

Changes to Ordinance 2023-10

PROPERTY MAINTENANCE STANDARDS

SECTION 1. TITLE.

THIS CHAPTER SHALL BE KNOWN AS THE PROPERTY MAINTENANCE STANDARDS OF THE TOWN OF UPPER MARLBORO.

SECTION ~~1~~2. PURPOSE AND AUTHORITY

A. THE BOARD OF TOWN COMMISSIONERS DESIRES TO ENACT PROPERTY MAINTENANCE STANDARDS FOR THE TOWN OF UPPER MARLBORO TO PROTECT THE HEALTH, WELFARE, AND SAFETY OF THE CITIZENS AND RESIDENTS OF UPPER MARLBORO, AND TO PROTECT THE VALUE OF PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN FROM THE ILL EFFECTS OF POOR PROPERTY MAINTENANCE.

B. THE PROPERTY MAINTENANCE STANDARDS OF THE TOWN OF UPPER MARLBORO ESTABLISH THE MINIMUM EXTERIOR PROPERTY MAINTENANCE REQUIREMENTS FOR ALL PROPERTIES IN THE TOWN, INCLUDING NONRESIDENTIAL AND RESIDENTIAL (OWNER-OCCUPIED OR RENTAL) BUILDINGS. IT DOES NOT REPLACE OR MODIFY REQUIREMENTS OTHERWISE ESTABLISHED FOR THE CONSTRUCTION, REPAIR, ALTERATION, OR USE OF BUILDINGS, EQUIPMENT, OR FACILITIES, EXCEPT AS EXPRESSLY PROVIDED IN THIS CHAPTER. THE STANDARDS SHALL ALSO APPLY TO VACANT PROPERTIES.

~~The purpose of this Residential Exterior Property Standards Ordinance is to establish standards for the exterior maintenance of residential properties in the Town of Upper Marlboro, and to prevent conditions that threaten public health, safety or welfare of residents of, or visitors to the Town of Upper Marlboro. The Ordinance creates the office of Code Enforcement Officer for the enforcement of this and other ordinances, and also establishes a system of notifications and penalties for violations to enforce the standards and a process to appeal any penalties imposed.~~

~~BC.~~ The authority OF THE BOARD OF COMMISSIONERS to provide for the general protection of THE health, safety, comfort, convenience, and welfare of Town residents and visitors is provided in Section 82-16 (General Powers) of the Charter of the Town of Upper Marlboro-

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~~C. The authority to enact such regulations is provided in~~ AND Section 82-16(~~vv DD~~) (Specific Powers; Regulations HEALTH) of the Charter of the Town of Upper Marlboro.

D. The authority to impose fees and penalties for violating the regulations is provided in Section 82-18 (Enforcement) AND SECTION 82-88 (VIOLATIONS) of the Charter of the Town of Upper Marlboro.

E. The authority to create new offices and appoint officers is provided in Section 82-59 (Authority to Employ Personnel) of the Charter of the Town of Upper Marlboro.

SECTION ~~2~~ 3. APPLICABILITY AND SCOPE OF THE ORDINANCE PROPERTY MAINTENANCE STANDARDS

THIS CHAPTER ESTABLISHES THE MINIMUM REQUIREMENTS FOR THE MAINTENANCE OF BUILDINGS AND PROPERTIES AND SHALL GOVERN THE MAINTENANCE OF ALL BUILDINGS AND PROPERTIES WITHIN THE CORPORATE LIMITS OF THE TOWN OF UPPER MARLBORO ~~The provisions herein shall apply to all residentially-zoned real property located within the corporate limits of the Town of Upper Marlboro,~~ whether improved or unimproved.

SECTION 4. PROPERTY MAINTENANCE STANDARDS ADOPTION

~~The Prince George's County Housing Code adopting with amendment the~~ International Property Maintenance Code, ~~2000~~ 2018 Edition, as PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., ~~found~~ AS MODIFIED in Subtitle 13 "HOUSING AND PROPERTY STANDARDS" of the Prince George's County Code IS THE HOUSING AND PROPERTY STANDARDS CODE FOR PRINCE GEORGE'S COUNTY, MARYLAND. THE TOWN OF UPPER MARLBORO ADOPTS THE PRINCE GEORGE'S COUNTY HOUSING AND PROPERTY STANDARDS CODE, AS AMENDED FROM TIME TO TIME AS THE PROPERTY MAINTENANCE STANDARDS OF THE TOWN OF UPPER MARLBORO, AS IF SET OUT IN FULL HEREIN. ~~and all divisions thereof as enforced by County officials shall remain in full force and effect within the corporate limits of the Town provided; however~~ HOWEVER, that any IN THE EVENT OF A conflict between ~~this Residential Exterior~~ THESE Property MAINTENANCE Standards Ordinance or AND any other ordinances of the Town, and OR any provision of ~~Subtitles 4 and 13 of~~ the County Code, SUCH CONFLICT shall be resolved in favor of the provision which establishes the higher standard for the promotion and protection of the health and safety of the people. Unless a provision of County legislation conflicts with a provision of this Ordinance, nothing herein shall be construed to prevent the jurisdiction, applicability or enforcement of the County's ordinances regarding property maintenance or nuisances within the corporate limits of the Town.

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~~C. This Ordinance~~ THE PROPERTY MAINTENANCE STANDARDS shall be construed liberally and justly to insure ENSURE the public health, safety and welfare insofar as it pertains to residential property maintenance standards.

SECTION 34. CODE ENFORCEMENT OFFICER

A. This Ordinance shall be enforced by a sworn police officer or by ~~an appointed~~ A Code Enforcement Officer of the Town. The Office of Code Enforcement Officer is hereby created, ratified and established by this Ordinance. ~~The appointment of a Code Enforcement Officer shall be approved by ordinance or written resolution.~~ The Code Enforcement Officer shall be responsible to the Chief of Police or their Designee.

B. A Code Enforcement Officer or officers appointed by the President, with the approval of the Board, shall have the following powers, authorizations, duties, qualifications and functions:

1. Subject to the requirements of the Board of Commissioners, the Code Enforcement Officer, shall, enforce such laws and ordinances relating to property, buildings and structures as may be specifically provided.
2. The Code Enforcement Officer shall not have any interest WHATSOEVER ~~whatever~~, directly or indirectly in the sale or manufacture of any material, process or device entering into or used in or in connection with property maintenance or building construction within the Town.
3. The Code Enforcement Officer may be authorized by the Board of Commissioners to enforce the Town's ordinances and may deliver a municipal infraction citation, criminal misdemeanor violation summons, charging document or criminal citation to any person alleged to be committing or to have committed a municipal infraction or other violation.
4. The Code Enforcement Officer shall examine premises and shall make necessary inspections to see that the provisions of applicable laws or ordinances are complied with and that maintenance or use therein is implemented pursuant to applicable laws. The Code Enforcement Officer shall make investigations in connection with matters referred to within Town ordinances and render written reports on the same. For the purpose of enforcing compliance with law, to remove illegal, nuisance or unsafe conditions, to secure the necessary safeguards, or to require adequate facilities in improved properties, he or she shall issue notices or orders as may be necessary.
5. Unless posted or informed otherwise (i.e, no trespassing), the code enforcement or police officer shall have the right, upon proper identification, to routinely enter upon private property so far as is necessary for the performance of duties. The code enforcement officer's right of entry upon residential property shall be limited to entry for the purposes of obtaining consent from the owner or occupant to conduct an inspection or as otherwise permitted by law.

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6. The President is hereby authorized and empowered to establish additional regulations and duties for any assigned Code Enforcement Officer provided that said officer shall not be vested with police powers of arrest. Code enforcement officers are not authorized to carry firearms, and they shall not carry firearms while on duty. Said officers shall be assigned such duties as are civilian and administrative in nature that the President, from time to time, may direct, that are not inconsistent with the limitations and responsibilities set forth in Town ordinances, or State law and, in addition, the Code Enforcement Officer shall be vested with the authority to issue parking citations, criminal citations and citations for municipal infractions as expressly provided for in each applicable provision or section of the Town's ordinances.
7. The Code Enforcement Officer shall keep careful and comprehensive records of applications, of relevant permits or certificates issued, of inspections made, of reports rendered, and of notices, citations or orders issued.

C. In the absence or disability of the Code Enforcement Officer, the President with approval of the Board shall designate, by ~~ordinance~~ or written resolution, a qualified official or subordinate to discharge the duties of the Code Enforcement Officer. Nothing in this Section shall be construed to prevent ~~the appointment of~~ an existing Town employee from having the additional or collateral duties of Code Enforcement Officer.

SECTION 65. VIOLATIONS ADOPTION OF COUNTY CODE

~~THE PROPERTY STANDARDS OF THE TOWN OF UPPER MARLBORO SHALL BE THE CURRENT PROPERTY STANDARDS CODE OF PRINCE GEORGE'S COUNTY. THE OFFICIAL BUILDING CODE OF PRINCE GEORGE'S COUNTY AND OTHER RELATED CODES TOGETHER WITH THE CHANGES, DELETIONS, OR MODIFICATIONS PRESCRIBED IN SAID CODES, AS AMENDED FROM TIME TO TIME, SHALL APPLY TO ALL RESIDENTIAL PROPERTIES IN THE TOWN OF UPPER MARLBORO.~~

The following are considered violations of this Ordinance:

- A. ~~Condition of Exterior Property Areas. All exterior property areas shall be maintained in a reasonably clean and sanitary condition, free from any accumulation of debris, litter, stagnant water, or garbage. If pests are found, the property owner shall initiate the extermination process which shall not be injurious to the health of humans or domestic animals.~~
- B. ~~Tall Grass and Weeds. All exterior property areas shall be properly maintained and no grass or weeds more than twelve (12) inches tall, other than annual or perennial cultivated flowers, and plants, bushes, shrubs, garden and yard plantings, and trees properly maintained by the property owner or agent shall be allowed to accumulate or grow on any private property. No~~

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vegetation shall be allowed to grow in, or into, the public curb, gutter or paved area of the right of way.

~~C. Discarded Vehicles. It shall be unlawful for any person to discard any vehicle on any residential lot within the corporate limits of the Town.~~

~~D. Vehicle Condition and Storage. No property owner or agent shall permit an abandoned, junked, wrecked, unregistered, or non-road worthy vehicle as defined in this Ordinance to remain on such property, except when enclosed in a garage.~~

~~E. Motor Vehicle Parts. Exterior property areas shall not be utilized for the storage of motor vehicle parts.~~

~~F. Exterior Property Storage. Exterior property areas shall not be utilized for the open storage of building materials, bathroom or kitchen fixtures, furniture, or lawn and garden equipment, irrespective of age or condition, except for routine garden maintenance equipment, outdoor lawn furniture, or materials used in construction or renovation projects with the appropriate Prince George's County and Town permits.~~

~~G. Wood Storage. The storage of wood and other materials not proscribed by this Ordinance, including organic compost piles, shall be accomplished in a manner designed to avoid rodents, termites and other insect infestation. Wood shall be stored at least six (6) inches above the ground.~~

~~H. Vegetation. All vegetation located on exterior property areas shall be maintained in such a way so as not to pose a danger or obstruction to adjoining property, pedestrians or vision of any motorist.~~

~~I. Parking Surfaces. A paved parking area must be accessed by a curb cut if the property has a curb installed along the street unless granted an exception by the Board. The curb cut shall be constructed of poured concrete completed in a professional manner, situated totally within the public right of way, where applicable; constructed in accordance with the road ordinance or construction codes of Prince George's County and located in accordance with the Prince George's County Zoning Ordinance. Grassy yards or other unpaved areas shall not be used for the parking of boats, motorcycles, motor vehicles of any type, trailers or similar items on a residential property except during a "snow emergency." All wheels of said vehicle(s) must be parked on an approved paved parking area in order to be in compliance with this Ordinance.~~

~~J. Building Security. No property owner or agent shall allow vacant structures or property to become a public nuisance, safety or health hazard, or be in a condition that could encourage trespassing.~~

~~K. Accessory Structures. No accessory structure shall pose a public health, safety hazard, or fall into disrepair. All accessory structures shall comply with Prince George's County and Town Ordinances and any improvements to such accessory structures shall be duly permitted. A Code Enforcement Officer or other Town designated representative may require a property owner, at the property owner's expense, to repair or replace a fence not in compliance with the Prince George's County Zoning Ordinance. Any fence repair or replacement shall comply with provisions regarding location, height, and material in the Prince George's County Zoning Ordinance.~~

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~~L. Identification. All premises shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property.~~

SECTION 76. NOTICE OF VIOLATION OF STANDARDS AND PENALTY FOR VIOLATION

A. Except for violations of the Registry Law, whenever the Code Enforcement Officer, a sworn police officer or other designated Town representative determines that there are reasonable grounds to believe that there has been, or is, a violation of any provision of ~~this Ordinance~~ THESE STANDARDS or of any rule or regulation adopted pursuant thereto, the Code Enforcement Officer, sworn police officer or designated representative shall give notice of such alleged violation to the person or persons responsible therefore, as hereinafter provided unless otherwise ~~noted in this Ordinance~~ STATE LAW. Such notice shall:

1. Be in writing;
2. Include a description of the real property sufficient for identification;
3. Include a statement of the reason why the notice is being issued with reference to the Section of this Ordinance violated;
4. Allow time, as set forth in this Ordinance, for the remedial action required to correct the violation; and
5. Contain:
 - a. An outline of the remedial action which, if taken, will effect compliance with the provisions of this Ordinance and with the rules and regulations adopted pursuant thereto, if any; and
 - b. The requirement that the violation must be fully corrected within the timeframe, as specified in Section 10 of this Ordinance. For each additional prescribed period that the violation is not fully corrected, notice will be issued of the fine amount as due and payable to the Town of Upper Marlboro. Fines for failure to take remedial action shall be established by Resolution of the Board of Commissioners, but shall not exceed the amount of one thousand dollars (\$1,000.00). Failure to pay a fine may result in the amount of any fine or fines imposed to be collected in the same manner as delinquent Town taxes.

B. Service of notice that a person and/or property is in violation shall be as follows:

1. COURTESY CARD NOTIFICATION PLACED IN A CONSPICUOUS LOCATION ON THE PROPERTY'S MAILBOX OR DOOR.

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2. By delivery to the property owner or agent personally or by leaving the notice at the usual place of abode of the property owner or office of the agent with a person of suitable age and discretion who shall be informed of the intent thereof; or
3. By appropriate means of mail addressed to the property owner or agent at the address provided to the Town by the property owner or agent with postage prepaid thereon with return receipt requested, or if said letter is returned with receipt showing non-delivery, then
4. By posting a copy of the notice in a conspicuous place on the premises affected by such notice.

SECTION 7. EMERGENCY

A. *EMERGENCY ACTION*. WHENEVER IN THE JUDGMENT OF THE POLICE CHIEF AN EMERGENCY EXISTS WHICH REQUIRES IMMEDIATE ACTION TO PROTECT THE HEALTH, SAFETY, OR WELFARE, AN ORDER MAY BE ISSUED WITHOUT NOTICE, CONFERENCE OR HEARING, DIRECTING THE OWNER, OCCUPANT, OR AGENT OF THE BUILDING TO TAKE SUCH ACTION AS IS APPROPRIATE TO CORRECT OR ABATE THE EMERGENCY.

B. *VACATING BUILDINGS*. WHEN IN THE OPINION OF THE POLICE CHIEF THERE IS A CLEAR AND PRESENT DANGER TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF AN UNSAFE BUILDING THE DIRECTOR IS AUTHORIZED AND EMPOWERED TO ORDER AND REQUIRE THE OCCUPANTS TO VACATE THE SAME FORTHWITH. THE POLICE CHIEF SHALL CAUSE TO BE POSTED AT EACH ENTRANCE TO SUCH BUILDING A WARNING PLACARD AND IT SHALL BE UNLAWFUL FOR ANY PERSON TO ENTER SUCH BUILDING OR STRUCTURE EXCEPT FOR THE PURPOSE OF MAKING THE REQUIRED REPAIRS OR OF DEMOLISHING THE SAME.

C. *TEMPORARY SAFEGUARDS*. WHEN IN THE OPINION OF THE POLICE CHIEF THERE EXIST GROSSLY UNSANITARY CONDITIONS OR AN IMMEDIATE DANGER OF COLLAPSE OR FAILURE OF A BUILDING OR STRUCTURE OR ANY PART THEREOF WHICH WOULD ENDANGER LIFE, PROPERTY OR PUBLIC SAFETY, HE/SHE SHALL CAUSE THE NECESSARY WORK TO BE DONE TO RENDER SUCH BUILDING OR STRUCTURE OR PART THEREOF TEMPORARILY SAFE, WHETHER OR NOT THE NOTICE AND CORRECTION ORDER AND ANY OTHER PROCEDURES SET FORTH IN THIS CHAPTER HAVE BEEN FOLLOWED.

D. *CLOSING STREETS*. WHEN NECESSARY FOR THE PUBLIC SAFETY, THE POLICE CHIEF MAY TEMPORARILY CLOSE SIDEWALKS, STREETS, BUILDINGS AND STRUCTURES AND PLACES ADJACENT TO SUCH UNSAFE BUILDINGS, AND PROHIBIT THE SAME FROM BEING USED.

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E. *EMERGENCY REPAIRS*. FOR THE PURPOSE OF THIS SECTION, THE POLICE CHIEF SHALL EMPLOY THE NECESSARY LABOR AND MATERIALS TO PERFORM THE REQUIRED WORK AS EXPEDITIOUSLY AS POSSIBLE.

F. *COSTS OF EMERGENCY REPAIRS*. ALL COSTS INCURRED IN THE PERFORMANCE OF EMERGENCY WORK SHALL BE PAID BY THE OWNER OF THE REAL PROPERTY UPON WHICH THE BUILDING STANDS OR DID STAND. THE TOWN SHALL SEND THE OWNER A BILL FOR THE COSTS OF SUCH EMERGENCY REPAIR, VACATION, OR DEMOLITION BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND BY REGULAR MAIL TO THE OWNER'S LAST-KNOWN ADDRESS OR BY ANY OTHER MEANS REASONABLY CALCULATED TO BRING THE BILL TO THE OWNER'S ATTENTION. IF THE OWNER DOES NOT PAY THE BILL WITHIN ONE (1) MONTH AFTER IT IS PRESENTED, THE COST SHALL BE A LIEN AGAINST THE REAL PROPERTY WHICH MAY BE COLLECTED AND ENFORCED IN THE SAME MANNER AS ARE TAXES, SPECIAL ASSESSMENTS, AND OTHER LIENS ON REAL PROPERTY.

SECTION 8. TOWN ABATEMENT

Provided that notice has been served pursuant to Section 7 of this Ordinance, the Town of Upper Marlboro and its officials, employees and agents shall have the right, after thirty (30) days of continued violation, to enter onto the premises of the property in violation to abate any violation. The costs of such abatement shall be charged to the property owner and after attempting to deliver an invoice payable within thirty (30) days to the property owner may be collected in the same manner as delinquent Town property taxes. If the property is vacant, and upon serving notice the Town shall have the right to abate after fifteen (15) days of continued violation.

SECTION 9. VACANT AND FORECLOSED PROPERTIES

A. THE OWNER OF VACANT PROPERTY LOCATED IN THE TOWN OF UPPER MARLBORO SHALL MAINTAIN THE PROPERTY AND ANY VACANT STRUCTURE ON THE PROPERTY IN ACCORDANCE WITH THE TOWN'S PROPERTY MAINTENANCE STANDARDS.

B. In the event that a Code Enforcement Officer, sworn police officer or other Town designated representative determines that the condition of a vacant property constitutes a violation OF THE PROPERTY MAINTENANCE STANDARDS, ~~a responsible person~~ THE OWNER ~~or occupant~~ shall be notified of the violation of ~~this Ordinance~~ by certified mail and have fifteen (15) calendar days to correct the violation. If, after fifteen (15) days from the date of notification, the violation has not been corrected, the Town of Upper Marlboro CODE ENFORCEMENT OFFICER, POLICE OFFICER OR DESIGNEE ~~and its officials, employees and agents~~ shall have the right to

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~~enter upon the premises of the property in violation to abate any and all violations~~ A MUNICIPAL INFRACTION. ~~Failure of the property owner to pay the Town within thirty (30) days for the cost of abatement upon the Town's reasonable attempt to deliver an invoice may result in collection in the same manner as delinquent Town property taxes.~~

B. All foreclosed properties within the Town shall register with the State of Maryland Foreclosed Property Registry. Failure to register a property located in the Town under the Registry Law shall be a municipal infraction punishable by a fine of up to one thousand (\$1,000.00) or as otherwise established from time to time by Resolution.

C. The Code Enforcement Officer shall obtain access to the Foreclosed Property Registry and maintain an updated list of all known vacant residential properties, and corresponding contact information, located within the Town.

SECTION 10. TIMEFRAME FOR NOTICES OF STANDARDS AND PENALTIES OF VIOLATION

The definitions below provide categories of timeframes for issuing the initial violation notice, a subsequent violation notice and assessment of penalties and fines.

1. First Offense: a person shall have seven (7) days from the time of courtesy notification has been left at the property to correct the violation. If the violation is not corrected after seven days from the courtesy card notification, then an official letter shall be mailed to the property. A person shall have fifteen (14) days from the time the correction notice has been issued to correct the violation. If, after fifteen (14) days, the violation has not been corrected, another notice to correct which imposes a fine shall be issued. A recurring and cumulative fine and subsequent notice to correct shall be issued in seven (7) day intervals thereafter until the violation is corrected.
2. Repeat Offender: A courtesy notification is not required for repeat violations. A person shall have seven (7) days from the time the correction notice was issued to correct the violation. If, after seven (7) days, the violation has not been corrected, another notice to correct which imposes a fine shall be issued. A recurring fine and notice to correct shall be issued in seven (7) day intervals thereafter until the violation is corrected.
3. Notwithstanding (1) or (2) of this section, the town may notify Prince George's County Department of Permitting, Inspections, and Enforcement of the presence of the code violation fifteen days after first notification.

SECTION 11. REPEAT VIOLATIONS

A. Unless otherwise noted in this Ordinance, two (2) violations of the same type occurring within an eighteen (18) month period shall be considered a repeat of any previous violation and the

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property owner or agent shall be deemed a repeat violator. Repeat violations are subject to Town abatement if not corrected within twenty-one (21) days. The costs of such abatement may be charged to the property owner and may be collected in the same manner as delinquent Town taxes. A repeat violation may pertain to a subsequently noticed violation of the same of a different subsection of Section 6 of this Ordinance.

B. Unless otherwise noted in this Ordinance, if a property is issued three (3) or more notices for the same violation occurring within an eighteen (18) month period, the property shall become subject to immediate fines.

SECTION 12: SNOW AND VEGETATION REMOVAL FROM SIDEWALKS AND THE PUBLIC RIGHT OF WAY

A. Snow and ice shall be removed from sidewalks by the owner or occupant within 36 hours of the end of the snowfall.

B. Vegetation shall be kept clear of the sidewalk and public right-of-way and shall not obstruct views for traffic or the walking path for pedestrians. If a property owner fails to clear weeds or maintain trees and bushes overhanging the right of way the town and its officials, employees and agents shall have the right to clear the right of way and shall not be responsible for damage to plantings that overhang the public right of way.

SECTION 12. RIGHT TO APPEAL

~~A. Any person affected by any notice of violation and subjected to a fine may elect to appeal to the Board of Commissioners as follows:~~

- ~~1. Any person affected by any notice of violation which had been issued in connection with the enforcement of any provision of this Ordinance and subject to a fine may request and shall be granted a hearing on the matter by the Board of Commissioners, provided that such person shall within ten (10) days after service of a notice of violation, file with the Board of Town Commissioners a signed written notice of administrative appeal, requesting a hearing and setting forth a brief statement of the reasons therefore. Upon receipt of such notice of appeal, the Board of Commissioners shall set a time and place for such hearing and shall determine such appeals as promptly as practicable. The Board of Commissioners, with a quorum present, shall hear such appeals.~~
- ~~2. After such hearing, the Board of Commissioners may, by a majority of members present, affirm, amend, modify, rescind or withdraw the notice of violation with any assessed fine that has been appealed. Any person who shall fail, refuse or neglect to comply with the decision of the Board of Commissioners shall be deemed guilty of violating the provisions of this Ordinance.~~
- ~~3. In the event a person affected by a notice of violation and subjected to a penalty wishes to contest the decision of the Board of Commissioners, he or she may notify the Town~~

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~~Clerk or designee of his or her intent within ten (10) days after the rendering of the decision by the Board of Commissioners. In such event, the Town shall issue a municipal infraction citation to the affected person who may request a de novo trial in the District Court of Maryland for Prince George's County pursuant to Md. Ann. Code, Local Government Article, Title 6. The decision of the Board of Commissioners in such a case shall be stayed, pending adjudication of the matter by the District Court of Maryland for Prince George's County. To the extent of this Section of the Ordinance, any notice of violation of this Ordinance previously issued and made subject to adjudication shall be considered a municipal infraction of the Town.~~

- ~~B. Failure to pay any fine and/or cost of abatement included in a judgment awarded pursuant to adjudication may result in the amount of any fine, fee or cost imposed or sanctioned by the court to be collected in the same manner as delinquent Town property taxes.~~
- ~~C. An appeal of an assessment or collection of any fee or cost to abate any violation as permitted by this Ordinance that was not awarded pursuant to adjudication by the court may be sought pursuant to the procedures provided in Subtitles 4 and 9 of Title 13 of the Tax General Article of the Md. Ann. Code.~~

SECTION 13. RENTAL PROPERTIES

All rental properties within the cooperate limits, regardless of zoning, shall be properly licensed and inspected, as required, by Prince Georges County. The Town shall notify the County in a timely manner of any unlicensed rental properties found as they are discovered.

SECTION 15. VIOLATION FINES, FEES AND SCHEDULE

A. Unless otherwise stated herein, violation of any provision of this Ordinance shall be subject to a fine and/or fee, which may be set or changed from time to time by resolution of the Board of Commissioners. Failure to pay any fee, fine, late fee and/or costs to abate, or incurred to repair damage to Town property such as aprons, curbs, gutters, sidewalks, or streets will result in the amount of any fine, late fee or repair costs incurred being recorded as a lien against the property and collected in the same manner as delinquent taxes.

B. A late fee not to exceed \$25 may be assessed for any fine, charge or invoice for abatement that is left unpaid for more than 30 days. A late fee may not be assessed unless included in the judgment if the violation is adjudicated in the District Court.

C. The initial fine and fee schedule shall establish fines at \$50 for the first offence and \$75 for repeat offenses.

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CATEGORY OF VIOLATION (§ 6, SUBSECTION)	Fine, 1st Offense	Repeat, Multiple Offense
A. Condition of Exterior Property Areas	\$50	\$100
B. Tall Grass and Weeds	\$50	\$100
C. Discarded Vehicle	\$50	\$100
D. Vehicle Condition & Storage	\$50	\$100
E. Motor Vehicle Parts	\$50	\$100
F. Exterior Property Storage	\$50	\$100
G. Wood Storage	\$50	\$100
H. Vegetation	\$50	\$100
I. Parking Surfaces	\$25/ incident	\$25
J. Building Security	\$50	\$100
K. Accessory Structures	\$50	\$100
L. Premises Identification	\$50	\$100

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