

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2021 Legislative Session**

Bill No. CB-061-2021

Chapter No. 64

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

Introduced by Council Members Hawkins, Davis, Glaros, Taveras, Dernoga, Anderson-  
Walker, Ivey, Harrison, and Turner

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

Date of Introduction October 12, 2021

**BILL**

1 AN ACT concerning the

2 Building Code of Prince George’s County

3 For the purpose of increasing civil fines imposed through an administrative citation for Building  
4 Code Violations.

5 BY reenacting and amending:

6 SUBTITLE 4. BUILDING

7 Sections 4-116, 4-117

8 The Prince George's County Code  
9 (2018 Edition).

10 BY reenacting and amending:

11 SUBTITLE 13. HOUSING AND PROPERTY

12 STANDARDS

13 Sections 13-1133

14 The Prince George's County Code  
15 (2018 Edition).

16 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
17 Maryland, that Sections 4-116 and 4-117 of the Prince George's County Code be and the same  
18 are hereby reenacted with the following amendments:

19 **SUBTITLE 4. BUILDING.**

20 **DIVISION 1. BUILDING CODE.**

**SUBDIVISION 2. AMENDMENTS TO THE INTERNATIONAL BUILDING CODE.**

**Sec. 4-116. - Administration; Section 114, Violations.**

(a) Sections 114.2 of the IBC is amended to read as follows:

"Notice of Violation"

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(b) Section 114.4 of the IBC is amended to read as follows: "Violation Penalties"

114.4.1 Civil Penalties: Any person, firm, association, partnership, corporation, or combination thereof who shall violate a provision of the International Building Code (IBC) or of this Subtitle, or fail to comply with any of the requirements thereof, violates a lawful order issued thereunder, or any person who shall erect, construct, alter, or repair a building or structure or mechanical or electrical system without all required permits or in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of this Subtitle or the IBC may be liable for a civil fine in accordance with the provisions of this section. A civil fine imposed under this subsection is in addition to any other sanction provided by law.

A civil fine may be assessed in conjunction with a written notice of violation or through the issuance of a civil citation or an administrative citation in accordance with the provisions of this Subtitle.

\* \* \* \* \*

114.4.1.3 Administrative Citation

114.4.1.3.1 In lieu of issuing a civil citation pursuant to Section 114.4.1.2 above, upon verification of a violation of this Section, the Director or Director's designee may issue upon the responsible parties an administrative citation as that term is defined in Section 13-1121 of this Code.

114.4.1.3.2 In addition to any other matters that the Director prescribes, the issuance of an administrative citation shall comply in all respects with the requirements of Sec.

1 13-1125 of this Code.

2 114.4.1.3.3 Administrative citations issued under this subtitle shall be adjudicated  
3 in accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-  
4 1130, 13-1131, and 13-1132 of this Code.

5 114.4.1.3.4 A civil fine imposed through an administrative citation under this  
6 section shall be [five hundred dollars (\$500.00)] One Thousand dollars (\$1,000.00) per violation  
7 and shall be due and payable within 30 days after the citation is issued. Each day that a violation  
8 continues shall be deemed a separate offense.

9 \* \* \* \* \*

10 **Sec. 4-117. - Administration; Section 115, Stop Work Order.**

11 \* \* \* \* \*

12 115.3.1.2 Civil Fine Imposed Through Civil Citation

13 115.3.1.2.1 In the event that a responsible party does not comply with a notice of  
14 violation within the time period provided, including any period allowed by appeal, and upon  
15 verification by the Director or the Director's designee that the violation still exists, the Director  
16 or the Director's designee may issue upon the responsible parties a civil citation pursuant to  
17 Subtitle 28, Division 3, of this Code.

18 115.3.1.2.2 Separate Violation: Each day the violation continues is deemed a separate  
19 offense and is subject to an additional citation and fine in the same dollar amount as the repeat  
20 citation(s).

21 115.3.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed under  
22 this subsection is in addition to any other sanction provided by law.

23 115.3.1.3 Administrative Citation

24 115.3.1.3.1 In lieu of issuing a civil citation pursuant to Section 115.3.1.2 above, upon  
25 verification of a violation of this Section, the Director or Director's designee may issue upon the  
26 responsible parties an administrative citation as that term is defined in Section 13-1121 of this  
27 Code.

28 115.3.1.3.2 In addition to any other matters that the Director prescribes, the issuance of  
29 an administrative citation shall comply in all respects with the requirements of Sec. 13-1125 of  
30 this Code.

31 115.3.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in

1 accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-  
2 1130, 13-1131, and 13-1132 of this Code.

3 115.3.1.3.4 A civil fine imposed through an administrative citation under this section shall  
4 be [five hundred dollars (\$500.00)] One Thousand dollars (\$1,000.00) per violation and shall be  
5 due and payable within 30 days after the citation is issued. Each day that a violation continues  
6 shall be deemed a separate offense.

7 115.3.2 Criminal Penalties: Any person, firm, association, partnership, or corporation, or  
8 combination thereof, who shall continue work in violation of the provisions of a Stop Work  
9 Order, or shall remove or cause to be removed a Stop Work Order sign still in effect and  
10 operation, shall be guilty of a misdemeanor, punishable by a fine of not more than One Thousand  
11 Dollars (\$1,000.00) per violation for as long as that the unlawful work continues, or  
12 imprisonment for six (6) months, or both.

13 \* \* \* \* \*

14 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,  
15 Maryland, that Sections 13-1133 of the Prince George's County Code be and the same are hereby  
16 reenacted with the following amendments:

17 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS**

18 **DIVISION 15. ADMINISTRATIVE HEARINGS.**

19 **SUBDIVISION 1. GENERAL PROVISIONS.**

20 **Sec. 13-1133. - Violations to which subtitle applies.**

21 (a) In general. The jurisdiction and authority of the Administrative Hearing Unit extends to  
22 each of the provisions of the Prince George's County Code that are specified in  
23 subsection (e) of this section, as those provisions may be amended, including any rules  
24 and regulations adopted under them. The issuance of an administrative citation does  
25 not preclude pursuit of any other remedy or enforcement action authorized by law.

26 \* \* \* \* \*

27 (e) Provisions and penalties enumerated.

28 (1) In Section 13-101 of the County Code, the County adopted the International  
29 Property Maintenance Code, as amended in Subtitle 13 and known as the "Housing Code." An  
30 Inspector may issue and an Administrative Hearing Officer may adjudicate administrative  
31 citations issued pursuant only to Sections 108, 301, 302, 303, 304, 305, 306, and 404 of the

1 Housing Code, and all of the respective subsections thereunder. The penalty for violation of any  
2 of the enumerated sections is \$300.00 per violation.

3 (2) In Subtitle 4, Division 1 of the County Code, the County adopted and amended  
4 certain provisions of the International Building Code and the International Residential Code. An  
5 Inspector may issue and an Administrative Hearing Officer may adjudicate notices of violation  
6 and administrative citations issued pursuant to Sections 4-116, 4-117, 4-255, and 4-256 and all of  
7 the respective subsections thereunder. The penalty for violation of any of the enumerated  
8 sections is [~~\$500.00~~] One Thousand dollars (\$1,000.00) per violation.

9 (3) In Subtitle 5, Division 8 of the County Code, the County enacted licensing  
10 requirements for short-term rentals. An Inspector may issue and an Administrative Hearing  
11 Officer may adjudicate penalties, citations, suspensions, and revocations issued pursuant to  
12 Sections 5-175.05, 5-175.06, and 5-175.07 of this Code, and all of the respective subsections  
13 thereunder. The penalty for violation of any of the enumerated sections is \$1,000.00 per  
14 violation.

15 (4) In Subtitle 13, Division 7 of the County Code, the County enacted minimum  
16 standards for maintenance of structures, equipment, and exterior property for all property and  
17 structures used or zoned for commercial and industrial purposes and for residentially zoned  
18 property where the use is other than residential. An inspector may issue and an Administrative  
19 Hearing Officer may adjudicate notices of violation and administrative citations issued pursuant  
20 to Sections 13-244 and 13-246, and all of the respective subsections thereunder. The penalty for  
21 an administrative citation issued pursuant to any of the enumerated sections is \$1000.00 per  
22 violation.

23 \* \* \* \* \*

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

31 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)

1 calendar days after it becomes law.

Adopted this 9<sup>th</sup> day of November, 2021.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Calvin S. Hawkins, II  
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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