

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2000 Legislative Session

Bill No. CB-30-2000

Chapter No. 28

Proposed and Presented by Council Members Gourdine, Hendershot, Maloney, Shapiro,
and Wilson

Introduced by Council Members Gourdine, Hendershot, Maloney, Shapiro and Wilson

Co-Sponsors _____

Date of Introduction May 9, 2000

BILL

1 AN ACT concerning

2 Building Code

3 For the purpose of amending the provisions of the Building Code relating to temporary
4 safeguards and emergency measures.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 4. BUILDING.

7 Section 4-120,

8 The Prince George's County Code

9 (1999 Edition).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Section 4-120 of the Prince George's County Code be and the same is hereby
12 repealed and reenacted with the following amendments:

13 SUBTITLE 4. BUILDING.

14 DIVISION 1. BUILDING CODE.

15 Subdivision 2. Amendments to the BOCA Code.

16 **Sec. 4-120. Same; Section 120.0, Emergency Measures.**

17 (a) The following amendments, additions, and/or deletions are made to Section 120.0 of
18 the BOCA Code:

19 (1) A new Subsection 120.1.1, titled "Abatement of uncompleted structures," is added
20 to read as follows: In the event the responsible party fails to complete construction of a structure

1 at the time of expiration, abandonment, or revocation of the building permit, and in the event the
 2 responsible party fails to comply with the lawful order of the Building Official to make safe by
 3 the completion of the construction or demolish an unsafe and uncompleted structure, the
 4 Building Official shall proceed, when in his opinion emergency action is required, to abate the
 5 unsafe conditions by appropriate means, including demolition and removal of dangerous
 6 structures, utilizing such public or private resources required and available. Recovery of the
 7 costs incurred by the County, including the creation of a tax lien, shall be in accordance with the
 8 provisions of this Section.

9 (2) The text of Subsection 120.2, "Temporary Safeguards" is amended in whole to
 10 read as follows: When, in the opinion of the Building Official, there is an imminent danger due
 11 to an unsafe condition, the Building Official shall cause the necessary work to be done to render
 12 such structure temporarily safe, whether or not the legal procedure herein described has been
 13 instituted. The Building Official shall cause the necessary work to be completed in the following
 14 manner: to secure doors and windows, the material shall be cut to fit either within the recess of
 15 the exterior finish wall if the door or window is recessed or to fit on the door or window trim if
 16 the trim is applied on top of the exterior wall. The preferred material for windows shall be a
 17 transparent material such as lexan or plexiglas. If solid materials are used to secure either
 18 windows or doors, the solid material shall be painted either white or to match the color of the
 19 trim. At the time the structure is secured, the Building Official shall notify the owner that the
 20 temporary measures have been taken and that the owner is required to restore the structure within
 21 30 days and that the owner is subject to citation directing that the building be repaired to restore
 22 the building envelope. If the structure is not restored within 30 days, the owner shall be fined
 23 \$1,000 for each month that the structure is not restored and that the violation continues. For
 24 damage to the building as a result of a storm or fire, the Building Official may exercise discretion
 25 to extend the initial 30-day period without assessing a fine where the owner and insurer are
 26 promptly and actively undertaking repairs to the building.

27 [(2)] (3) The text of Subsection 120.5, "Costs of emergency repairs," is amended in
 28 whole to read as follows: Costs incurred in the performance of emergency work shall be paid
 29 from the treasury of the jurisdiction on certificate of the Building Official. The legal counsel of
 30 the jurisdiction shall institute appropriate action against the owner of the premises where the
 31 unsafe condition was located for recovery of such costs, including, but not limited to,

certification for a tax lien as provided by Section 120.7.

[(3)] (4) A new Subsection 120.7, titled "Creation of tax lien," is added to read as follows: There is created a tax lien on real property for monies expended by the County for the making safe of buildings or structures and/or abatement of other unsafe nuisances or conditions constituting a danger to the public health and safety. Upon certification from the County Attorney that a tax lien has been created, the amount of such lien shall be collected by the Director of Finance in the same manner as other County real estate taxes.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 6th day of June, 2000.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.