

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1996 Legislative Session

Bill No. CB-98-1996

Chapter No. 76

Proposed and Presented by Council Member Bailey

Introduced by Council Members Bailey, Russell, Del Giudice, and Wilson

Co-Sponsors

Date of Introduction October 29, 1996

BILL

AN ACT concerning

Property Standards and Maintenance

For the purpose of providing that vacant commercial or industrial property which meets the definition of public nuisance be required to either be rehabilitated to meet current code standards or be razed.

BY repealing and reenacting with amendments:

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

Section 13-233,

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 13-233 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

DIVISION 7. PROPERTY STANDARDS AND MAINTENANCE.

Sec. 13-233. Maintenance requirements.

(a) All improved and unimproved property shall be maintained in a clean, safe, secure, and sanitary condition and in conformance with this Division so as not to create a public nuisance or adversely affect the public health, safety or welfare.

(b) With the exception of historic sites, any vacant structure located on property

commercially or industrially zoned, or on residentially zoned property if used for commercial or industrial purposes, which has been cited as a public nuisance and remains under violation for greater than twelve (12) months must be rehabilitated to current standards as contained in Subtitles 4 and 13 of this Code within six (6) months of notice or the structure will be razed. Any structure rehabilitated after such notice is given must obtain a new use and occupancy permit. The Board of Appeals shall not have jurisdiction to grant a variance or waive this Section except upon a finding that litigation is pending in the courts and is being actively pursued, which litigation should finally determine legal ownership of the property or will result in the disposition of an insurance claim arising from the subject property.

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

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

Adopted this 26th day of November, 1996.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:

Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____

BY:

Wayne K. Curry
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.