

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

Meeting Date: 10/17/2000

Reference No.: CB-73-2000

Proposer: County Executive

Draft No.: 3

Sponsors: Gourdine

Item Title: An Act requiring commercial and residential property owners and lessors to remove litter and debris from the County right-of-way abutting their property, trim weeds to a certain heights in the County right-of-way abutting their property, setting a penalty for non-compliance and generally relating to litter and weeds

Drafter: Karen T. Anderson
Law

Resource Betty Hager Francis
Personnel: DPW&T

LEGISLATIVE HISTORY:

Date Presented: 7/25/2000

Executive Action: 12/12/2000 S

Committee Referral: 7/25/2000 THE

Effective Date: 1/29/2001

Committee Action: 9/14/2000 FAV(A)

Date Introduced: 9/26/2000

Public Hearing: 10/17/2000 1:30 P.M.

Council Action: 1 10/17/2000 POSTPONED

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

Pass/Fail: P

Council Action: 11/21/2000 ENACTED

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

Pass/Fail: P

Remarks: _____

11/21/2000 – Amended on the floor; CB-73-2000 (DR-3) enacted

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE DATE: 9/14/00

Committee Vote: Favorable as amended, 3-1 (In favor: Council Members Shapiro, Hendershot,

and Wilson Opposed: Maloney).

CB-73-2000 is legislation requiring commercial and residential property owners to remove litter and debris, and to trim weeds located in the public right-of-way adjoining their property. This extends the responsibility that such owners currently have to clear snow and ice from sidewalks abutting their property.

In May of 1999 a County Anti-Litter Task Force was established in an effort to identify the specific contributing causes of the County's growing litter and dumping problems and to recommend solutions to eliminate these causes. CB-73-2000 is one of the Task Force's many recommendations.

Ms. Betty Hager Francis, Director of Public Works and Transportation, explained that this legislation was presented to and received support from local community representatives. Ms. Francis further explained that this legislation is a key element to the County's overall anti-litter and dumping campaign, particularly recognizing that the County has insufficient resources to maintain these narrow strips of public rights-of-way. While most property owners already maintain these areas, this provision would provide the County the necessary instrument to address those areas that are not being maintained.

Mr. Abraham Lincoln and Mr. William Robinson, representing, the Central County Coalition of Citizens, and Anti-Litter Task Force, spoke in support to the legislation.

The Office of Law and the Legislative Officer find it to be in proper legislative form with technical amendments. The Legislative Officer provided written comments indicating that he is unable to find any general or specific authority that permits the County to conscript, subject to the imposition of a \$100 fine, private individuals to perform maintenance of County-owned streets and rights-of-way. The Legislative Officer also states that this provision increases the County's tort liability.

The County Executive supports CB-73-2000.

BACKGROUND INFORMATION/FISCAL IMPACT

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

This legislation will require commercial and residential property owners and lessors to remove litter and debris from the County right-of-way abutting their property and to trim weeds to a certain height in the County right-of-way abutting their property.

CODE INDEX TOPICS: