



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

March 15, 2022

FISCAL AND POLICY NOTE

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamilton 
Director of Budget and Policy Analysis

FROM: Malcolm Moody - *MM*
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-009-2022 – Nuisance Violations Fine Increase

CB-009-2022 (*Proposed by the Chair by request of the County Executive*)

Assigned to the Committee of the Whole (COW)

AN ACT CONCERNING NUISANCE ABATEMENT BOARD for the purpose of increasing fine amounts for nuisance violations.

Fiscal Summary

Direct Impact

Expenditures: None.

Revenue: Positive.

Indirect Impact

None likely.

Legislative Summary:

CB-009-2022, proposed by the Chair at the request of the County Executive, was presented on March 1st, 2022, and was referred to the Committee of the Whole (COW). The purpose of this Bill is to increase the fines imposed through the Nuisance Abatement Board for certain violations from \$500 to \$1,000. CB-009-2022 would increase the fines in Section 14-174¹ from \$500 to \$1,000.

Background/Current Law:

Under §14-171² of the County Code a “neighborhood nuisance” is defined as when an owner, tenant, or occupant of a premise disturbs the public peace, engages in acts allowing others to act in a disorderly manner, and engages in activities that are prohibited in residential neighborhoods and zones. A “public nuisance” is defined as when a residential or commercial premise is used for the illegal administering, manufacturing, storage of illegal substances; by individuals involved in prostitution, human trafficking, or a criminal gang; to endanger life, health, or safety of persons in the particular area, for storage or concealment of illegal weapons or paraphernalia that is evidence of criminal activity; as a disorderly house; and for activities involving human trafficking.

Under the current law (County Code, Division 14, Subdivision 14), The Nuisance Abatement Board (Board) was established. The Board is composed of representatives from the Police Department, the Department of Permitting, Inspections, and Enforcement, Fire/EMS Department, and four citizen members. The role of the Board is to hear complaints pertaining to public and neighborhood nuisances. The Board also has the duty of giving notice and opportunity for a hearing to take place to determine the validity of the nuisance complaint.

Currently §14-174 of the County Code allows the Nuisance Abatement Board to assess a \$500 fine for misdemeanors and civil violations. Enactment of CB-009-2022 will increase the fines from \$500 to \$1,000 for each violation.

Resource Personnel:

- Melinda Bolling, Director, Department of Permitting, Inspections and Enforcement
 - Lori Parris, Senior Advisor, Department of Permitting, Inspections and Enforcement
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Discussion/Policy Analysis:

CB-009-2022, if enacted, would potentially assist in compliance with the Prince George’s County Nuisance Code as the fines increase significantly from \$500 to \$1,000. Enacting CB-009-2022

¹ Prince George's County Code - [§ 14-174](#)

² Prince George’s County Code - [§ 14-171](#)

should require no additional costs to the Board, as it does not impose any additional responsibilities, but merely increases the dollar amounts of fines imposed for violations under existing law. The increased compliance should provide benefits to the community by ensuring more compliant residents and abiding by the nuisance standards set by the Board.

Several other jurisdictions in the region impose fines for nuisance violations. In Baltimore County, nuisances on private property³ are subject to a civil penalty not exceeding \$1,000 and public roads⁴ nuisances are subject to fines not exceeding \$1,000 for each day the nuisance continues after the expiration of the period prescribed by the notice. In Anne Arundel County⁵, a nuisance violation is a Class A civil offense requiring a fine not exceeding \$10,000 for the first and any subsequent violations. Howard County⁶, a first offense is a fine of \$25 - \$50 a second offense is a fine of \$50 - \$100, and subsequent violations are a \$250 - \$500 fine.

Fiscal Impact:

- *Direct Impact*

Enactment of CB-009-2022 should require no additional expenditures. Revenue should increase as the fines are doubled from \$500 to \$1,000. Below is a chart based on information provided by the Department of Permitting, Inspections and Enforcement (DPIE) showing the dollar amount of fines assessed and collected from 2017-2022⁷:

Year	Fines Assessed	Fines Collected
2017	\$ 1,100	\$ 100
2018	\$ 2,500	\$ -
2019	\$ 7,500	\$ 1,000
2020	\$ 11,000	\$ -
2021	\$ 26,500	\$ 10,500
2022	\$ -	\$ -
Total	\$ 48,600	\$ 11,600

According to DPIE, the Nuisance Abatement Board have begun to collect significantly more over the past year due to the orders being written in specific ways. An example of this change is letting respondents know the fees are to be paid within 30 days after receipt of order and the invoices are posted along with the Order. DPIE has also stipulated that a respondent will not be given proper permits/licensing until fees are paid.

³ Baltimore County Code - [§ 13-7-116](#)

⁴ Baltimore County Code - [§ 13-7-123](#)

⁵ Anne Arundel County Code - [§ 12-6-107](#)

⁶ Howard County Code - [§ 12.112](#).

⁷ Additional information about specific violations is published on the Nuisance Abatement Board webpage as the "NAB Stats Log": <https://www.princegeorgescountymd.gov/848/Nuisance-Abatement-Board>

Indirect Impact

None likely.

Appropriated in the Current Fiscal Year Budget

No

Effective Date of Proposed Legislation:

The Act shall take effect forty-five (45) days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.