

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/15/2011
Reference No.: CB-057-2011
Draft No.: 2
Proposer(s): Lehman
Sponsor(s): Lehman, Turner, Franklin, Toles, Patterson, Olson
Item Title: AN ACT concerning code enforcement and penalties for the purpose of making amendments to certain code enforcement provisions related to violations, fines and appeals in the County; and generally relating to code enforcement.

Drafter: Todd M. Turner, Legislative Officer
Resource Personnel: Matthew Dernoga, Policy Analyst District 1

LEGISLATIVE HISTORY:

Date Presented:	9/27/2011	Executive Action:	12/7/2011 S
Committee Referral:	9/27/2011 - THE	Effective Date:	1/23/2012

Committee Action: 10/13/2011 - FAV(A)

Date Introduced: 10/18/2011
Public Hearing: 11/15/2011 - 10:00 AM

Council Action (1) 11/15/2011 - ENACTED
Council Votes: WC:A, DLD:-, MRF:A, AH:A, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:-
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

09-124, 09-124.01, 09-125, 13-111, 13-116, 13-214, 13-245, 13-246, 13-270, 13-271, 28-130, 28-131, 28-132, 28-221, 28-240, 28-241, 28-242, 28-257, 28-258, 28-259, 28-261, 28-262, 28-263

COMMITTEE REPORTS:

Transportation, Housing and Environment

Date 10/13/2011

October 13th, 2011

Committee Vote: Favorable 4-0 with amendments (In favor: Council Members Olson, Toles, Lehman, and Turner)

The Legislative Officer provided a summary of the Proposed Draft 2 of the bill and referral comments that were received. CB-57-2011 is an act concerning code enforcement and penalties for the purpose of making amendments to certain code enforcement provisions related to violations, fines and appeals in the County related to the housing and property standards, group residential facilities, the anti-litter and weed ordinance, electrical code and civil monetary fines for zoning, housing and miscellaneous violations.

The Legislative Officer reviewed the proposed amendments to CB-57-2011 contained in Proposed Draft 2, including: (1) on page 3, deleting lines 14 – 15 related to increasing fines for second and subsequent violation within 36 months period to \$1,000; (2) amending provisions on District Court scheduling of a violation trial date; and (3) providing

District Court discretion to suspend or defer payment of civil fine upon reasonable grounds. All amendments are reflected in Draft 2 of CB-57-2011.

County Executive staff and the Department of Environmental Resources indicated support for CB-57-2011 and provided additional information to the Committee in response to questions.

The Office of Law determined that CB-57-2011 was in proper legislative form.

The Office of Audits and Investigation indicated there will be a positive fiscal impact the County as a result of adopting CB-57-2011.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This legislation amends certain provisions of the County's code enforcement and regulations related to notice of violations, fines, and the appeals process.

CODE INDEX TOPICS:

INCLUSION FILES:
