

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 11/25/2003

Reference No.: CB-94-2003

Proposer: County Executive

Draft No.: 2

Sponsors: Peters

Item Title: An Act authorizing the Revenue Authority of Prince George's County to enforce provisions of the County Code regarding parking within the County, including parking on private property

Drafter: Kathleen H. Canning
Law

Resource Stephen J. Paul
Personnel: Revenue Authority

LEGISLATIVE HISTORY:

Date Presented: 10/7/2003

Executive Action: 12/12/2003 S

Committee Referral: 10/7/2003 THE

Effective Date: 1/27/2004

Committee Action: 1 10/23/2003 HELD

Committee Action: 2 10/28/2003 FAV(A)

Date Introduced: 10/28/2003

Public Hearing: 11/25/2003 10:00 A.M.

Council Action: 11/25/2003 ENACTED

Council Votes: PS:-, MB:N, SHD:A, TD:A, CE:A, DCH:A; TH:A, TK:A, DP:A

Pass/Fail: P

Remarks: _____

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE: 10/28/03

Committee Vote: Favorable Draft 2, 4-0 (In favor: Council Members Dean, Bland, Peters and Shapiro)

The Committee was presented with a proposed Draft 2, deleting provisions pertaining to impoundment. The Office of Law representative indicated concurrence with the Proposed Draft 2; however, indicated that a Council Member has questioned the legality of removing the provisions regarding impoundment. The Committee moved favorable on CB-94-2003 Draft 2. Staff will continue to research the issues and if necessary amendments will be considered at a later date.

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE: 10/23/03

Held in Committee.

Staff explained the purpose of the bill and summarized the referral comments that were received. CB-94-2003 expands the authority of the Revenue Authority to enforce provisions of the Code regarding parking, including parking on private property. CB-94-2003 will assist in alleviating the problems caused by abandoned and unattended vehicles, particularly located on private property.

The Legislative Officer indicated that pursuant to Transportation Article, Section 25-203 provides that “a police department” may impound abandoned vehicles. Section 25-201(e)(5) provides that “Police Department” means Department of Environmental Resources (DER), if designated by the County Executive. This authority can only be delegated to the Revenue Authority or another agency by the State. Therefore all sections pertaining to impoundment should be deleted from CB-94-2003. The County Executive representative agreed with the proposed recommendation since the County Executive’s primary concern is to expand the ticketing authority. The issues surround impoundment will be considered in the near future.

A question was raised regarding the relationship between this legislation and CB-81-2003. Specifically, would CB-94-2003 apply to CB-81-2003? The Committee agreed that it would be more effective if this were the case.

The Office of Audits and Investigations determined that there should not be any fiscal negative impact on the County as a result of adopting CB-94-2003.

CB-94-2003 was held in Committee for further review with the Office of Law. A committee meeting will be scheduled prior to October 28th, the last date for introduction.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation expands the authority of the Revenue Authority of Prince George’s County to enforce provisions of Subtitle 26 of the Prince George’s County Code regarding parking, including parking on private property.

CODE INDEX TOPICS: