

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2001 Legislative Session**

Bill No. CB-39-2001

Chapter No. 39

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Russell, Bailey, Gourdine and Shapiro

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

Date of Introduction July 31, 2001

**BILL**

1 AN ACT concerning

2 Housing and Property Standards

3 For the purpose of amending the Prince George's County Housing and Property Standards  
4 ordinance, adopting the 2000 International Property Maintenance Code with certain  
5 amendments, amending certain definitions, and generally relating to housing and property  
6 standards.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

9 Sections 13-101, 13-105, 13-106, 13-138, and 13-187,

10 The Prince George's County Code

11 (1999 Edition, 2000 Supplement).

12 BY repealing:

13 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

14 Sections 13-103, 13-104, 13-106.01, 13-106.02, 13-107, 13-108,

15 13-109, 13-110, 13-111, 13-111.01, 13-112, 13-113, 13-113.00.01,

16 13-113.01, 13-113.02, 13-114, 13-115, 13-116, 13-117, 13-118,

17 13-119, 13-120, 13-121, 13-122, 13-122.01, 13-123, 13-123.01,

18 13-124, 13-125, 13-125.01, 13-126, 13-126.01, 13-127, 13-128,

19 13-129, 13-130, 13-131, and 13-132,

20 The Prince George's County Code

21 (1999 Edition, 2000 Supplement).

BY adding:

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

Sections 13-107, 13-108, 13-109, 13-110, 13-111, 13-112, 13-113,  
13-114, 13-115, 13-116, 13-117, 13-118, 13-119, 13-120,  
13-121, 13-122, 13-123, 13-124, 13-125, 13-126, 13-127,  
and 13-128,

The Prince George's County Code  
(1999 Edition, 2000 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
Maryland, that Sections 13-101, 13-105, 13-106, 13-138, and 13-187 of the Prince George's  
County Code be and the same are hereby repealed and reenacted with the following  
amendments:

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

**DIVISION 1. HOUSING CODE.**

**Subdivision 1. [BOCA Housing Code] International Property Maintenance Code.**

**Sec. 13-101. [BOCA] Housing Code adoption.**

(a) The [BOCA Basic Housing Code, 1964 Edition, as published by the Building Officials  
Conference of America, Inc., together with all amendments and supplements thereto]  
International Property Maintenance Code, 2000 Edition, as published by the International Code  
Council, Inc. (hereinafter "the Housing Code"), is adopted by this reference and made a part of  
this Subtitle as though set out in full herein with the additions, exceptions, and modifications set  
forth in Subdivision 2 of this Division.

(b) At least three (3) copies of the [Housing Code] International Property Maintenance  
Code, 2000 Edition, shall be on file in the office of the Clerk of the Council [in Upper Marlboro]  
for public inspection and use.

**Subdivision 2. Amendments to Housing Code.**

**Sec. 13-105. Amendments to Housing Code.**

The Sections contained in this Subdivision shall add, modify, amend, delete, or change the  
designated Sections of the [BOCA Basic] Housing Code as indicated in each Section. Where the  
name of the jurisdiction is to be indicated in any Section of the Housing Code, the jurisdiction  
name shall be Prince George's County, Maryland. Where the Housing Code references any

Building Code, it shall be construed to mean the Prince George's County Building Code as adopted by Subtitle 4 of the Prince George's County Code. Where the Housing Code references any Plumbing Code, it shall mean the Prince George's County Plumbing Code as enforced by the Washington Suburban Sanitary Commission. Where the Housing Code references any Fire Code, it shall mean the Prince George's County Fire Safety Law as adopted by Subtitle 11 of the Prince George's County Code. Where the Housing Code references any Electrical Code, it shall mean the Prince George's County Electrical Code as adopted by Subtitle 9 of the Prince George's County Code.

**Sec. 13-106. Definitions.**

(a) As used in this Division and the Housing Code:

(1) **Building Official** or [**Building Official of the Municipality**] **Code Official** shall mean the Director of the Department of Environmental Resources or [his] the Director's duly authorized representative;

\* \* \* \* \*

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

**Subdivision 1. General Provisions.**

**Sec. 13-138. Definitions.**

(a) For the purposes of this Division (and Division 4):

\* \* \* \* \*

(9) **Multifamily Rental Facility** shall mean any building, structure, or combination of related buildings, structures, and appurtenances, operated as a single entity, housing cooperative ("COOP"), or a condominium, in which the landlord provides for a consideration three (3) or more rental dwelling units; but shall not be construed to mean any transient facilities such as boarding houses, tourist homes, inns, motels, hotels, school dormitories, hospitals or medical facilities, any other facilities operated for religious or eleemosynary purposes, continuing care facilities regulated by the State pursuant to Article 70B of the Maryland Annotated Code, and projects authorized under 10 U.S.C. 2828, which allows the U.S. Government to lease housing facilities at or near a military installation for assignment, without rental charge, as family housing for members of the Armed Forces.

\* \* \* \* \*

**DIVISION 4. RENTAL HOUSING.**

**Sec. 13-187. License suspension or revocation; procedure; revalidation and reissuance.**

\* \* \* \* \*

(f) The notice of suspension, revocation, or denial of a license shall advise the person notified of his right of appeal of such notice in accordance with [Section 13-117 of this Code] Section 111.1 of the Housing Code.

SECTION 2. BE IT FURTHER ENACTED that Sections 13-103, 13-104, 13-106.01, 13-106.02, 13-107, 13-108, 13-109, 13-110, 13-111, 13-111.01, 13-112, 13-113, 13-113.00.01, 13-113.01, 13-113.02, 13-114, 13-115, 13-116, 13-117, 13-118, 13-119, 13-120, 13-121, 13-122, 13-122.01, 13-123, 13-123.01, 13-124, 13-125, 13-125.01, 13-126, 13-126.01, 13-127, 13-128, 13-129, 13-130, 13-131, and 13-132 of the Prince George's County Code be and the same are hereby repealed.

SECTION 3. BE IT FURTHER ENACTED that Sections 13-107, 13-108, 13-109, 13-110, 13-111, 13-112, 13-113, 13-114, 13-115, 13-116, 13-117, 13-118, 13-119, 13-120, 13-121, 13-122, 13-123, 13-124, 13-125, 13-126, 13-127, and 13-128 be and the same are hereby added:

**SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.****DIVISION 1. HOUSING CODE.****Subdivision 2. Amendments to Housing Code.****Sec. 13-107. Administration; Section 101, General.**

(a) Section 101.1, entitled "Title," is deleted in its entirety.

(b) Section 101.2 is amended to read as follows: "Scope. The provisions of this Code shall apply to all existing residential structures and premises and constitute the minimum requirements and standards for premises, structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators, and occupants; the occupancy of existing structure and premises, and for administration, enforcement, and penalties. This Code shall not apply to hotels and motels serving transient guests only, rest homes, convalescent homes, nursing homes, and such structures which have been converted to an approved nonresidential use."

**Sec. 13-108. Same; Section 102, Applicability.**

(a) Section 102.1 is amended to read as follows: "General. The provisions of this Code shall apply to all matters affecting or relating to structures and premises, as set forth in Section

1 101. When any provision of this Code governing residential uses differs from any other  
 2 provision of this Code or any other Section of the County Code, the more restrictive provision  
 3 shall apply."

4 (b) Section 102.3 is amended to read as follows: "Application of other codes. Repairs,  
 5 additions, or alterations to a structure, or changes of occupancy, shall be done in accordance with  
 6 the procedures and provisions of the County Code."

7 (c) Section 102.4 is amended to read as follows: "Existing remedies. The provisions in  
 8 this Code shall not be construed to abolish or impair existing remedies of the jurisdiction or its  
 9 officers or agencies relating to the removal or demolition of any structure which is dangerous,  
 10 unsafe, and unsanitary."

11 (d) Section 102.7, entitled "Referenced codes and standards," deleted in its entirety.

12 **Sec. 13-109. Same; Section 103, Department of Property Maintenance Inspection.**

13 (a) The title of Section 103 is amended to read as follows: "County Inspections."

14 (b) Section 103.1 is amended to read as follows: "General. The Director of  
 15 Environmental Resources or the Director's designee shall be known as the Code Official."

16 (c) Section 103.2, entitled "Appointment," is deleted in its entirety.

17 (d) Section 103.3, entitled "Deputies," is deleted in its entirety.

18 (e) Section 103.4 is amended to read as follows: "Restriction of employees. An official or  
 19 employee connected with the enforcement of this Code shall not be engaged in, or directly or  
 20 indirectly connected with, the furnishing of labor, materials, or appliances for the construction,  
 21 alteration, or maintenance of a building, or the preparation of construction documents thereof,  
 22 unless that person is the owner of the building; nor shall such officer or employee engage in any  
 23 work that conflicts with official duties or with the interests of the Prince George's County  
 24 Department of Environmental Resources."

25 (f) Section 103.5 is amended to read as follows: "Liability. The Code Official, officer, or  
 26 employee charged with the enforcement of this Code, while acting for the jurisdiction, shall not  
 27 thereby be rendered liable personally, and is hereby relieved from all personal liability for any  
 28 damage accruing to persons or property as a result of an act required or permitted in the  
 29 discharge of official duties.

30 Any suit instituted against any officer or employee because of an act performed by that  
 31 officer or employee in the lawful discharge of duties and under the provisions of this Code shall

1 be defended by the legal representative of the jurisdiction until the final termination of the  
 2 proceedings. The Code Official or any subordinate shall not be liable for costs in an action, suit,  
 3 or proceeding that is instituted in pursuance of the provisions of this Code; and any officer acting  
 4 in good faith and without malice shall be free from liability for acts performed under any of the  
 5 provisions of this Code, or by reason of any act or omission in the performance of official  
 6 duties."

7 (g) Section 103.6, entitled "Fees," is deleted in its entirety.

8 **Sec. 13-110. Same; Section 104, Duties and Powers of the Code Official.**

9 (a) Section 104.3 is amended to read as follows: "Inspections. Subject to the limitations  
 10 and conditions as hereinafter stated in this Section, it shall be the duty of the Code Official to  
 11 make, or cause to be made, inspections as often as necessary to determine the conditions of  
 12 dwelling, multifamily dwellings, dwelling units, rooming houses, rooming units, and premises  
 13 in order to safeguard the safety and welfare of the public under the provisions of this Code. Such  
 14 inspections shall be made in response to citizen or official complaints or other reliable  
 15 information or allegations of existing violations of the Code. Further, inspections of dwelling,  
 16 dwelling units, rooming houses, rooming units, and premises shall be made on a systematic basis  
 17 (e.g., house by house, block by block) in areas, communities, or neighborhoods when it is  
 18 determined by the Code Official that such action is necessary to properly apply and enforce the  
 19 provisions of this Code. All reports of such inspections shall be in writing and shall be certified  
 20 by a responsible officer of such approved agency or by the responsible individual. The Code  
 21 Official is authorized to engage such expert opinion as deemed necessary to report upon unusual  
 22 technical issues that arise, subject to the approval of the appointing authority."

23 (b) Section 104.4 is amended to read as follows: "Right of entry.

24 A. The Code Official is authorized to enter the structure or premises at reasonable  
 25 times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If  
 26 entry is refused or not obtained, the Code Official is authorized to pursue recourse as provided  
 27 by law. Permission need not be obtained for entry to spaces and areas to which the public is  
 28 ordinarily invited.

29 B. Notwithstanding any other provision of this Code, and in the event of an  
 30 emergency situation constituting an immediate threat to individual human life, property, or the  
 31 public safety, and if, in addition, the delay associated with applying for a search warrant

1 authorizing entry would result in undue harm, the Code Official shall be authorized without  
 2 permission or warrant to make an emergency entrance for the sole purpose of abating or  
 3 eliminating the exigent dangerous condition.

4 C. Notwithstanding any other provision of this Code, all licensing and permit  
 5 inspections authorized and required by this Code shall be processed without the necessity for  
 6 obtaining permission or obtaining a judicial warrant authorizing entry. Failure to allow entry for  
 7 such inspection shall constitute sufficient reason for the denial or revocation of the subject  
 8 license or permit."

9 (c) Section 104.7 is amended to read as follows: "Department records. The Code Official  
 10 shall keep official records of all business and activities of the department specified in the  
 11 provisions of this Code. Such records shall be retained in accordance with the County's  
 12 approved records retention schedule."

13 (d) Section 104.8 is amended to read as follows: "Coordination of inspections. Whenever  
 14 in the enforcement of this Code or another code or ordinance, the responsibility of more than one  
 15 Code Official of the jurisdiction is involved, it shall be the duty of the Code Officials involved to  
 16 coordinate their inspections and administrative orders as fully as practicable so that the owners  
 17 and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple  
 18 or conflicting orders."

19 (e) A new Section 104.9 is added to read as follows: "Municipal enforcement. Any  
 20 incorporated city or town, which by law has authority to enact regulations governing the  
 21 enforcement of this Code, may elect to conduct its own housing code enforcement program,  
 22 provided that any such incorporated city or town shall adopt the County's Housing Code or a  
 23 housing code not less stringent in minimum requirements."

24 **Sec. 13-111. Same; Section 106, Violations.**

25 Section 106.4 is amended to read as follows: "Violation penalties. Every person in  
 26 violation of this Code shall be guilty of a misdemeanor, and upon conviction thereof shall be  
 27 punishable by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment not to  
 28 exceed ninety (90) days, or both. Each day that the violation continues shall constitute a separate  
 29 offense. The application of the foregoing penalties shall not preclude the filing of an action for  
 30 injunctive relief in a court of competent jurisdiction."

**Sec. 13-112. Same; Section 107, Notices and Orders.**

(a) Section 107.1 is amended to read as follows: "Notice to owner or to person or persons responsible. Whenever the Code Official determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections 107.2 and 107.3. Notices declaring a structure unfit shall also comply with Section 108.3."

(b) Section 107.5 is amended to read as follows: "Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease, or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee, or lessee a true copy of any compliance order or notice of violation issued by the Code Official."

(c) A new Section 107.6 is added to read as follows: "Transfer of responsibility. A contract, lease, or other agreement, effective as between the owner and operator, operator and occupant, or owner and occupant, with regard to matters covered hereunder, shall not relieve any party of the direct responsibility under the provisions of this Code."

**Sec. 13-113. Same; Section 108, Unsafe Structures and Equipment.**

(a) The title of Section 108 is amended to read as follows: "Open Unfit, Unsafe, Unlawful, or Abandoned Structures."

(b) Section 108.1 is amended to read as follows: "General definitions. For the purposes of Sections 108, 109, and 110 of this Code, the following terms shall apply."

(1) Section 108.1.3 is amended to read as follows: "Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the Code Official finds that such structure is unsafe, unlawful, or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities, utilities, or other essential equipment required by this Code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public. This term shall also include the phrase unfit for human habitation."

(A) A new Section 108.1.3.1 is added to read as follows: "Abandoned for



1 residential use. A dwelling or dwelling unit is considered abandoned for residential use when it  
 2 has been declared unfit for human habitation for a period in excess of one year and has not been  
 3 brought up to the Code standards required for occupancy."

4 (c) Section 108.2 is amended to read as follows: "Procedures for closing open structures.  
 5 If the structure is open and unfit for human habitation and occupancy and is not in danger of  
 6 structural collapse, the Code Official is authorized to post a placard declaring the structure unfit  
 7 and order the structure closed up so as not to be an attractive nuisance."

8 (d) Section 108.3 is amended to read as follows: "Procedures for structures unfit for  
 9 human occupancy.

10 A. Whenever the Code Official finds that any dwelling or dwelling unit has become  
 11 unfit for human occupancy, as defined by this Code, the Code Official shall declare it unfit and  
 12 order it to be vacated. Once vacant, the exterior structure and premises must be maintained to  
 13 the minimum standards of this Code and the County Code. Any boarding of windows and doors  
 14 to secure the structure shall be done in a workmanlike manner, and the materials used shall  
 15 conform to the overall exterior appearance of the structure and in conformance with the  
 16 requirements of Section 109.2. Any dwelling declared unfit for human habitation shall be posted  
 17 with a placard that shall include:

- 18 1. The Section of the Code under which the order is issued;
- 19 2. An order that the dwelling or dwelling unit must be vacated;
- 20 3. An order that dwelling or dwelling unit must remain vacant until the  
 21 provisions of the order are satisfied and the order to vacate is withdrawn;
- 22 4. The date that the placard is posted; and
- 23 5. A statement of the penalty for destruction or removal of the placard.

24 B. Whenever the Code Official has declared a dwelling unit unfit for human  
 25 habitation, the Code Official shall give notice to the owner of such declaration and placarding of  
 26 the dwelling as unfit for human habitation. Such notice shall:

- 27 1. Be in writing;
- 28 2. Include a description of the real estate sufficient for identification;
- 29 3. Include a justification statement for the determination;
- 30 4. State the time period for correction of the cited conditions; and
- 31 5. State the time by which the occupants must vacate the premises.

1           C. Service of notice to vacate shall be accomplished by posting a copy of the notice  
 2 in a conspicuous place on the premises to be vacated and by one of the following:

- 3               1. By delivery to the owner personally;
- 4               2. By leaving the notice at the usual place of abode of the owner with a person  
 5 of suitable age and discretion; or
- 6               3. By depositing the notice in the United States Post Office addressed to the  
 7 owner at the owner's last known address with postage prepaid thereof.

8           D. Any dwelling which has been declared and placarded as unfit for human  
 9 habitation shall be vacated within a reasonable time period as required by the Code Official, and  
 10 it shall be unlawful for any owner or operator to let said dwelling to any person for human  
 11 habitation. No person shall occupy a dwelling which has been declared or placarded by the Code  
 12 Official as unfit for human habitation after the date set forth on the placard. No dwelling which  
 13 has been declared or placarded as unfit for human habitation shall again be used for human  
 14 habitation until written approval is secured from the Code Official. The Code Official shall  
 15 remove such placard whenever the defect or defects upon which the declaration and placarding  
 16 actions were based have been eliminated."

17           (e) Section 108.4 is amended to read as follows: "Procedures for dwelling units declared  
 18 abandoned for residential use.

19           A. Any dwelling unit which has been declared unfit for human habitation for a  
 20 period in excess of twelve (12) months and has not been brought up to Code standards required  
 21 for occupancy may be declared abandoned for residential use and may be razed in accordance  
 22 with the procedures in Section 110.3.

23           B. Any windows, doors, or other exterior openings in an abandoned dwelling unit  
 24 shall be closed and sealed with materials and in a workmanlike manner that conforms to the  
 25 overall exterior appearance of the structure in accordance with the provisions of Section 109.2.

26           C. The interiors of such abandoned dwelling units shall be maintained to the  
 27 standards required for other nonresidential areas, such as storage rooms, laundry rooms,  
 28 workshops, or other similar uses."

29           (f) Section 108.5 is amended to read as follows: "Unlawful structure. No dwelling or any  
 30 part thereof declared unlawful in accordance with Section 108.1.4 may be occupied until such  
 31 dwelling or dwelling unit conforms with the provisions of this Code."

(g) Section 108.6, entitled "Removal of placard," is deleted in its entirety.

**Sec. 13-114. Same; Section 109, Unsafe Conditions - Emergency Measures.**

(a) The title of Section 109 is amended to read as follows: "Unsafe Conditions - Emergency Measures."

(b) Section 109.1 is amended to read as follows: "Imminent danger. When, in the opinion of the Code Official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes, or vapors or the presence of toxic fumes, gases, or materials, or operation of defective or dangerous equipment, the Code Official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Code Official shall cause to be posted at each entrance to such structure a notice advising that the structure is unsafe and its occupancy has been prohibited by the Code Official. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or demolishing the same."

(c) Section 109.2 is amended to read as follows: "Temporary safeguards.

A. When, in the opinion of the Code Official, there is an imminent danger due to an unsafe condition, the Code Official shall cause the necessary work to be completed in the following manner:

1. When securing doors and windows, the material shall be cut to fit either within the recess of the exterior finish wall if the door or window is recessed or to fit on the door or window trim if the trim is applied to top of the exterior wall.

2. The preferred material for windows shall be a transparent material such as lexan or plexiglas. If solid materials are used to secure either windows or doors, the solid material shall be painted either white or painted to match the color of the trim.

B. Once the structure is secure, the Code Official shall notify the owner that temporary measures have been taken, that the owner is required to restore the structure within thirty (30) days, and that the owner is subject to citation directing that the building be repaired to restore the building envelope. If the structure is not restored within thirty (30) days, the owner shall be fined One Thousand Dollars (\$1,000.00) for each month that the violation continues and

1 the property is not restored. For damage to the building as a result of a storm or fire, the Code  
 2 Official may extend the initial thirty (30) day period without assessing a fine if the owner and  
 3 insurer are promptly and actively undertaking repairs to the building."

4 (d) Section 109.5 is amended to read as follows: "Costs of emergency repairs. Costs  
 5 incurred in the performance of emergency work shall be paid from the Office of Finance on  
 6 certificate of the Code Official. The County Attorney shall institute appropriate action against  
 7 the owner of the premises harboring the unsafe condition. Recovery of costs shall include, but  
 8 not be limited to, certification for a tax lien, as provided by Section 109.7 of this Code."

9 (e) Section 109.6, entitled "Hearing," is deleted in its entirety.

10 (f) A new Section 109.7 is added to read as follows: "Creation of a tax lien.

11 A. There is created a tax lien on real property for monies expended by the County for  
 12 the razing, demolition, removal, or making safe buildings and/or abatement of other unsafe  
 13 nuisances or conditions constituting a danger to the public health and safety where the  
 14 responsible party refuses or fails to comply with a lawful order of the Code Official after proper  
 15 notice thereof, either actual or constructive, or as provided in Sections 119 and 120 of the  
 16 Building Code.

17 B. There is created a tax lien on real property for monies expended by the County for  
 18 the elimination of infestation constituting a danger to the public health and safety where the  
 19 responsible party refuses or fails to comply with the lawful order of the Code Official after  
 20 proper notice thereof, either actual or constructive, or as provided in Sections 108 through 110 of  
 21 this Code.

22 C. There is created a tax lien on real property for monies expended by the County for  
 23 the demolition, repair, or enclosure of a building, or removal of garbage, debris, or other  
 24 hazardous, noxious, or unhealthy substances or materials where the responsible party refuses or  
 25 fails to comply with the lawful order of the Code Official after proper notice thereof, either  
 26 actual or constructive, or as provided in Sections 108 through 110 of this Code.

27 D. Following the demolition, repair, or enclosure of a building, or removal of  
 28 garbage, debris, or other hazardous, noxious, or unhealthy substances or materials or as provided  
 29 in Sections 108 through 110 of this Code, the County may file a notice of lien against the real  
 30 estate for the cost of the demolition, repair, enclosure, or removal within 180 days after the  
 31 repair, demolition, enclosure, or removal occurred, for the costs and expenses incurred, with the

1 Director of Finance. The notice of lien shall consist of a sworn statement by the Director of  
 2 Finance setting forth:

3           1. A description of the real estate, such as the address or other description of  
 4 the property, sufficient for its identification;

5           2. The expenses incurred by the County in undertaking the remedial actions  
 6 authorized by the Division;

7           3. The date or dates that the expenses were incurred by the Director;

8           4. A statement that the building was open and vacant and constituted an  
 9 immediate and continuing hazard to the community;

10          5. A statement that the required sign was posted on the building, that notice  
 11 was sent by certified mail to the owners of record, and that notice was published in accordance  
 12 with this Section; and

13          6. A statement as to when and where the notice was published.

14          E. Upon notice from the County Attorney that a tax lien has been created, the  
 15 amount of such lien shall be collected by the Director of Finance in the same manner as other  
 16 County real estate taxes."

17 **Sec. 13-115. Same; Section 110, Condemnation and Demolition.**

18          (a) The title of Section 110 is amended to read as follows: "Condemnation and  
 19 Demolition."

20          (b) Section 110.1 is amended to read as follows: "Dangerous structures. If all or part of  
 21 any building or structure (including fences, billboards, and signs) or the equipment for the  
 22 operation of said building or structure (including, but not limited to, the heating plant, plumbing,  
 23 electric wiring, moving stairways, elevators, and fire extinguishing apparatus) is determined by  
 24 the Code Official to be in an unsafe condition or otherwise poses a danger to life, limb, or  
 25 property, the Code Official shall institute condemnation proceedings pursuant to the applicable  
 26 provision of the Building Code or this Code pertaining to unsafe structures."

27          (c) Section 110.2 is amended to read as follows: "Abatement of unsafe conditions,  
 28 infestation of rodents, or demolition of dangerous structures. In the event that the responsible  
 29 party fails to comply with the lawful order of the Code Official to make safe or demolish an  
 30 unsafe structure, correct a dangerous condition, or eliminate an infestation of rodents, the Code  
 31 Official shall proceed when, in the Code Official's opinion, emergency action is required to abate

1 the unsafe condition or infestation by appropriate means, including demolition and removal of  
 2 dangerous structures, utilizing such public or private resources required and available. All costs  
 3 incurred for such emergency action shall be paid from the Office of Finance on certificate of the  
 4 Code Official, and the legal officer of the County shall institute appropriate action against the  
 5 owner of the premises where the unsafe structure, infestation, or condition was located for  
 6 recovery of such costs, including, but not limited to, certification of a tax lien."

7 (d) Section 110.3 is amended to read as follows: "Razing structures declared abandoned  
 8 for residential use. Any dwelling unit declared abandoned for residential use, except for historic  
 9 sites, must either be made habitable or utilizable within six (6) months of notice of violation, a  
 10 copy of which shall be transmitted to the Historic Preservation Commission, or the structure will  
 11 be razed as a dangerous structure. The Board of Appeals shall not have jurisdiction to grant a  
 12 variance or waive this Section except upon a finding that litigation is pending in the courts and is  
 13 actively being pursued, which litigation should finally determine legal ownership of the subject  
 14 property, or upon a finding that litigation is pending regarding disposition of an insurance claim  
 15 arising from the subject property."

16 (e) Section 110.4 is amended to read as follows: "Condemnation of open, hazardous  
 17 residential buildings.

18 A. If the Code Official determines that a residential building three (3) stories or less  
 19 in height is open and vacant and is an immediate and continuing hazard to the community in  
 20 which the building is located, then the Code Official shall be authorized to post a notice of not  
 21 less than two (2) feet by two (2) feet in size on the front of the building. The notice shall be  
 22 dated as of the date of the posting and shall state that unless the building is demolished, repaired,  
 23 or enclosed, and unless any garbage, debris, and other hazardous, noxious, or unhealthy  
 24 substances or materials are removed so that an immediate and continuing hazard to the  
 25 community no longer exists, then the building may be demolished, repaired, or enclosed, or any  
 26 garbage, debris, and other hazardous, noxious, or unhealthy substances or materials may be  
 27 removed by the County.

28 B. Not later than thirty (30) days following the posting of the notice, the Code  
 29 Official shall:

30 1. Cause to be sent, by certified mail, a notice to all owners of record of the  
 31 property stating the intent of the County to demolish, repair, or enclose the building, or remove

1 any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials if action is  
 2 not taken by the owner;

3           2. Cause to be published, for three (3) consecutive days, in a newspaper of  
 4 record, notice setting forth the address of the building; a description of the real estate sufficient  
 5 for its identification; a statement that the property is open and vacant and constitutes an  
 6 immediate and continuing hazard to the community; and a statement that the County intends to  
 7 demolish, repair, or enclose the building, or remove any garbage, debris, or other hazardous,  
 8 noxious, or unhealthy substances or materials if the owner fails to do so; and

9           3. If a building is an identified historic resource on the Adopted and Approved  
 10 Historic Sties and District Plan of Prince George's County, Maryland, cause a copy of the notice  
 11 to be sent to the Historic Preservation Commission and demolition shall not be authorized  
 12 without the approval of the Historic Preservation Commission.

13           C. A person objecting to the proposed actions of the County may file an objection in  
 14 an appropriate form in a court of competent jurisdiction. If the building is not demolished,  
 15 repaired, or enclosed, or the garbage, debris, or other hazardous, noxious, or unhealthy  
 16 substances or materials are not removed within thirty (30) days of mailing the notice to the  
 17 owners of record, or within thirty (30) days of the last day of publication of the notice, whichever  
 18 is later, the Code Official shall have the power to demolish, repair, or enclose the building, or to  
 19 remove any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials.

20           D. The County may proceed to demolish, repair, or enclose a building, or remove  
 21 any garbage, debris, or other hazardous, noxious, or unhealthy substances or materials under this  
 22 Section, within a 120 day period following the date of the mailing of the notice if the Code  
 23 Official determines that removal of the hazardous, noxious, or unhealthy substances or materials  
 24 is necessary to remedy the immediate and continuing hazard. If, before the Code Official  
 25 proceeds with any of the actions authorized by this Section, a person has initiated legal action  
 26 under this Division in a court of competent jurisdiction and has served a copy of the complaint  
 27 on the County, then the County shall not proceed with the demolition, repair, enclosure, or  
 28 removal of garbage, debris, or other hazardous, noxious, or unhealthy substances or materials  
 29 until the court determines that action is necessary to remedy the hazard and issues an order  
 30 authorizing the County to do so."  
 31

**Sec. 13-116. Same; Section 111, Means of Appeal.**

(a) Section 111.1 is amended to read as follows: "Appeals by owner or occupant. Whenever it is claimed that the true intent and meaning of this Code has been misconstrued or wrongly interpreted, the owner or occupant or duly authorized agent may appeal the decision of the Code Official to the Board of Appeals for Prince George's County. Notice of such appeal shall be in writing and filed within thirty (30) days after the decision is rendered by the Code Official. In the case of a structure or dwelling unit which, in the opinion of the Code Official, is unsafe or dangerous, the Code Official may, by order and proper notice, shorten the time for the filing of an appeal. Appeals arising under this Section shall be made using forms provided by the Board of Appeals and shall be filed with the Board of Appeals, which will then notify the appellant in writing of the time and place of the hearing."

(b) Section 111.2 is amended to read as follows: "Decisions of the Board of Appeals for Prince George's County. The Board of Appeals for Prince George's County (hereinafter, the Board of Appeals) shall hold a hearing upon the appeal. The County shall have the initial burden to establish the basis for the determination from which the appeal was taken. The appellant owner or occupant shall have the burden to establish by a preponderance of the evidence that the County or its agencies have misconstrued or wrongly interpreted the intent and meaning of this Code. The Board of Appeals shall determine only whether there was substantial evidence for the Code Official to take the enforcement action from which the appeal was taken. The Board of Appeals may not substitute its judgment for that of the Code Official. However, the Board of Appeals may grant variances of the application of any provision of this Code when the substantial credible evidence clearly establishes that the enforcement thereof would do manifest injustice or would be contrary to the spirit and purpose of the Code. A decision of the Board of Appeals to vary the application of any provision of this Code or to modify an order of the Code Official shall specify in what manner such variation or modification is made, shall state the conditions upon which it is made, shall make findings of fact in support of the variance, and shall state the supporting reasons for the variance. Every decision of the Board of Appeals shall be given in writing within sixty (60) days of the hearing and shall indicate the vote of the members upon the decision. A failure on the part of the Board of Appeals to render a decision within the prescribed time period shall affirm the decision of the Code Official. A copy of each such decision shall be promptly filed with the Code Official, and the issuing agency shall maintain a



1 file of such decisions which shall be open to the public for inspection during regular business  
 2 hours. A certified copy shall be sent by mail or otherwise delivered to the appellant. The  
 3 County or an owner or occupant aggrieved by a decision of the Board of Appeals may appeal the  
 4 decision to the Circuit Court for Prince George's County, Maryland, in accordance with Section  
 5 5(U) of Article 25A of the Maryland Annotated Code."

6 (c) Sections 111.2.1, 111.2.2, 111.2.3, 111.2.4, 111.2.5, 111.3, 111.4, 111.4.1, 111.5,  
 7 111.6, 111.6.1, 111.6.2, 111.7, and 111.8 are deleted in their entirety.

8 **Sec. 13-117. Definitions; Section 202, General Definitions.**

9 (a) The following definitions in Section 202 of this Code are hereby amended or added to  
 10 read as follows:

11 (1) "Condemn. The definition for condemn in the Code is hereby deleted."

12 (2) "Dwelling. The term dwelling as used within the Code includes any building or  
 13 structure presently used, intended to be used, or originally built or designed for the purpose of  
 14 human habitation. Any such building or structure remains a dwelling for purposes of the Code  
 15 during its existence or until converted to an approved nonresidential use. Occupancy is not a  
 16 factor determining whether a building or structure is a dwelling. A building or structure will not  
 17 cease to be a dwelling for purposes of this Code when it is left unoccupied for any period of  
 18 time, regardless of the reason for vacancy.

19 A. Dwellings include, but are not limited to, the following:

20 1. Boarding House, Lodging House. A residence building in which, as a  
 21 home occupation and for compensation, lodging and meals are furnished to four (4) or more, but  
 22 not exceeding nine (9), guests and containing not more than five (5) guest rooms.

23 2. Dormitory. A building arranged or used for lodging six (6) or more,  
 24 but not exceeding twenty (20), individuals and having common toilet and bathroom facilities.

25 3. Hotel. A building arranged or used for sheltering, sleeping, or feeding,  
 26 for compensation, more than twenty (20) individuals.

27 4. Multifamily Apartment House. A building containing three (3) or  
 28 more dwelling units.

29 5. One-Family Dwelling. A building containing one (1) dwelling unit  
 30 with not more than three (3) lodgers or boarders.

31 6. Tourist Home or Tourist House. A residential building containing not

1 more than nine (9) guest rooms, where (for compensation) lodging or meals, or both, are  
 2 provided or offered for transient guests.

3 7. Two-Family Dwelling. A building containing two (2) dwelling units  
 4 with not more than three (3) lodgers or boarders per family but not more than twenty (20)  
 5 individuals."

6 (3) "Human Habitation or Residential Purposes. Any reference in this Code to the  
 7 use of a building or structure being either for human habitation or for residential purposes shall  
 8 include any building or structure that is presently used, intended to be used, or was originally  
 9 built or designed to be used for human habitation or residential purposes."

10 **Sec. 13-118. General Requirements; Section 302, Exterior Property Areas.**

11 (a) Section 302.1 is amended to read as follows: "Sanitation. All exterior property and  
 12 premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep  
 13 that part of the exterior property which such occupancy occupies or controls in a clean and  
 14 sanitary condition. Except as otherwise specifically authorized by law, the open storage on  
 15 residential property of any household appliance, motor vehicle parts, building materials,  
 16 furniture, weeds, dead trees, garbage, rubbish, or similar items or materials, or residue therefrom,  
 17 is prohibited, regardless of age or condition."

18 (b) Section 302.3 is amended to read as follows: "Sidewalks, parking areas, and  
 19 driveways. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall  
 20 be maintained free of unsafe obstructions or hazardous conditions."

21 (c) A new Section 302.3.1 is added to read as follows: "Lighting and parking lots and  
 22 exterior passageways. All exterior walkways between buildings, between parking lots, and  
 23 between buildings and parking lots shall be illuminated with no less than one and one-fourth (1  
 24 1/4) lumens per square foot."

25 (d) Section 302.4 is amended to read as follows: "Weeds. All premises and exterior  
 26 property shall be maintained free from weeds or plant growth in excess of twelve (12) inches.  
 27 All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and  
 28 vegetation, other than trees or shrubs; provided, however, that this term shall not include  
 29 cultivated flowers and gardens. No plant growth shall be allowed to impede or obstruct  
 30 walkways, sidewalks, streets, or adjoining driveways, or the required letters and/or numbers  
 31 which identify the address of the property."

1       (e) Section 302.7 is amended to read as follows: "Accessory structures. All accessory  
 2 structures on dwelling premises (including, but not limited to, detached garages, storage sheds or  
 3 buildings, steps, fences, and other constructed appurtenances and facilities) shall be maintained  
 4 structurally safe and sound and in good repair. Exterior steps shall be maintained free of unsafe  
 5 obstructions or hazardous conditions."

6       (f) Section 302.8 is amended to read as follows: "Motor vehicles. It shall be unlawful for  
 7 the owner or occupant of a structure used for human habitation to utilize, or allow to be utilized,  
 8 the premises for the storage of any motor vehicle which is wrecked, dismantled, inoperable, or  
 9 not currently licensed. This Section shall not apply to any one (1) vehicle which is wrecked,  
 10 dismantled, inoperable, or not currently licensed, that is kept in a wholly enclosed garage. To be  
 11 considered operable, it must be demonstrated that the vehicle is capable of being driven under its  
 12 own power for a minimum distance of one hundred (100) feet."

13       (g) A new Section 302.10 is added to read as follows: "Firewood. All firewood or other  
 14 wood material intended for use in a stove or fireplace shall be cut to lengths for final use and  
 15 neatly stacked at least eighteen (18) inches above the ground in open racks so that these materials  
 16 will not afford a shelter or harborage for rodents, or not less than six (6) inches from a weed-free  
 17 surface on property improved by a single-family dwelling."

18 **Sec. 13-119. Same; Section 303, Exterior Structure.**

19       (a) Section 303.3 is amended to read as follows: "Premises identification. Buildings shall  
 20 have approved address numbers placed in a position to be plainly legible and visible from the  
 21 street or road fronting the property. These numbers shall contrast with their background. All  
 22 structures that contain more than one address shall have numbers at least eight (8) inches in  
 23 height placed in accordance with Section 11-274 of the County Code. Address numbers for all  
 24 other residential structures shall be Arabic numerals or alphabet letters. Numbers shall be a  
 25 minimum of four (4) inches high with a minimum stroke width of 0.5 inches."

26       (b) Section 303.14 is amended to read as follows: "Insect screens. During the period from  
 27 June 1 to October 15, every door, window, and other outside opening required for ventilation of  
 28 habitable rooms, food preparation areas, food service areas, or any areas where products to be  
 29 included or utilized in food for human consumption are processed, manufactured, packaged, or  
 30 stored, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh  
 31 per inch, and every swinging door shall have a self-closing device in good working condition.

1       Exceptions:

2           1.   No screens shall be required on any floor above the fifth floor.

3           2.   Screen doors shall not be required where other approved means, such as air  
4       curtains or insect repellent fans, are employed."

5           (c)   Section 303.15.1 is added to read as follows: "Locking devices. Any swinging  
6       entrance door to an individual apartment or multifamily dwelling unit shall be provided with a  
7       deadbolt locking device having a minimum throw of not less than five-eighths (5/8) of one inch  
8       and with the deadbolt capable of being activated by key from the outside and by turn-knob from  
9       the inside, so as to provide reasonable security against unauthorized entry. Door locks and the  
10       matter of installation shall be subject to the specific approval of the Building Official. The  
11       exterior door, door hinge, door lock, and door latch for each unit shall be maintained in  
12       functional condition."

13          (d)   Section 303.15.2 is added to read as follows: "Visual detection device. Unless a visual  
14       detection device (magnifying peephole) is currently provided, all swinging entrance doors to any  
15       individual apartment or multifamily dwelling unit shall be equipped with a visual detection  
16       device (magnifying peephole) which will provide a 180 degree viewing angle so as to allow the  
17       occupant of a dwelling unit to inspect the entrance area outside the door while the door is  
18       closed."

19          (e)   Section 303.15.3 is added to read as follows: "Sliding doors and windows. All patio  
20       and balcony sliding entrance doors, and all windows capable of being opened and accessible  
21       from a balcony or two (2) stories or less above grade, shall be equipped with a device that locks  
22       and secures the door or window within its frame so as to provide reasonable security against  
23       unauthorized entry by opening or removal of the door or windows from its frame. Such  
24       acceptable devices include, but are not limited to, security bars and jimmy plates. The type of  
25       device and manner of installation shall be subject to the approval of the building official, who  
26       shall coordinate such approval with the Chief of Police or the Chief's designee."

27          (f)   Section 303.15.4 is added to read as follows: "Auxiliary use doors. Where exterior  
28       entrance doors to buildings are not secured, entrance doors to laundry rooms, storage areas, trash  
29       rooms, and other similar areas within multifamily dwellings shall be provided with the same  
30       locking hardware required in Section 303.15.1, and the respective apartment tenants shall be  
31       provided with access keys."

1 **Sec. 13-120. Same; Section 304, Interior Structure.**

2 Section 304.3 is amended to read as follows: "Interior surfaces. All interior surfaces,  
 3 including windows and doors, shall be maintained in good, clean, and sanitary condition.  
 4 Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or  
 5 loose plaster, decayed wood, and other defective surface conditions shall be corrected. No  
 6 lead-based paint may be applied."

7 **Sec. 13-121. Same; Section 306, Extermination.**

8 (a) Section 306.3 is amended to read as follows: "Single occupancy. The owner of a one-  
 9 family dwelling or of a single-tenant nonresidential structure shall be responsible for  
 10 extermination on the premises."

11 (b) Section 306.4 is amended to read as follows: "Multiple occupancy. The owner of a  
 12 structure containing two (2) or more dwelling units, a multiple occupancy, a rooming house, or a  
 13 nonresidential structure shall be responsible for extermination."

14 (c) Section 306.5 is amended to read as follows: "Continued maintenance. The owner of  
 15 any structure shall be responsible for the continued rodent- and pest-free condition of the  
 16 structure."

17 **Sec. 13-122. Same; Section 307, Interior Signage for Multifamily Dwellings.**

18 A new Section 307 is added to read as follows: "Interior Signage for Multifamily  
 19 Dwellings."

20 "307.1 General. All multifamily buildings, except for those originally constructed or  
 21 designed for one- or two-family use, shall have readily visible signs in interior hallways and  
 22 stairways which direct users to specific dwelling units or floors within the building."

23 "307.1.1 Primary doors. All primary entrance doors into an individual dwelling  
 24 unit shall have permanently affixed thereto readily visible markings which identify that particular  
 25 unit."

26 "307.1.2 Opposite elevator. On the wall directly facing an elevator exit, in  
 27 addition to the lobby exits, there shall be permanently affixed a sign which identifies the most  
 28 direct path of travel to all dwelling units located on that floor. The sign shall have bold lettering  
 29 with a minimum height of one-half (1/2) inch."

30 "307.1.3 Hallway junctions. On the wall facing any junction of a hallway, there  
 31 shall be permanently affixed a sign identifying the most direct path of travel to all dwelling units

1 in hallways leading from that junction. When a sign is already in place pursuant to Section  
 2 307.1.2 and that sign is visible at the location requiring a sign pursuant to this Section, only one  
 3 sign at either location shall be required."

4 "307.1.4 Stairway doors. On the egress side of any door leading from a stairway  
 5 to a hallway, there shall be permanently affixed a sign identifying the particular floor or level  
 6 entered through that door, or the identification number of dwelling units located on that floor or  
 7 level. The sign shall have bold lettering with a minimum height of six (6) inches."

8 **Sec. 13-123. Light, Ventilation and Occupancy Limitations; Section 404, Occupancy**  
 9 **Limitations.**

10 (a) Section 404.1 is amended to read as follows: "Privacy. Dwelling units, rooming units,  
 11 and dormitory units shall be arranged to provide privacy and shall be separate from other  
 12 adjoining spaces."

13 (b) Section 404.5, entitled "Overcrowding," is deleted in its entirety.

14 (c) Section 404.6, entitled "Efficiency unit," is deleted in its entirety.

15 (d) Section 404.7.1 is added to read as follows: "Cooking facilities. Every dwelling unit  
 16 shall contain cooking facilities for the purpose of preparation of food, and such facilities shall be  
 17 properly installed and operated and kept in a clean and sanitary condition."

18 (e) Section 404.7.2 is added to read as follows: "Refrigerator for food preservation. Every  
 19 dwelling unit shall contain a refrigeration unit adequate for the temporary preservation of  
 20 perishable foods. Such unit shall be capable of maintaining an average temperature below forty-  
 21 five (45) degrees Fahrenheit. All installations and repairs shall be made in accordance with the  
 22 provisions of the Building Code, Plumbing Code, Electrical Code, and any other appropriate  
 23 laws or regulations. The occupant of the dwelling unit shall keep all supplied refrigeration units  
 24 in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in  
 25 their proper use and operation."

26 (f) Section 404.7.3 is added to read as follows: "Cooking equipment. All cooking  
 27 equipment, components, and accessories shall be maintained free from leaks and obstructions  
 28 and kept functioning properly so as to be free from fire, health, and accident hazards. Portable  
 29 cooking equipment employing flame is prohibited for indoor use. The occupant of the dwelling  
 30 unit shall keep all supplies and cooking equipment in a clean and sanitary condition and shall be  
 31 responsible for the exercise of reasonable care in their proper use and operation."

**Sec. 13-124. Plumbing Facilities and Fixture Requirements; Section 502, Required Facilities.**

- (a) Section 502.3, entitled "Hotels," is deleted in its entirety.
- (b) Section 502.4, entitled "Employees' facilities," is deleted in its entirety.
- (c) Section 502.4.1, entitled "Drinking facilities," is deleted in its entirety.

**Sec. 13-125. Same; Section 503, Toilet Rooms.**

(a) Section 503.2 is amended to read as follows: "Location. Toilet rooms and bathrooms serving rooming units or dormitory units shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway."

- (b) Section 503.3, entitled "Location of employee toilet facilities," is deleted in its entirety.

**Sec. 13-126. Same; Section 505, Water System.**

Section 505.4 is amended to read as follows: "Water heating facilities. Water heating facilities shall be properly installed, maintained, and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower, and laundry facility at a temperature of not less than 120 degrees Fahrenheit. However, fixtures equipped with scald prevention valves shall be installed and adjusted to deliver water at a temperature of not more than 110 degrees Fahrenheit. A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom, or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters."

**Sec. 13-127. Mechanical and Electrical Requirements; Section 602, Heating Facilities.**

(a) Section 602.2 is amended to read as follows: "Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of seventy (70) degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this Section."

(b) Section 602.3 is amended to read as follows: "Heat supply. Every owner and operator of any building who rents, leases, or lets one (1) or more dwelling unit, rooming unit, dormitory, or guest room on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 15 to May 15 to maintain a temperature of not less

1 than seventy (70) degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms.

2 Exception: When the outdoor temperature is below the winter outdoor design temperature  
3 for the locality, maintenance of the minimum room temperature shall not be required provided  
4 that the heating system is operating at its full design capacity. The winter outdoor design  
5 temperature for the locality shall be as indicated in Appendix D of the International Plumbing  
6 Code."

7 (c) Section 602.4, entitled "Occupiable work spaces," is deleted in its entirety.

8 **Sec. 13-128. Referenced Standards.**

9 Chapter 8, entitled "Referenced Standards," is deleted in its entirety.

10 SECTION 4. BE IT FURTHER ENACTED that the Legislative Officer is authorized to  
11 redesignate the section numbers of the Housing Code prior to codification for purposes of  
12 consecutive numbering of references to the International Property Maintenance Code sections.



1       SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
2 calendar days after it becomes law.

Adopted this 11th day of September, 2001

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Ronald V. Russell  
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.