

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2016 Legislative Session

Reference No.: CB-64-2016
Draft No.: 2
Committee: TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE
Date: October 6th, 2016
Action: FAV (A)

REPORT:

October 6th, 2016

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Patterson, Turner, Davis and Taveras)

The Legislative Officer provided a summary of the bill and referral comments that were received. CB-64-2016 concerns evictions for the purpose of providing for a certain period to remove certain property; providing legislative intent; requiring certain notification; requiring certain responsibilities for trash removal following an eviction; providing for a certain exception; providing for fines and costs; and generally relating to evictions.

Susan Hubbard with the Prince Georges County Department of Permitting, Inspections and Enforcement provided additional information and spoke in support of this legislation. Representatives from AOBA and the MBIA provided additional information and spoke in support of this legislation.

September 29th, 2016

Held in Committee

Amendments are as follows:

On page 1, in line 3, after “of” insert “for a certain period to remove certain property”; and on page 1, in line 5, after “fines” insert “and for costs;”; and on page 1, in line 16, strike “and” and after “13-168” insert “13-169”.

On page 2, in line 12, strike “twenty”. On page 2, in line 15, strike “and”; and on page 2, in line 15, after “13-168”, insert “and 13-169”.

On page 2, in line 23, after “rubbish” insert “abandoned property”; and on page 2, in line 25,

after “rubbish” insert “abandoned property”. On page 2, in line 27, after “rubbish” insert “abandoned property”.

On page 2, in line 29, after “eviction” insert “The Office of the Sheriff shall notify, within one business day, the Department of Permitting, Inspections and Enforcement and the Department of Public Works and Transportation regarding the eviction.” On page 2, in line 30, after “rubbish” insert “abandoned property”. On page 2, in line 31, strike “so that it”; and on page 3, strike line 1.

On page 3, in line 2, strike “24 hour”; on page 3, in line 3, strike “48 hours” and substitute “one business day”. On page 3, in line 4, after “rubbish” insert “abandoned property”. On page 3, in line 5, after “owner” insert: “Within one business day of receipt of a complaint that garbage, litter, rubbish, abandoned property and/or trash is not removed, the Department of Permitting, Inspections and Enforcement shall investigate the complaint and shall issue a violation notice and/or citation, as deemed appropriate. For private property evictions, the Department of the Environment shall be designated as the responsible agency to remove garbage, litter, rubbish, abandoned property and/or trash placed on private property after an eviction.”.

On page 3, in line 10, after “13-165” insert “and/or”; and in the same line, after “13-166” strike “and/or 13-167”; and in line 11, after “eviction” insert “, per day. A tax lien may be placed on a property or properties to recoup outstanding fines. Fine recoveries shall be dedicated to the Solid Waste Management Fund.”.

On page 3, after line 11, insert “Sec. 13-169. Costs. Any person who violates any provision of Sections 13-165 and/or 13-166, shall pay the cost of removal of trash and related expenses. A tax lien may be placed on a property or properties to recoup outstanding costs. Cost recoveries shall be dedicated to the Solid Waste Management Fund.”.

The Office of Law determined that CB-64-2016 was in proper legislative form with no legal impediments to its enactment.

The Office of Audits and Investigation indicated there should be a positive fiscal impact on the County as a result of enactment CB-64-2016.