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**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

Legislative Session \_\_\_\_\_ 1991 \_\_\_\_\_

Bill No. \_\_\_\_\_ CB-25-1991 \_\_\_\_\_

Chapter No. \_\_\_\_\_ 30 \_\_\_\_\_

Proposed and Presented by The Chairman (by request -  
County Executive)

Introduced by Council Members Wineland, Del Giudice,  
Mills, Bell, Fletcher, Castaldi and MacKinnon

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_ May 7, 1991 \_\_\_\_\_

**EMERGENCY BILL**

AN EMERGENCY ACT concerning

Permit Extensions

FOR the purpose of authorizing the extension or reissuance of permits and permit applications under certain circumstances.

BY repealing and reenacting with amendments:

SUBTITLE 4. BUILDING.

Sections 4-109,

4-110,

4-118, and

4-208,

The Prince George's County Code

(1987 Edition, 1989 Supplement

as amended by CB-50-1990)

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 4-109, 4-110, 4-118, and 4-208 of the Prince George's County Code be and the same are hereby repealed and reenacted with amendments:

**SUBTITLE 4. BUILDING.**

**DIVISION 1. BUILDING CODE.**

**Subdivision 2. Amendments to the BOCA Code.**

**Sec. 4-109. Same; Section 111.0, Application for Permit.**

(a) The following amendments, additions and/or deletions are made to Section 111.0 of the Basic Code:

\* \* \* \* \*

(6) The text of Subsection 111.9, "Time limitations of application", is amended to read as follows: An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the Building Official may grant one or more extensions of time not exceeding a total of one year, upon sufficient justification shown. Extensions of time beyond one year may be authorized by the Director. The Director may request any documentation or certification deemed necessary and assess an extension fee as appropriate.

**Sec. 4-110. Same; Section 112.0, Permits.**

(a) The following amendments, additions and/or deletions are made to Section 112.0 of the Basic Code:

(1) The text of Subsection 112.2, "Suspension of permit", is amended in whole to read as follows:

(A) A permit under which no work is commenced within twelve (12) months after issuance shall expire and become null and void provided, however, that the Building Official may extend the time herein not to exceed an additional one hundred eighty (180) days upon sufficient justification shown.

(B) A permit under which work has been started and later suspended or discontinued shall expire and become null and void six (6) months after the work has stopped. Work will be considered suspended or discontinued when the builder fails to prosecute the work so as to ensure completion within a reasonable period of time considering the type of construction involved. The Building Official may extend the time herein not to exceed an additional one hundred eighty (180) days upon sufficient justification shown.

\* \* \* \* \*

(H) The Director may authorize the Building Official to reissue a permit subject to all applicable laws or regulations in effect at the time the permit was originally issued, for a period not to exceed one (1) year after expiration provided that:

- (1) The County Executive, by Executive Order, has made a finding of severe economic factors adversely affecting real estate development and construction in the County during a specified period and the County Council has been notified by the County Executive of such finding at least seven (7) days prior

to issuance of the Executive Order;

(2) There is a reasonable showing that these economic factors attributed to the expiration of the permit;

(3) There has been no change in the zoning of the property which would affect the issuance of the permit; and

(4) A processing fee equal to the amount which would be required if the permit was renewed has been paid.

\* \* \* \* \*

**Sec. 4-118. Definitions; Section 201.0, General Definitions.**

(a) The following amendments, additions, and/or deletions are made to Section 201.0 of the Basic Code:

(1) The following definitions are inserted alphabetically into Section 201.0:

\* \* \* \* \*

Director: The Director of the Prince George's County, Maryland, Department of Environmental Resources or the Director's designee.

\* \* \* \* \*

**Sec. 4-208. Time Limits.**

(c) Extension. Prior to the expiration of a grading permit, the permittee may present a written request for an extension to the Building Official. If, in the opinion of the Building Official, an extension is warranted, a one-time extension, not to exceed ninety

(90) days, may be granted. The Director may authorize the Building Official to grant additional extensions not to exceed a total of one (1) year and extension fees shall be calculated at the same rate as renewal fees, unless the Director authorizes an adjustment. The applicability of bonding requirements shall be adjusted accordingly.

SECTION 2. BE IT FURTHER ENACTED that an emergency is hereby declared to exist affecting the health, safety or welfare of the citizens of Prince George's County, Maryland, said emergency being the need to implement procedures to respond to the unexpected severe economic situation adversely impacting real estate development and construction in the County at the earliest possible time.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on the date it becomes law.

Adopted this 4th day of June, 1991, by an affirmative vote of two-thirds of the members of the full County Council.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Richard J. Castaldi  
Chairman

ATTEST:

\_\_\_\_\_  
Maurene W. Epps,  
Acting Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Parris N. Glendening  
County Executive

KEY:

Underscoring indicates language added to existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.