

ARTICLE 9. CRIMES, CIVIL OFFENSES, AND FINES

Title

1. CRIMES
2. CIVIL OFFENSES AND FINES

Attorney's note – Article 9 is not an exclusive listing of crimes under this Code.

TITLE 1. CRIMES

Section

Subtitle 1. Code Violations

- 9-1-101. Criminal penalty for Code violations.

Subtitle 2. Alcoholic Beverages

- 9-1-201. Sale or consumption on County property.
9-1-202. Public possession or consumption.
9-1-203. Consumption in area of licensed establishment.

Subtitle 3. Obscene Matter

- 9-1-301. Sale or rental to minors.
9-1-302. Warning sign required.

Subtitle 4. Stalking

- 9-1-401. Stalking.

Subtitle 5. Trespass

- 9-1-501. Public beaches and places of public resort.
9-1-502. Vehicles.

Subtitle 6. Weapons

- 9-1-601. Possession or discharge of firearms.
9-1-602. Bows and arrows, BB guns, slingshots, and the like.
9-1-603. (Reserved).
9-1-604. Explosives.

Subtitle 7. Miscellaneous Prohibited Acts

- 9-1-701. Fishing or swimming from County-owned bridge.
9-1-702. Lie detector tests.
9-1-703. Loitering.

- 9-1-704. Loitering for the purpose of engaging in prostitution.
- 9-1-705. Mooring vessel at County-owned pier.
- 9-1-706. Noise in residential districts.
- 9-1-707. Possession or use of Jimson weed.
- 9-1-708. Skateboards on roadways.
- 9-1-709. Snow and ice on walkways.
- 9-1-710. Poolrooms.
- 9-1-711. Tampering with County-owned property.

SUBTITLE 1. CODE VIOLATIONS

§ 9-1-101. Criminal penalty for Code violations.

A person who violates any provision of the laws of the County is guilty of a misdemeanor. Upon conviction, the person is subject to a fine not exceeding \$1,000 or imprisonment not exceeding six months or both, unless a different criminal penalty is provided for elsewhere in this Code for a particular violation. Each day that a violation continues constitutes a separate offense.

(1985 Code, Art. 11, § 6-101) (Bill No. 48-06)

State Code reference – Local Government Code, § 10-202.

SUBTITLE 2. ALCOHOLIC BEVERAGES

State Code reference – Article 2B.

§ 9-1-201. Sale or consumption on County property.

- (a) **Scope.** This section does not apply to:
 - (1) Fire Department premises when used for social or fund-raising events;
 - (2) the sale and consumption of alcoholic beverages at a County park or recreational facility as permitted by the Director of Recreation and Parks;
 - (3) the sale and consumption of alcoholic beverages by community associations or by nonprofit civic, service, religious, charitable, or fraternal organizations for purposes of social or fund-raising activities; and
 - (4) the sale and consumption of alcoholic beverages on properties that have existing alcoholic beverage licenses when acquired by the County in its land acquisition process and that are leased by the County to the former property owners or their heirs or estate.
- (b) **Prohibition.** A person may not sell or consume an alcoholic beverage on the premises of the County courthouse or on any other property owned or utilized by the County, including County parks and recreational facilities and including sidewalks, parking areas, and roadways within the property lines of those premises used for recreational, social, or athletic activity.
- (c) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding six months or both. In addition, a person employed by the County

who violates any provision of this section is subject to suspension or removal from employment with the County.

(1985 Code, Art. 11, § 1-101) (Bill No. 62-03)

§ 9-1-202. Public possession or consumption.

(a) **Definitions.** In this section, the following words have the meanings indicated.

(1) "Alcoholic beverage" means an alcoholic beverage as defined in Article 2B, § 1-102, of the State Code.

(2) "Container" means an object, regardless of shape or design or of materials from which made, that is capable of holding and dispensing a substance.

(3) "Open" means not in sealed manufactured package form.

(4) "Public road" includes a street, highway, shoulder, median, right-of-way, alley, sidewalk, road, parking lot or area, lane, path, public way, or any other land that is owned or leased by the County or the State and used or intended or obtained for use for public conveyance of vehicles or persons.

(5) "Vehicle" means a vehicle as defined in the Transportation Article, § 11-176, of the State Code.

(b) **Scope.** This section does not apply to:

(1) the consumption of alcoholic beverages or the possession of one or more alcoholic beverage containers by a non-driver passenger in a registered Class B (for hire) vehicle, as defined in the Transportation Article, § 13-913, of the State Code;

(2) the possession or consumption of alcoholic beverages on a premises licensed for the consumption of alcoholic beverages under Article 2B, of the State Code;

(3) consumption of alcoholic beverages or possession of open containers of alcoholic beverages on a public road if allowed under the terms of a permit issued by an authorized State or local agency having jurisdiction over the public road; or

(4) the carrying or transporting of open containers of alcoholic beverages in a part of a vehicle not within the immediate control of the driver of or a passenger in the vehicle.

(c) **Prohibitions.** A person may not consume an alcoholic beverage on a public road in the County or in a vehicle while the vehicle is on a public road in the County. A person may not possess an open container of alcoholic beverage on a public road or in a vehicle while the vehicle is on a public road in the County.

(d) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding three months or both.

(1985 Code, Art. 11, § 1-102) (Bill No. 23-04)

§ 9-1-203. Consumption in area of licensed establishment.

(a) **Scope.** This section does not apply where a person has obtained a valid license or permit from the Board of License Commissioners for Anne Arundel County for consumption of alcoholic beverages in the location.

(b) **Prohibitions.** A person may not consume an alcoholic beverage:

(1) outside the structure but on the premises of an establishment that has an alcoholic beverage license;

(2) on the parking lot of a shopping center that includes an establishment that has an alcoholic beverage license; or

(3) on any parking lot for the use of the public that is adjacent to the premises of an establishment that has an alcoholic beverage license.

(c) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding six months or both.

(1985 Code, Art. 11, § 1-103)

SUBTITLE 3. OBSCENE MATTER

State Code reference – Criminal Law Article, § 11-204.

§ 9-1-301. Sale or rental to minors.

(a) **Definitions.** The definitions in the Criminal Law Article, § 11-101, of the State Code, apply to this section.

(b) **Prohibitions.** A person may not knowingly sell, rent, or offer to sell or rent to a minor:

(1) a video tape, motion picture, film, or other visual representation or image of a person or portion of the human body that depicts sadomasochistic abuse, sexual conduct, or sexual excitement; or

(2) a sound recording that contains any matter enumerated in subsection (b)(1), obscenities, or explicit verbal descriptions or narrative accounts of sadomasochistic abuse, sexual conduct, or sexual excitement.

(c) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding three months or both.

(1985 Code, Art. 11, § 2-101) (Bill No. 23-04)

§ 9-1-302. Warning sign required.

(a) **Requirement.** The proprietor of any place that sells, rents, or offers to sell or rent any item or material described in § 9-1-301 shall post a conspicuous sign on the premises warning minors that it is unlawful to sell, rent, or offer to sell or rent those items or materials to minors.

(b) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100.

(1985 Code, Art. 11, § 2-102)

SUBTITLE 4. STALKING

§ 9-1-401. Stalking.

(a) **Definitions.** In this section, the following words have the meanings indicated:

(1) "Course of conduct" means a persistent pattern of conduct composed of two or more acts over a period of time, however short, that evidences a continuity of purpose, but the term does not include constitutionally protected activity.

(2) "Stalk" means to engage in a willful course of conduct that would seriously alarm, annoy, intimidate, or harass that person and cause significant mental or emotional distress that may, but does not necessarily, require medical or other professional treatment or counseling, and the term includes contact with a person without that person's consent or in disregard of the person's expressed desire that the contact be avoided or discontinued, including:

- (i) following or appearing within the sight of the person;
- (ii) approaching or confronting the person, whether in a public place or on private property;
- (iii) appearing at the workplace or residence of the person;
- (iv) entering onto or remaining on property owned, leased, or occupied by the person;
- (v) placing an object on or delivering an object to property owned, leased, or occupied by the person; and
- (vi) contacting the person by telephone, mail, or electronic communication.

(b) **Prohibition.** A person may not stalk another person, either directly or indirectly through another person.

(1985 Code, Art. 11, § 2A-101)

SUBTITLE 5. TRESPASS

§ 9-1-501. Public beaches and places of public resort.

(a) **Prohibition.** A person may not enter a public beach or other place of public resort without paying the required admission or entrance fee. A person may not enter a public beach or other place of public resort in a way that is contrary to the regulations governing admissions posted at the entrance to that place.

(b) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$25.

(1985 Code, Art. 11, § 3-101)

§ 9-1-502. Vehicles.

(a) **Prohibition.** Unless the person has the consent of the owner of the property, a person may not drive or park a vehicle on:

- (1) a private road, street, entranceway, driveway, or land that has been conspicuously posted with signs containing the words "Private Property, Keep Off", "Private Road, Keep Out", or "Private Road – No Parking";
- (2) property that is fenced off from the road, street, or highway on which it bounds; or
- (3) residential property having a frontage of 250 feet or less on a road, street, or highway.

(b) **Prohibition.** A person may not ride, be transported in, or be in a vehicle while it is being driven or is parked in violation of subsection (a).

(c) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$25. (1985 Code, Art. 11, § 3-102)

State Code reference – Criminal Law Article, §§ 6-401 et seq.

SUBTITLE 6. WEAPONS

§ 9-1-601. Possession or discharge of firearms.

(a) **Definition.** In this section, "firearm" includes a rifle, handgun, or shotgun as those terms are defined in the Criminal Law Article, § 4-201, of the State Code.

(b) **Scope.** This section does not apply to a police officer acting in the line of duty.

(c) **Prohibition.** A person may not discharge a firearm within 100 yards of a structure or camp occupied by human beings or commonly used by human beings without the written permission of the owner, occupant, or lessee of the structure or camp.

(d) **Prohibition; exceptions.**

(1) A person may not discharge a firearm on any property owned by the County, except as provided in paragraph (2) of this subsection.

(2) This subsection does not apply to:

(i) an individual who sells property to the County and subsequently occupies or has a right to use the property under a lease or license agreement with the County that permits the discharge of firearms by that individual on the property; or

(ii) a person acting with permission granted pursuant to a wildlife management agreement, and in accordance with Article 14 of this Code.

(e) **Prohibition.** A person may not possess or discharge a firearm on the property of another unless, at the time of the possession or discharge of the firearm, the person has the express written permission of the owner, occupant, or lessee of the property on which the firearm is possessed or discharged. The written permission shall be signed by the owner, occupant, or lessee; shall include the dates on which the possession or discharge is authorized; and shall specify the parcel or property for which permission is granted. The written permission shall identify the persons for whom permission is granted, and the permission may not be transferred to another person or inferred or implied to include companions of authorized persons. When properly executed, a writing substantially in the following form is sufficient to constitute the written permission required by this subsection:

"I, _____ (owner, occupant, or lessee) hereby authorize _____ to possess or discharge any weapon or firearm on my property known as _____ and such permission is granted for the following time(s):

_____.

(owner, occupant, or lessee)"

(1985 Code, Art. 11, § 4-101) (Bill No. 60-03; Bill No. 23-04; Bill No. 77-08)

§ 9-1-602. Bows and arrows, BB guns, slingshots, and the like.

(a) **Definition.** In this section, "weapon" means a bow and arrow, BB gun, slingshot, or other device designed to discharge a pellet or other object by force of a spring, elastic band, gas cylinder, air cylinder, or gas or air cartridge.

(b) **Prohibitions.** A person may not sell, give away, lend, or otherwise transfer a weapon to a minor. A person may not discharge or use a weapon on private property without the express permission of the owner or other person entitled to possession of the property. A person may not discharge or use a weapon except in a manner that will prevent the discharged pellet or object from traversing grounds or space outside the limits of the property on which the weapon is discharged or used. A person may not discharge a weapon within 100 yards of a structure or camp occupied by human beings or commonly used by human beings unless the discharge is at a bona fide commercial indoor or outdoor target range under the supervision of an adult or there is in use a safe and reasonable backstop of sufficient size and composition to ensure that the projectile or arrow cannot pass through the target or backstop.

(c) **Construction of section.** This section may not be construed to make lawful anything otherwise prohibited by law.

(d) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 60 days or both.

(1985 Code, Art. 11, § 4-102)

§ 9-1-603. (Reserved).

§ 9-1-604. Explosives.

(a) **Prohibition.** Except in a place for blasting or in the course of transportation, a person may not store or possess more than 100 pounds of gunpowder or any quantity of dynamite, nitroglycerine, or other explosive in the County.

(b) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$300. If a corporation violates any provision of this section, the president of the corporation or any officer or member of its board of directors may be prosecuted for the violation.

(1985 Code, Art. 11, § 4-103)

SUBTITLE 7. MISCELLANEOUS PROHIBITED ACTS

§ 9-1-701. Fishing or swimming from County-owned bridge.

A person may not fish or swim from any County-owned bridge.

(1985 Code, Art. 11, § 5-101)

§ 9-1-702. Lie detector tests.

(a) **Definition.** In this section, "employer" means any employer engaged in any business or enterprise in the County except the State or federal government.

(b) **Scope.** This section does not apply to an applicant for employment in any position as a law enforcement officer with the County Police Department; the Office of the Sheriff; a police department or police force in any incorporated municipality in the County; or a special police force serving a special taxing district in the County.

(c) **Prohibition.** An employer may not suggest, request, demand, or require an employee or applicant for employment to submit to or take a polygraph, lie detector, or similar test or examination as a condition of employment or continued employment. An offer to allow an employee to voluntarily take such a test instead of being subjected to any other form of personal investigation is a violation of this section.

(d) **Sanctions for violation.** An employer who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500. (1985 Code, Art. 11, § 5-102) (Bill No. 11-88; Bill No. 77-97)

§ 9-1-703. Loitering.

(a) **Definition.** In this section, "loiter" means for a person to:

(1) remain on a public street, sidewalk, or pathway, including one privately owned but used by the public in general, so as to obstruct the free passage of a pedestrian or vehicle after a regular or special police officer has notified the person that the action is unlawful and has requested the person to move;

(2) remain in or on a vehicle on a public street, sidewalk, or pathway, including one privately owned but used by the public in general, so as to obstruct the free passage of a pedestrian or vehicle after a regular or special police officer has notified the person that the action is unlawful and has requested the person to move;

(3) refuse or fail to leave, or refuse to remove a vehicle from, a private business, commercial establishment, or parking lot that is posted with conspicuous "No Loitering" signs if the business or establishment is not open for business and the person has been requested to leave by the owner, the owner's agent, or a regular or special police officer unless the person has written permission from the owner, lessee, or operator to be present or is window shopping under conditions and at a time of the day or night that a reasonable person would consider conducive to that activity;

(4) refuse or fail to leave a private business or commercial establishment that is open for business, or a parking lot of the business or establishment, after having been requested to do so by the owner or the owner's agent;

(5) refuse or fail to leave a public building, public grounds, or a public recreational area, or a parking lot of a public building, public grounds, or a public recreational area, after being requested to do so by a regular or special police officer or by a regularly employed guard, watchman, or other authorized employee of the agency or institution responsible for the public building, public grounds, recreational area, or parking lot if the circumstances indicate to a reasonable person that the person has no apparent lawful business or purpose to pursue at that place;

(6) refuse or fail to leave a building of, grounds adjacent to a building of, a recreational area of, or a parking lot of a public or private learning institution after being requested to do so by a regular or special police officer or by an authorized employee of the

public or private learning institution if the circumstances indicate to a reasonable person that the person has no apparent lawful business or purpose to pursue at that place unless the person:

(i) is present because the person has custody of or responsibility for a pupil or student;

(ii) is present for a reason associated with the purpose of the institution, including the use of recreational areas or facilities when permitted; or

(iii) displays written permission from the principal or head of the institution or a designee of the principal or head of the institution; or

(7) return, for no apparent lawful business or purpose, to the same public or private property from which the person was asked to leave within the preceding 24-hour period.

(b) **Inapplicability.** This section does not prohibit picketing or orderly demonstrations by labor unions or members of the public.

(c) **Prohibition and sanctions for violation.** A person who loiters is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$100 or imprisonment not exceeding 30 days or both for the first offense and a fine not exceeding \$200 or imprisonment not exceeding 60 days or both for a subsequent offense.

(1985 Code, Art. 11, § 5-103) (Bill No. 119-93)

§ 9-1-704. Loitering for the purpose of engaging in prostitution.

(a) **Definitions.** In this section, the following words have the meanings indicated:

(1) "Assignment" means the making of an appointment or engagement for prostitution or lewdness or any act in furtherance of the appointment or engagement.

(2) "Lewdness" means any unnatural sexual practice.

(3) "Prostitution" means the offering or receiving of the body for sexual intercourse for hire.

(4) "Public place" means any street, sidewalk, bridge, alley, plaza, park, driveway, parking lot, or transportation facility, or a motor vehicle in or on any such place.

(b) **Prohibition.** A person who, for the purpose of engaging in or promoting prostitution, lewdness, or assignment, loiters, remains, stands, or wanders about in a public place so as to beckon to, repeatedly stop, repeatedly attempt to engage passersby in conversation, repeatedly stop or attempt to stop motor vehicles, or repeatedly interfere with the free passage of other persons may not disobey a request by a police officer to move on.

(1985 Code, Art. 11, § 5-103A) (Bill No. 119-93)

§ 9-1-705. Mooring vessel at County-owned pier.

(a) **Prohibition.** A person may not moor a boat at County owned or operated wharves or piers for more than four hours out of any 24-hour period.

(b) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$25.

(1985 Code, Art. 11, § 5-104)

§ 9-1-706. Noise in residential districts.

(a) **Definition.** In this section, "residential district" means those districts identified as residential in § 18-2-105 of this Code.

(b) **Scope.** This section does not apply to the use or operation of a device:

- (1) in the performance of a governmental function by an agency or instrumentality of federal, State, County, or municipal government;
- (2) in the performance of a public service function by a public service company as defined in the Public Utilities Article, § 1-101, of the State Code;
- (3) under a valid federal, State, County, or municipal license or permit;
- (4) in the activities of an educational institution or a bond fide nonprofit charitable or philanthropic organization or civic association; or
- (5) in farming activities.

(c) **Prohibitions.** A person may not: (1) at any time use, operate, or permit the use or operation of a radio, tape player, disc player, boom box, phonograph, or similar sound device at an unreasonably loud volume in a residential district; (2) between the hours of 11:00 p.m. and 7:00 a.m., use, operate, or permit the use or operation of a musical instrument or a machine, tool, or similar device at an unreasonably loud volume in a residential district; or (3) at any time use, operate, or permit the use or operation of an amplified musical instrument at an unreasonably loud volume at a residence. It is prima facie evidence of a violation of item (1) if the sound generated by the device can be heard at a distance of 50 feet from the device.

(d) **Sanctions for violation.** A person who violates subsection (c) is subject to a civil fine as provided in § 9-2-101, and a police officer may issue a citation, as provided in § 9-2-101, for a violation of subsection (c). A police officer is not required to issue a warning before charging a violation of subsection (c). Any person who has been ordered by a police officer to cease using, operating, or permitting the use or operation of a device in violation of subsection (c) and refuses or fails to comply with the order is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 30 days or both, and a violation may be tried on a citation prepared in accordance with the rules of the District Court of Maryland.

(1985 Code, Art. 11, § 5-105) (Bill No. 87-93; Bill No. 60-97; Bill No. 23-04; Bill No. 4-05)

§ 9-1-707. Possession or use of Jimson weed.

(a) **Prohibition.** Except for legitimate medical purposes, a person may not possess or use in the County the plant known as *datura stramonium*, also known as "Jimson weed".

(b) **Rebuttable presumption.** Unless it is consumed for legitimate medical purposes, consumption of *datura stramonium* creates a rebuttable presumption of intention to obtain an intoxicating, hallucinatory, or poisonous effect.

(c) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$250 or imprisonment not exceeding one year or both for the first offense and a fine not exceeding \$500 or imprisonment not exceeding two years or both for a subsequent offense.

(1985 Code, Art. 11, § 5-106)

State Code reference – 1968 Md. Laws, Ch. 695, § 1.

§ 9-1-708. Skateboards on roadways.

(a) **Prohibition.** A person may not ride a skateboard on a public roadway unless the speed limit on the roadway is less than 30 miles an hour.

(b) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$10.
(1985 Code, Art. 11, § 5-107)

§ 9-1-709. Snow and ice on walkways.

(a) **Prohibition.** The owner, user, or occupant of property situated on a street along which there is a paved sidewalk shall remove the snow and ice from the sidewalk fronting the property within six hours after the fall of snow except that, if it snows between 3:00 p.m. and 6:00 a.m., the owner, user, or occupant shall remove the snow and ice before 11:00 a.m.

(b) **Removal by County; costs.** Whenever a person fails to comply with subsection (a), the Department of Public Works may cause the snow or ice to be removed and shall certify the cost of removal to the Controller. The costs of removal shall be paid to the County by the person who failed to remove snow or ice and the costs may be recovered by the County in an action at law.

(c) **Sanction for violation.** A person who violates any provision of this section is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$10.
(1985 Code, Art. 11, § 5-108)

§ 9-1-710. Poolrooms.

(a) **Prohibitions.** A person who has a license to keep a pool or billiard table may not permit:

(1) a person under the age of 21 years to use the pool or billiard table between the hours of 12:00 midnight and 8:00 a.m.;

(2) an individual 16 or 17 years of age to use the pool or billiard table unless the individual presents to the owner or operator of the establishment an authorization and identification card provided by the owner or operator and signed by the minor's parent or guardian in the presence of the owner or operator;

(3) an individual under the age of 16 years to use the pool or billiard table; or

(4) an individual under 16 years of age on the premises where the pool or billiard tables are kept unless the minor is accompanied by the parent or legal guardian of the minor or use of the tables is incidental to the major commercial enterprise on the premises.

(b) **Sanctions for violation.** A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$250 for the first offense and a fine not exceeding \$500 for a subsequent offense.
(1985 Code, Art. 11, § 5-109)

§ 9-1-711. Tampering with County-owned property.

A person may not willfully destroy, injure, deface, mar, or tamper with any County-owned property or, except with the permission of the Department of Public Works, use, handle, obstruct, or interfere with any County-owned property.

(1985 Code, Art. 11, § 5-110) (Bill No. 23-04)

TITLE 2. CIVIL OFFENSES AND FINES

Section

9-2-101. Civil offenses and fines.

§ 9-2-101. Civil offenses and fines.

(a) **Scope.** This section does not apply to the issuance of civil citations for violations of Article 18 of this Code. Except as otherwise provided, the provisions of this section apply to all other violations that are made civil offenses or made subject to civil fines by this Code.

(b) **Civil fine enforced by citation or complaint; no preclusion of criminal prosecution.** A civil offense is punishable by a civil fine. A civil fine in an amount up to \$1,000 shall be enforced by the issuance of a civil citation as provided in this section or as a form of relief requested in a civil complaint filed in District or Circuit Court. A civil fine in an amount over \$1,000 shall be enforced as a form of relief requested in a civil complaint filed in District or Circuit Court. Imposition of a civil fine does not preclude criminal prosecution for the same violation.

(c) **Signing of citation.** A civil citation may be signed by an employee who meets the training and other qualifications for the issuance of civil citations as determined by the head of the office or department charged with enforcing the provision of this Code for which the civil citation is issued.

(d) **Service and enforcement.** A civil citation shall be served and enforced in the manner provided for a municipal infraction by Local Government Article, §§ 6-103 through 6-115, of the State Code.

(e) **Payment; notice of intent to stand trial; appearance in court; doubling of fines.** A civil fine imposed by a citation shall be paid within 20 days of service of the citation. If the civil fine imposed by a citation is not paid or a written notice of intent to stand trial not delivered in the manner required by Local Government Article, § 6-106, of the State Code, or if the civil fine imposed by a citation served with a summons is not paid and the defendant fails to appear in court as provided in Local Government Article, §§ 6-104, 6-107, of the State Code, the fine shall be doubled to an amount not to exceed \$1,000.

(f) **Schedule of fines.** The general schedule of civil fines is as follows:

(1) for a Class A civil offense: a fine not exceeding \$10,000 for the first violation and any subsequent violation;

(2) for a Class B civil offense: \$1,000 for the first violation; \$5,000 for the second violation; and \$10,000 for the third or any subsequent violation;

(3) for a Class C civil offense: \$500 for the first violation and \$1,000 for the second or any subsequent violation;

(4) for a Class D civil offense: \$125 for the first violation; \$500 for the second violation; and \$1,000 for the third or any subsequent violation; and

(5) for a Class E civil offense: \$50 for the first violation; \$100 for the second violation; and \$500 for the third or any subsequent violation.

(g) **When deemed to be a Class E civil offense.** A violation of this Code shall be deemed a Class E civil offense if the violation is made a civil offense but is not classified as described in subsection (f) or made subject to a specific fine amount.

(h) **Continuing violation.** Each day that a violation continues constitutes a separate civil offense. All civil fines for continuing violations shall accrue without a requirement for an additional assessment, notice, or opportunity for hearing for each separate offense.

(i) **When violation constitutes a second, third, or subsequent violation.** A violation constitutes a second, third, or subsequent violation if the violator previously paid a civil fine or was found guilty of or placed on probation before judgment for a violation of the same provision of this Code at the same or different location or a violation of another provision of the same article of this Code at the same location.

(j) **Persons liable.** If a violation of a provision of this Code is made a civil offense, then a civil offense is committed by any or all of the following:

- (1) the person who violates the provision, including a contractor or subcontractor who performs work in violation of the provision;
- (2) the owner of property on which work is performed in violation of the provision;
- (3) the person in whose name a permit is issued, who shall be strictly liable for all violations of that permit; and
- (4) a person acting on behalf of a property owner who approves work that violates the provision, including an architect or engineer.

(k) **When fines are remitted to the County.** All fines, penalties, or forfeitures collected by the District Court for violations enforced by the issuance of civil citations under this section, and all civil fines imposed as a result of a separate request for relief in a civil complaint, shall be remitted to the County.

(l) **Prosecution by the Office of Law.** An attorney with the Office of Law may prosecute a civil citation in the manner provided by Local Government Code, § 6-108(b), of the State Code.

(1985 Code, Art. 11, § 6-102) (Bill No. 78-86; Bill No. 13-89; Bill No. 75-93; Bill No. 12-00; Bill No. 59-00; Bill No. 37-04; Bill No. 93-12)