

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 39

Bill No. 115-15

Introduced by Mr. Pruski

By the County Council, December 7, 2015

Introduced and first read on December 7, 2015
Public Hearing set for and held on January 4, 2016
Bill Expires March 11, 2016

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Correction of Zoning Violations

2
3 FOR the purpose of providing authority for the correction of certain zoning violations;
4 and generally relating to zoning violations.

5
6 BY repealing and reenacting, with amendments: §18-17-204
7 Anne Arundel County Code (2005, as amended)

8
9 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
10 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
11 follows:

12
13 **ARTICLE 18. ZONING**

14
15 **TITLE 17. ENFORCEMENT AND PENALTIES**

16
17 **18-17-204. Civil actions.**

18
19 (a) **Injunctive or other relief.** The County at any time may file an action for
20 injunctive or other appropriate relief for a zoning violation or for violation of an
21 administrative order.

22
23 (b) **Civil penalties.** In an action for injunctive or other appropriate relief for a zoning
24 violation or for violation of an administrative order, a court also may impose a civil
25 penalty of up to \$500 for each day that the zoning violation continued or that the

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

1 administrative order was violated. A person is not subject to civil penalties for violations
2 of an administrative order that occur during the pendency of an appeal of the order to the
3 Board of Appeals or during subsequent judicial review of the Board's decision.
4

5 (C) **Correction of zoning violations.** IN AN ACTION FOR INJUNCTIVE OR OTHER
6 APPROPRIATE RELIEF FOR A ZONING VIOLATION, A COURT MAY ORDER THAT THE
7 COUNTY IS AUTHORIZED TO ENTER A PROPERTY AND CORRECT A ZONING VIOLATION.
8 THE COST OF SUCH CORRECTION SHALL CONSTITUTE A LIEN ON THE LAND AND
9 IMPROVEMENTS, AND SHALL BECOME DUE AND PAYABLE UPON SALE OR TITLE
10 TRANSFER BY DEED OF THE PROPERTY. THE DIRECTOR OF INSPECTIONS AND PERMITS
11 OR THE DIRECTOR OF PUBLIC WORKS, OR THEIR DESIGNEES, SHALL SEND NOTICE OF THE
12 COUNTY'S INTENT TO CORRECT THE ZONING VIOLATION, BY CERTIFIED AND
13 ELECTRONIC MAIL, TO THE COUNTY COUNCIL MEMBER FOR THE COUNCILMANIC
14 DISTRICT IN WHICH THE PROPERTY IN VIOLATION IS LOCATED 30 DAYS PRIOR TO THE
15 COUNTY TAKING ACTION TO CORRECT THE ZONING VIOLATION.
16

17 SECTION 2. *And be it further enacted,* That this Ordinance shall take 45 days from
18 the date it becomes law.

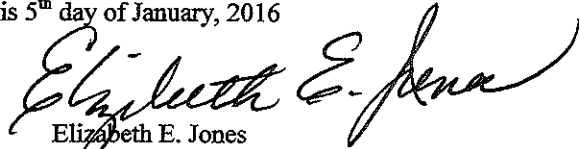
READ AND PASSED this 4th day of January, 2016

By Order:



Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 5th day of January, 2016



Elizabeth E. Jones
Administrative Officer

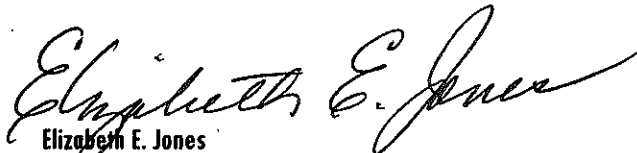
APPROVED AND ENACTED this 14th day of January, 2016



Steven R. Schuh
County Executive

EFFECTIVE DATE: February 28, 2016

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
115-15 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer