

HOUSE BILL 927

L5

8lr1155

By: **Prince George's County Delegation and Montgomery County Delegation**
Introduced and read first time: February 6, 2008
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Maryland–National Capital Park and Planning**
3 **Commission – Zoning Appeals**

4 **PG/MC 119–08**

5 FOR the purpose of altering the conditions under which certain persons may petition
6 for review of a final decision of the district council for Prince George's County;
7 making stylistic changes; and generally relating to zoning in Prince George's
8 County.

9 BY repealing and reenacting, with amendments,
10 Article 28 – Maryland–National Capital Park and Planning Commission
11 Section 8–106(e)
12 Annotated Code of Maryland
13 (2003 Replacement Volume and 2007 Supplement)

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

16 **Article 28 – Maryland–National Capital Park and Planning Commission**

17 8–106.

18 (e) (1) In Prince George's County, [any incorporated municipality] A
19 MUNICIPAL CORPORATION located in [Prince George's County] THE COUNTY, any
20 person or taxpayer in [Prince George's County] THE COUNTY WHO IS AN AGGRIEVED
21 PARTY, any civic or homeowners association representing property owners affected by
22 a final district council decision, [and] OR, if aggrieved, the applicant may have judicial
23 review of any final decision of the district council.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) (I)** Proceedings for review shall be instituted by filing a petition
2 in the Circuit Court [of] **FOR** Prince George's County within 30 days after **THE**
3 **DISTRICT COUNCIL'S** service of [the] **ITS** final decision [of the district council, which
4 may].

5 **(II) THE FINAL DECISION MAY** be served [upon] **ON** all
6 persons of record at the district council's hearing.

7 **(3)** Copies of the petition shall be served on the district council and all
8 other persons of record in the manner provided by the rules of court.

9 **(4) (I)** The filing of the petition does not stay enforcement of the
10 district council's decision[;].

11 **(II)** [but the] **THE** district council may [do so] **STAY**
12 **ENFORCEMENT OF ITS DECISION**, or the reviewing court may order a stay [upon]
13 **ON** terms [it deems] **THAT THE COURT CONSIDERS** proper.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 June 1, 2008.