

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2016 Legislative Session**

Bill No. CB-64-2016

Chapter No. 63

Proposed and Presented by Council Member Taveras

Introduced by Council Members Taveras, Lehman, Glaros and Patterson

Co-Sponsors \_\_\_\_\_

Date of Introduction October 18, 2016

**BILL**

1 AN ACT concerning

2 Eviction

3 For the purpose of providing for a certain period to remove certain property; providing  
4 legislative intent; requiring certain notification; requiring certain responsibilities for trash  
5 removal following an eviction; providing for a certain exception; providing for fines and for  
6 costs; and generally relating to evictions and removal of trash following an eviction.

7 BY repealing and reenacting without amendments:

8 SUBTITLE 13. HOUSING AND PROPERTY  
9 STANDARDS.  
10 Section 13-164,  
11 The Prince George's County Code  
12 (2015 Edition).

13 BY adding:

14 SUBTITLE 13. HOUSING AND PROPERTY  
15 STANDARDS.  
16 Sections 13-164.01, 13-164.02, 13-164.03, 13-164.04, and  
17 13-164.05,  
18 The Prince George's County Code  
19 (2015 Edition).

20 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
21 Maryland, that Section 13-164 of the Prince George's County Code be and the same is hereby

1 repealed and reenacted without amendments:

2 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

3 **DIVISION 3. LANDLORD TENANT REGULATIONS.**

4 **SUBDIVISION 2. LANDLORD - TENANT CODE**

5 **Sec. 13-164. - Evictions; Placement of abandoned property.**

6 (a) After a warrant of restitution is executed, the landlord shall dispose of the property of  
7 a tenant. In no event may any of the tenant's property be placed on a public right-of-way or  
8 on any public property. Any property removed from the leased premises pursuant to a  
9 properly issued warrant of restitution shall be deemed abandoned.

10 (b) If the tenant or the tenants' agent is present at the time the warrant of restitution is  
11 executed, the tenant shall be permitted to salvage and transport the tenant's property  
12 removed from the leased premises, after the warrant of restitution is executed, for a  
13 reasonable period of time, not to exceed four hours.

14 (c) This section shall not apply to County owned property.

15 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,  
16 Maryland, that Sections 13-164.01, 13-164.02, 13-164.03, 13-164.04, and 13-164.05 of the  
17 Prince George's County Code be and the same are hereby added:

18 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

19 **DIVISION 3. LANDLORD-TENANT REGULATIONS.**

20 **SUBDIVISION 2. LANDLORD –TENANT CODE.**

21 **Sec. 13-164.01. Legislative intent.**

22 The purpose of this legislation is to address the public health concerns regarding trash  
23 collection that may arise following an eviction. The County finds that the accumulation of  
24 garbage, litter, rubbish, abandoned property, and/or trash following an eviction may adversely  
25 affect the health, safety and general welfare of the residents of the County. This legislation seeks  
26 to improve public health by minimizing odor, removing unsightly garbage, litter, rubbish,  
27 abandoned property, and/or trash in order to prevent insect and/or rodent infestation, breeding,  
28 and feeding.

29 **Sec. 13-164.02. Evictions; notification, removal of garbage, litter, rubbish, abandoned**  
30 **property, and/or trash.**

1           (a) The Office of the Sheriff shall notify the enforcing agencies of the County of the  
2 eviction. The Office of the Sheriff shall notify, within one business day, the Department of  
3 Permitting, Inspections and Enforcement and the Department of Public Works and  
4 Transportation regarding the eviction.

5           (b) Following an eviction, no garbage, litter, rubbish, abandoned property, and/or trash  
6 shall be placed, left, dumped or permitted to accumulate or remain in buildings or premises in the  
7 County.

8           (c) After the initial period, which is granted pursuant to Section 13-164, in which the  
9 evicted person or persons have to remove property, the landlord has one business day following  
10 an eviction to have the garbage, litter, rubbish, abandoned property, and/or trash from the  
11 eviction removed at the expense of the property owner. Within one business day of receipt of a  
12 complaint that garbage, litter, rubbish, abandoned property and/or trash is not removed the  
13 Department of Permitting, Inspections and Enforcement shall investigate the complaint and shall  
14 issue a violation notice and/or citation, as deemed appropriate. For private property evictions,  
15 the Department of Public Works and Transportation shall be designated as the responsible  
16 agency to remove garbage, litter, rubbish, abandoned property and/or trash placed on private  
17 property after an eviction upon receipt of a clean-up request and court order.

18 **Sec. 13-164.03. Exemption; municipal corporations.**

19           Municipal corporations that provide trash collection services in their jurisdiction shall be  
20 exempt from the provisions of this Act.

21 **Sec. 13-164.04. Fines.**

22           Any person who violates any provision of Sections 13-164.01, and/or 13-164.02 shall pay a  
23 fine of One Thousand Dollars (\$1,000), per day. A tax lien may be placed on a property or  
24 properties to recoup outstanding fines. Fine recoveries shall be dedicated to the Solid Waste  
25 Management Fund.

26 **Sec. 13-164.05. Costs.**

27           Any person who violates any provision of Sections 13-164.01, and/or 13-164.02, shall pay  
28 the cost of removal of trash and related expenses. A tax lien may be placed on a property or  
29 properties to recoup outstanding costs. Cost recoveries shall be dedicated to the Solid Waste  
30 Management Fund.

31           Within 18-months after implementation of Sections 13-164.02, 13-164.03, 13-164.04, and

1 13-164.05 of this Subtitle, a report of the actual annual number of evictions, actual annual  
2 number of trash removals after an eviction by the county, actual annual costs, actual annual  
3 revenues, and an evaluation with projected annual costs, projected annual revenues as well as  
4 recommendations on streamlining the enforcement process of Sections 13-164.02, 13-164.03,  
5 13-164.04, and 13-164.05 of this Subtitle, shall be presented to the County Council by the  
6 enforcing agencies, which may include the Department of Permitting, Inspections and  
7 Enforcement, the Department of the Environment, and the Department of Public Works and  
8 Transportation.

9 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
10 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
11 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
12 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
13 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
14 Act, since the same would have been enacted without the incorporation in this Act of any such  
15 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,  
16 or section.

17 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
18 calendar days after it becomes law.

Adopted this 15th day of November, 2016.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.