

HOUSE BILL 1225

L2

71r2993

By: **Carroll County Delegation**

Introduced and read first time: February 21, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 5, 2007

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 **Carroll County – Abatement of ~~Ongoing Nuisance Without Additional Notice~~**
3 **Nuisances – Ongoing Violations**

4 FOR the purpose of establishing that if a certain nuisance continues in Carroll County
5 after a certain number of notices have been sent within a certain period to ~~the~~
6 ~~property both the owner or~~ and occupant ~~within a certain period~~ of the property
7 on which the nuisance is found, the nuisance shall be considered an ongoing
8 violation; authorizing the County to take action to abate an ongoing violation
9 without giving additional notice under certain circumstances; making certain
10 stylistic changes; and generally relating to the abatement of nuisances in
11 Carroll County.

12 BY repealing and reenacting, with amendments,
13 The Public Local Laws of Carroll County
14 Section 3-106(b)
15 Article 7 – Public Local Laws of Maryland
16 (2004 Edition and September 2006 Supplement, as amended)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article 7 – Carroll County**

2 3–106.

3 (b) (1) The County Commissioners may remove any nuisance or menace
4 to the public health or safety arising from the growth of weeds, the accumulation of
5 refuse, an abandoned well, the presence of stagnant water, or the presence of
6 combustible material after 10 days' advance notice to the owner or occupant of the
7 property upon which the nuisance or menace is found.

8 (2) The growth of weeds may not constitute a nuisance or menace if
9 the land on which the weeds are growing is being used for a bona fide agricultural
10 purpose or if the land is owned by the County and is specifically designated as a
11 natural regeneration project area.

12 (3) (I) Notice may be given by personal service or by mail.

13 (II) If the written order is delivered by mail, notice is effective at
14 the end of the known fifth day after its deposit in the mail to the last known address of
15 the owner or occupant of the property concerned.

16 (4) IF A PROPERTY BOTH THE OWNER OR AND OCCUPANT HAS OF
17 PROPERTY ON WHICH A NUISANCE OR MENACE IS FOUND HAVE BEEN NOTIFIED
18 OF A VIOLATION OF THIS SUBSECTION MORE THAN TWO TIMES WITHIN A
19 12-MONTH PERIOD, THE:

20 (I) THE CONTINUING GROWTH OF WEEDS, ACCUMULATION
21 OF REFUSE, PRESENCE OF STAGNANT WATER, OR PRESENCE OF COMBUSTIBLE
22 MATERIAL SHALL BE CONSIDERED AN ONGOING VIOLATION, AND ADDITIONAL ;
23 AND

24 (II) ADDITIONAL NOTICE TO THE OWNER OR OCCUPANT OF
25 THE PROPERTY IS NOT REQUIRED BEFORE THE COUNTY TAKES MAY TAKE
26 ACTION TO ABATE THE NUISANCE.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2007.