

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1996 Legislative Session

Bill No. _____ CB-6-1996

Chapter No. _____ 5

Proposed and Presented by _____ Council Member Del Giudice

Introduced by _____ Council Member Del Giudice

Co-Sponsors

Date of Introduction _____ February 20, 1996

BILL

AN ACT concerning

The Prince George's County Code (1995 Edition)

For the purpose of adopting and publishing the 1995 Edition of the Prince George's County Code.

BY compiling, codifying, adopting, and publishing:

The Prince George's County Code
(1995 Edition).

WHEREAS, Article III, Section 321 of the Charter for Prince George's County provides that the County Council, at intervals not greater than every four years, shall compile, codify, adopt, and publish a Code of the laws of the County; and

WHEREAS, the County Code was last published as the 1991 Edition; and

WHEREAS, it is informative to the citizens of the County to append to the County Code the provisions of the County Charter and Laws relating to the Washington Suburban Transit District, therefore

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that the Prince George's County Code, 1995 Edition, is hereby compiled, codified, adopted, and published:

(a) On and after the effective date of this Act, the Prince George's County Code, 1995 Edition, consisting of Subtitles 1 through 23, Subtitles 24A through 26A, and Subtitles 28 through 31, together with any additional Subtitles which may hereafter be enacted and any

current Supplement to the County Code which may be issued, shall be, with respect to the matter set forth therein:

(1) Conclusive evidence of the text of the Prince George's County Code and all enactments dated on or before November 30, 1991.

(2) Prima facie evidence of:

(A) The Prince George's County Charter, together with all amendments, and the Schedule of Legislation accompanying the Charter.

(B) Article 17 of the Public Local Laws of Maryland as enacted by the General Assembly of Maryland.

(C) All other County acts, ordinances, Code provisions, resolutions having the force of law, and all other legislation enacted or adopted after November 30, 1991.

(b) Supplements to the Prince George's County Code, 1995 Edition, shall be published at least annually.

(c) The words "County Code" or "Code" shall be taken to mean the Prince George's County Code, 1995 Edition, together with any current Supplement, unless the content clearly requires otherwise.

(d) The 1995 Edition of the Code supersedes previous editions thereof.

SECTION 2. Be it further enacted that the following references to the Annotated Code of Maryland in the County Code are repealed and reenacted to reflect subsequent amendments to the Annotated Code:

(a) In Section 2-128 delete "Article 77 of the Annotated Code" and insert "Title 23, Education Article, Annotated Code of Maryland" in lieu thereof.

(b) In Section 2-160 delete "Subtitle B of the Maryland Rules of Procedure, Annotated Code of Maryland" and insert "Chapter 200, Title 7, Maryland Rules of Procedure" in lieu thereof.

(c) In Section 2-207 delete "Article 66 1/2 of the Annotated Code of Maryland, 1957 Ed., as amended" and insert "Titles 11 through 27, Transportation Article, Annotated Code of Maryland" in lieu thereof.

(d) In Section 2-253.06 delete "Real Property Article, Annotated Code of Maryland,

Title 10, Subtitle 6" and insert "Titles 10, Subtitle 6, Real Property Article, Annotated Code of Maryland" in lieu thereof.

(e) In Section 2-266 delete "Article 33A of the Annotated Code of Maryland (1957 Edition, as amended)" and insert "Title 12 Real Property Article, Annotated Code of Maryland" in lieu thereof.

(f) In Section 2-277 delete "Section 179, Article 41, of the Annotated Code of Maryland, 1957" and insert "Title 10, Subtitle 6, State Government Article, Annotated Code of Maryland" in lieu thereof.

(g) In Section 2-289 delete "the Maryland Public Ethics Law, Annotate Code of Maryland, Article 40A" and insert "Title 15, State Government Article, Annotated Code of Maryland" in lieu thereof.

(h) In Section 5-119 delete "Article 88A, Section 32A of the Annotated Code of Maryland, 1957" and insert "Title 5, Part V, Family Law Article, Annotated Code of Maryland" in lieu thereof.

(i) In Section 5-155 delete "Article 43, Sections 619 through 644 of the Annotated Code of Maryland" and insert "Title 18, Health Occupations Article, Annotated Code of Maryland" in lieu thereof.

(j) In Section 5-184.02 delete "Article 43 of the Annotated Code of Maryland" and insert "Titles 4 and 5, Business Occupations and Professions Article, Annotated Code of Maryland" in lieu thereof.

(k) In Section 5-203 delete "Section 103A, Article 41, Annotated Code of Maryland, 1957," and insert "Title 6, Business Regulation Article, Annotated Code of Maryland" and delete "Sections 103A through 103E, Article 41, Annotated Code of Maryland, 1957," and insert "Title 6, Business Regulation Article, Annotated Code of Maryland" in lieu thereof.

(l) In Section 5-207.06 delete "Sections 212 through 232 of Article 56 of the Annotated Code of Maryland" and insert "Titles 17, Business Occupations and Professions Article, Annotated Code of Maryland" in lieu thereof.

(m) In Section 5-264 delete "Article 41, Section 60 et seq. of the Annotated Code of Maryland" and insert "Title 4, Subtitle 9, Article 41, Annotated Code of Maryland" in lieu

thereof.

(n) In Section 6-137 delete "Article 41, Section 15(b) of the Annotated Code of Maryland" and insert "Section 6A, Article 16A, Annotated Code of Maryland" in lieu thereof.

(o) In Section 7-170 delete "Article 26, Section 70-1 of the Annotated Code of Maryland" and insert "Section 3-801, Courts and Judicial Proceedings Article, Annotated Code of Maryland" in lieu thereof.

(p) In Section 7-183 delete "Sections 12 and 14 of Article 35 of the Annotated Code of Maryland (1939)" and insert "Section 9-201, Courts and Judicial Proceedings Article, Annotated Code of Maryland" in lieu thereof.

(q) In Section 10-144.01 delete "Article 81, Section 9(g) of the Annotated Code of Maryland" and insert "Section 7-208, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(r) In Section 10-192 delete "Article 81, Section 277, Annotated Code of Maryland, 1957 Edition, as amended" and insert "Title 12 Tax-Property Article, Annotated Code of Maryland", delete "Article 81, Section 277(a)(3)(ii)" and insert "Section 12-108(a)(2) Tax-Property Article, Annotated Code of Maryland", and delete "Article 41, Section 266A et seq. of the Annotated Code of Maryland" and insert "Title 5, Article 83A, Annotated Code of Maryland" in lieu thereof.

(s) In Section 10-193.01 delete "Article 81, Section 29A of the Annotated Code of Maryland" and insert "Section 1-101, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(t) In Section 10-194 delete "Article 81, Section 9C, paragraph (1) Annotated Code of Maryland" and insert "Section 9-318, Tax-Property Article, Annotated Code of Maryland" and delete "subsection 9C(1)(5) of Article 81" and insert "Section 9-318(c), Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(u) In Section 10-195 delete "Article 81, Section 12G-10 of the Annotated Code of Maryland" and insert "Section 10-202, Tax-Property Article, Annotated Code of Maryland" and delete "Article 41, Sections 266JJ-1 through 266JJ-12 of the Annotated Code of Maryland" and insert "Title 5, Article 83A, Annotated Code of Maryland" in lieu thereof.

(v) In Section 10-196 delete "Article 81, Section 48A of the Annotated Code of Maryland" and insert "Section 10-201, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(w) In Section 10-201.01 delete "Article 81, Section 50 of the Annotated Code of Maryland" and insert "Section 14-604, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(x) In Section 10-203 delete "Article 81, Section 12F-10, Annotated Code of Maryland" and insert "Section 9-212, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(y) In Section 10-226 delete "Article 81, Section 12 F-1, Annotated Code of Maryland" and insert "Section 9-101, Tax-Property Article, Annotated Code of Maryland", delete "Section 12 F-2 of Article 81" and insert "Section 9-101, Tax-Property Article, Annotated Code of Maryland", and delete "Section 12 F-2" and insert "Section 9-101" in lieu thereof.

(z) In Section 10-232 delete "Article 81, Section 12G-1, Annotated Code of Maryland" and insert "Section 9-207, Tax-Property Article, Annotated Code of Maryland" and delete "Article 81, Annotated Code of Maryland" and insert "Title 9, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(aa) In Section 10-235.01 delete "Article 81, Section 12G of the Annotated Code of Maryland" and insert "Section 9-204, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(bb) In Section 10-237 delete "Subsection (b) of Section 357A of Article 66C of the Annotated Code of Maryland, 1957," and insert "Section 5-1201, Natural Resources Article, Annotated Code of Maryland" in lieu thereof.

(cc) In Section 10-238 delete "Section 2 of Article 81 of the Annotated Code of Maryland, 1957" and insert "Section 1-101, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(dd) In Section 10-241.01 delete "Article 81, Section 12 F-3, Annotated Code of Maryland" and insert "Section 9-102, Tax-Property Article, Annotated Code of Maryland" in lieu thereof.

(ee) In Section 11-201 delete "Annotated Code of Maryland, Article 38A, Sections 26 to

36, Subtitle 'Explosives'" and insert Sections 26 through 36, Article 38A, Annotated Code of Maryland" in lieu thereof.

(ff) In Section 13-201 delete "Article 43, Section 556, and Article 43, Section 559 of the Annotated Code of Maryland" and insert "Title 19, Subtitle 13, Health-General Article, Annotated Code of Maryland" in lieu thereof.

(gg) In Section 13-206 delete "Corporations Article of the Annotated Code of Maryland" and insert "Corporations and Associations Article, Annotated Code of Maryland" in lieu thereof.

(hh) In Section 14-136 delete "Article 2B, Section 209 and 212 of the Annotated Code of Maryland" and insert "Sections 19-103 and 19-204, Article 2B, Annotated Code of Maryland" in lieu thereof.

(ii) In Section 16-208 delete "Sections 28 through 50, titled 'Occupational Safety,' of Article 89 of the Annotated Code of Maryland" and insert "Title 5, Labor and Employment Article, Annotated Code of Maryland" in lieu thereof.

(jj) In Section 16-230 delete "Article 73B of the Annotated Code of Maryland" and insert "Division II, State Personnel and Pensions Article, Annotated Code of Maryland" and delete "Article 73B" and insert "Division II, State Personnel and Pensions Article, Annotated Code of Maryland" in lieu thereof.

(kk) In Section 16-231 delete "Article 73B of the Annotated Code of Maryland" and insert "Division II, State Personnel and Pensions Article, Annotated Code of Maryland" in lieu thereof.

(ll) In Section 16-230 delete "Article 73B of the Annotated Code of Maryland" and insert "Division II, State Personnel and Pensions Article, Annotated Code of Maryland" and delete "Article 73B" and insert "Division II, State Personnel and Pensions Article, Annotated Code of Maryland" in lieu thereof.

(mm) In Section 20-161 delete "Article 79 of the Annotated Code of Maryland" and insert "Title 11, Agriculture Article, Annotated Code of Maryland" in lieu thereof.

SECTION 3. BE IT FURTHER ENACTED that the 1995 Edition of the Prince George's County Code shall take effect on the effective date of this Act. The master copy of the 1995

Edition of the Code shall be authenticated by the Legislative Officer and delivered as a public record to the Clerk of the Council. The Clerk shall maintain that master copy together with any Supplements thereto. A copy of the 1995 Edition of the Code shall be available at the County Council for public use during normal working hours.

SECTION 4. BE IT FURTHER ENACTED that the general penalty provided in Section 1-123 of the County Code shall apply to every offense or violation made unlawful by the County Code unless a specific penalty therefor is otherwise provided.

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

Adopted this 2nd day of April, 1996.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:
Ronald V. Russell
Acting Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____

BY:
Wayne K. Curry
County Executive