



Prince George's County, Maryland

Inter-Office Memorandum

Office of Law

LEGISLATIVE COMMENT

DATE: April 2, 2025

TO: Jennifer Jenkins, Council Administrator

THRU: Sandra Eubanks
Director
Health, Human Services and Public Safety Committee

THRU: Rhonda L. Weaver, County Attorney

THRU: Joseph C. Ruddy, Deputy County Attorney

FROM: Dinora A. Hernandez, Associate County Attorney

RE: CB-020-2025

The Office of Law has reviewed the above referenced bill as it was presented on January 28, 2025, and finds it to be in proper legislative form. However, the following changes need to be made:

The increase as to the maximum fine allowable from \$5,000 to \$10,000 on page 8, line 12, and page 9, line 23, is not permissible as the State has capped civil monetary fines to \$5,000. The County cannot increase the current \$5,000.00 maximum civil monetary fine in section 11-292.01 of the Code without state authorization.

Prince George's County uses the powers granted under the Maryland Express Powers Act (Md. Code Ann., Local Gov't 10-202] to implement and enforce its fire safety code. This includes the ability to impose fines and penalties for fire code violations. The Prince George's County Council approved a measure to increase the cap of civil monetary fines from \$1,000 to \$5,000 in October

2024. While the general maximum fine is now set at \$5,000, specific violations, especially those related to environmental, health, or safety concerns, may incur higher penalties if explicitly authorized by state law. At this moment, there is no explicit state law authority to increase the fines higher than \$5,000.