

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

**SITTING AS THE DISTRICT COUNCIL**

**1996 Legislative Session**

Bill No. \_\_\_\_\_ CB-25-1996

Chapter No. \_\_\_\_\_ 17

Proposed and Presented by \_\_\_\_\_ Council Member Maloney

Introduced by \_\_\_\_\_ Council Member Maloney

Co-Sponsors

Date of Introduction \_\_\_\_\_ July 2, 1996

**ZONING BILL**

AN ORDINANCE concerning

Statutory Denials

For the purpose of clarifying that, where the Council fails to timely render a final decision, the application before the Council is denied.

BY repealing and reenacting with amendments:

Section 27-132(d),

The Zoning Ordinance of Prince George's County, Maryland,

being also

SUBTITLE 27. ZONING.

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, sitting as the District Council for that part of the Maryland-Washington Regional District in Prince George's County, Maryland, that Section 27-132(d) of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby repealed and reenacted with the following amendments:

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 1. GENERAL ZONING PROCEDURES.**

### Subdivision 3. District Council.

#### Sec. 27-132. District Council hearing procedures.

\* \* \* \* \*

(d) Time limits on final action.

(1) A motion for final action in any zoning matter before the District Council which fails to obtain the required majority shall be set aside, and it or any other motion for final action may be subsequently considered within the following time periods:

(A) In a zoning case not finally decided by the Zoning Examiner, the Council shall make its decision finally disposing of the application within one hundred twenty (120) days after the Zoning Hearing Examiner files his decision with the Clerk of the Council, or within one hundred fifty (150) days if oral argument is requested.

(B) In any other zoning matter (except Zoning Ordinance text amendments), the District Council shall make its decision finally disposing of the application within sixty (60) days after it first considers the matter, unless otherwise provided.

(C) The District Council may take final action in any zoning case immediately after the Zoning Hearing Examiner's decision has been filed, if all persons of record and the People's Zoning Counsel waive (in writing) their rights to file exceptions and request oral argument as provided for in Section 27-131(a)(1)(B) or (C).

(2) If the District Council fails to render a final decision in accordance with the time limit and voting requirements of this Section, the [zoning matter] application shall be considered to have been denied, unless otherwise specified in this Subtitle. This shall not be applicable to the adoption of text amendments.

\* \* \* \* \*

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this 30th day of July, 1996.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART  
OF THE MARYLAND-WASHINGTON  
REGIONAL DISTRICT IN PRINCE  
GEORGE'S COUNTY, MARYLAND

BY:

Stephen J. Del Giudice  
Chairman

ATTEST:

Joyce T. Sweeney  
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.