

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2022 Legislative Session

Reference No.: CB-009-2022

Draft No.: 1

Committee: COMMITTEE OF THE WHOLE

Date: 03/17/2022

Action: FAV

REPORT:

Committee Vote: Favorable, 10-0 (In favor: Council Members Hawkins, Burroughs, Davis, Dernoga, Franklin, Glaros, Ivey, Streeter, Taveras, and Turner)

The Committee of the Whole convened on March 17, 2022, to consider CB-9-2022. This legislation was transmitted by the County Executive for the Council's consideration to increase the fine amount from \$500.00 to \$1,000.00 for nuisance violations imposed through the Nuisance Abatement Board.

The Planning, Housing and Economic Development Committee Director summarized the legislation and informed the Committee of written comments received on referral. Melinda Bolling, Director of the Department of Permitting, Inspections and Enforcement (DPIE) and Michelle Lyons, DPIE Board and Commissions Administrator, were present in the meeting to provide additional background on the bill's purpose and respond to Council Members' questions.

The Office of Law reviewed CB-9-2022 and determined that it is in proper legislative form with no legal impediments to its adoption. The Office of Audits and Investigations (A&I) provided a Policy Analysis and Fiscal Impact Statement dated March 15, 2022. CB-9-2022, 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-9-2022 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. Enactment of CB-9-2022 should require no additional expenditures. Revenue should increase as the fines are doubled from \$500 to \$1,000. 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.

Committee discussion included the need for potentially even higher fees given the A&I analysis detailing the low collection of fines in relation to fines assessed since 2017. Director Bolling commented on DPIE's additional enforcement efforts given the State limitation of \$1,000 for

finer as noted by Council Member Dernoga. Ms. Bolling also indicated that the process for ensuring compliance is more straight forward for commercial businesses than for residential nuisance situations due to people living in homes which often involves enforcement through the Court. Council Member Franklin suggested broadening the efforts to collect outstanding fines by adding them to property tax bills.

After discussion, on a motion by Council Member Glaros and second by Council Member Turner, the Committee of the Whole voted favorably on CB-9-2022 as drafted.