



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

**Chairman**  
**Derrick Leon Davis**  
Council Member, District 6

March 17, 2016

The Hon. Jim Rosapepe, Chair  
Prince George's County Senate Delegation  
James Senate Office Building, Room 314  
Annapolis, Maryland 21401-1991

The Hon. Jay Walker, Chair  
Prince George's County House Delegation  
Lowe House Office Building, Room 207E  
Annapolis, Maryland 21401-1991

Re: **Prince George's County Delegation Bill Position**

Dear Senator Rosapepe & Delegate Walker:

It is my pleasure, on behalf of the Prince George's County Council, to transmit our position on pending proposed State legislation for the 2016 General Assembly Session. The Council met on March 15, 2016. The enclosed report reflects our position on General Assembly bills as they are currently drafted.

The Council appreciates the opportunity to work together with you and your colleagues to address issues important to our citizens and the operation of Prince George's County. Should you have any questions or need additional information please do not hesitate to contact me. For your convenience my office phone number is (301) 952-3426. Thanks again, for favorable consideration of the Council's position.

Sincerely,

A handwritten signature in black ink, appearing to read "Derrick L. Davis", with a long horizontal line extending to the right.

Derrick L. Davis  
Chair

Attachments

cc: Hon. Rushern L. Baker, III, County Executive  
Mr. Kenneth Battle, Director, Intergovernmental Affairs

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## RULES & GENERAL ASSEMBLY COMMITTEE REPORT

The Prince George's County Council met on March 15, 2016 with the following Members present:

Council Member, Derrick L. Davis, Chair  
Council Member, Dannielle M. Glaros, Vice Chair  
Council Member Andrea C. Harrison  
Council Member Mary A. Lehman  
Council Member Obie Patterson  
Council Member Deni Taveres  
Council Member Karen R. Toles  
Council Member Todd M. Turner

The Council voted for the following positions on these respective bills:

- |   | <b>Statewide</b>   |
|---|--|
| 1. <b>HB 352</b><br>(Ghrist)                        | Office of Legislative Audits – Local School System Audits – Repeal - <b><u>SUPPORT</u></b>                   |
| 2. <b>HB 1396/SB 960</b><br>(Angel)/(Muse)          | Domestic Violence - Education and Definition of Abuse - <b><u>SUPPORT</u></b>                                |
| 3. <b>HB 1402/ SB 1125</b><br>(McIntosh)/(Ferguson) | Education - Maryland Extended Day and Summer Enhancement Programs Act - <b><u>SUPPORT</u></b>                |
| 4. <b>HB 1403</b><br>(McIntosh)                     | Next-Generation Scholars of Maryland - <b><u>SUPPORT</u></b>   |
| 5. <b>HB 1027 (PG 110-16)</b>                       | Prince George's County – Land Use Permit Review – Consolidation – <b><u>SUPPORT M-NCPPC'S AMENDMENTS</u></b> |

BY: Delegate Vaughn o/b/o Maryland-National Capital Park and Planning  
Commission  
(To be offered in the Prince George's County Bi-County Committee)

AMENDMENT TO MC/PG 110-16 (HOUSE BILL 1027)

AMENDMENT NO. 1

On page 1, in line 2, strike "- Consolidation" and substitute "and Approval"; strike beginning with "consolidating" in line 4 down through the first "Act;" in line 11 and substitute "requiring that the Director of the Prince George's County Department of Permits, Inspections, and Enforcement have final administrative authority to approve an application for certain permits subject to certain criteria; authorizing a certain local law, zoning law, or regulation to provide for the referral of an application for a certain permit to other units of government only for the purpose of review and making recommendations;"; strike in their entirety lines 13 through 18, inclusive; in line 21, strike "14-101(a), 20-513, and 20-515" and substitute "20-503 and 20-512"; and in line 26, strike "14-101(k), 22-217, 23-109, and 25-214" and substitute "20-517".

On page 2, strike in their entirety lines 2 through 6, inclusive; and strike beginning with "That" in line 8 down through "ENACTED," in line 10.

AMENDMENT NO. 2

On page 2, after line 12, insert:

"20-503.

(a) By zoning law, a district council may provide for:

(1) the issuance of use and occupancy permits; and

(2) a process to raise a zoning question before the preparation of all structural specifications of a building or structure that may be required for a complete building permit.

(b) In Montgomery County, all building permit applications shall be referred to the Commission for review and recommendation as to zoning requirements.

(c) In Prince George's County, the County Council, by local law, may provide for the referral of some or all building permit applications to the Commission for review and recommendation as to zoning requirements.

20-512.



This part applies only in the portion of the regional district in Prince George's County.

**20-517.**

(A) IN THIS SECTION, "DIRECTOR" MEANS THE DIRECTOR OF THE PRINCE GEORGE'S COUNTY DEPARTMENT OF PERMITS, INSPECTIONS, AND ENFORCEMENT.

(B) THIS SECTION APPLIES TO A BUILDING, GRADING, OR USE AND OCCUPANCY PERMIT.

(C) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, NOTWITHSTANDING ANY LOCAL LAW, ZONING LAW, OR REGULATION ENACTED IN ACCORDANCE WITH THIS ARTICLE OR ANY MUNICIPAL DELEGATION UNDER § 25-301 OF THIS TITLE, THE DIRECTOR SHALL HAVE THE FINAL ADMINISTRATIVE AUTHORITY TO APPROVE AN APPLICATION FOR A BUILDING, GRADING, OR USE AND OCCUPANCY PERMIT.

(II) THE DIRECTOR'S APPROVAL OF A PERMIT APPLICATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO ANY APPLICABLE CRITERIA FOR APPROVAL OF THE PERMIT IN LOCAL LAW, ZONING LAW, OR REGULATION ENACTED IN ACCORDANCE WITH THIS ARTICLE.

(2) A LOCAL LAW, ZONING LAW, OR REGULATION ENACTED IN ACCORDANCE WITH THIS ARTICLE MAY PROVIDE FOR THE REFERRAL OF AN APPLICATION FOR A BUILDING, GRADING, OR USE AND OCCUPANCY PERMIT TO OTHER UNITS OF GOVERNMENT ONLY FOR THE PURPOSE OF REVIEW AND MAKING RECOMMENDATIONS."

AMENDMENT NO. 3

On pages 2 through 7, strike in their entirety the lines beginning with line 13 on page 2 through line 29 on page 7, inclusive.

On page 8, in line 1, strike "(C)" and substitute "**(D)**"; in line 2, strike "PERMIT DEPARTMENT" and substitute "**DIRECTOR**"; in line 9, strike "3." and substitute "**2.**".

## **EXPLANATION OF THE AMENDMENTS:**

### Amendment No. 1:

Technical

### Amendment No. 2:

Requires that the director of the Department of Permits, Inspections, and Enforcement (DPIE) have final administrative authority to approve an application for a building, grading, or use and occupancy permit subject to applicable approval criteria in specified local law.

Authorizes specified local law to provide for the referral of the permit application to other units of government only for the purpose of review and making recommendations.

### Amendment No. 3:

Repeals current provisions of the bill and makes conforming changes.