

Article 23A – Corporations – Municipal

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(a) The legislative body of any municipality shall have power to provide that violations of ordinances and resolutions authorized by this article shall be punishable as misdemeanors, but no penalty shall exceed a fine of \$1,000 and imprisonment for 6 months. Imprisonment in default of fine and costs shall be regulated by the provisions of Article 38, § 4 of the Code.

(b) (1) The legislative body of a municipality may provide that violations of any municipal ordinance shall be a “municipal infraction” unless the violation is declared to be a felony or a misdemeanor by law or ordinance. In addition, the legislative body of a municipality may classify as a “municipal infraction”: (i) a violation of any zoning or land use ordinance or regulation authorized to be adopted or enacted by that municipality; and (ii) littering within the municipality as prohibited under Article 27, Section 468, of the Code. For purposes of this article a municipal infraction is a civil offense.

(2) (i) Those officials authorized by the legislative body of the municipality may deliver a citation to any person whom they adjudge to be committing a municipal infraction or on the basis of an affidavit submitted to an appropriate official of the municipality, to be named by the municipality, citing the facts of the alleged incident.

(ii) The issuing authority shall retain a copy of the citation which shall contain:

1. The issuing authority’s certification attesting to the truth of the matter set forth in the citation;

2. The name and address of the person charged;

3. The nature of the infraction;

4. The location and time that the infraction occurred;

5. The amount of the infraction fine assessed;

6. The manner, location, and time in which the fine may be paid to the municipality;

7. The person’s right to elect to stand trial for the infraction; and

8. The effect of failing to pay the assessed fine or demand a trial within the prescribed time.

(3) A fine not to exceed \$400 may be imposed for each conviction of a municipal infraction. The fine is payable by the recipient of the citation to the municipality within 20 calendar days of receipt of the citation.