

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2025 Legislative Session

Bill No. CB-063-2025

Chapter No. _____

Proposed and Presented by Council Member Burroughs

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Third-Party Inspection Program

3 For the purpose of establishing the Third-Party Inspection Program within the Department of
 4 Permitting, Inspections, and Enforcement; to establish the purposes and uses for the Third-Party
 5 Inspection Program; to define certain terms related to the Third-Party Inspection Program; to
 6 provide certain liability clause standards for Third-Party Inspector agreements; and generally
 7 related to the establishment of the Third-Party Inspection Program.

8 BY repealing and reenacting with amendments:

9 SUBTITLE 4. BUILDING.

10 Sections 4-316, 4-317, 4-318 and 4-319,

11 The Prince George's County Code

12 (2023 Edition; 2024 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 14 Maryland, that Sections 4-316, 4-317, and 4-318 of the Prince George's County Code be and the
 15 same are hereby repealed and reenacted with the following amendments:

16 SUBTITLE 4. BUILDINGS.

17 **DIVISION 4. [RESERVED] THIRD-PARTY INSPECTION PROGRAM.**

18 **Sec. 4-316. [Reserved] Third-Party Inspection Program Established.**

19 The Third-Party Inspection Program is hereby established. The purpose of the Program is to
 20 establish a building inspection procedure that utilizes qualified, third-party professionals in
 21 addition to the County's Quality Assurance Inspectors to document field inspections of

1 commercial building construction projects, commercial alterations, and other specified projects
 2 permitted by the Department of Permitting, Inspections, and Enforcement.

3 **Sec. 4-317. [Reserved] Definitions.**

4 (a) For the purpose of this Division, the following terms shall mean:

5 1) **Building Code Official** means the Department of Permitting, Inspection, and
 6 Enforcement Director or their designee.

7 2) **Class 1 Violations** means the most serious violations warranting disciplinary
 8 action, particularly any violation that impacts the health, safety, and/or welfare of the public.

9 3) **Department** means the Department of Permitting, Inspections, and
 10 Enforcement.

11 4) **Disciplinary Actions** means violations that may include but are not limited
 12 to warnings, fines, probation, suspension, and/or removal.

13 5) **Field Inspector** means a third-party inspector who is hired to provide an in
 14 person visual inspection of specific facilities or features which he/she has demonstrated to an
 15 Inspector of Record having enough skill, knowledge, and competency to identify discrepancies
 16 with the County-approved construction plans and Prince George's County Code.

17 6) **Insured** means a Certificate of Errors and Omissions Insurance coverage in
 18 the amount of one million dollars (\$1,000,000).

19 7) **Liability Clause** refers to the section within each individual third-party
 20 contract that outlines the standards of liability for each field inspector.

21 8) **Licensed** means a person issued a State of Maryland Department of Labor,
 22 Licensing, and Regulation (DLLR) Professional Engineer License or Master Electrician License.

23 9) **Qualified Assurance Inspector** means the individual(s) employed by the
 24 Department of Permitting, Inspection, and Enforcement (DPIE), Inspection Division (ID) who
 25 oversees all third-party inspections and any projects falling within the purview of the Third-Party
 26 Inspection Program.

27 10) **Program** means the Third-Party Inspection Program.

28 **Sec. 4-319. [Reserved] Third-Party Inspection Program.**

29 (a) The Department shall establish and oversee the program.

1 (b) The Department and Building Code Official shall establish within the program:

2 a. The buildings/structures that are subject to the program;

3 b. Field Inspector compliance standards within the pre-permit phase, construction
4 phase, and post-construction phase;

5 c. A manual for the program that details definitions, resources, and application
6 standards for the program; and

7 d. Any other parameters the Building Code Inspector deems necessary for the
8 program.

9 (c) The Department and the Building Code Inspector shall ensure that all Field Inspectors are
10 licensed and insured and follow all other prerequisite standards outlined in the program.

11 (d) The Department and the Building Code Inspector shall appoint a Qualified Assurance
12 Inspector over each project within the program.

13 (e) The Department shall include a provision in the liability clause of every contract awarded
14 under the program requiring the Field Inspector to reimburse the County for all legal costs,
15 expenses, and damages paid by the County if:

16 a. The County faces legal action alleging inadequate inspection of a project;

17 b. The Field Inspector was contracted to perform inspections on the
18 specific project that is subject to legal action against the County;

19 c. The Department issued the Field Inspector a Class 1 violation on the
20 project central to the legal action against the County; and

21 d. The Class 1 violation proximately caused or substantially contributed to the legal
22 action against the County.

23 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
24 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
25 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
26 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
27 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
28 Act, since the same would have been enacted without the incorporation in this Act of any such
29 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
30 or section.

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this _____ day of _____, 2025.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Edward P. Burroughs III
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Aisha N. Braveboy
County Executive