



THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700
County Council

POSITION STATEMENT

SB 214
Senator
James Brochin

**Local Government – Public Nuisances – Restriction
on Local “Padlock” Laws**

POSITION:

OPPOSE

SB 214 – Local Government – Public Nuisances – Restriction on Local “Padlock” Laws prohibits a county from enacting or enforcing a local law that authorizes its chief law enforcement officer to respond to public nuisances by ordering the discontinuance of the nuisance or closing the premises to abate the nuisances. The bill further requires a hearing before a circuit court judge and eliminates the need for the owner of the premises to first request the hearing.

The requirements set forth in SB 214 usurp local authority and a chief law enforcement officer’s ability to quickly respond to nuisances in the interest of protecting residents. This County Council believes that its law enforcement officials are in the best position and well equipped to respond to public nuisances in a timely and efficient manner. Replacing a first responder’s role in addressing nuisances reduces this ability. While we respect judicial authority and understand that some public nuisance cases warrant judicial opinion, we believe that requiring a circuit court hearing will create untimely and inefficient responses to this public interest issue.

We understand that some policies may induce the need for legislative correction in some local jurisdictions, but padlock laws in this County are not among them. In addition, we have put in place procedures that were developed to meet the needs of this jurisdiction. This bill has shed a light on the possible need to monitor enforcement of public nuisances and this body will continue to monitor this issue and make corrections to any inefficiency that arises.

Therefore, the Prince George’s County Council recommends an UNFAVORABLE report on SB 214 and respectfully requests your favorable consideration of its position.

Prepared by:

Tia L. Holmes
Government Relations Associate
Strategic Solutions Center
On behalf of Prince George’s County Council

County Administration Building – Upper Marlboro, Maryland 20772