

SENATE BILL 375

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1999 Regular Session  
9r1768  
CF 9r2283

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

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: February 23, 1999

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CHAPTER \_\_\_\_\_

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:

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

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

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

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

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

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

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

18 7.01.

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

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

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