

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2020 Legislative Session

Reference No.: CB-053-2020

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 09/17/2020

Action: FAV (A)

REPORT:

Committee Vote: Favorable as amended, 11-0 (In favor: Council Members Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras)

The Committee of the Whole met on September 17, 2020 to consider CB-53-2020. After staff overview, Council Member Taveras, the bill's sponsor, informed the Committee that the provisions of the legislation are intended to address an issue of several multifamily buildings in the County that have inoperable air conditioning systems.

The PHED Committee Director informed the Committee of a Proposed Draft-2 (DR-2) prepared at the bill sponsor's request to address comments received after presentation of the legislation. In addition, a Proposed DR-2A, with appropriate purpose clause and section amendments, was prepared for the Committee's review.

The Office of Law reviewed Draft-1 and determined that the bill was legally sufficient with no legal impediments and noted technical amendments under Section (c), and the effective temperature control dates. The AIS summary states that the temperature regulations run from May 1-September 30, but the Bill reads "between June 1 and September 30". The Office of Law recommends updating AIS summary to correspond with Bill language by changing "May 1" to "June 1."

In Proposed DR-2A, Section (c) was deleted in its entirety and Section (b) was amended to clarify the requirement for maintenance of air conditioning units or central air conditioning systems and required temperatures between June 1 and September 30.

Ms. Lori Parris, Ms. Valerie Cary, and Ms. Renee Palacios, representing the Department of Permitting, Inspections and Enforcement (DPIE), were present and responded to Council Members' questions regarding enforcement and tools (hand held thermometers) used to check the air conditioning temperatures.

AOBA submitted a Position Statement dated September 15, 2020 suggesting that the language return to an older version of the bill to make the legislative intent and mandate of the bill clearer, and to better reflect the sponsor's intent that housing providers are required to maintain, rather

The Office of Audits and Investigations reviewed CB-53-2020 for its fiscal impact and determined enactment of the legislation may require a small amount of additional expenditures due to the need for increased enforcement by DPIE staff to monitor and ensure that landlords meet the new standard.

Council Member Taveras and Council Member Glaros noted comments received from the Town of Riverdale Park (Town) on Draft-1 to ensure that the bill language is clear for enforcement purposes. Council Member Taveras suggested that any additional clarifications or revisions suggested by the Town can be considered and included prior to introduction of the legislation. Council Member Glaros added that she will review the proposed Dr-2A with the Town and address any concerns.

On a motion by Council Member Taveras, and second by Council Member Glaros, the Committee of the Whole voted 11-0 on CB-53-2020 as amended in Proposed DR-2A.