

## FISCAL IMPACT NOTE

**Legislation No:** O-25-16

**First Reader Date:** 5-23-16

**Note Date:** 6-6-16

**Legislation Title:** City Code Maximum Penalty Provision

**Description:** For the purpose of amending the City Code to be consistent with the Charter concerning the Maximum Penalty applicable to misdemeanors, infractions and violations proscribed by State Law.

**Analysis of Fiscal Impact:** The current City Code, Chapter 1.20, regarding the Maximum Penalty applicable to misdemeanors, infractions and violations states that it shall be "\$1,000 or six months in jail, or both, in the discretion of the City Council." This legislation amends the City Code to clarify that in the discretion of the City Council, an ordinance may impose fines, incarceration, or other penalties or remedies as permitted by Maryland Law.

In accordance with the Local Government Article of the Annotated Code of Maryland, the following Maximum Penalty applicable to misdemeanors, infractions and violations will be in effect:

- A penalty for a violation of an ordinance or resolution that is declared to be a misdemeanor may not exceed imprisonment for six months or a fine of \$1,000 or both; and
- A fine not exceeding \$1,000 may be imposed for each municipal infraction; and
- A fine not exceeding \$500 for each violation may be imposed for each civil penalty for a zoning violation; and
- A fine of not more than \$2,000 in lieu of suspension of a license for any violation that is cause for suspension under the alcoholic beverage laws of the City.