

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2023 Legislative Session

Bill No. CB-101-2023

Chapter No. _____

Proposed and Presented by Council Member Fisher

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Housing Code of Prince George's County

3 For the purpose of amending the Housing Code to add email or e-mail, by written consent to the
4 methods of service of a notice of violation, civil citation, and administrative citation of the Housing
5 Code; providing that a rental license application and renewal license application shall contain
6 written authorization for a licensee to have the option to provide written consent to service of
7 notice of violation, civil citation, and administrative citation by email or e-mail; providing for a
8 certain definition; providing for the Department to provide certain guidelines; and generally
9 regarding a notice of violation, civil citation, and administrative citation of the Housing Code by
10 email or e-mail, by written consent.

11 BY repealing and reenacting with amendments:

12 SUBTITLE 13. HOUSING AND PROPERTY
13 STANDARDS.

14 Section 13-112,
15 The Prince George's County Code
16 (2019 Edition; 2022 Supplement).

17
18 SUBTITLE 13. HOUSING AND PROPERTY
19 STANDARDS.

20 Sections 13-182 and 13-185,
21 The Prince George's County Code

(2019 Edition; 2022 Supplement).

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

Section 13-1125,
The Prince George's County Code
(2019 Edition; 2022 Supplement).

SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.

Section 28-230,
The Prince George's County Code
(2019 Edition; 2022 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 13-112 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments: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 1. HOUSING CODE.

SUBDIVISION 2. AMENDMENTS TO HOUSING CODE.

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

(a) Section 107.3 is amended to read as follows:

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is delivered personally or sent by certified or first-class mail addressed to the last known address, or by written consent, sent by email or e-mail. Except for email or e-mail, [I] if the notice is returned showing that the letter was not delivered a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Email or e-mail is the exchange of computer-stored messages from one user to one or more recipients through the internet that requires a webmail server address. The Department shall provide guidelines for implementation of email and e-mail methods of service. It is the responsibility of those who consent in writing to be served a notice of violation, civil citation, and administrative citation of the Housing Code by email or e-mail to

1 maintain a current email or e-mail address with the Department.

2 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,
3 Maryland, that Sections 13-182 and 13-185 of the Prince George's County Code be and the same
4 are hereby repealed and reenacted with the following amendments:

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

6 **DIVISION 4. RENTAL HOUSING.**

7 **Sec. 13-182. - License application; existing or new premises.**

8 (a) The legal owner of record of each existing single-family rental facility or multifamily rental
9 facility shall make written application to the Director for a license for such use, on a form to be
10 supplied by the Director and containing such information as necessary to administer and enforce
11 the provisions of, and to insure compliance with the provisions of, this Division and the Housing
12 Code in its entirety. Such information shall include, but shall not be limited to, the name and
13 address of the owner's mortgage holder. There shall be a continuing obligation on the part of the
14 license holder to update the information on the application and/or to supply information not
15 previously submitted. In addition, the legal owner of record of each such multifamily rental facility
16 newly constructed shall make written application to the Director for a license, as herein provided,
17 prior to any initial occupancy.

18 (b) No license for a single-family rental facility will be granted until the premises meets the
19 minimum standards of the County Code.

20 (c) The license application shall contain authorization for the licensee to have the option to consent
21 in writing to service of notice of violation, civil citation, and administrative citation of Housing
22 Code violations by email or e-mail. The license application shall provide for the placement of the
23 optional signature of an applicant for service by email or e-mail.

24 * * * * *

25 **Sec. 13-185. - License renewal.**

26 (a) Unless revoked or suspended for cause prior to expiration, each license issued under this
27 Division shall expire not less than one (1) year nor more than two (2) years from the date of initial
28 issuance or renewal as the Director may determine is necessary to develop and maintain an evenly
29 distributed work schedule of the inspection and licensing program. The licensing fee shall be
30 prorated in accordance with the schedule set forth in Section 13-189 of this Code.

31 (b) The renewal license application shall contain authorization for the licensee to have the option

1 to consent in writing to service of notice of violation, civil citation, and administrative citation of
2 Housing Code violations by email or e-mail. The renewal license application shall provide for the
3 placement of the optional signature of an applicant for service by email or e-mail.

4 SECTION 3. BE IT ENACTED by the County Council of Prince George's County,
5 Maryland, that Section 13-1125 of the Prince George's County Code be and the same is hereby
6 repealed and reenacted with the following amendments:

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

8 **DIVISION 15. ADMINISTRATIVE HEARINGS.**

9 **SUBDIVISION 1. GENERAL PROVISIONS.**

10 **Sec. 13-1125. - Administrative Citations.**

11 (a) Required contents. A citation issued under this Division shall include, at a minimum:

- 12 (1) date of issuance;
- 13 (2) the name and address of the party charged;
- 14 (3) the address of the location at which the violation occurred;
- 15 (4) the date and time that the violation occurred;
- 16 (5) a description of the nature of the violation;
- 17 (6) the section of this Code that was violated;
- 18 (7) the manner and time in which the person shall either:
- 19 (A) pay the prescribed fine prescribed for the violation and correction of the violation
- 20 or
- 21 (B) request a hearing on the violation;(8)the time within which the violation, if ongoing,
- 22 must be abated; and
- 23 (8) a notice that failure to pay the fine and correct the violation, or to request a hearing,
- 24 within the prescribed time may result in a default decision and order entered against
- 25 the party.

26 (b) Service of citations. A citation shall be:

- 27 (1) issued by an Inspector; and
- 28 (2) served on the person or property and the property owner cited by one of the following
- 29 methods:
- 30 (A) in person;
- 31 (B) first class mail;

1 (C) delivery to a person 18 years or older who resides at the cited person's last known
2 address; or

3 (D) posting on the front door of the property; or

4 (E) delivery to the registered agent by first class mail[.] ; or

5 (F) delivery by email or e-mail, by written consent. Email or e-mail is the exchange of
6 computer-stored messages from one user to one or more recipients through the internet that
7 requires a webmail server address. The Department shall provide guidelines for
8 implementation of email and e-mail methods of service. It is the responsibility of those
9 who consent in writing to be served an administrative citation of the Housing Code by
10 email or e-mail to maintain a current email or e-mail address with the Department.

11 (3)if applicable, mailed to the property owner and registered management agent for
12 multifamily property.

13 (c) Effect of citation. When properly issued and served, the citation or a copy of it shall:

14 (1) constitute full and complete notice of the violation cited in it;

15 (2) constitute full and complete notice of an order of abatement if abatement is ordered; and

16 (3) constitute prima facie evidence of the facts contained in it, if sworn to or affirmed under
17 the penalties of perjury.

18 (d) Single document permissible. A single document may be used to issue two or more separately
19 numbered citations.

20 (e) Electronic signature. An electronic signature may be used to execute a citation and to serve as
21 an affirmation, under the penalties of perjury, that the facts stated in the citation are true.

22 (f) Records of citation to be kept. The original or a copy of the citation shall be filed and retained
23 in the records of the Administrative Hearing Unit.

24 SECTION 4. BE IT ENACTED by the County Council of Prince George's County,
25 Maryland, that Section 28-230 of the Prince George's County Code be and the same is hereby
26 repealed and reenacted with the following amendments:

27 **SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.**

28 **DIVISION 2. HOUSING CODE VIOLATIONS.**

29 **SUBDIVISION 3. CITATION.**

30 **Sec. 28-230. Issuance of citation.**

31 Subsequent to service of notice of violation pursuant to Section H-140.1 of the Housing Code; the

1 expiration of a grace period, if any; and verification by the Department that the civil violation
2 exists, the Department may deliver or mail or by written consent, email or e-mail a citation to the
3 person deemed responsible. Email or e-mail is the exchange of computer-stored messages from
4 one user to one or more recipients through the internet that requires a webmail server address. The
5 Department shall provide guidelines for implementation of email and e-mail methods of service.
6 It is the responsibility of those who consent in writing to be served a civil citation of the Housing
7 Code by email or e-mail to maintain a current email or e-mail address with the Department. The
8 citation shall serve as the notification to the person concerned that he is charged with a civil
9 violation of the Housing Code and that he has been assessed a civil monetary fine which, unless
10 overturned by Court action, shall be due and payable to the County.

11 SECTION 5. BE IT FURTHER ENACTED that the provisions of this Act are hereby
12 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
13 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
14 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words,
15 phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since
16 the same would have been enacted without the incorporation in this Act of any such invalid or
17 unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

18 SECTION 6. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
19 calendar days after it becomes law.

Adopted this _____ day of _____, 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
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.