

CA-2-16
Amending the City's Maximum Penalty

Staff Report

This legislation would amend the Maximum Penalty applicable to misdemeanors, infractions and violations to that proscribed by State Law. Currently, the City Charter, Article IX, Section 3 states that the maximum penalty shall be "\$1,000.00 or six months in jail, or both, in the discretion of the City Council."

This language conflicts with certain State laws. For instance, Section 11-202 of the Land Use Article of the Annotated Code of Maryland states that a "legislative body may . . . impose a fine not exceeding \$500 for each violation" and Section 16-507(c)(2) of Article 2B (Alcoholic Beverages) of the Annotated Code of Maryland states that "[i]n the City of Annapolis, the Board of License Commissioners may impose 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."

As such, the proposed Charter amendment would resolve any disparity by providing that in the discretion of the city council, an ordinance may impose fines, incarceration, or other penalties or remedies as permitted by Maryland law.