

CHAPTER 271

(House Bill 1225)

AN ACT concerning

Carroll County – Abatement of ~~Ongoing Nuisance Without Additional Notice~~ Nuisances – Ongoing Violations

FOR the purpose of establishing that if a certain nuisance continues in Carroll County after a certain number of notices have been sent within a certain period to the property both the owner or and occupant ~~within a certain period~~ of the property on which the nuisance is found, the nuisance shall be considered an ongoing violation; authorizing the County to take action to abate an ongoing violation without giving additional notice under certain circumstances; making certain stylistic changes; and generally relating to the abatement of nuisances in Carroll County.

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

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

Article 7 – Carroll County

3–106.

(b) (1) The County Commissioners may remove any nuisance or menace to the public health or safety arising from the growth of weeds, the accumulation of refuse, an abandoned well, the presence of stagnant water, or the presence of combustible material after 10 days' advance notice to the owner or occupant of the property upon which the nuisance or menace is found.

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

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

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

(4) ~~IF A PROPERTY BOTH THE OWNER OR AND OCCUPANT HAS OF PROPERTY ON WHICH A NUISANCE OR MENACE IS FOUND HAVE BEEN NOTIFIED OF A VIOLATION OF THIS SUBSECTION MORE THAN TWO TIMES WITHIN A 12-MONTH PERIOD, THE:~~

(I) ~~THE CONTINUING GROWTH OF WEEDS, ACCUMULATION OF REFUSE, PRESENCE OF STAGNANT WATER, OR PRESENCE OF COMBUSTIBLE MATERIAL SHALL BE CONSIDERED AN ONGOING VIOLATION, AND ADDITIONAL ; AND~~

(II) ~~ADDITIONAL NOTICE TO THE OWNER OR OCCUPANT OF THE PROPERTY IS NOT REQUIRED BEFORE THE COUNTY TAKES~~ MAY TAKE ACTION TO ABATE THE NUISANCE.

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

Approved by the Governor, April 24, 2007.