COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2016 Legislative Session

Resolution No.	CR-48-2016
Proposed by	Council Members Lehman and Glaros
Introduced by	Council Members Lehman, Glaros, Turner, Davis and Taveras
Co-Sponsors	
Date of Introduction	June 14, 2016

RESOLUTION

1 A RESOLUTION concerning

2 Delegation of Zoning Enforcement Authority to the City of College Park

3 For the purpose of approving certain proposed amendments to the Memorandum of

4 Understanding between the City of College Park and County Council of Prince George's County,

5 sitting as the District Council, regarding the enforcement of zoning laws within the municipal

6 boundaries of the City of College Park.

7 WHEREAS, Section 22-119 of the Land Use Article, Annotated Code of Maryland,

8 provides that a municipal corporation within that portion of the Regional District lying in Prince

9 George's County, Maryland, has concurrent jurisdiction with the County Council of Prince

10 George's County, Maryland, sitting as the District Council, to enforce zoning laws within its

11 corporate limits; and

12 WHEREAS, prior to exercising the authority conferred by Section 22-119, State law

13 requires that the municipal corporation and the District Council enter into a written agreement

14 concerning the method by which the County will be advised of citations issued by a municipal

15 inspector, the responsibility of the municipal corporation or the County to prosecute violations

16 cited by the municipal corporation, the resolution of disagreements between the municipal

17 corporation and County concerning interpretations of any zoning law, and other matters deemed

18 necessary by the District Council for the proper and lawful exercise of this zoning authority; and

19 WHEREAS, the City of College Park submitted a Memorandum of Understanding

20 ("MOU") to the District Council, for its consideration and potential execution, addressing each

1   requirement set forth in Section 22-119 of the Land Use Article on or about September 17, 2002;

2   and

3   WHEREAS, after reviewing the proposed document, the District Council adopted CR-57-

4   2002 for the purpose of approving the terms of the proposed MOU submitted by the City of

5   College Park on or about October 22, 2002; and

6   WHEREAS, pursuant to the Council's adoption of CR-57-2002, the Chair of the County

7   Council executed the MOU with the City of College Park on or about October 22, 2002; and

8   WHEREAS, since the execution of the zoning enforcement MOU with the City of College

9   Park, the District Council finds, and the City of College Park concurs, that there is a need to

10 clarify certain language to fully elucidate and ratify the original and continuing intent of the

11 parties to the MOU at the time of its adoption on October 22, 2002, to the present that the MOU

12 does not diminish, limit, or affect the City's right to issue City permits, or to exercise those

13 municipal powers authorized by law, or to adopt or enforce City laws pursuant to its municipal

14 powers; and to update obsolete references to certain County agencies and practices, as well as

15 provisions of State and County law; and

16   WHEREAS, the District Council has reviewed the proposed amendments to the October 22,

17 2002. MOU, attached hereto as Attachment A and incorporated as if set forth fully herein, and

18 concurs with the proposed amendments.

1   NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's

2 County, Maryland, sitting as the District Council for that part of the Maryland-Washington

3 Regional District in Prince George's County, Maryland, that the proposed amendments to the

4 October 22, 2002, Memorandum of Understanding, attached hereto as Attachment A, be and the

5 same are hereby approved and ratified; and the Chairman of the County Council is authorized to

6 execute the amended Memorandum of Understanding on behalf of the District Council.

      Adopted this __14th__ day of __June__ , 2016.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
      Derrick Leon Davis
      Chairman

ATTEST:

_____
Redis C. Floyd
Clerk of the Council