
A G E N D A I T E M S U M M A R Y

Reference No: CB-102-1990

Draft No.: 2

P r i n c e G e o r g e ' s

Meeting Date: 10/16/90

C o u n t y C o u n c i l

Requestor: B

Item Title: An Act for the purpose of requiring any seller of property adjacent to a golf course to advise potential buyers to obtain additional information.

Sponsors B

Date Presented 9/4/90 **Executive Action** __/__/__ __

Committee Referral (1) 9/4/90 C.O.W. **Effective Date** __/__/__

Committee Action (1) 10/02/90 FAV(A)

Date Introduced 10/16/90

Pub. Hearing Date (1) 11/13/90 10:30 AM

Council Action (1) 11/13/90 Failed

Council Votes B_: A_, CA: N_, C_: N_, CI: __, MC: N_, M_: N_,
P_: A_, W_: N_, WI: A_, __: __, __: __, __: __

Pass/Fail F

Remarks _____

Drafter: Mary Lane
Committee Director

Resource
Personnel: Dereck Davis

LEGISLATIVE HISTORY

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 10/2/90

Committee Vote: Favorable as amended, 5-1-0 (In favor: Council Members Bell, Castaldi, Mills, Pemberton and Wilson; in opposition: Council Member MacKinnon)

Council staff reported that the language discussed at the prior worksession was generally acceptable to the interested parties. The issue of the uncertainty of liability for damages has been addressed, and the legislation will now impact a greater number of homebuyers who may be affected by the operation of the golf course. The Committee accepted the amendments.

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 9/25/90

Held in Committee.

John Shields, representing the Chamber of Commerce and the Glenn Dale Country Club, stated his support for the bill, but suggested several amendments. First, it should be made clear that all sellers, both initial and future, should be required to provide the information. Also, the information should be provided to all prospective buyers of property adjacent to a golf course, rather than abutting a golf course. Mr. Shields noted that if a narrow road separates the course from the property, the property may still be impacted. Finally, he proposed that the seller of the property should be required to "advise the prospective purchaser to contact the prospective insurance company and the golf facility to which the property is adjacent to better understand their policies for managing claims arising from the operation of the golf facility." This language should replace the requirement to disclose liability. The Committee accepted the amendments.

Larry Taub spoke on behalf of Marlborough Country Club and the SMBIA. He reiterated Mr. Shields' concern about the liability issue, and suggested that rather than disclosing this type of information, the seller should provide a copy of the site plan showing the location of all homes and the layout of the golf course. If Mr. Shield's amendment is preferred by the Committee, he stated that he would not be in opposition to it.

The Chairman requested that Council staff work with all interested parties, including a representative of the Lake Arbor Citizens' Association, in resolving remaining areas of contention. It was also requested that this legislation be reconsidered by the Committee at the next worksession.

BACKGROUND INFORMATION/FISCAL IMPACT

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

New home purchasers are often unaware of golf course policies regarding financial responsibility for damages to property that is abutting a golf course. Property owners should be aware, prior to purchasing a home, that because of the location of the property, damages caused by stray golf balls are likely. They should also be informed of the golf course owner's policy regarding liability for damages.