FOR EACH SUBSEQUENT OFFENSE.

D. UNLESS A RULE OR REGULATION PROMULGATED BY THE CHIEF OF POLICE STATES OTHERWISE, A REQUEST FOR THE RENEWAL OF A PARKING PERMIT MAY BE MADE WITHIN SIX MONTHS FOLLOWING ITS EXPIRATION WITHOUT CHARGE. ALL REQUESTS SEEKING A RENEWAL FOLLOWING SUCH SIX-MONTH PERIOD SHALL BE SUBJECT TO A FEE OF \$45.00.

E. IF THE PERMIT HOLDER OR RESIDENT IS AN OWNER OF REAL PROPERTY WITHIN THE TOWN, ANY UNPAID CHARGE, FEE OR FINE AWARDED BY A COURT OF COMPETENT JURISDICTION AS AUTHORIZED BY THIS PART II SHALL BE CONSIDERED A LIEN AND MAY BE COLLECTED IN THE SAME MANNER AS REAL ESTATE TAXES.

F. NO RESIDENTIAL PARKING PERMIT SHALL BE ISSUED FOR ANY VEHICLE FOR WHICH A FULLY ADJUDICATED CITATION ISSUED BY THE TOWN REMAINS UNPAID OR TO A PERSON WHILE A CITATION FOR ANY FULLY ADJUDICATED VIOLATION OF THIS PART II REMAINS UNPAID.

SECTION 15.27. REVOCATION OF PERMIT.

CAPITALS	:	Indicate matter to be added to existing law
[Brackets]	:	Indicate matter to be deleted from existing law
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 01-22

A. IN ADDITION TO THE PENALTIES PROVIDED ABOVE IN THIS PART II FOR VIOLATION HEREOF, THE TOWN MAY REVOKE THE RESIDENTIAL PARKING PERMIT OF ANY PERSON FOUND TO BE IN VIOLATION OF THIS PART II OF ARTICLE 15 AND, UPON WRITTEN NOTIFICATION THEREOF, THE PERSON SHALL SURRENDER SUCH PERMIT TO THE TOWN.

B. FAILURE TO SURRENDER A REVOKED RESIDENTIAL PARKING PERMIT WHEN REQUESTED TO DO SO SHALL CONSTITUTE A SEPARATE MUNICIPAL INFRACTION.

C. NOTHING HEREIN SHALL BE CONSTRUED AS AUTHORIZING A PERMITEE TO VIOLATE ANY TRAFFIC REGULATION, EMERGENCY OR OTHERWISE, DULY ADOPTED BY THE TOWN.

SECTION 2. AND BE IT FURTHER ORDAINED AND ENACTED, that if any part, section, subsection, sentence, clause, phrase or portion thereof is held to be invalid, or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions hereof.

SECTION 3. AND BE IT FURTHER ORDAINED AND ENACTED, that any prior ordinances adopting and enacting any provision of Article 15 of said Code or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found herein shall be deemed repealed and superseded by the provisions of this Ordinance. Should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect thirty (30) calendar days following adoption by the Town Council, having been passed by the required yea and nay votes of the Mayor and Council of the Town of Forest Heights.

SECTION 5. AND BE IT FURTHER ORDAINED AND ENACTED, that upon passage, the Town Clerk shall cause to be published a summary of this Ordinance at least twice in the Town newsletter or a newspaper having general circulation within the Town of Forest Heights.

HAVING BEEN INTRODUCED AND HAVING BEEN READ, as an ordinance and passed by a yea and nay vote of the Mayor and Council of the Town of Forest Heights with the

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**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 01-22

affirmative votes of at least four (4) of the members of the legislative body including the Mayor as indicated below at a Public Meeting of The Mayor and Council of the Town of Forest Heights held on this ___ day of _____ 2022, at _____ o'clock __.m., in the Municipal Building in Forest Heights, Maryland.

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
ATKINSON	_____
BARNES	_____
BROWNSON	_____
HINES	_____
LILLY	_____
NOBLE	_____
WASHINGTON	_____

I HEREBY CERTIFY that the above Ordinance No. 01-22 was passed by the required yea and nay vote of the Mayor and Council of the Town of Forest Heights on the ___ day of _____ 2022.

ATTEST:

THE TOWN OF FOREST HEIGHTS

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Tonya Hines, President

CERTIFICATION

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**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 01-22

I **HEREBY CERTIFY** that following its passage, a summary of this Ordinance No. 01-22 has been published at least twice in the Town newsletter or a newspaper having general circulation in the Town of Forest Heights and that an executed copy of this ordinance has been delivered to General Code, LLC for codification.

Date: _____

Sherletta Hawkins, Town Clerk

1st Reader: _____

2nd Reader: _____

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