

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 1225

(Carroll County Delegation)

Environmental Matters

Judicial Proceedings

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**Carroll County - Abatement of Nuisances - Ongoing Violations**

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This bill provides that if both a property owner and occupant have been notified more than twice during a 12-month period of a specified nuisance violation (overgrowing weeds, the accumulation of refuse on the property, presence of stagnant water, or presence of combustible material), the nuisance is considered to be an ongoing violation and additional notification is not required before the county takes action to abate the nuisance.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** The bill's changes should not materially impact Carroll County finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Carroll County Commissioners are authorized to remove any nuisance to public health or safety such as the growth of weeds, accumulation of refuse, an abandoned well, the presence of stagnant water, or the presence of combustible material after 10 days' advance notice to the property owner or occupant. If the commissioners remove any nuisance, reasonable costs of the removal must be assessed against the property in the form of a special tax. A property owner aggrieved by the assessment of the special tax may petition the commissioners for relief. Generally, the

determination that a nuisance exists must be determined by the county health officer. This determination is final and constitutes *prima facie* proof of the nuisance.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Carroll County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - March 12, 2007  
mll/hlb Revised - House Third Reader - March 26, 2007

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Analysis by: Joshua A. Watters

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510