

**TOWN OF NORTH BRENTWOOD  
ORDINANCE NO. 2024-08**

**Introduced by:** Councilmember \_\_\_\_\_  
**Seconded by:** Councilmember \_\_\_\_\_  
**Date of Introduction:** \_\_\_\_\_

**AN ORDINANCE AMENDING ARTICLE 1 (GENERAL PROVISIONS) OF THE CODE OF ORDINANCES OF THE TOWN OF NORTH BRENTWOOD AUTHORIZING FEE SCHEDULES AND CHANGING FEES, FINES, AND PENALTIES BY RESOLUTION; AND GENERALLY RELATING TO TOWN FEES, LIENS AND MONETARY PENALTIES**

**WHEREAS**, pursuant to Section 5-205 of the LG Article, except as otherwise provided under the LG Article, the Tax--General Article, and the Tax--Property Article, a municipality may establish and collect reasonable fees and charges: for franchises, licenses, or permits granted by the municipality; or associated with the exercise of a governmental or proprietary function exercised by a municipality, and a municipality may provide that any valid charge, tax, or assessment made against real property in the municipality is a lien on the property to be collected in the same manner as municipal taxes; and

**WHEREAS**, pursuant to Section 602 of the Town Charter, the powers of the Council to pass ordinances shall include but are not limited to the following purposes: ... (13) (Fees and Charges.) To establish and collect fees and charges for all franchises, licenses, and permits issued by the Town and for all governmental or proprietary functions of the Town; and

**WHEREAS**, pursuant to Section 815 (Fees) of the Town Charter, all fees received by an officer or employee of the Town government in his or her official capacity shall belong to the Town government and be accounted for to the Town; and

**WHEREAS**, pursuant to Section 604 (Enforcement) of the Town Charter, to ensure the observance of the ordinances of the Town, the Council shall have the power to provide that violation thereof shall be a misdemeanor or a municipal infraction and to affix thereto penalties that do not exceed the maximum penalties prescribed by law; and

**WHEREAS**, pursuant to Section 601 of the Town Charter, in addition to all the powers granted to the Council by the Town Charter or any other provision of law, the Council may exercise any power or perform any function which is not now or hereafter denied to it by the Constitution of Maryland, said Charter or any applicable law passed by the General Assembly of Maryland, and the enumeration of powers and functions in said Charter or elsewhere shall not be deemed to limit the power and authority granted by Section 601; and

**WHEREAS**, pursuant to Section 411 of the Town Charter establishing a procedure mandates that all ordinances passed by the Council shall be promptly delivered by the Clerk to

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CAPITALS : Indicate matter added to existing law  
[Brackets] : Indicate matter deleted from existing law  
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the Mayor for the Mayor's approval or disapproval, and if the Mayor approves any ordinance, the Mayor shall sign it, but if the Mayor disapproves any ordinance, the Mayor shall not sign it, and the Mayor shall return all ordinances to the Clerk within six (6) days after delivery from the Council (excluding the first day, including the last day, and excluding any Sunday) with his or her approval or disapproval, and any disapproved ordinance shall not become a law unless subsequently passed by a favorable vote of the whole Council within thirty (30) calendar days from the time of the return of the ordinance, and if the Mayor fails to return any ordinance within six (6) days of its delivery, it shall be deemed approved by the Mayor and shall become law in the same manner as an ordinance signed by the Mayor.

**NOW THEREFORE BE IT ORDAINED AND ENACTED** by the Council of the Town of North Brentwood that the following Ordinance to be enacted herein as a regular ordinance to amend and be codified as CHAPTER 1. General Provisions as indicated below; and is hereby adopted, amended and enacted such that said Ordinance, Chapters, Articles and Code shall henceforth read as follows:

**SECTION 1.**

**THE CODE OF THE TOWN OF NORTH BRENTWOOD**

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**Chapter 1. General Provisions**

**Article II. Violation Procedures and Penalties; FEES, LIENS AND FEE SCHEDULES**

**§ 1-15. [~~Enumerated misdemeanors~~] UNPAID FEES AND PENALTIES TO CONSTITUTE A LIEN.**

~~[Any violation of the Code provisions listed in this section shall constitute and be punishable as misdemeanor and shall be subject to the maximum fines and/or jail penalties enumerated herein. If a maximum fine and/or jail term is not enumerated herein, the general misdemeanor penalties at § 1-12 shall apply.]~~

**~~Section ——— Maximum Fines ——— Maximum Jail Term  
(Reserved)]~~**

FEES AND PENALTIES ESTABLISHED IN OR PURSUANT TO THE CODE OF THE TOWN OF NORTH BRENTWOOD WHICH ARE NOT PAID AS REQUIRED THEREIN TO THE TOWN SHALL BE INCLUDED IN THE NON-PAYOR'S REAL PROPERTY TAX BILL AND SHALL BE COLLECTED AS TOWN TAXES.

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**§ 1-16. [~~Maximum fines~~] FEE SCHEDULES AND CHANGING FEES, FINES AND PENALTIES**

~~A. The maximum fine for enumerated misdemeanors shall be:~~

- ~~(1) Class A misdemeanors: \$100.~~
- ~~(2) Class B misdemeanors: \$75.~~
- ~~(3) Class C misdemeanors: \$50.~~

~~B. The maximum fine for enumerated municipal infractions shall be:~~

- ~~(1) Class A municipal infractions: \$100.~~
- ~~(2) Class B municipal infractions: \$75.~~
- ~~(3) Class C municipal infractions: \$50.~~
- ~~(4) Class D municipal infractions: \$25.~~
- ~~(5) Class E municipal infractions: \$5.~~
- ~~(6) Class F municipal infractions: \$1.]~~

A. THE FEES, FINES AND MONETARY PENALTIES ESTABLISHED IN THE TOWN CODE MAY BE CHANGED FROM TIME TO TIME BY A SEPARATE WRITTEN RESOLUTION ADOPTED IN ACCORDANCE WITH THIS SECTION INCLUDING ANY FEE SCHEDULES OF ANY MULTIPLE FEES ESTABLISHED THEREIN THAT CHANGES ANY PENALTY, FINE, OR FEE AS CODIFIED IN THE TOWN CODE.

B. A WRITTEN RESOLUTION ADOPTED IN ACCORDANCE WITH THIS SECTION SHALL BE POSTED IN A CONSPICUOUS PLACE AT THE MAIN MUNICIPAL ADMINISTRATIVE BUILDING FOR AT LEAST 30 DAYS AND PUBLISHED IN THE TOWN NEWSLETTER OR A NEWSPAPER OF GENERAL CIRCULATION ON AT LEAST ONE OCCASION PRIOR TO THE EFFECTIVE DATE OF THE RESOLUTION. SHOULD THE WRITTEN RESOLUTION SEEK TO CHANGE A FINE OR MONETARY PENALTY AS OPPOSED TO ONLY A FEE OR SCHEDULE OF FEES, SUCH FINE OR PENALTY MUST BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION AS WELL AS THE TOWN NEWSLETTER.

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**SECTION 2.**

**AND BE IT FURTHER ORDAINED AND ENACTED**, that it is the intention of the Council and it is hereby ordained, that the provisions of this Ordinance found in Section 1 hereinabove shall become or continue to be made part of the Code of Ordinances and the sections of this Ordinance may be renumbered to accomplish such intention, and that Chapter 1

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of the Code of Ordinances is hereby permanently amended to read as stated in Section 1 hereinabove.

**AND BE IT FURTHER ORDAINED AND ENACTED**, this Ordinance having been read on at least two occasions at a public meeting shall take effect and become effective at the expiration of eleven (11) calendar days following adoption by the Council, and approval by the Mayor or passage by the Council over the Mayor’s veto, unless a different effective date has been specified herein.

**THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE TOWN OF NORTH BRENTWOOD THIS \_\_\_ DAY OF NOVEMBER 2024.**

Aye:  
Nay:  
Absent:  
Abstain:

Approved:

**TOWN OF NORTH BRENTWOOD**

By: \_\_\_\_\_  
Petrella Robinson, Mayor

Date: \_\_\_\_\_

**CERTIFICATE**

I HEREBY CERTIFY on this \_\_ day of \_\_\_\_\_, 2024, that the above proposed ordinance was posted on an official bulletin board maintained by the Council in a public place until it was approved or disapproved pursuant to the Town Charter and that an executed copy of this ordinance has been delivered to General Code, LLC for codification.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
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