

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2017 Legislative Session**

Bill No. CB-37-2017

Chapter No. 55

Proposed and Presented by Council Members Taveras and Glaros

Introduced by Council Members Taveras, Glaros, Lehman, Turner, Davis and Franklin

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

Date of Introduction October 3, 2017

**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 and generally relating to housing and property standards.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

7 Section 13-123,

8 The Prince George's County Code

9 (2015 Edition; 2016 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
11 Maryland, that Section 13-123 of the Prince George's County Code be and the same is hereby  
12 repealed and reenacted with the following amendments:

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

14 **DIVISION 1. HOUSING CODE.**

15 **SUBDIVISION 2. AMENDMENTS TO HOUSING CODE.**

16 **Sec. 13-123. Light, Ventilation and Occupancy Limitations; Section 404, Occupancy**  
17 **Limitations.**

18 \* \* \* \* \*

19 (a)(1) Section 404.4, entitled "Bedroom and living room requirements" reads as follows:

20 "404.4 Bedroom and living room requirements. Every bedroom and living  
21 room shall comply with the requirements of Sections 404.4.1 through 404.4.5."

1 “404.4.1 Room area. Every living room shall contain not less than 120 square  
2 feet (11.2 m<sup>2</sup>) and every bedroom shall contain not less than 70 square feet (6.5 m<sup>2</sup>) and every  
3 bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m<sup>2</sup>) of  
4 floor area for each occupant thereof.”

5 “404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means  
6 of access to other bedrooms or habitable spaces and shall not serve as the only means of egress  
7 from other habitable spaces.”

8 **Exception:** Units that contain fewer than two bedrooms.

9 “404.4.3 Water closet accessibility. Every bedroom shall have access to not less  
10 than one water closet and one lavatory without passing through another bedroom. Every  
11 bedroom in a dwelling unit shall have access to not less than one water closet and lavatory  
12 located in the same story as the bedroom or an adjacent story.”

13 “404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be  
14 used for sleeping purposes.”

15 “404.4.5 Other requirements. Bedrooms shall comply with the applicable  
16 provisions of this code including, but not limited to, the light, ventilation, room area, ceiling  
17 height and room width requirements of this chapter; the plumbing facilities and water-heating  
18 facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements  
19 of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.”

20 (b) Section 404.5, entitled “Overcrowding” is [deleted in its entirety] amended to read as  
21 follows:

22 “404.5 Overcrowding. Dwelling units shall not be occupied by more occupants  
23 than permitted by the minimum area requirements of Table 404.5.” For purposes of Section 13-  
24 123 of the County Code, occupant is defined as any person over one year of age.

25 TABLE 404.5  
26 MINIMUM AREA REQUIREMENTS

<u>SPACE</u>	<u>MINIMUM AREA IN SQUARE FEET</u>		
	<u>1-2 occupants</u>	<u>3-5 occupants</u>	<u>6 or more occupants</u>
<u>Living room<sup>a,b</sup></u>	<u>120</u>	<u>120</u>	<u>150</u>
<u>Dining Room<sup>a,b</sup></u>	<u>No requirement</u>	<u>80</u>	<u>100</u>
<u>Bedrooms</u>	<u>Shall comply with Section 404.4.1</u>		

1 For SI: 1 square foot = 0.0929 m<sup>2</sup>

2 a. See Section 404.5.2 for combined living room/dining room spaces.

3 b. See Section 404.5.1 for limitations on determining the minimum occupancy area for  
 4 sleeping purposes.

5 Extensions:

6 (a) The Director of the Department of Permitting, Inspections and Enforcement  
 7 is authorized to grant an extension not to exceed 90 days to comply with a violation of sections  
 8 404.4, 404.4.1, 404.4.2, 404.4.3, 404.4.4, 404.4.5, Table 404.5, 404.5.1, 404.5.2, and/or 404.6 of  
 9 the Housing Code, with the following exceptions for which no extension to comply shall be  
 10 granted:

11 1. Subject dwelling unit is found to have a pending code violation that  
 12 constitutes an immediate threat to the health or safety of the occupant or public; and

13 2. Tenant, occupant, or owners have been found guilty of a public or  
 14 neighborhood nuisance within a two-year period, pursuant to the County Nuisance Abatement  
 15 Board.

16 (b) In order for an extension to comply to be applied for any tenant, occupant, or  
 17 owner, the County shall require said tenant, occupant, or owner, to execute an inspection  
 18 agreement to provide for access to the dwelling unit at a reasonable time for an inspection within  
 19 30 days of a violation of sections 404.4, 404.4.1, 404.4.2, 404.4.3, 404.4.4, 404.4.5, Table 404.5,  
 20 404.5.1, 404.5.2, and/or 404.6 of the Housing Code.

21 “404.5.1 Sleeping Area. The minimum occupancy area required by Table 404.5  
 22 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping  
 23 purposes. Sleeping areas shall comply with Section 404.4.”

24 “404.5.2 Combined Spaces. Combined living room and dining room spaces  
 25 shall comply with the requirements of Table 404.5 if the total area is equal to that required for  
 26 separate rooms and if the space is located so as to function as a combination living room/dining  
 27 room.”

28 “404.6 Efficiency Unit. Nothing in this section shall prohibit an efficiency  
 29 living unit from meeting the following requirements:

30 1. A unit occupied by not more than one occupant shall have a minimum  
 31 clear floor area of 120 square feet (11.2 m<sup>2</sup>). A unit occupied by not more than two occupants

1 shall have a minimum clear floor area of 170 square feet (15.7 m<sup>2</sup>). A unit occupied by not more  
2 than three *occupants* shall have a minimum clear floor area of 220 square feet (20.4 m<sup>2</sup>). These  
3 required areas shall be exclusive of the areas required by Items 2 and 3.

4 2. The unit shall be provided with a kitchen sink, cooking appliance and  
5 refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in  
6 front. Light and *ventilation* conforming to this code shall be provided.

7 3. The unit shall be provided with a separate *bathroom* containing a water  
8 closet, lavatory and bathtub or shower.

9 4. The maximum number of *occupants* shall be three.”

10 \* \* \* \* \*

11 SECTION 2. 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  
15 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
16 Act, since the same would have been enacted without the incorporation in this Act of any such  
17 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,  
18 or section.

19 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
20 calendar days after it becomes law.

Adopted this 31<sup>st</sup> day of October, 2017.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
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.