SENATE BILL 832

N1, L2 1lr1941 CF HB 1061

By: Charles County Senators

Introduced and read first time: February 9, 2021

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 27, 2021

CHAPTER

AN ACT concerning 1

2 Southern Maryland - Multifamily Dwelling Registration - Fees and Fines

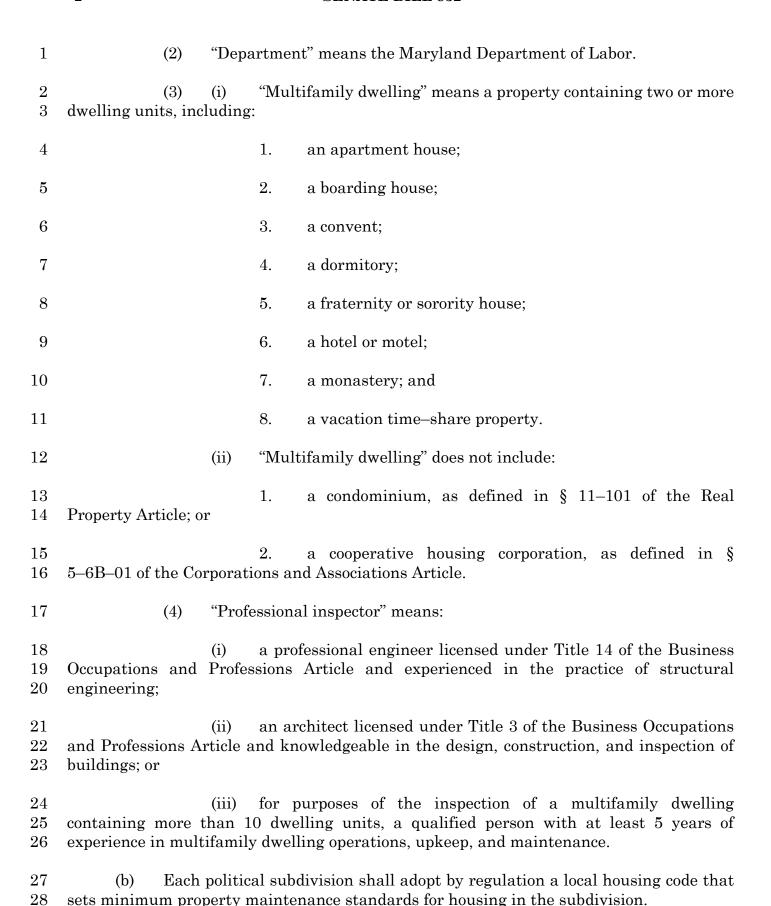
- 3 FOR the purpose of authorizing the code home rule counties of the Southern Maryland class 4 to require a certain property owner to register certain property with the county in 5 order to offer the property for lease; authorizing the code home rule counties of the 6 Southern Maryland class to charge a fee on a certain property owner for registering 7 certain property with the county and to impose a fine on a property owner who leases 8 a dwelling that is not registered with the county; authorizing the code home rule 9 counties of the Southern Maryland class to adopt certain regulations; and generally 10 relating to multifamily dwellings in Southern Maryland.
- BY repealing and reenacting, with amendments, 11
- 12 Article – Public Safety
- Section 12–203 13
- Annotated Code of Maryland 14
- (2018 Replacement Volume and 2020 Supplement) 15
- 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 17 That the Laws of Maryland read as follows:
- 18 Article - Public Safety
- 19 12 - 203.
- 20 (a) (1) In this section the following words have the meanings indicated.

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 (c) The Department shall adopt by regulation a Minimum Livability Code. 2 Except as provided in paragraph (2) of this subsection, the Minimum (d) 3 Livability Code applies to residential structures used for human habitation. 4 (2)The Minimum Livability Code does not apply to: 5 (i) an owner-occupied housing unit; 6 any housing in a political subdivision that has adopted a local (ii) 7 housing code that substantially conforms to the Minimum Livability Code; or 8 (iii) any housing exempted by the Department. 9 (e) The Minimum Livability Code shall: 10 (1) set minimum property standards for housing in the State; 11 (2)allow for exceptions and variations between political subdivisions: 12 (i) to reflect geographic differences; or 13 (ii) if the Department determines that unique local conditions justify 14 exceptions or variations recommended by political subdivisions; and 15 (3)include minimum standards for: 16 (i) basic equipment and facilities used for light, ventilation, heat, 17 and sanitation: and 18 (ii) safe and sanitary maintenance of residential structures and 19 premises. 20 The political subdivision in which the housing is located shall enforce (1) the Minimum Livability Code. 21 22 Unless alternative housing is provided, an individual may not be 23displaced by enforcement of the Minimum Livability Code. 24(3)(i) This paragraph does not apply in Baltimore City. 25(ii) A political subdivision shall require an inspection of each 26 multifamily dwelling in the political subdivision in which a unit in the multifamily dwelling has balcony railings that are primarily constructed of wood at least once every 5 years, 2728 beginning no later than 10 years after the balcony is constructed, to ensure that the balcony railings meet the requirements of the applicable local housing code or the Minimum 29

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Livability Code.

1	(iii) A political subdivision may:
2 3	1. conduct inspections required under subparagraph (ii) of this paragraph;
4 5	2. authorize a third party to conduct inspections required under subparagraph (ii) of this paragraph on behalf of the political subdivision; or
6 7 8	3. require an inspection required under subparagraph (ii) of this paragraph to be conducted and certified to the political subdivision by a professional inspector hired by the owner of the multifamily dwelling.
9 10	(iv) A certification made by a professional inspector under subparagraph (iii)3 of this paragraph shall:
11 12	1. be made in the form required by the applicable political subdivision; and
13	2. include:
14	A. a statement that the balcony railings have been inspected;
15	B. the name of the owner of the multifamily dwelling;
16	C. the address of the multifamily dwelling;
17	D. the name of the inspector;
18	E. the date the multifamily dwelling was inspected;
19	F. the results of the inspection; and
20 21	G. any other information required by the political subdivision.
22	(v) A political subdivision shall:
23 24 25	1. provide notice to the owner of a multifamily dwelling at least 10 days before any inspection of the dwelling conducted under subparagraph (iii)1 or 2 of this paragraph; or
26 27 28	2. A. notify the owner of a multifamily dwelling of the need to have a professional inspector complete an inspection under subparagraph (iii)3 of this paragraph; and

- 1 allow the owner of the multifamily dwelling a reasonable В. 2 period of time to have the inspection completed. 3 A political subdivision that otherwise inspects multifamily dwelling units at least once every 5 years may include the inspection required under 4 subparagraph (ii) of this paragraph as part of that inspection. 5 6 In this paragraph, "multiple-family dwelling" has the meaning **(4)** 7 stated in Article 13, § 5–1 of the Baltimore City Code. 8 (ii) This paragraph applies only in Baltimore City. 9 Baltimore City may not issue or renew a multiple-family (iii) dwelling license unless the applicant demonstrates that a professional inspector has 10 completed an inspection of the multiple-family dwelling to ensure that each balcony railing 11 in the multiple-family dwelling meets the requirements of the Building, Fire, and Related 12 13 Codes of Baltimore City. 14 Beginning in October 2015, and every 5 years thereafter, at the (iv) 15 time that Baltimore City sends a renewal notice to a holder of a multiple-family dwelling license, Baltimore City shall notify the license holder of the inspection requirement under 16 17 subparagraph (iii) of this paragraph. 18 (5)A political subdivision may charge a property owner a fee for: 19 (i) an inspection made to enforce the Minimum Livability Code; and 20 (ii) a periodic inspection made under paragraph (3) or (4) of this 21subsection. 22**(6)** THIS PARAGRAPH APPLIES ONLY IN THE CODE HOME RULE **(I)** 23COUNTIES OF THE SOUTHERN MARYLAND CLASS, AS IDENTIFIED IN § 9–302 OF THE LOCAL GOVERNMENT ARTICLE. 2425 A CODE HOME RULE COUNTY OF THE SOUTHERN (II)26 MARYLAND CLASS MAY: 27 1. REQUIRE A PROPERTY OWNER OF A MULTIFAMILY DWELLING LOCATED IN THE COUNTY TO REGISTER THE DWELLING WITH THE 28
- 2. 30 CHARGE A FEE ON A PROPERTY OWNER FOR 31 REGISTERING A MULTIFAMILY DWELLING WITH THE COUNTY; AND

COUNTY IN ORDER TO OFFER UNITS IN THE DWELLINGS FOR LEASE;

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Code.

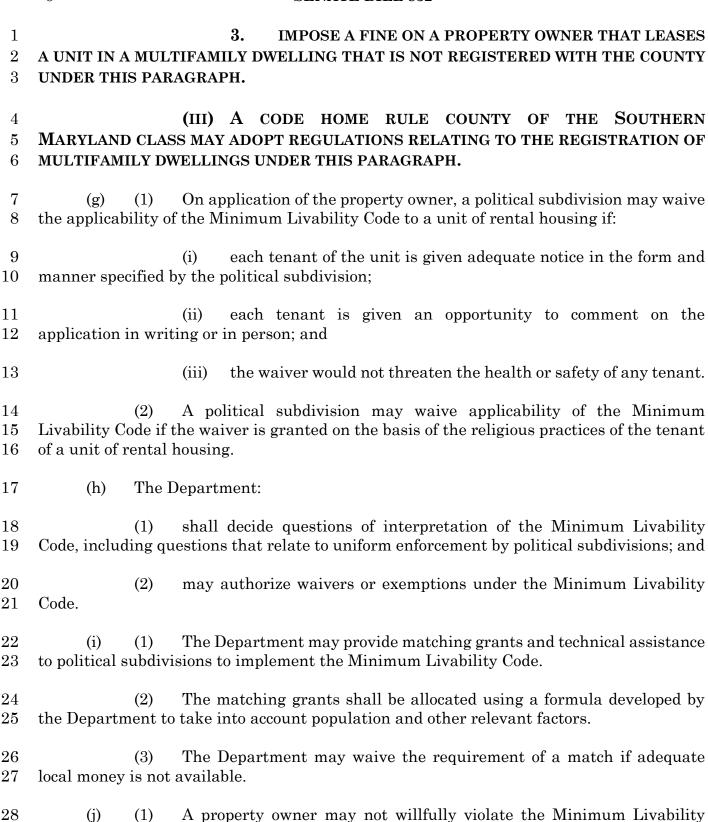
(2)

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A person who violates this subsection is guilty of a misdemeanor and

on conviction is subject for each violation to imprisonment not exceeding 3 months or a fine

not exceeding \$500 for each day the violation exists or both.

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(3) A penalty imposed under this subsection is in addition to an substitute for any other penalty authorized under federal, State, or local law.	d not a
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall tak October 1, 2021.	e effect
Approved:	
Governor.	
President of the Senate.	
Speaker of the House of Delegates.	