

ORDINANCE NO. 596

AN ORDINANCE OF THE TOWN OF EASTON TO AMEND THE TOWN OF EASTON CODE BY ADDING A NEW ARTICLE X ENTITLED "SCHOOL ZONES" TO ESTABLISH SCHOOL ZONES WITHIN THE TOWN AND MAXIMUM SPEED LIMITS ON MUNICIPAL ROADS WITHIN THOSE SCHOOL ZONES AND A NEW ARTICLE XI, ENTITLED "SPEED MONITORING SYSTEMS" TO PROVIDE FOR THE AUTHORIZATION AND USE OF SPEED MONITORING SYSTEMS IN SCHOOL ZONES IN THE TOWN.

INTRODUCED BY: Mr. Leshner

WHEREAS, the Town of Easton (the "Town") is a municipal corporation of the State of Maryland;

WHEREAS, Article XI-E of the Maryland Constitution, Article 23A of the Annotated Code of Maryland, and the Town Charter authorize the Town to enact ordinance for the protection and promotion of public safety, health, morals and welfare;

WHEREAS, Section 21-803.1 and Section 21-809 of the Transportation Article of the Annotated Code of Maryland authorizes municipalities to establish school zones and to enact speed monitoring system enforcement programs;

WHEREAS, driving in excess of the posted speed limit is a major cause of accidents, deaths, and injuries;

WHEREAS, studies show that speed monitoring systems significantly reduce the number of speeding violations and crashes;

WHEREAS, traditional enforcement forces police officers to follow and stop a violator in order to cite the violator, but traffic volume and safety considerations mean that

police officers can only apprehend a fraction of the violators, putting motorists, pedestrians, and the officers at risk;

WHEREAS, speed monitoring systems provide safe and consistent enforcement at a reasonable cost, while allowing police officers to focus on other enforcement efforts;

WHEREAS, the Easton Police Department has conducted a study of the average number of vehicles and speeds in each of the proposed school zones;

WHEREAS, the results of that study show that a significant number of vehicles exceed the maximum speed limit;

WHEREAS, according to the Easton Police Department's study, between 2001 and 2010 there have been 2,261 accidents in school zones, including 609 that have involved injuries;

WHEREAS, the Town desires to enter into an agreement with a vendor for use of its speed monitoring system to enforce speeding violations; and

WHEREAS, the Town believes that use of speed monitoring systems in school zones in the Town will help prevent speeding and will benefit the public's health, safety, and welfare;

NOW, THEREFORE, be it ordained by the Easton Town Council that:

**Section 1.** The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

**Section 2.** The Town of Easton Code is hereby amended to add a new Article X entitled "School Zones" to Chapter 17, to read as follows:

## Article X, School Zones

### Section 17-64. School Zones.

Subject to compliance with all applicable provisions of Section 21-803.1 of the Transportation Article of the Annotated Code of Maryland, the Easton Town Council hereby establishes the following roads as School Zones:

- (A) **Easton High School Zone:**  
All public roads located within a half-mile radius of Easton High School, which is located at 723 Mecklenberg Avenue, Easton, Maryland, the location and radius of which is depicted on Exhibit A attached hereto.
- (B) **Easton Middle School Zone:**  
All public roads located within a half-mile radius of Easton Middle School, which is located at 201 Peachblossom Road, Easton, Maryland, the location and radius of which is depicted on Exhibit B attached hereto.
- (C) **Easton Elementary School Zone:**  
All public roads located within a half-mile radius of Easton Elementary School, which is located at 307 Glenwood Avenue, Easton, Maryland, the location and radius of which is depicted on Exhibit C attached hereto.
- (D) **Talbot County Board of Education School Zone:**  
All public roads located within a half-mile radius of the Talbot County Board of Education, which is located at 12 Magnolia Street, Easton, Maryland, the location and radius of which is depicted on Exhibit D attached hereto.
- (E) **Chesapeake Christian School Zone:**  
All public roads located within a half-mile radius of Chesapeake Christian School, which is located at 1009 North Washington Street, Easton, Maryland, the location and radius of which is depicted on Exhibit E attached hereto.
- (F) **The Country School Zone:**  
All public roads located within a half-mile radius of The Country School, which is located at 716 Goldsborough Street, Easton, Maryland, the location and radius of which is depicted on Exhibit F attached hereto.
- (G) **Saints Peter and Paul School Zone:**  
All public roads located within a half-mile radius of Saints Peter and Paul schools, which are located at 900 High Street, Easton, Maryland, the location and radius of which is depicted on Exhibit G attached hereto.

**Section 17-65. Maximum Speed Limits.**

The maximum speed limits on municipals roads in any School Zone shall be the posted speed limit.

**Section 3.** The Town of Easton Code is hereby amended to add a new Article XI entitled “Speed Monitoring Systems” to Chapter 17, to read as follows:

**Article XI, Speed Monitoring Systems.**

**Section 17-66. Definitions.**

Terms used in this section that are defined in Section 21-809(a) of the Transportation Article of the Annotated Code of Maryland, as may be amended from time to time, shall have the same meanings in this section.

**Section 17-67. Speed Monitoring Systems.**

- (A) Speed camera enforcement, using Speed Monitoring Systems, is authorized at locations within School Zones in the Town.
- (B) Before activating any unmanned stationary school zone Speed Monitoring System(s), the Town shall:
  - (1) Publish notice of the location(s) of the Speed Monitoring System(s) on the Town website and in a newspaper of general circulation within the Town; and
  - (2) Ensure that each sign that designates a school zone indicates that Speed Monitoring Systems are in use in any school zones.
- (C) The school zone Speed Monitoring System may only operate Monday through Friday between the hours of 6:00 a.m. and 8:00 p.m.
- (D) For thirty (30) days after the first Speed Monitoring System is activated in the Town, a violation recorded by such system may only be enforced by the issuance of a warning.
- (E) Subject to compliance with all applicable provisions of Section 21-809 of the Transportation Article of the Annotated Code of Maryland, the Town may: (1) acquire and/or use Speed Monitoring Systems provided by a vendor for speed camera enforcement within the Town’s jurisdiction; and (2) enter into appropriate agreements with the vendor for the furnishing of Speed Monitoring System services associated with the Speed Monitoring System enforcement program.

- (F) The speed monitoring system enforcement program in the Town shall be conducted in compliance with all applicable provisions of Section 21-809 of the Transportation Article of the Annotated Code of Maryland, as may be amended from time to time, and other applicable law.

**Section 17-68. Civil Penalty.**

Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner and/or driver of the motor vehicle is subject to a civil penalty in the amount of \$40 if the motor vehicle being driven is recorded by a Speed Monitoring System as being operated in a school zone in excess of the speed limit, with such penalty to be assessed in accordance with Section 21-809 of the Transportation Article of the Annotated Code of Maryland, as may be amended from time to time.

**Section 17-69. Payment of Civil Penalties.**

(A) Where a citation is issued as a result of a Speed Monitoring System violation and it is uncontested, the penalty shall be paid directly to the Town.

(B) In a contested case before the District Court, the penalty shall be paid directly to the District Court, and shall be collected by the District Court in accordance with Section 7-302(a) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland and Section 21-809 of the Transportation Article of the Annotated Code of Maryland, and distributed in accordance with Section 12-118 of the Transportation Article of the Annotated Code of Maryland.

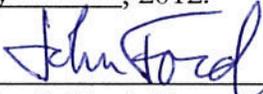
**Section 4.** If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of the Ordinance.

**Section 5:** In accordance with Article II, Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor's veto.

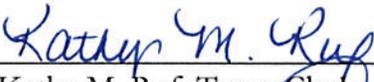
Malone	-	Yea
Leshner	-	Yea
Wendowski	-	Yea

Cook - Yea  
Ford - Yea

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this 21st day of February, 2012.

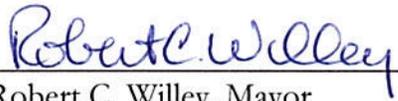
  
\_\_\_\_\_  
John F. Ford, Town Council President

Delivered to the Mayor by me this 22nd day of February, 2012.

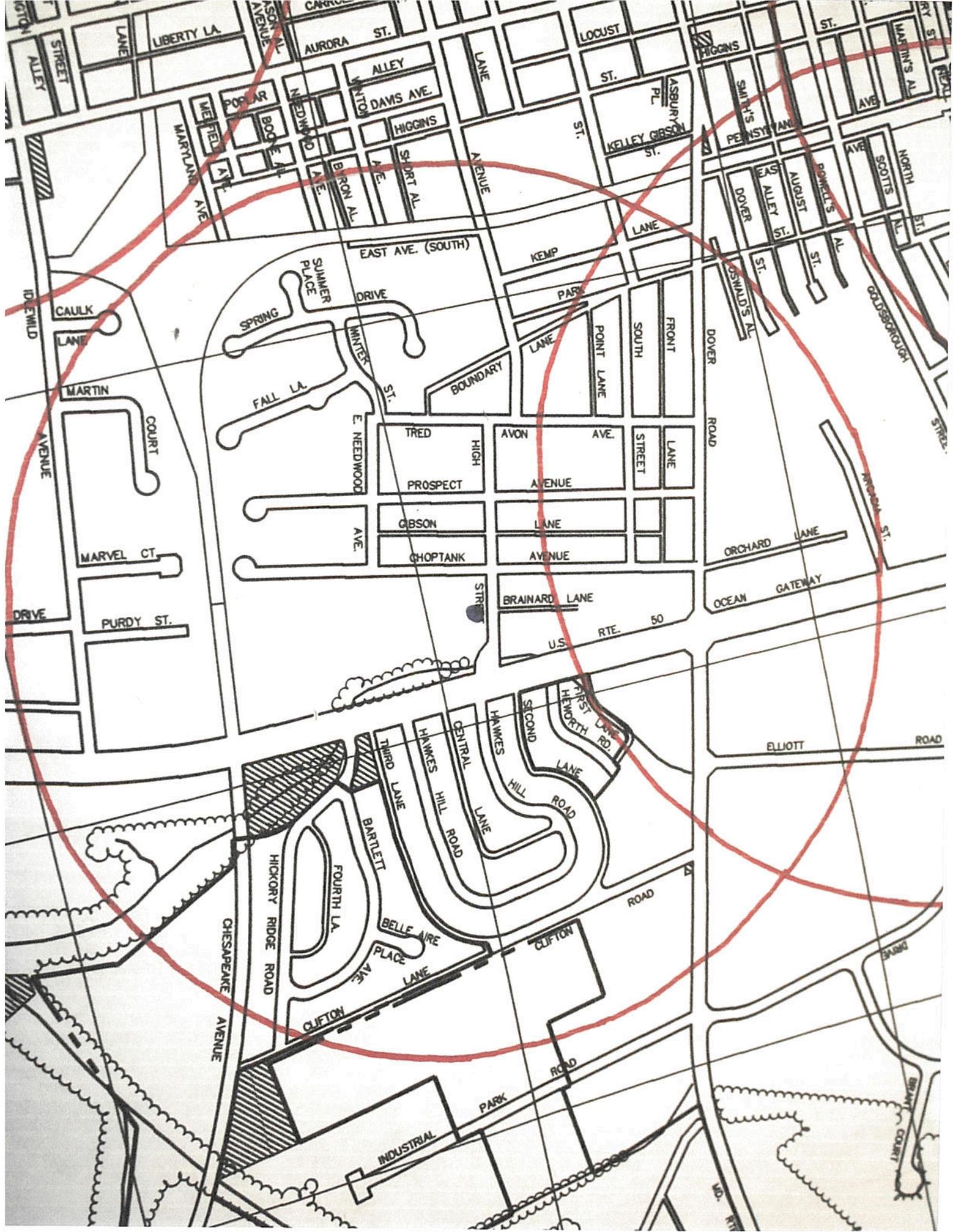
  
\_\_\_\_\_  
Kathy M. Ruf, Town Clerk

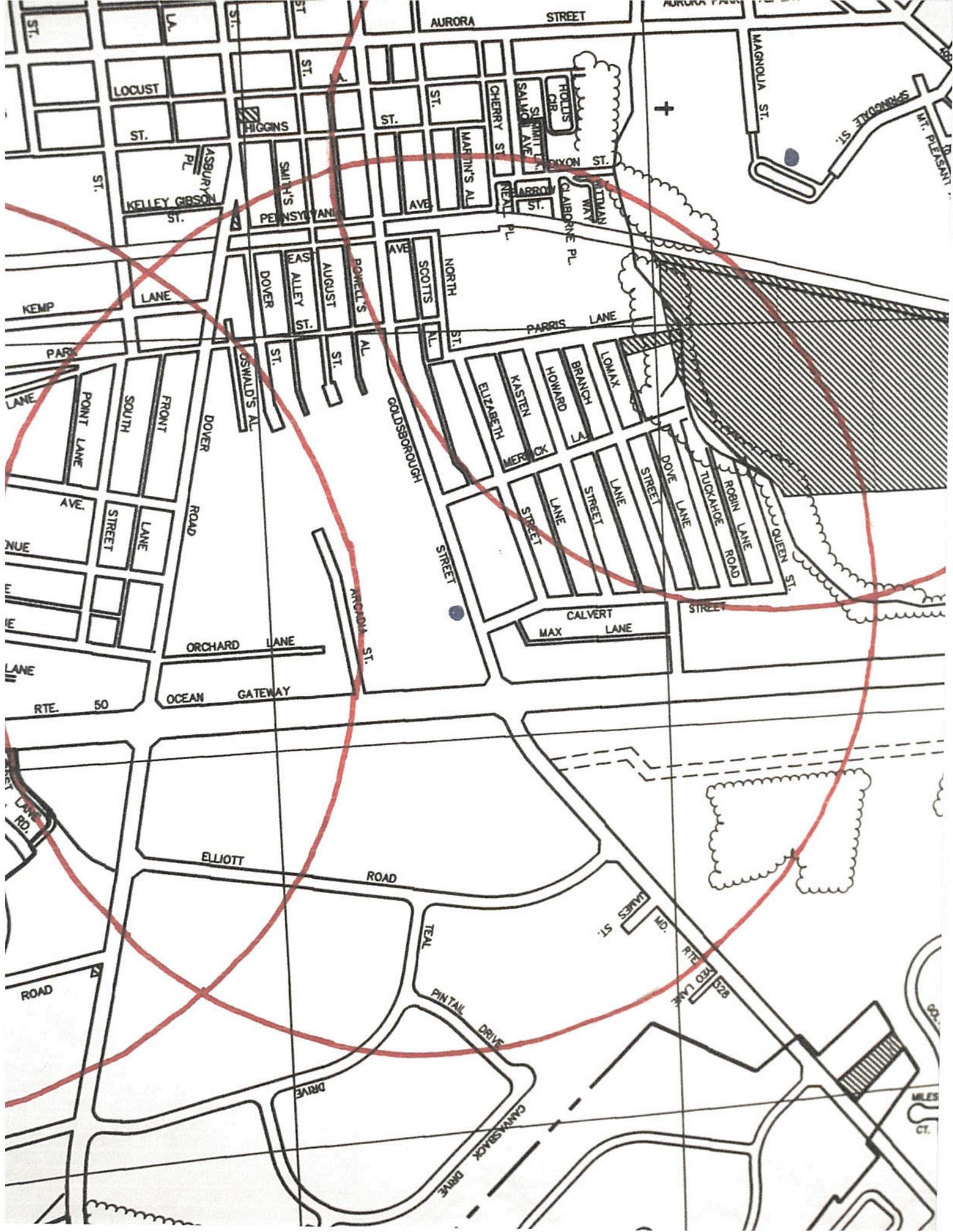
-----  
APPROVED: February 22, 2012  
-----

Date: February 22, 2012

  
\_\_\_\_\_  
Robert C. Willey, Mayor

EFFECTIVE DATE: March 13, 2012.







BRANCH

FLOOD AVE.

MAYMAN AVE.  
JOHNSON ST.

PIT LANE  
NUMBERS ST.  
MOTON STREET  
JOWITE LANE  
TILE STREET  
CLAY STREET  
GLENWOOD AVENUE  
HOPKINS PL.

THE HIGHLANDS  
100 HAYEN  
MD. RTE. 33

LEONTYNE PL.  
WHEATLEY DR.  
TUBMAN DRIVE  
BARNETT  
ARABANTA  
COLEMAN DR.  
BETHUNE DR.

BROOKWOOD AVE.

PORT STREET  
HEASLEY LA.  
PLEASANT AL.  
NICHOLS AL.  
BUCKE ST.

HAMMOND ST.  
DOVER STREET  
FEDERAL STREET  
MAY PL.

WINE AVE.  
PENNSFIELD LANE (NORTH)

VINE WEST ST.  
HILL LANE

TALBOT STREET  
TALBOT LANE  
TALBOT LANE

EARLE AVE.  
ADKINS LANE  
WASHINGTON LANE  
TYLOR'S LANE  
HARRISON ST.

BROOK LANE  
BROOKLETT'S  
TOMERS STREET

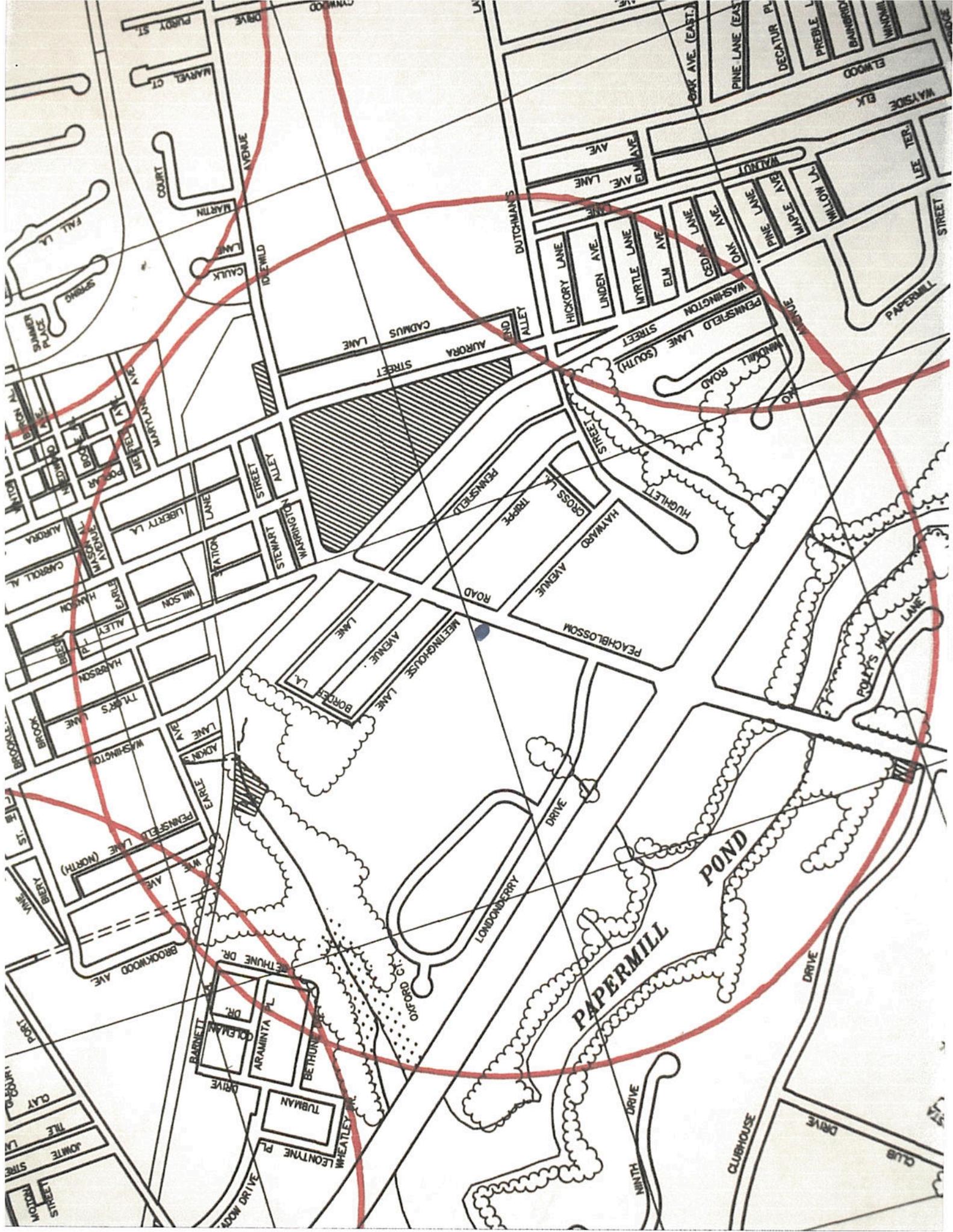
THORNTON ST.  
THORNTON ST.  
THORNTON ST.

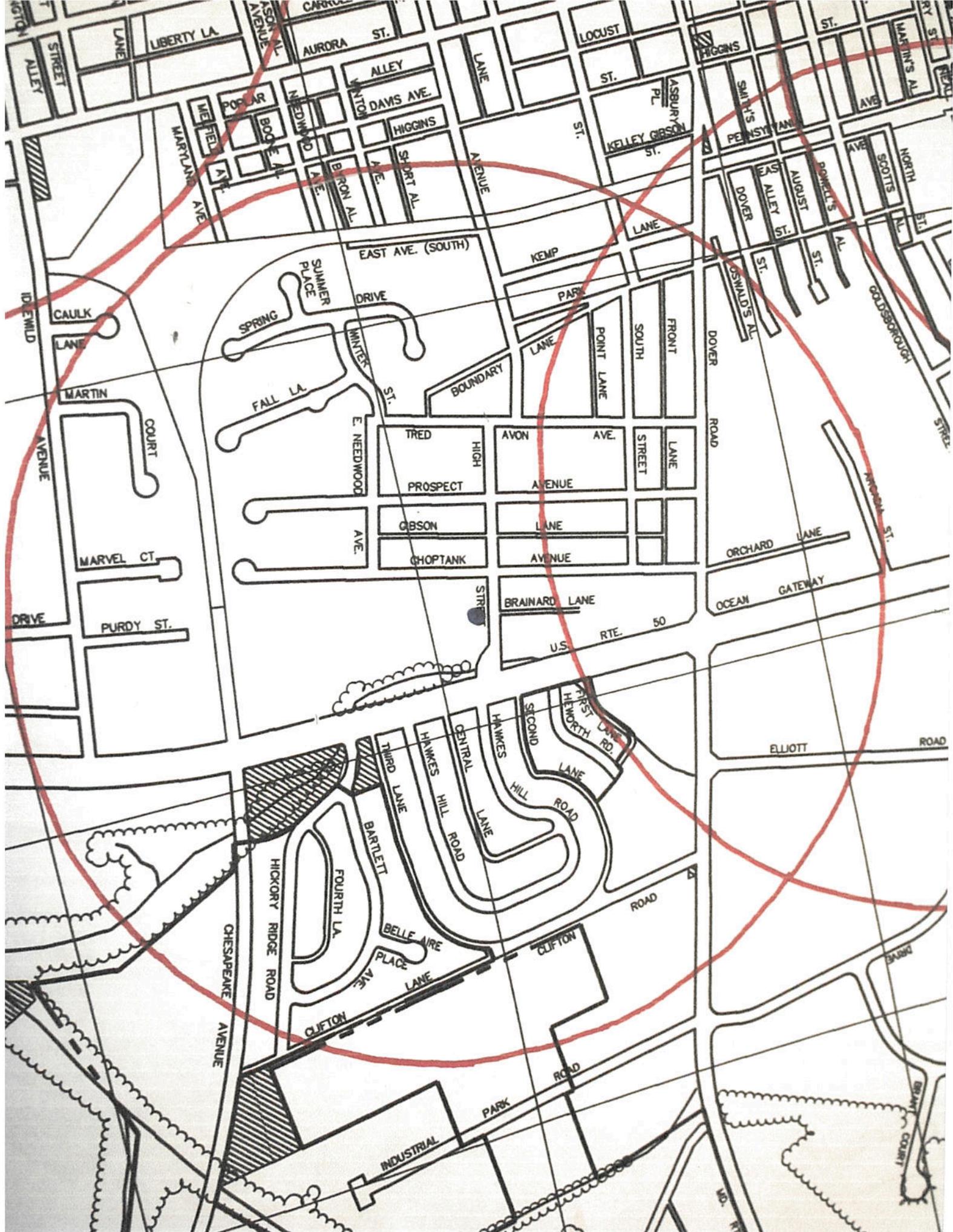
WILSON ST.  
WILSON ST.  
WILSON ST.

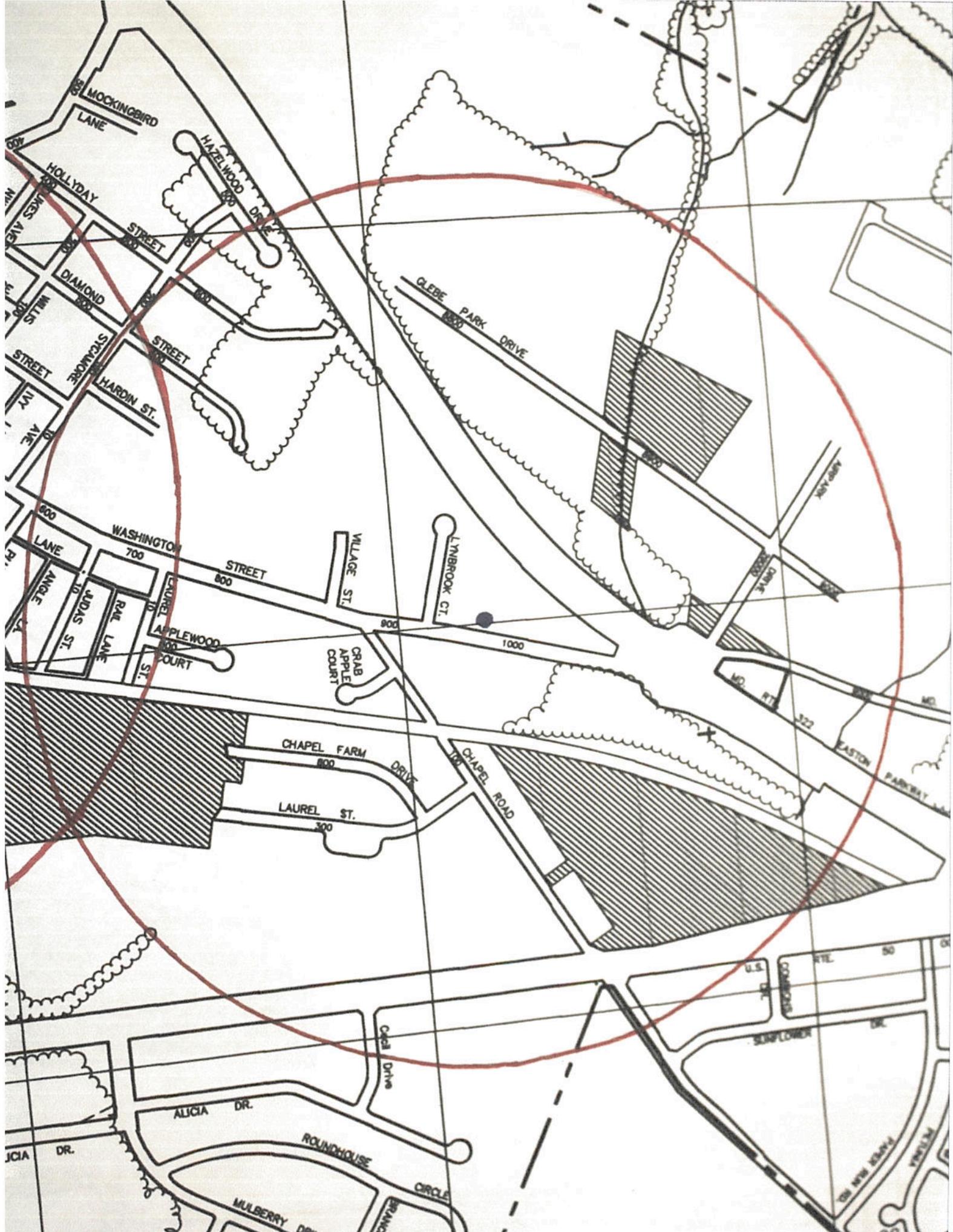
THORNTON ST.  
THORNTON ST.  
THORNTON ST.

THORNTON ST.  
THORNTON ST.  
THORNTON ST.

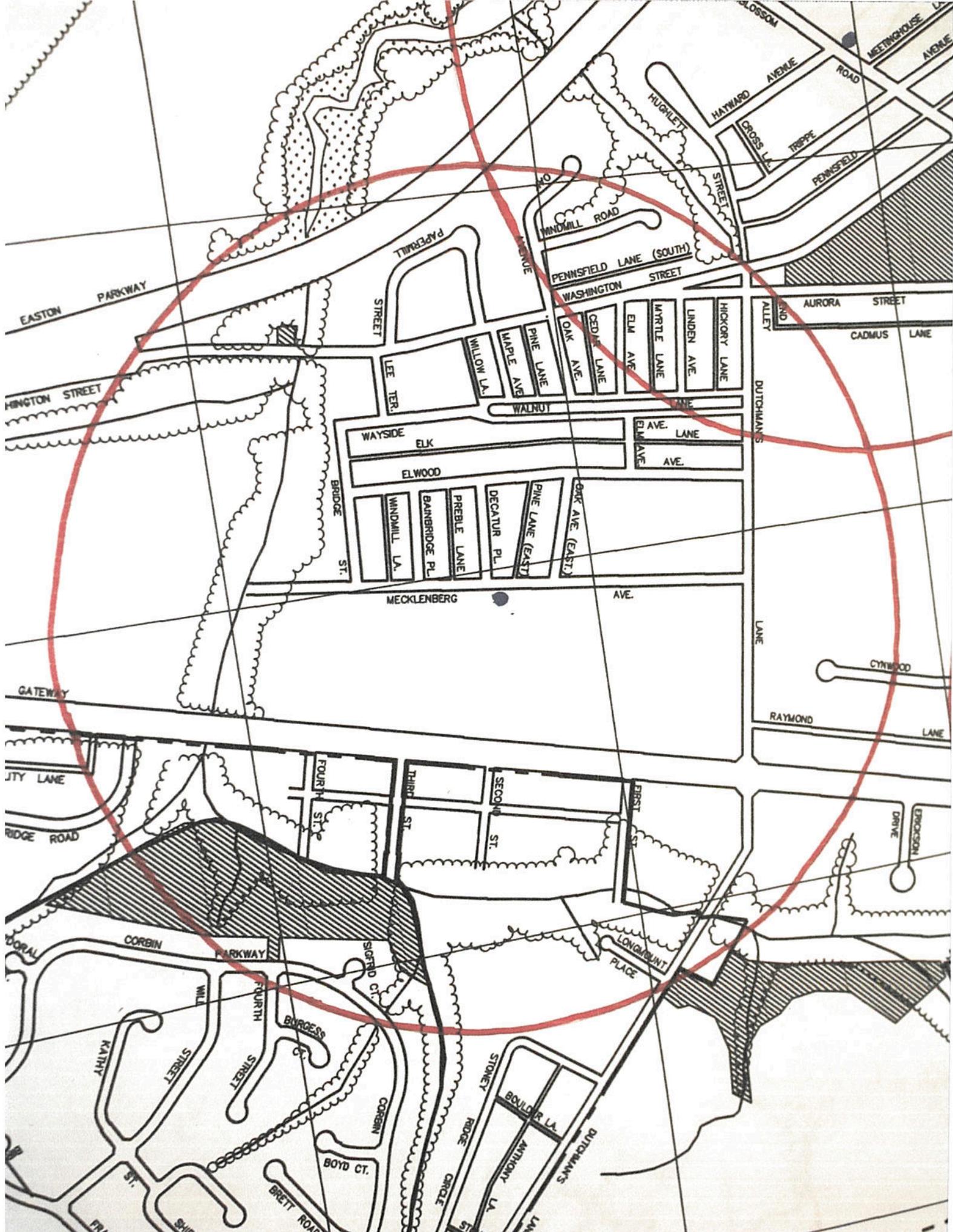
MD. RTE. 33











EASTON PARKWAY

HINGHAM STREET

GATEWAY

JTY LANE

RIDGE ROAD

CORBIN

CORBIN PARKWAY

KATHY

WILL STREET

LEBETH STREET

BURGESS

BOYD CT.

BRETT ROAD

CORBIN

SIGHTED CT.

STONEY RIDGE

BOULDER LA.

ANTHONY LA.

STONEY

ANTHONY LA.

STONEY

ANTHONY LA.

FOURTH ST.

THIRD ST.

SECOND ST.

FIRST ST.

LONGMOUNT PLACE

WAYSIDE

ELK

ELWOOD

WINDMILL LA.

BAINBRIDGE PL.

PREBLE LANE

DECATUR PL.

PINE LANE (EAST)

OAK AVE. (EAST)

MECKLENBERG AVE.

LEE TER.

WILLOW LA.

MAPLE AVE.

PINE LANE

OAK AVE.

CEDAR LANE

ELM AVE.

MYRTLE LANE

LINDEN AVE.

HICKORY LANE

WALNUT

ELM AVE. LANE

ELM AVE. LANE

PAPERMILL ROAD

WASHINGTON STREET

PENNSFIELD LANE (SOUTH)

WINDMILL ROAD

HUGHLETT

HAYWARD AVENUE

CROSS LA.

TROPPE

PENNSFIELD

AURORA STREET

CADMUS LANE

MECKLENBERG AVE.

DUTCHMAN'S ALLEY

CYRWOOD

RAYMOND LANE

ERICKSON DRIVE

ERICKSON DRIVE