

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 224

(Allegany County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

Code Counties - Western Maryland - Penalties for Violations of Rules and Regulations Regarding Junkyards, Dumps, and Other Facilities

This bill authorizes the county commissioners of a code county in Western Maryland to declare a violation of rules and regulations regarding junkyards, dumps, or other facilities to be a civil infraction.

The bill is effective July 1, 2003.

Fiscal Summary

State Effect: Minimal increase in general fund revenues due to unpaid citations that are heard in District Court.

Local Effect: Minimal increase in Allegany County revenues. Citations not paid within county determined time limits would go to District Court.

Small Business Effect: Minimal.

Analysis

Current Law: The governing body of each county in Maryland may adopt and promulgate rules and regulations for the licensing, control, location, and maintenance within their respective limits of junkyards, public or private dumps, automobile junkyards, automotive dismantler and recycler facilities, scrap metal processing facilities, or outdoor places where old motor vehicles are stored in quantity or dismantled, and lots on which refuse, trash, or junk is deposited. A violation of rules and regulations

regarding junkyards, dumps, and other facilities is a misdemeanor subject upon conviction to a fine not less than \$25 per day. Each day a violation continues is considered a separate offense.

Background: Allegany County is the only county in Western Maryland that has adopted code home rule under Article XI-F of the Maryland Constitution. Allegany County advises that the penalty for violations of rules and regulations regarding junkyards, dumps, or other facilities would be decided by the Allegany County Department of Community Services and that the county expects approximately 20 violations annually to be assessed civil penalties.

Local Fiscal Effect: Although not finalized, Allegany County expects civil penalties for first offenses to be \$100, \$250 for second offenses, and \$500 for third offenses and any subsequent offense. County revenues would increase by \$75 for each violation. Assuming 20 violations each year, county revenues would increase by \$1,500 annually. However, any increase cannot be reliably estimated at this time, but is assumed to be minimal.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Allegany County, Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2003
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