

# FINAL

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 40

Bill No. 87-19

Introduced by Mr. Pruski

By the County Council, November 18, 2019

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Introduced and first read on November 18, 2019  
Public Hearing set for and held on December 16, 2019  
Bill Expires February 21, 2020

By Order: JoAnne Gray, Administrative Officer

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### A BILL ENTITLED

1 AN ORDINANCE concerning: Licenses – Multiple Dwellings and Rooming Houses

2  
3 FOR the purpose of amending the definitions of “multiple dwelling” and “rooming house”;  
4 amending references to law that apply to licensed multiple dwellings and rooming  
5 houses; and generally relating to licenses.

6  
7 BY repealing: § 11-10-101  
8 Anne Arundel County Code (2005, as amended)

9  
10 BY adding: § 11-10-101(1) and (2)  
11 Anne Arundel County Code (2005, as amended)

12  
13 BY repealing and reenacting, with amendments: §§ 11-10-104; 11-10-105; 11-10-108; 11-  
14 10-110; and 11-10-111(c)  
15 Anne Arundel County Code (2005, as amended)

16  
17 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
18 That § 11-10-101 of the Anne Arundel County Code (2005, as amended) is hereby  
19 repealed.

20  
21 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County  
22 Code (2005, as amended) read as follows:

### ARTICLE 11. LICENSES

### TITLE 10. MULTIPLE DWELLINGS AND ROOMING HOUSES

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter deleted from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 **11-10-101. Definitions.**

2  
3 IN THIS TITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

4  
5 (1) "MULTIPLE DWELLING" MEANS A STRUCTURE CONTAINING MORE THAN TWO  
6 DWELLING UNITS OR A NON-OWNER OCCUPIED DWELLING CONTAINING TWO OR MORE  
7 DWELLING UNITS.

8  
9 (2) "ROOMING HOUSE" MEANS A BUILDING ARRANGED OR OCCUPIED FOR  
10 LODGING, WITH OR WITHOUT MEALS, FOR COMPENSATION AND NOT OCCUPIED AS A ONE-  
11 OR TWO-FAMILY DWELLING.

12  
13 **11-10-104. Designation of agent by nonresident applicant.**

14  
15 A license may not be issued or renewed for an applicant who is not a resident of the  
16 County unless the applicant has first designated an agent and an alternate agent for the  
17 receipt of notices of violation [[of this title]] ISSUED PURSUANT TO § 15-5-105 OF THIS CODE  
18 and for service of process under [[this title]] § 15-5-105. Either the agent or the alternate  
19 agent must be a resident of the County, and a nonresident applicant may be designated to  
20 fill the other position. The applicant must provide a notarized statement authorizing the  
21 agent and the alternate agent to act on the applicant's behalf for the purpose of receiving  
22 notices [[under this title]] and for service of process under this title AND § 15-5-105.

23  
24 **11-10-105. Approval by Health Officer.**

25  
26 (a) **Issuance.** The Department of Inspections and Permits may not issue an initial  
27 operating license without the approval of the Health Officer. The Health Officer shall  
28 approve the issuance of a license if an inspection of the multiple dwelling or rooming house  
29 for which the license is sought reveals that the multiple dwelling or rooming house  
30 complies with the requirements of [[this title]] ARTICLE 15, TITLE 4 OF THIS CODE.

31  
32 (b) **Noncompliance after inspection; fee.** If a rooming house or multiple dwelling  
33 does not comply with the requirements of [[this title]] ARTICLE 15, TITLE 4 OF THIS CODE  
34 after an initial inspection and one re-inspection, the Health Officer may charge a fee of \$80  
35 for a second re-inspection and for any additional inspections needed until the multiple  
36 dwelling or rooming house complies with the requirements of [[this article]] ARTICLE 15,  
37 TITLE 4 OF THIS CODE.

38  
39 **11-10-108. Records.**

40  
41 The owner or other person in charge of a licensed multiple dwelling or rooming house  
42 shall keep or cause to be kept records of each request for repair and each complaint by a  
43 tenant that is related to the provisions of [[this title]] ARTICLE 15, TITLE 4 OF THIS CODE and  
44 of each correction made in response to such requests and complaints. The records shall be  
45 made available by the owner or other person in charge to the Health Officer or the Director  
46 of Inspections and Permits for inspection and copying on demand. The records are

1 admissible in any administrative or judicial proceeding as prima facie evidence of the  
2 violation or the correction of violation of **[[this title]]** ARTICLE 15, TITLE 4 OF THIS CODE.

3  
4 **11-10-110. Notice of violations.**

5  
6 Whenever after an inspection of a licensed multiple dwelling or rooming house or an  
7 inspection of the records required to be kept by § 11-10-108, the Health Officer finds that  
8 conditions or practices exist which are in violation of the provisions of this title OR OF  
9 ARTICLE 15, TITLE 4 OF THIS CODE, the Health Officer shall serve the owner or other person  
10 in charge with notice of the violation **[[in the manner]]** AS provided IN § 15-5-105 OF THIS  
11 CODE. The notice shall state that unless the violations cited are corrected within a  
12 reasonable time, the license may be suspended.

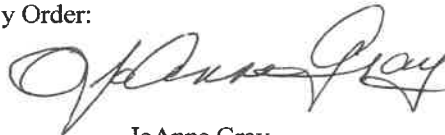
13  
14 **11-10-111. Suspension.**

15  
16 (c) **Reinstatement for compliance.** Whenever after a re-inspection the Health Officer  
17 finds that the multiple dwelling or rooming house is in compliance with **[[this title]]**  
18 ARTICLE 15, TITLE 4 OF THIS CODE and with applicable rules and regulations issued under  
19 this title OR ARTICLE 15, TITLE 4 OF THIS CODE, the Director of Inspections and Permits  
20 shall reinstate the license. A request for re-inspection may not extend the suspension period  
21 unless the Health Officer grants the request.

22  
23 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days  
24 from the date it becomes law.

READ AND PASSED this 16<sup>th</sup> day of December, 2019

By Order:



JoAnne Gray  
Administrative Officer

PRESENTED to the County Executive for his approval this 17<sup>th</sup> day of December, 2019



JoAnne Gray  
Administrative Officer

APPROVED AND ENACTED this 18<sup>th</sup> day of December, 2019



Stuart Pittman  
County Executive

EFFECTIVE DATE: FEB 1 2020

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I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
87-19 . THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

A handwritten signature in cursive script that reads "JoAnne Gray". The signature is written in black ink and is positioned above the printed name and title.

JoAnne Gray  
Administrative Officer