

Chapter 20

MUNICIPAL INFRACTIONS

- § 20-1. Service citations; contents; persons authorized to deliver citations.
- § 20-2. Fines.
- § 20-3. Election to stand trial.
- § 20-4. Nonpayment of fine.
- § 20-5. Effect of conviction; rights of accused.

[HISTORY: Adopted by the Mayor and Council of the City of Hyattsville 11-19-79 as HB No. 10-79. Section 20-2 amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

§ 20-1. Service of citations; contents; persons authorized to deliver citations.

A. Any person who is alleged to have violated an ordinance punishable as a municipal infraction shall be delivered a citation containing minimally the following information:

- (1) The name and address of the person charged.
- (2) The nature of the infraction.
- (3) The location and time that the infraction occurred.
- (4) The amount of the infraction fine assessed.
- (5) The manner, location and time in which the fine may be paid to the city.
- (6) The person's right to elect to stand trial for the infraction. [Amended 3-16-87 by HB No. 2-87]
- (7) The effect of failing to pay the assessed fine or demand a trial within the prescribed time. [Added 3-16-87 by HB No. 2-87]

B. The Code Enforcement Officer, any law enforcement officer or such other persons as the Council may designate shall be authorized to deliver a citation. A copy of each citation delivered shall be retained by the city and shall bear the certification of such person that the matters set forth in the citation are true.

§ 20-2. Fines. [Amended 12-19-83 by HB No. 15-83, amended 6-1-98 by HR 98-03, amended 3-15-04 by HO 2004-05]

The fine for a municipal infraction shall be as specified in the ordinance violated, provided that such fine shall not exceed the maximum amount allowed by State law. The fine shall be payable within twenty (20) calendar days after delivery of the citation to the Clerk.

§ 20-3. Election to stand trial.

Any person receiving a citation may elect to stand trial for the offense by notifying the city, in writing, of his intention to stand trial within fifteen (15) calendar days. Upon receipt of such notice, the city shall forward to the district court having venue a copy of the citation and the intention to stand trial.

§ 20-4. Nonpayment of fine. [Amended 3-16-87 by HB No. 1-87]

If a person receiving a citation for a municipal infraction fails to pay the fine for the infraction by the date of payment set forth on the citation and fails to file a notice of his intention to stand trial for the offense, the person shall be liable for the specified fine. At the discretion of the city, adjudication of the matter may be requested through the district court having venue, including the filing of a demand for judgment by affidavit, in which case the specified fine shall automatically be doubled.

§ 20-5. Effect of conviction, rights of accused.

A. Conviction of a municipal infraction, whether by the district court or by payment of a fine, shall not be a criminal conviction for any purpose nor does it impose any of the civil disabilities ordinarily imposed by a criminal conviction.

B. In any court proceeding involving a municipal infraction, the accused shall have the same rights as in the trial of criminal causes and the right to be represented by counsel of his own selection and at his own expense.