
By: **Prince George's County Delegation and Montgomery County
Delegation**

Introduced and read first time: February 8, 2002
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Enforcement of Zoning Laws by Municipal**
3 **Corporations - Written Agreements**
4 **PG/MC 120-02**

5 FOR the purpose of altering the conditions under which a municipal corporation in
6 Prince George's County may enforce certain zoning laws; requiring certain
7 municipal corporations to enter into written agreements with the Prince
8 George's County District Council under certain circumstances; repealing a
9 requirement that certain municipal corporations enter into certain written
10 agreements with the Prince George's County Executive under certain
11 circumstances; and generally relating to enforcement of zoning laws in Prince
12 George's County.

13 BY repealing and reenacting, with amendments,
14 Article 28 - Maryland-National Capital Park and Planning Commission
15 Section 8-112
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 2001 Supplement)

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

20 **Article 28 - Maryland-National Capital Park and Planning Commission**

21 8-112.

22 (a) (1) Except as provided in paragraph (2) of this subsection and for the
23 City of Takoma Park as provided in § 8-112.2 of this subtitle, within the regional
24 district, the zoning powers vested by Article 66B of the Code in any municipality or
25 council of any municipality within the regional district shall be construed to be vested
26 exclusively in and may be exercised within their discretion only by the County
27 Council of Montgomery County or the County Council of Prince George's County, each
28 acting respectively as a district council.

1 (2) A municipal corporation in Prince George's County shall have
2 concurrent jurisdiction with the County Council of Prince George's County to enforce
3 zoning laws within its corporate limits.

4 (3) Before exercising the authority conferred by this section, a municipal
5 corporation shall enter into a written agreement with the Prince George's County
6 [Executive] DISTRICT COUNCIL concerning the method by which the county will be
7 advised of citations issued by a municipal inspector, the responsibility of the
8 municipal corporation or the county to prosecute violations cited by the municipal
9 corporation, the disposition of fines imposed for violations cited by the municipal
10 corporation, the resolution of disagreements between the municipal corporation and
11 the county about the interpretation of the zoning laws, and any other matters that the
12 [County Executive] PRINCE GEORGE'S COUNTY DISTRICT COUNCIL deems necessary
13 for the proper exercise of this authority.

14 (b) Within the regional district any power vested by Article 66B of the
15 Annotated Code of Maryland in any planning commission or board of appeals shall be
16 construed to be vested exclusively in and may be exercised only by the Commission or
17 the board of zoning appeals created or authorized by this title.

18 (c) Insofar as the provisions of Article 66B of the Annotated Code of Maryland
19 may be inconsistent with or contrary to the provisions of this title, the provisions of
20 Article 66B shall have no application within the regional district.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2002.