

THE TOWN OF FOREST HEIGHTS
RESOLUTION 08-15

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: Mayor Jacqueline Goodall

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 Mayor and Council further find that Mr. Theodore (Ted) Jones 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. Jones as Ombudsman.

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NOW THEREFORE BE IT RESOLVED, and enacted that the Town Council hereby approves the appointment of Mr. Theodore (Ted) Jones as Ombudsman of the Speed Camera

Program to serve part time without benefits in said position at an hourly wage of \$25.00 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 7031 shall be used and designed within the FY 2015 Budget to defray the wage expense of said position at an amount not to exceed \$ \$19,000 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 31st day of March, 2015.

ATTEST:

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

Signature on file

Signature on file

Bonita C. Anderson, Town Clerk

By: _____
Jacqueline Goodall, Mayor

Signature on file

By: _____
Cynthia Mann, Council President

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

GOODALL

YEA

KENNEDY II

YEA

MCLAURIN

NAY

BARNES

YEA

MUHAMMAD

YEA

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SMITH-BARNES	<u>YEA</u>
MANN	<u>YEA</u>

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 31st day of March 2015 with 6 Aye votes and 1 Nay, constituting at least a four (4) vote majority, the aforesaid Resolution 08-15 passed.

Signature on file

Bonita Anderson, Town Clerk