

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2020 Legislative Session

Bill No. CB-59-2020

Chapter No. 46

Proposed and Presented by The Council Chair (by request – County Executive)

Introduced by Council Members Turner, Davis, Streeter, Dernoga, Franklin, Taveras,

Glaros, Hawkins, Ivey and Anderson-Walker

Date of Introduction October 13, 2020

BILL

AN ACT concerning

Short-Term Rentals

For the purpose of modifying the provisions for platform short-term rental licensing in the County and clarifying the adjudication process for violations of those regulations.

BY repealing and reenacting with amendments:

SUBTITLE 5. BUSINESSES AND LICENSES.

DIVISION 8. SHORT-TERM RENTALS

Section 5-175.06,

The Prince George's County Code

(2019 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 5-175.06 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 5. BUSINESS AND LICENSES.

DIVISION 8. SHORT-TERM RENTALS.

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Sec. 5-175.06. - Prohibited Acts, Enforcement and Penalties; Platforms.

(a) It shall be unlawful for a platform to list a short-term rental or for any person engaged in the business of short-term rentals to list on any platform when the following occurs:

(1) Short-term rentals that rent, or offers to rent that unit or any portion thereof, by the hour or for any period of fewer than 24 consecutive hours;

(2) Short-term rentals that rent, or offers to rent that unit or any portion thereof, more than once within any consecutive 24-hour period measured from the commencement of one rental to the commencement of the next;

(3) Advertise an hourly rate or any rate for any short-term rental period of fewer than 24 consecutive hours;

(4) Short-term rentals that rents, offers to rent that unit or any portion thereof, for multiple bookings or rentals for the same or overlapping time periods;

(b) [If any of the acts prohibited by this section occurs, the Director may:

(1) issue an administrative citation as that term is defined by Subtitle 13, Division 1, Subdivision 1 of this Code,

(2) issue a violation notice,

(3) suspend the platform's short-term rental license, or

(4) revoke the platform's short term rental license.] The platform short-term rental license is a privilege and not a right. A platform short-term rental license may be suspended or revoked at any time or not renewed based upon non-compliance with the requirements of this Division and the Prince George's County Code.

(c) A platform short-term rental license may be suspended or revoked due to a citation, corrective order, or violation notice citing violations of the Prince George's County Code.

(d) All enforcement actions and penalties are at the Director's discretion, based upon the requirements of this Division.

[c] (e) If a platform collects a fee for booking services in connection with an unlicensed host, the platform shall be liable and subject to civil fines of \$1,000 per violation. The civil fine may be imposed through either a violation notice or an administrative citation.

[d] (f) If a platform collects a fee for booking services in connection with someone who does not have a 90-day certificate from the Department regarding a filed and complete application, the platform shall be liable and subject to civil fines of not less than \$1,000 per violation. The civil fine may be imposed through either a violation notice or an administrative citation.

[e] (g) An administrative citation or violation notice issued pursuant to this Division shall contain, at a minimum, all of the information required by Section 13-1125 of this Code and shall be served in accordance with the provisions of that Section.

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby

declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 10th day of November, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
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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