

PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY

Meeting Date: 11/19/2001

Reference No.: CB-68-2001

Proposer: Gourdine

Draft No.: 1

Sponsors: Gourdine

Item Title: An Act providing criminal penalties for violations of
Subtitle 5, Division 12 of the County Code

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Marilyn Bland
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 9/25/2001

Executive Action: __/__/__

Committee Referral: 9/25/2001 THE

Effective Date: __/__/__

Committee Action: 10/17/2001 FAV

Date Introduced: 10/23/2001

Public Hearing: 11/19/2001 10:30 A.M.

Council Action: 11/19/2001 MOTION TO ENACT FAILED

Council Votes: RVR:N, DB:N, JE:A, IG:A, TH:N, AS:N, PS:N, MW:A

Pass/Fail: P

Remarks: _____

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE: 10/17/01

Committee Vote: Favorable, 5-0, (In favor: Council Members Estepp, Shapiro, Bailey, Gourdine and Hendershot)

Staff gave an overview of the legislation and informed the Committee of referral comments that were received. Currently, the Director of Environmental Resources (DER) may issue a citation to anyone in violation of the laws pertaining to peddlers and itinerant vendors resulting in a monetary fine of fifty dollars (\$50) for each violation. CB-68-2001 allows for the violator to be guilty of a misdemeanor, and upon conviction shall be fined fifty dollars (\$50.00) for each offense.

The sponsor of CB-68-2001 states that litigation for civil citations is lengthy and does not allow for immediate enforcement remedy. He further stated that a violator can continue to operate illegally months after being cited.

The County Executive takes no position on CB-68-2001. The Legislative Officer and the Office of Law find it to be in proper legislative form. The DER indicates that the Community Standards Division (CSD) currently uses injunctive relief and civil citations for resolving these issues. DER currently has no processes in place to deal with this type of enforcement.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The proposed legislation provides criminal penalties for violations of the laws relating to peddlers and itinerant vendors.

CODE INDEX TOPICS: