

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-81-2020

Chapter No. 71

Proposed and Presented by Council Members Franklin and Streeter

Introduced by Council Members Franklin, Streeter, Turner, Davis, Ivey, Dernoga,
Harrison, Taveras, Anderson-Walker and Glaros

Date of Introduction October 20, 2020

BILL

1 AN ACT concerning

2 Property Standards Enforcement on Nonresidential Property in Prince George’s County.

3 For the purpose of increasing the authority of the Administrative Hearing Unit of the Department
4 of Permitting, Inspections, and Enforcement (DPIE) to enforce property standards and
5 maintenance violations on nonresidential property in Prince George’s County.

6 BY repealing and reenacting with amendments:

7 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

8 Sections 13-245, 13-246, 13-1133,

9 The Prince George's County Code

10 (2019 Edition).

11 **SECTION 1. BE IT ENACTED** by the County Council of Prince George's County,
12 Maryland, that Sections 13-245, 13-246, and 13-1133 of the Prince George's County Code be
13 and the same are hereby repealed and reenacted with the following amendments:

14 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

15 **DIVISION 7. PROPERTY STANDARDS AND MAINTENANCE.**

16 **Sec. 13-245. – Appeals of Notice of Violation.**

17 * * * * *

18 **Sec. 13-246. - Enforcement and penalty.**

19 (a) In the event that an owner does not comply with the remedial action set forth in a notice
20 of violation within the time period provided (including any period allowed by appeal), and upon
21 verification by the Director or the Director's designee that the violation still exists, the Director

1 or the Director's designee may issue upon the responsible parties

2 (i) a civil citation pursuant to Subtitle 28, Division 3, of this Code and, for properties
3 subject to foreclosure, the Director shall issue upon the responsible parties a civil citation
4 pursuant to Subtitle 28, Division 3, of this Code or

5 (ii) an administrative citation pursuant to Division 15, Subdivision 1 of this Subtitle. The
6 administrative citation shall be adjudicated in accordance with the provisions of that Subdivision.

7 (b) The responsible person as defined in Section 13-232 issued the civil or administrative
8 citation shall be subject to a monetary fine of One Thousand Dollars (\$1,000.00) for each
9 violation.

10 * * * * *

11 **DIVISION 15. ADMINISTRATIVE HEARINGS.**

12 **Sec. 13-1133. Violations to which subtitle applies.**

13 (a) **In general.** The jurisdiction and authority of the Administrative Hearing Unit extends to
14 each of the provisions of the Prince George's County Code that are specified in subsection (e) of
15 this section, as those provisions may be amended, including any rules and regulations adopted
16 under them. The issuance of an administrative citation does not preclude pursuit of any other
17 remedy or enforcement action authorized by law.

18 * * * * *

19 (e) **Provisions and penalties enumerated.**

20 * * * * *

21 (4) In Subtitle 13, Division 7 of the County Code, the County enacted minimum
22 standards for maintenance of structures, equipment, and exterior property for all property and
23 structures used or zoned for commercial and industrial purposes and for residentially zoned
24 property where the use is other than residential. An inspector may issue and an Administrative
25 Hearing Officer may adjudicate notices of violation and administrative citations issued pursuant
26 to Sections 13-244 and 13-246, and all of the respective subsections thereunder. The penalty for
27 an administrative citation issued pursuant to any of the enumerated sections is \$1000.00 per
28 violation.

29 * * * * *

30 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
31 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,

1 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
2 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
3 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
4 Act, since the same would have been enacted without the incorporation in this Act of any such
5 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
6 or section.

7 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
8 calendar days after it becomes law.

Adopted this 17th day of November, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.