

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2000 Legislative Session

Bill No. CB-73-2000

Chapter No. 85

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Member Gourdine

Co-Sponsors _____

Date of Introduction September 26, 2000

BILL

1 AN ACT concerning

2 Roads and Sidewalks

3 For the purpose of requiring commercial and residential property owners and lessors to remove
4 litter and debris from the County right-of-way abutting their property, to trim weeds to a certain
5 height in the County right-of-way abutting their property, setting a penalty for non-compliance,
6 and generally relating to litter and weeds.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 23. ROADS AND SIDEWALKS.

9 Sections 23-102(b) and 23-150,

10 The Prince George's County Code

11 (1999 Edition).

12 **SUBTITLE 23. ROADS AND SIDEWALKS.**

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Sections 23-102(b) and 23-150 of the Prince George's County Code be and the
15 same are hereby repealed and reenacted with the following amendments:

16 **DIVISION 1. GENERAL PROVISIONS.**

17 **Sec. 23-102. Definitions.**

18 * * * * *

19 (b) The following words and phrases are hereby defined with respect to their use in this
20 Subtitle:

21 * * * * *

(9.1) **Litter.** Litter as defined by Section 13-261 of this Code.

* * * * *

(23) **Weeds.** Weeds as defined by Section 13-261 of this Code.

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DIVISION 4. REQUIRED REMOVAL OF SNOW [AND] , ICE , WEEDS, LITTER, AND DEBRIS FROM SIDEWALKS AND DEBRIS FROM ROADWAYS.

Sec. 23-150. Duty to remove snow , ice, weeds, litter, and debris.

(a) For the purposes of this Section only, "commercial property" shall mean any property that is used to conduct a trade or business that provides goods or services to the public. It shall also include properties that are zoned industrial, commercial, or residential under the provisions of Subtitle 27 of this Code that are used to provide goods or services to the public.

(b) It shall be the duty of the owner or lessor, as the case may be, of a residential dwelling unit or commercial property, unless such duty has been delegated to a lessee in actual possession, to remove snow and ice from any sidewalk abutting the subject property within forty-eight (48) hours after snow has fallen or ice has formed as a result of inclement weather or runoff from abutting surfaces.

(c) It shall be the duty of the owner or lessor, as the case may be, of a residential dwelling unit or commercial property, unless such duty has been delegated to a lessee in actual possession, to remove litter and debris from the property line of that building, lot, or land to the edge of the concrete curb and gutter adjoining the roadway in the case of an urban (closed) section roadway, and from the private property line to the edge of the paved roadway surface in the case of a rural (open) section roadway.

(d) It shall be the duty of the owner or lessor, as the case may be, of a residential dwelling unit or commercial property, unless such duty has been delegated to a lessee in actual possession, to keep all weeds, as defined in Section 23-102 of this Subtitle, located in the public space set forth in Subsection (c) of this Section, cut to a height of not over six (6) inches.

[(c)] (e) The Police Department or other appropriate County enforcement agency shall be responsible for enforcing the provisions of this Section.

[(d)] (f) Any person primarily responsible for the removal of snow [or] , ice , weeds, litter, or debris who breaches said duty shall be subject to a civil fine not to exceed [Fifty Dollars (\$50.00)] One Hundred Dollars (\$100.00) for each separate offense.

1 (g) This Section shall not apply to materials left within the public right of way as a result
2 of a lawfully executed eviction action, or for bulky trash left in the right of way as a result of
3 illegal dumping by others.

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

Adopted this 21st day of November, 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.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.