

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 10/29/96

Reference No.: CB-98-1996

Proposer: Bailey

Draft No.: 1

Sponsors: Bailey, Russell, Del Giudice, and Wilson

Item Title: An Act to provide that vacant commercial or industrial property which meets the definition of public nuisance be required to either be rehabilitated or meet current code standards or be razed

Drafter: Maurene Epps Webb
Office of Law

Resource Personnel: Jacqueline Woody
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 9/24/96

Executive Action: 12/18/96 S

Committee Referral:(1) 9/24/96 THE

Effective Date: 2/3/97

Committee Action:(1) 10/24/96 FAV

Date Introduced: 10/29/96

Pub. Hearing Date: (1) 11/26/96 11:30 AM

Council Action: (1) 11/26/96 Enacted

Council Votes: SD:A, DB:A, JE:A, IG:A, AMc:-, WM:A, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE: 10/24/96

Committee Vote: Favorable, 4-0 (In favor: Council members Bailey, Esteppe, Russell, Scott)

This legislation will allow the razing of vacant commercial or industrial properties which:

- 1) have been cited as public nuisances pursuant to Subtitle 13 and
- 2) remain in violation of the public nuisance citation for more than twelve months.

As proposed, the County may initiate legal action to raze the property after the two above conditions exist and the property owner is given six months notice of the County's intent. A public nuisance is

deferred in Section 13-231 of the Code as a "... physical condition... which may reasonably invite or encourage trespassing...". This legislation does not apply to historic sites, which are specifically exempted.

The provisions proposed in CB-98-1996 relative to commercial properties reflect current law applicable to residential properties (Section 13-113.00.01). The Board of Appeals may grant a variance or waiver of the provisions of CB-98-1996 due to pending litigation regarding legal ownership of the property or the settlement of an insurance claim.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The County has noted a proliferation of abandoned commercial and/or industrial premises in recent years. Such uses blight the areas in which they are located and can be used as havens for illegal activities. This legislation will enable the Department of Environmental Resources to cite such uses as a public nuisance, and order them razed if not brought into compliance with the Code within twelve months.

CODE INDEX TOPICS: