

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2026 Legislative Session**

Bill No. CB-048-2026

Chapter No. \_\_\_\_\_

Proposed and Presented by Council Member Dernoga

Introduced by \_\_\_\_\_

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_

**BILL**

1 AN ACT concerning

2 Prohibited Home Business

3  
4 For the purpose of providing for certain definitions; providing for certain civil monetary fines  
5 and citations for a Prohibited Home Business; providing for a certain notice and tax lien for a  
6 Prohibited Home Business; providing for certain District Court proceedings; providing for a  
7 certain revised definition of neighborhood nuisance; and generally regarding Prohibited Home  
8 Business.

9 BY repealing and reenacting with amendments:

11 SUBTITLE 28. CIVIL MONETARY FINES OR  
12 PENALTIES.

13 Sections 28-102, 28-111, 28-121, 28-122, 28-131 and  
14 28-132,

15 The Prince George's County Code  
16 (2023 Edition; 2025 Supplement).

18 SUBTITLE 14. MORALS AND CONDUCT.

19 Section 14-171,  
20 The Prince George's County Code  
21 (2023 Edition; 2025 Supplement).

1 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
2 Maryland, that Sections 28-102, 28-111, 28-121, 28-122, 28-131 and 28-132 of the Prince  
3 George's County Code be and the same are hereby repealed and reenacted with the following  
4 amendments:

5  
6 **SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.**

7 **DIVISION 1. ZONING REGULATIONS.**

8 **SUBDIVISION 1. GENERAL.**

9  
10 **Sec. 28-102. - Definitions.**

11 (a) Terms used in this Division are defined as follows:

12 (1) Board: Board of [Zoning] Appeals of Prince George's County, Maryland.

13 (2) Civil violation: The erection, alteration, enlargement, maintenance, or use of any  
14 building, structure, or land in violation of any provision of the Zoning Ordinance applicable to  
15 such building, structure, or land in the zone in which it is located.

16 (3) Department: Department of Permitting, Inspections, and Enforcement.

17 (4) Director: Director of the Department of Permitting, Inspections, and Enforcement.

18 (5) Grace period: Extension of time granted pursuant to the Zoning Ordinance for  
19 correction, termination, or cessation of a civil violation of the Zoning Ordinance.

20 (6) Notice of violation: Notice issued by the Department pursuant to the Zoning  
21 Ordinance.

22 (7) Repeated civil violation: A recurring violation of the same section of the Zoning  
23 Ordinance at the same location; or a violation of the same section of the Zoning Ordinance at a  
24 different location by the same responsible party.

25 (8) Responsible party: Any person who uses property in violation of the Zoning  
26 Ordinance, or who knowingly permits another person to do so, including but not limited to the  
27 owner of record, tenant, lessee, or occupant.

28 (8.1) Right-of-Way: As used in this Section, right-of-way is defined in Section 23-102  
29 of this Code.

30 (9) **Prohibited Home Business** means any occupation or enterprise carried on in a  
31 dwelling unit in violation of Section 27-2500 of this Code, including but not limited to Vehicle

1 Repair, Servicing, or Maintenance, or any business that adversely impacts the residential  
2 character of the neighborhood as defined therein.

3 (10) **Rebuttable Presumption** means a presumption established under the Zoning  
4 Ordinance, including under Section 27-5203(b)(6)(J), that certain observable facts constitute  
5 prima facie evidence of a violation. Once such a presumption is established, the burden of  
6 production shifts to the responsible party to demonstrate the activity is not a violation.

7 [(9)] (11) Zoning Official: The Director of the Department of Permitting, Inspections,  
8 and Enforcement or the Director's designee.

9 [(10)] (12) Zoning Ordinance: Zoning Ordinance of Prince George's County, Maryland,  
10 codified as Subtitle 27 of this Code.

11  
12 **SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.**

13 **DIVISION 1. ZONING VIOLATIONS.**

14 **SUBDIVISION 2. CIVIL VIOLATIONS AND FINES.**

15  
16 **Sec. 28-111. - Schedule of civil monetary fines.**

17 (a) The civil monetary fine for each civil violation of the Zoning Ordinance shall be Two  
18 Hundred Fifty Dollars (\$250.00), except as provided in Subsections (b), (c), [and] (d), and (e)  
19 below.

20 (b) For a repeated civil violation by the same violator, the following fines shall apply:

- 21 2nd violation \$500.00
- 22 Each violation in excess of two (2) \$1,000.00

23 (c) For violations of Subtitle 27 of this Code concerning illegal signs, the following civil  
24 monetary fines shall apply:

- 25 1st violation \$500.00
- 26 2nd violation and subsequent violations \$1,000.00

27 (d) For violations of Transportation Uses in the Zoning Ordinance under Section 27-5  
28 Table 27-5101(c) regarding Parking of Commercial Vehicles the following civil  
29 monetary fines shall apply:

- 30 1st violation \$500.00
- 31 2nd violation \$750.00

3rd violation and subsequent violations \$1,000.00

(e) For violations involving a Prohibited Home Business as defined in Section 28-102(a)(11), the following mandatory civil monetary fines shall apply:

<u>Violation History</u>	<u>Fine Per Violation</u>
<u>1st violation</u>	<u>1000</u>
<u>2nd Violation (Within a 24-Month Period)</u>	<u>2500</u>
<u>3rd and Subsequent Violation</u>	<u>5000</u>

(1) Each day a Prohibited Home Business violation continues shall constitute a distinct civil violation. Each such daily violation may be subject to the full fine amount prescribed in this subsection (e), based on its sequence within the 24-month violation history.

(2) The fines established in this subsection (e) are mandatory minimums. The provisions of Section 28-132(b) allowing the court to impose half the scheduled fine or suspend payment shall not apply to violations fined under this subsection.

(3) The imposition of fines under this subsection for a Prohibited Home Business shall not preclude concurrent or subsequent action against the premises as a neighborhood nuisance under Division 14 of this Code.

**SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.**  
**DIVISION 1. ZONING VIOLATIONS.**  
**SUBDIVISION 3. CITATION.**

**Sec. 28-121. - Issuance of citation.**

Upon verification of a civil violation of the Zoning Ordinance, the Department shall follow the procedures of the Enforcement Division of the Zoning Ordinance. If, at the end of any grace period (including any extension granted under the Enforcement Division), the civil violation has not ceased, the Department shall deliver or mail a citation to the responsible party(ies). The Department may issue the citation immediately upon verification of a civil violation when, under the Enforcement Division, no grace period is extended. Notwithstanding the above, for any violation constituting a Prohibited Home Business, the Department may issue a citation immediately upon verification and shall not be required to grant a grace period. The citation shall

1 serve as the notification to a person that he has committed a civil violation and that he has been  
 2 assessed a civil monetary fine which, in the absence of a successful appeal, shall be due and  
 3 payable to the County.

4 **Sec. 28-122. - Contents of citation.**

5 (a) The citation shall be on a form adopted by the Department and shall include:

- 6 (1) Date of issuance of the citation;
- 7 (2) The name and address of the person charged;
- 8 (3) Section number of the Zoning Ordinance that has been violated;
- 9 (4) Nature of the violation;
- 10 (5) The place where and time that the violation occurred;
- 11 (6) Amount of the civil fine assessed.
- 12 (7) The manner, location, and time in which the fine may be paid;
- 13 (8) Notice that each day of continued violation thereafter shall be deemed a separate

14 violation subject to additional citation;

15 (9) Notice that the civil fine, penalties and costs of abatement may be recorded as a lien  
 16 upon the property and pursuant to section 10-122.01 of this Code, the lien shall be collectible in  
 17 the same manner as County real property taxes and shall bear interest at the same rate as  
 18 delinquent taxes;

19 [(9)] (10) Name, business address, and telephone number of the Department official  
 20 cognizant of the case; and

21 [(10)] (11) The person's right to elect to stand trial for the violation.

22  
 23 **SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.**

24 **DIVISION 1. ZONING VIOLATIONS.**

25 **SUBDIVISION 4. TRIAL FOR CIVIL ZONING VIOLATION.**

26  
 27 **Sec. 28-131. - Failure to pay fine or file notice of intention to stand trial.**

28 If a person who receives a citation for a violation fails to pay the fine by the date of  
 29 payment set forth in the citation and fails to file a notice of intention to stand trial, a formal  
 30 notice of the violation shall be sent to the person's last known address. If the citation is not  
 31 satisfied within fifteen (15) days from the date of the notice, the person is liable for an additional

1 fine not to exceed twice the original fine. If, after fifteen (15) days, the citation is not satisfied,  
2 the zoning official may:

3 (a) refer the matter to the Director of the Office of Finance, who shall record civil fine,  
4 penalties and any costs of abatement as a lien upon the property where the violation occurred, in  
5 favor of Prince George’s County as described in § 27-8206 (e) and (f). Pursuant to section 10-  
6 122.01 of this Code, the lien shall be collectible in the same manner as County real property  
7 taxes and shall bear interest at the same rate as delinquent taxes; and/or

8 (b) request adjudication of the case through the District Court. The District Court shall  
9 schedule the case for trial and summon the defendant to appear. The County shall request that the  
10 court set a date for trial within forty-five (45) days of receipt of the citation.

11 **Sec. 28-132. - Proceedings before the District Court.**

12 (a) The County Attorney shall prosecute all civil zoning violations before the District  
13 Court.

14 (b) Upon a finding of a violation the civil fine imposed by the Court shall be in an amount  
15 deemed appropriate by the Court but shall not be less than half the amount in the schedule  
16 contained in Section 28-111 of this Division, except for violations subject to the mandatory  
17 minimum fines established in Section 28-111(e). The Court may suspend or defer the payment of  
18 the civil fine upon such reasonable grounds as the Court determines, except as prohibited by  
19 Section 28-111(e)(2).

20 (c) In any proceeding for a violation involving a Prohibited Home Business, the Court  
21 shall accept and give appropriate weight to any Rebuttable Presumption established under the  
22 Zoning Ordinance.

23 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,  
24 Maryland, that Section 14-171 of the Prince George's County Code be and the same is hereby  
25 repealed and reenacted with the following amendments:

26  
27 **SUBTITLE 14. MORALS AND CONDUCT.**

28 **DIVISION 14. NUISANCES.**

29  
30 **Sec. 14-171. - Definitions.**

31 (a) As used in this Division:

1 (1) Board shall mean the Nuisance Abatement Board.

2 (2) Neighborhood nuisance means any premises, except as defined by Section 13-  
 3 138(a)(9) of the County Code, on or in which, on two or more separate occasions within a one-  
 4 year period before the start of a proceeding under this subtitle, an owner, tenant or occupant of  
 5 the premises:

6 (a) acts in a disorderly manner that disturbs the public peace; or

7 (b) engages in acts, creates or maintains conditions that allows others to act in a  
 8 disorderly manner that disturbs the public peace; or

9 (c) engages in activities that are prohibited in residential neighborhoods and  
 10 zones, including any event, gathering, party, or picnic that involves: admission fees; cover  
 11 charges; door charges; entry fees; ticket sales; food or beverage sales; adult entertainment  
 12 charges, fees or sales; personal profit to the homeowner or organizer of an event; or is open to  
 13 the general public; or [.]

14 (d) engages in, permits, or fails to abate a Prohibited Home Business, as defined  
 15 in Section 28-102 of this Code, after the issuance of three (3) or more final, uncorrected notices  
 16 of violation or citations for the same or substantially similar activity by the Department of  
 17 Permitting, Inspections, and Enforcement within any 24-month period.

18 (3) Occupant shall mean any person occupying a premises, whether or not a party to a  
 19 lease.

20 (4) Owner and owner of record shall mean the person in whose name a premises is  
 21 recorded in the land records of Prince George's County who owns, leases, occupies,  
 22 or controls the property and any agent of such person.

23 (5) Person means an individual, receiver, guardian, personal representative, fiduciary, or  
 24 representative of any kind, and any corporation, partnership, firm, association, joint  
 25 venture, or other legal entity.

26 (6) Premises shall mean any land, building, or other structure, or part thereof, where a  
 27 residential property, including vacant or abandoned property, or a commercial,  
 28 business, or similar establishment is located.

29 (7) Public nuisance shall mean any residential or commercial premises used:

30 (A) By persons who assemble for the purpose of illegally administering a  
 31 controlled dangerous substance, as defined in the Criminal Law Article of the

1 Maryland Annotated Code;

2 (B) For the illegal manufacture or distribution of a controlled dangerous  
3 substance, or controlled paraphernalia, as defined in the Criminal Law Article  
4 of the Maryland Annotated Code; or

5 (C) For the illegal storage or concealment of a controlled dangerous substance in  
6 sufficient quantity to reasonably indicate under all the circumstances an intent  
7 to manufacture, distribute, or dispense a controlled dangerous substance or  
8 controlled paraphernalia;

9 (D) By persons for activities involving prostitution, human trafficking, or a  
10 criminal gang as defined in the Criminal Law Article of the Maryland  
11 Annotated Code;

12 (E) As a neighborhood nuisance as defined by this Section; or

13 (F) To endanger life, health, or safety, or obstruct the quiet enjoyment and  
14 reasonable use of the property of persons in a particular area.

15 (G) For the storage or concealment of illegal weapons, stolen property, contraband  
16 or other evidence of criminal activity at the premises.(

17 (H) As a disorderly house as referenced in the Criminal Law Article of the  
18 Maryland Annotated Code.

19 (I) By persons for activities involving human labor trafficking as defined in  
20 Section 14-191(a)(7) of the County Code.

21 (8) Tenant shall mean any tenant or lessee, whether under a written or oral lease.

22 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
23 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
24 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
25 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
26 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
27 Act, since the same would have been enacted without the incorporation in this Act of any such  
28 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,  
29 or section.

30 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
31 calendar days after it becomes law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Krystal Oriadha  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Aisha N. Braveboy  
County Executive

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.

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