

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

Meeting Date: 2/14/95

Reference No.: CR-4-1995

Proposer: MacKinnon

Draft No.: 1

Sponsors: Del Giudice

Item Title: A Resolution to approve the enactment of Sections 6-15
and 6-16 of the Code of the Town of Cottage City,
Maryland, concerning fences

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Personnel: Ralph E. Grutzmacher
Legislative Officer

LEGISLATIVE HISTORY:

Date Presented: __/__/__

Executive Action: __/__/__ __

Committee Referral:(1) 1/10/95 PZED

Effective Date: __/__/__

Committee Action:(1) 2/6/95 FAV

Date Introduced: 1/10/95

Pub. Hearing Date: (1) __/__/__ __:__ __

Council Action: (1) 2/14/95 Adopted

Council Votes: AMc:A, DB:A, SD:A, JE:A, IG:A, WM:A, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 2/6/95

Committee Vote: Favorable, 4-0 (In favor: Council Members Maloney, MacKinnon, Russell and Wilson).

Staff explained that the Regional District Act allows municipalities to adopt separate regulations regarding fences, providing the municipal requirements are at least as strict as the County's Zoning Ordinance. The District Council must approve these municipal ordinances. The Town of Cottage City enacted such an ordinance in 1994, and it requires Council approval before it becomes effective.

The Cottage City ordinance prohibits fences over four feet in height and "closed" fences over one foot from being located between the curb line of any paved street and the building restriction line.

The ordinance also limits the height of fences not located along a street to six feet, requires all existing fences that do not comply with the requirements to comply or obtain a special exception by January 1, 1996, and provides findings for the granting of the special exceptions.

The Office of Law and the Legislative Officer found the bill to be in proper legislative form, the Office of Audits and Investigations reported that there will be no negative fiscal impact on the County as a result of adopting this resolution, and the Department of Environmental Resources took no position.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The Regional District Act authorizes municipalities to enact ordinances regarding fences, providing the municipal ordinance is stricter than the County's zoning regulations. These ordinances must be approved by the District Council before becoming effective. The Town of Cottage City enacted such an ordinance on November 9, 1994.

CODE INDEX TOPICS: