



**THE PRINCE GEORGE'S COUNTY GOVERNMENT**  
**Office of Audits and Investigations**

July 11, 2018

**MEMORANDUM**

TO: Robert J. Williams, Jr.  
Council Administrator

William M. Hunt  
Deputy Council Administrator

THRU: David H. Van Dyke *DHV*  
County Auditor

FROM: Inez N. Claggett *INC*  
Senior Legislative Auditor

RE: Fiscal Impact Statement  
CB-017-2018 DR-1 Utilities – Construction within the Roadway

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***Legislative Summary***

CB-017-2018 seeks to require a valid road construction permit for any road construction in a public right-of-way, and establishes regulations for the issuance of utility permits by amending the specifications for a utility permit application, approval of plans, public notification, and inspection of plans. The proposed bill also sets forth penalties for violators of the utility permit regulations.

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***Background/Current Law***

Subtitle 23 of the Prince George's County Code governs roads and sidewalks within the County by establishing standards for road construction, to assure adequate and safe roads in connection with the development of, or construction upon, adjacent or nearby lands, promoting the safety and welfare of County residents.

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***Resource Personnel***

No resource personnel were contacted.

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***Assumptions and Methodology***

CB-017-2018 requires a valid permit to be held by any person who does road construction in a public right-of-way, and for the work being performed to be in conformance with approved detailed plans. Violators will become subject to a misdemeanor, punishable by a fine of not more than One Thousand Dollars (\$1,000), by imprisonment for not more than ninety (90) days, or by both, the fine and imprisonment, for each offense. Each day a violation continues shall be considered a separate offense.

The proposed legislation amends the County's Road Ordinance to require applicants for utility permits to provide a plan for public notification, for restoration of milling, overlay and/or greenspace, maintenance of traffic, and for a utility inspector who is certified and approved by the County. Utility applicants seeking a maintenance permit shall have their utility construction specifications and quality control plans reviewed annual by the Department of Permitting, Inspections and Enforcement (DPIE). Stop work orders may be issued for work that commences without a permit.

Fines for violators of various portions of the Road Ordinance related to utility permits are also being amended. Utilities performing work without a utility permit may be fined One Thousand Dollars (\$1,000) per day, and those who fail to comply with the public notification requirements may be fined Five Hundred Dollars (\$500) per day of noncompliance. Failure to comply with the design and construction standards requirements may be fined Five Hundred Dollars (\$500).

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***Fiscal Impact***

- Direct Impact

Enactment of CB-017-2018 may have a positive fiscal impact on the County related to any fines issued to and paid by violators that may result in a recovery of costs incurred by the County resulting from the strengthening of Road Ordinance regulations. An amount, if any, cannot be estimated at this time.

- Indirect Impact

Enactment of CB-017-2018 may enhance the safety and security of County residents by strengthening and clarifying the County's Road Ordinance regulations.

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***Appropriated in the Current Fiscal Year Budget***

No.

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***Effective Date***

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law.

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If you require additional information, or have questions about this fiscal impact statement, please call me.