

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

Meeting Date: 7/29/2003

Reference No.: CB-41-2003

Proposer: County Executive

Draft No.: 2

Sponsors: Knotts, Bland, Exum

Item Title: An Emergency Act amending the Building Code to authorize the Building Code Official to abate unsafe conditions

Drafter: Karen T. Zavakos
Office of Law

Resource Donna M.P. Wilson, DER
Personnel: Thomas M. Thompson, DHCD
Aisha N. Braveboy, Office of
the County Executive

LEGISLATIVE HISTORY:

Date Presented: 6/17/2003

Executive Action: 7/29/2003 S

Committee Referral: 6/17/2003 THE

Effective Date: 7/29/2003

Committee Action: 7/2/2003 FAV(A)

Date Introduced: 7/8/2003

Public Hearing: 7/29/2003 10:00 A.M.

Council Action: 7/29/2003 ENACTED

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

Pass/Fail: P

Remarks: _____

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE 7/2/03

Committee Vote: Favorable with Amendments, 4-0 (In favor: Council Members Dean, Bland, Dernoga and Peters)

Staff informed the Committee of the bill intent and referrals that were received. CB-41-2003 is an emergency bill to authorize the Building Code Official to abate unsafe structural conditions. It is needed to quickly address the imminent danger and threat to the public safety and health of the citizen and residents of the County. This process allows for an expedited avenue to deal with serious problems. It will allow the County to do the demolition.

The Office of the Law presented a Draft 2 with proposed clarifying language pertaining to notice provisions for owners and secured parties. On page 2, line 10, “whether or not the legal procedure herein described has been instituted” was deleted and proposed language was added.

The Legislative Officer responded to concern’s of notice provisions to the owners. It was stated that other provisions in the Building Code currently addresses notice requirements.

It was noted that similar language currently exists in the Housing Code. However, this language only pertains to multi-family dwelling.

The definition for imminent danger was discussed which is defined on page 1, line 16.

The Director of Environmental Resources will handle administratively the concern to address the Building Code Official’s authority. To further address this concern, language was added on page 2, line 7, “with the concurrence of the Director.”

The Office of Audits and Investigations has determined there should not be any negative fiscal impact on the County as a result of enacting CB-41-2003.

BACKGROUND INFORMATION/FISCAL IMPACT

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

This emergency bill amends the Building Code to include a provision authorizing the Building Code Official to abate unsafe conditions.

CODE INDEX TOPICS: