

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/15/2011
Reference No.: CB-063-2011
Draft No.: 2
Proposer(s): Lehman
Sponsor(s): Lehman, Turner, Franklin, Toles, Patterson, Olson
Item Title: An Ordinance concerning zoning code enforcement and penalties for the purpose of making amendments to certain zoning code enforcement provisions related to violations, fines and appeals in the County; and generally relating to zoning code enforcement.

Drafter: Todd M. Turner, Legislative Officer
Resource Personnel: Matthew Dernoga, Policy Analyst District 1

LEGISLATIVE HISTORY:

Date Presented:	9/27/2011	Executive Action:	
Committee Referral:	9/27/2011 - PZED	Effective Date:	1/3/2012
Committee Action:	10/11/2011 - FAV(A)		
Date Introduced:	10/18/2011		
Public Hearing:	11/15/2011 - 10:00 AM		
Council Action (1)	11/15/2011 - ENACTED		
Council Votes:	WC:A, DLD:A, MRF:A, AH:A, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-264, 27-265

COMMITTEE REPORTS:

PZED Committee Report

Date 10/11/2011

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Patterson, Campos, Harrison, Olson and Toles)

Council staff provided an overview of CB-63-2011 and informed the committee of a Proposed Draft-2 (DR-2) which was prepared based on comments received from the Chief Zoning Hearing Examiner.

Council Member Lehman, the bill's sponsor, informed the committee that CB-63-2011 is intended to provide stronger penalties for zoning code violations and to clarify what is considered a repeated offense. Current law does not provide a definition or meaning of a repeated violation.

Proposed DR-2 strikes the following language contained in Draft-1 at page 3, lines 22-24 and page 4, lines 16-18: after "Five Hundred Dollars (\$500.00): "for the first violation, One Thousand Dollars (\$1,000) for a second violation and for each subsequent violation within a thirty-six (36) month period from the first violation".

Maurene Epps Webb, Chief Zoning Hearing Examiner, informed the committee that the revisions were necessary because the maximum allowed criminal penalty is \$500.00 and the Zoning Ordinance must be consistent with this maximum.

The committee voted favorable on the amendments as provided in Proposed DR-2.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This legislation amends certain provisions of the County's zoning code enforcement and regulations related to violations, fines, and enforcement.

CODE INDEX TOPICS:

INCLUSION FILES:
