

HOUSE BILL 1225

L2

71r2993

By: **Carroll County Delegation**

Introduced and read first time: February 21, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Abatement of Ongoing Nuisance Without Additional Notice**

3 FOR the purpose of establishing that if a certain nuisance continues in Carroll County
4 after a certain number of notices have been sent to the property owner or
5 occupant within a certain period, the nuisance shall be considered an ongoing
6 violation; authorizing the County to take action to abate an ongoing violation
7 without giving additional notice; making certain stylistic changes; and generally
8 relating to the abatement of nuisances in Carroll County.

9 BY repealing and reenacting, with amendments,
10 The Public Local Laws of Carroll County
11 Section 3–106(b)
12 Article 7 – Public Local Laws of Maryland
13 (2004 Edition and September 2006 Supplement, as amended)

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

16 **Article 7 – Carroll County**

17 3–106.

18 (b) **(1)** The County Commissioners may remove any nuisance or menace
19 to the public health or safety arising from the growth of weeds, the accumulation of
20 refuse, an abandoned well, the presence of stagnant water, or the presence of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 combustible material after 10 days' advance notice to the owner or occupant of the
2 property upon which the nuisance or menace is found.

3 (2) The growth of weeds may not constitute a nuisance or menace if
4 the land on which the weeds are growing is being used for a bona fide agricultural
5 purpose or if the land is owned by the County and is specifically designated as a
6 natural regeneration project area.

7 (3) (I) Notice may be given by personal service or by mail.

8 (II) If the written order is delivered by mail, notice is effective at
9 the end of the known fifth day after its deposit in the mail to the last known address of
10 the owner or occupant of the property concerned.

11 (4) **IF A PROPERTY OWNER OR OCCUPANT HAS BEEN NOTIFIED OF**
12 **A VIOLATION OF THIS SUBSECTION MORE THAN TWO TIMES WITHIN A 12-MONTH**
13 **PERIOD, THE CONTINUING GROWTH OF WEEDS, ACCUMULATION OF REFUSE,**
14 **PRESENCE OF STAGNANT WATER, OR PRESENCE OF COMBUSTIBLE MATERIAL**
15 **SHALL BE CONSIDERED AN ONGOING VIOLATION, AND ADDITIONAL NOTICE TO**
16 **THE OWNER OR OCCUPANT OF THE PROPERTY IS NOT REQUIRED BEFORE THE**
17 **COUNTY TAKES ACTION TO ABATE THE NUISANCE.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2007.