

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2003 Legislative Session

Bill No. CB-43-2003

Chapter No. _____

Proposed and Presented by Council Members Harrington and Dernoga

Introduced by Council Members Harrington, Dernoga, Shapiro, Dean and Peters

Co-Sponsors _____

Date of Introduction June 17, 2003

EMERGENCY BILL

1 AN EMERGENCY ACT concerning

2 Building Permits

3 For the purpose of limiting the number of building permits that may be issued in the Rural Tier,
 4 and providing for certain exceptions.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 4. BUILDING.

7 Section 4-111,

8 The Prince George's County Code

9 (1999 Edition, 2002 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 11 Maryland, that Section 4-111 of the Prince George's County Code be and the same is hereby
 12 repealed and reenacted with the following amendments:

13 SUBTITLE 4. BUILDING.

14 DIVISION 1. BUILDING CODE.

15 Subdivision 2. Amendments to the International Building Code.

16 Sec. 4-111. Administration; Section 105, Permits.

17 * * * * *

18 (j) Section 105.6 is added to read as follows: "Rural Tier." Where the property is located
 19 in the Rural Tier, as delineated in the Approved General Plan, the number of building permits for
 20 the construction of residential dwelling units is limited to not more than one percent of total
 21

1 annual average number of residential completions, as determined by the Planning Board, for the
 2 two most recent calendar years. The Planning Board shall develop a system to determine the
 3 number of building permits allowed to be issued each year, account for each building permit
 4 issued, and maintain a waiting list or other method of allocating building permits in successive
 5 period; if the annual allocation of building permits is exhausted in any particular year.

6 (1) Building permits for the construction of a single family dwelling to be constructed
 7 on land that is exempt from the requirement of filing a subdivision plat pursuant to Section 24-
 8 107(c)(1), (2), or (3) are not subject to the limitation imposed by this section.

9 (2) Building permits for the construction of a single family dwelling to be constructed
 10 to replace an existing dwelling that has been destroyed or that will be demolished are not subject
 11 to the limitation imposed by this section.

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

19 SECTION 3. BE IT FURTHER ENACTED that in accordance with the provisions of
 20 Section 317 of the Charter, the County Council hereby declares that a public emergency exists
 21 affecting the public health, safety, and welfare; said emergency being the need to protect the
 22 natural and built environment of the Rural Tier by limiting the construction of dwellings in the
 23 Rural Tier in accordance with the Approved General Plan of Prince George's County.

1 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on the date it
2 becomes law.

 Adopted this ____ day of _____, 2003, by an affirmative vote of two-thirds of
the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
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.