
By: **Prince George's County Delegation and Montgomery County
Delegation**

Introduced and read first time: February 8, 2002
Assigned to: Commerce and Government Matters

Committee Report: Favorable
House action: Adopted
Read second time: April 3, 2002

CHAPTER 408

1 AN ACT concerning

2 **Prince George's County - Enforcement of Zoning Laws by Municipal**
3 **Corporations - Written Agreements**
4 **PG/MC 120-02**

5 FOR the purpose of altering the conditions under which a municipal corporation in
6 Prince George's County may enforce certain zoning laws; requiring certain
7 municipal corporations to enter into written agreements with the Prince
8 George's County District Council under certain circumstances; repealing a
9 requirement that certain municipal corporations enter into certain written
10 agreements with the Prince George's County Executive under certain
11 circumstances; and generally relating to enforcement of zoning laws in Prince
12 George's County.

13 BY repealing and reenacting, with amendments,
14 Article 28 - Maryland-National Capital Park and Planning Commission
15 Section 8-112
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 2001 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 28 - Maryland-National Capital Park and Planning Commission**

2 8-112.

3 (a) (1) Except as provided in paragraph (2) of this subsection and for the
4 City of Takoma Park as provided in § 8-112.2 of this subtitle, within the regional
5 district, the zoning powers vested by Article 66B of the Code in any municipality or
6 council of any municipality within the regional district shall be construed to be vested
7 exclusively in and may be exercised within their discretion only by the County
8 Council of Montgomery County or the County Council of Prince George's County, each
9 acting respectively as a district council.

10 (2) A municipal corporation in Prince George's County shall have
11 concurrent jurisdiction with the County Council of Prince George's County to enforce
12 zoning laws within its corporate limits.

13 (3) Before exercising the authority conferred by this section, a municipal
14 corporation shall enter into a written agreement with the Prince George's County
15 [Executive] DISTRICT COUNCIL concerning the method by which the county will be
16 advised of citations issued by a municipal inspector, the responsibility of the
17 municipal corporation or the county to prosecute violations cited by the municipal
18 corporation, the disposition of fines imposed for violations cited by the municipal
19 corporation, the resolution of disagreements between the municipal corporation and
20 the county about the interpretation of the zoning laws, and any other matters that the
21 [County Executive] PRINCE GEORGE'S COUNTY DISTRICT COUNCIL deems necessary
22 for the proper exercise of this authority.

23 (b) Within the regional district any power vested by Article 66B of the
24 Annotated Code of Maryland in any planning commission or board of appeals shall be
25 construed to be vested exclusively in and may be exercised only by the Commission or
26 the board of zoning appeals created or authorized by this title.

27 (c) Insofar as the provisions of Article 66B of the Annotated Code of Maryland
28 may be inconsistent with or contrary to the provisions of this title, the provisions of
29 Article 66B shall have no application within the regional district.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2002.