

SENATE BILL 375

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1999 Regular Session
9r1768
CF 9r2283

By: **Senator Jimeno**
Introduced and read first time: February 5, 1999
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Zoning - Civil Violations - Enforcement**

3 FOR the purpose of authorizing the District Court to include a certain abatement
4 order in an adjudication of a civil zoning violation; making a stylistic change;
5 and generally relating to zoning and enforcement.

6 BY repealing and reenacting, without amendments,
7 Article 23A - Corporations - Municipal
8 Section 3(b)(7)
9 Annotated Code of Maryland
10 (1998 Replacement Volume and 1998 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article 66B - Zoning and Planning
13 Section 7.01(c)(8) and (9)
14 Annotated Code of Maryland
15 (1998 Replacement Volume)

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

18 **Article 23A - Corporations - Municipal**

19 3.

20 (b) (7) If any person shall be found by the District Court to have committed
21 a municipal infraction:

22 (i) 1. The District Court shall order the person to pay the fine,
23 including any doubling of the fine, not to exceed the limits under paragraph (2) of this
24 subsection;

25 2. The fines imposed shall constitute a judgment in favor of
26 the municipality; and

1 3. If the fine remains unpaid for 30 days following the date of
2 its entry, the judgment shall be enforceable in the same manner and to the same
3 extent as other civil judgments for money unless the Court has suspended or deferred
4 the payment of the fine as provided under subparagraph (ii) of this paragraph;

5 (ii) The District Court may suspend or defer the payment of any
6 fine under conditions that the Court sets;

7 (iii) The person shall be liable for the costs of the proceedings in the
8 District Court; and

9 (iv) The Court may order the person to abate the infraction or enter
10 an order permitting a municipality to abate any such infraction at the person's
11 expense.

12 **Article 66B - Zoning and Planning**

13 7.01.

14 (c) (8) In a proceeding before the District Court, the violation shall be
15 prosecuted in the same manner and to the same extent as set forth for municipal
16 infractions in Article 23A, [§ 3(b)(8)] § 3(B)(7) through (15) of the Code. The governing
17 body of any county may authorize the county attorney to prosecute a civil zoning
18 violation.

19 (9) If a person is found by the District Court to have committed a civil
20 zoning violation, [he] THE PERSON shall be liable for the costs of the proceedings in
21 the District Court.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 1999.