



THE PRINCE GEORGE'S COUNTY GOVERNMENT

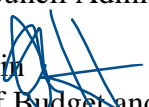
Office of Audits and Investigations


September 14, 2022

FISCAL AND POLICY NOTE

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Arian Albear 
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-072-2022

CB-072-2022 (*Proposed and presented by:* Council Member Glaros)

Assigned to the Planning, Housing, and Economic Development (PHED) Committee

AN ACT CONCERNING CODE ENFORCEMENT AND PENALTIES for the purpose of making amendments to certain code enforcement provisions related to violations and increasing fines in the County.

Fiscal Summary

Direct Impact

Expenditures: No additional expenditures likely.

Revenue: Increased revenue related to increased fine amounts.

Indirect Impact

Potentially positive.

Legislative Summary:

CB-072-2022¹, proposed by Council Member Glaros, was presented on July 5, 2022, and referred to the Planning, Housing, and Economic Development (PHED) Committee. CB-072-2022 would increase the penalty for grading, pollution, drainage, floodplain, and erosion control violations from \$250 for a first violation and \$500 for each repeated violation to \$1,000 for the first and all subsequent violations, daily.

Background/Current Law:

The current Prince George's County Code, under Section 28-261 contains a \$250 penalty for civil violations concerning grading, drainage, floodplain, and erosion control. For each repeated violation within a thirty-six (36) month period, the fine amount increases to \$500 per day.

Resource Personnel:

- Ellis Watson, Legislative Officer
 - Danielle Glaros, Council Member, District 3
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Discussion/Policy Analysis:

CB-072-2022, by increasing the fine amounts associated with grading, pollution, drainage floodplain, and erosion control violations, would serve two distinct functions:

- 1) It would increase the amount of money available to the County as a result of the higher fines collected; and
- 2) It may deter future behavior as a result of the much higher fines.

On a technical note, the bill would create some repetition under subsection (c) in creating a chart that notes that the fine assessed would be in a daily basis. This is first stated under (a)(1): "Each separate day of violation that remains uncorrected is a distinct civil violation subject to an additional citation and fine..."

The bill would also leave a previous reference to a thirty-six (36) month period after which the fine amount would reset to the original first violation amount of \$250. Because CB-072-2022 establishes a \$1,000 violation for the first and all subsequent violations, there does not appear to be a need to keep the 36-month period as fines would not reset to a lesser amount under any circumstance.

¹ [CB-072-2022](#).

Finally, Sec. 28-261.02(b) which establishes the fine amount omits mention of “pollution” as one of the allowable violations despite being part of the section title and subsection (a).

Fiscal Impact:

- *Direct Impact*

Enactment of CB-072-2022 could have a favorable fiscal impact on the County from the increase in fines collected.

- *Indirect Impact*

Enactment of CB-072-2022, inasmuch as high fines serve as deterrents of future violations, may have an indirect positive impact in the County by decreasing instances of pollution, grading, and other such violations.

Effective Date of Proposed Legislation:

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please email me.