

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

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

House Bill 1141

(Montgomery County Delegation and Prince George's  
County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

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**Maryland-National Capital Park and Planning Commission - Montgomery  
County Municipal Corporations - Authority to Regulate Commercial Signs  
MC/PG 111-09**

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This bill authorizes municipalities located in Montgomery County to enact local laws imposing additional or stricter commercial sign regulations than are imposed by the State, the Maryland-National Capital Park and Planning Commission (M-NCPPC), or the county.

The bill takes effect June 1, 2009.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** No effect on local government revenues or expenditures.

**Small Business Effect:** Potential meaningful for small businesses that may be affected by more stringent regulations on commercial signs.

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**Analysis**

**Current Law:** The legislative body of a municipality within Montgomery County may impose a building requirement for the protection of the public health, safety, and welfare, or for the preservation, improvement, or protection of lands, water, and improvements in the municipality. A municipal building requirement may only regulate the construction, repair, erection, or remodeling of single-family residential houses, buildings, or other

structures on land zoned for single-family residential use. The building requirement may only regulate signs on land zoned for single-family residential use.

The legislative body of a municipality may enact reasonable regulations concerning buildings and signs to be erected within the limits of the municipality, including a building code and the requirement for building permits; however, the legislative body of a municipality may not pass an ordinance that is inconsistent or in conflict with any ordinance, rule or regulation passed, ordained or adopted by M-NCPPC and the Washington Suburban Sanitary Commission.

**Background:** The Maryland-National Capital Park and Planning Commission is a bicounty agency empowered by the State in 1927 to acquire and administer a regional system of parks within the Maryland-Washington Regional District and administer a general plan for the physical development of the area. M-NCPPC is governed by a 10-member commission with 5 members appointed by the County Executive of Prince George's County and confirmed by the county council, and 5 members appointed by the Montgomery County Council with the approval of the county executive.

**Local Fiscal Effect:** The bill may provide a benefit to municipalities that seek to impose restrictions on commercial signs, but revenues and expenditures are not impacted in municipalities that seek to exercise this authority.

**Small Business Effect:** Small businesses within municipalities that impose additional or stricter regulations on commercial signs may be negatively affected by the bill.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland-National Capital Park and Planning Commission, Montgomery County, Department of Legislative Services

**Fiscal Note History:** First Reader - March 18, 2009  
ncs/mwc Revised - House Third Reader - March 30, 2009

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