

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2019 Legislative Session

Bill No. CB-40-2019

Chapter No. 39

Proposed and Presented by Council Member Glaros

Introduced by Council Members Glaros, Streeter, Taveras, Hawkins,
Franklin and Dernoga

Date of Introduction October 22, 2019

BILL

1 AN ACT concerning

2 Utilities

3 For the purpose of providing for the removal time for downed utility wires for emergency and
 4 non-emergency removals; providing for a certain definition; providing for the removal of
 5 electrical wires within a certain period; providing for certain remedial actions; providing for a
 6 notification process; authorizing the issuance of civil fines; and generally regarding utility wires.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 25. TREES AND VEGETATION.

9 Sections 25-109 and 25-110,

10 The Prince George's County Code

11 (2015 Edition; 2018 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 13 Maryland, that Sections 25-109 and 25-110 of the Prince George's County Code be and the same
 14 are hereby repealed and reenacted with the following amendments:

15 SUBTITLE 25. TREES AND VEGETATION.

16 DIVISION 1. GENERAL.

17 **Sec. 25-109. - Pruning and removal of trees for utility wires.**

18 Any utility company or its agent may, with prior permission from the Department of Public
 19 Works and Transportation and the State Department of [Forests and Parks] Natural Resources
 20 prune and remove trees for line clearance of utility wires.

21 **Sec. 25-110. - Removal of utility wires; option.**

1 (a) When necessary to prune or remove any tree in a street any person having utility wires
2 running through such street shall temporarily remove such utility wires within twenty-four (24)
3 hours after the service of a notice from the Department of Public Works and Transportation upon
4 the owner of such utility wires, or his agent.

5 (b) Any utility company, instead of temporarily removing service wires, shall have the
6 option of pruning, [toping] topping or removing such trees under the direction of the Department
7 of Public Works and Transportation and the State Department of [Forests and Parks] Natural
8 Resources.

9 (c) Emergency means, as used in Section 25-109 and Section 25-110 of this Division, a
10 serious, sudden, and unexpected happening or unforeseen occurrence or condition that requires
11 immediate corrective action to protect the safety of the general public or to restore service.
12 Removal of utility wires shall be within a twenty-four-hour period after notice for emergency
13 situations, with the exception of service supplied by electric companies, set forth in the Downed
14 Wire Response Standard, COMAR Sec. 20.50.12.07.

15 (d) Emergency – The Department of Permitting, Inspections and Enforcement is
16 authorized to fine, stop work, and take other remedial actions, as needed.

17 (e) Non-Emergency Removal - Notwithstanding Section 25-110(a) through (d) of this
18 Division, utilities shall remove other downed utility wires within thirty (30) calendar days of a
19 utility being made aware of a downed utility wire, and the County shall establish a process to
20 notify all utilities when a complaint is made and may impose a civil fine(s), as set forth in
21 Section 25-110(f), if utility wires are not removed in that time period.

22 (f) The Department of Permitting, Inspections and Enforcement is authorized to issue a
23 civil fine of Five Hundred Dollars (\$500.00) for a first offense and One Thousand Dollars
24 (\$1,000) for each subsequent offense, to a utility company that fails to comply with either/and
25 Sections 25-110(a), 25-110(b), 25-110(c), 25-110(d), 25-110(e), respectively, as set forth herein,
26 in this Division.

27 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
28 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
29 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
30 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
31 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this

1 Act, since the same would have been enacted without the incorporation in this Act of any such
2 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
3 or section.

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

Adopted this 19th day of November, 2019.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
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.