

HOUSE BILL 1083

L2

8lr1824

By: **Washington County Delegation**

Introduced and read first time: February 7, 2008

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Maintenance of Sidewalks**

3 FOR the purpose of clarifying certain powers of the Washington County Board of
4 County Commissioners with regard to the maintenance of sidewalks in
5 Washington County; authorizing the County Commissioners to adopt certain
6 regulations; and generally relating to the maintenance of sidewalks in
7 Washington County.

8 BY repealing and reenacting, with amendments,
9 The Public Local Laws of Washington County
10 Section 1-503
11 Article 22 - Public Local Laws of Maryland
12 (2007 Edition, as amended)

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

15 **Article 22 - Washington County**

16 1-503.

17 (a) The County Commissioners, in addition to but not in substitution of the
18 powers which have been or may be granted them, may require the installation **AND**
19 **MAINTENANCE** of sidewalks along the public streets and highways of the county,
20 except in incorporated municipalities of the county. The Commissioners may require
21 that they be graded, paved, [repaired or improved] **REPAIRED, IMPROVED, OR**
22 **MAINTAINED**, with curbs to be set and gutters laid, at the cost and expense of the
23 abutting real property or the owner; or compel by fine or otherwise the owner or
24 proprietor of any lot or parcel of land to [pave or repair] **PAVE, REPAIR, OR**
25 **MAINTAIN** sidewalks or footways and to set curbs and lay gutters in front of the
26 sidewalks.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) **THIS SUBSECTION DOES NOT APPLY TO THE SNOW OR ICE**
2 **REMOVAL OR OTHER OBSTRUCTIONS OR HAZARDS OF SIDEWALKS.**

3 (2) The County Commissioners, before proceeding to carry out the
4 provisions of this section, shall notify every owner in front of whose property they
5 propose to do any grading, paving, setting of curb, laying of gutters, or repairing and
6 shall allow the owners 30 days to perform the work under the direction of the County
7 Commissioners. If the owners fail or refuse to complete the work by the expiration
8 date on the notice, the County Commissioners may perform the work and its cost shall
9 be assessed against the owners in front of whose property the work was performed.

10 [(2)] (3) Whenever the County Commissioners have determined,
11 under the provisions of this section, the exact amount of cost for which any property or
12 the owners have been liable for work done or repairs made, they shall deliver to the
13 County Treasurer a statement of the amount or amounts, together with the names of
14 the respective owners of the property in front of which the work was done or the
15 repairs were made. The County Treasurer shall enter upon the County Treasurer's
16 books against each property mentioned in the statement the amount charged
17 respectively to the property. This amount constitutes a lien on the particular parcel of
18 property against which the amount is assessed. The County Treasurer shall notify
19 each of the owners of the amount charged against the owner's property and proceed to
20 collect the amount in the same way and manner as taxes are collected for the county.

21 (c) **THE COUNTY COMMISSIONERS MAY ADOPT REGULATIONS**
22 **GOVERNING THE MAINTENANCE OF SIDEWALKS BY ABUTTING REAL PROPERTY**
23 **OWNERS FOR PURPOSES OF SNOW OR ICE REMOVAL OR OTHER OBSTRUCTIONS**
24 **OR HAZARDS.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2008.