

CHAPTER 285

(House Bill 638)

AN ACT concerning

Western Maryland Code Counties – Junkyard Abatement – Liens on Property

FOR the purpose of providing that, in a county in the Western Maryland class that has adopted code home rule, any unpaid ~~fees charged to~~ charges imposed on an owner of property as a result of the county abating a violation of certain rules or regulations relating to junkyards ~~are shall be~~ a lien against the real property where ~~a certain the~~ violation occurred ~~and shall~~; requiring a certain lien to be recorded in the office of the clerk for the county where a certain violation occurred; making stylistic changes; and generally relating to the abatement of junkyard violations.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 122A(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 122A(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Article 25 – County Commissioners

122A.

(a) The county commissioners or county council of each county in the State 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.

(e) (1) Except as provided in paragraph (2) of this subsection, a violation of any such rule or regulation, including the maintenance or operation of any such

junkyard, facility, or dump without a license, is a misdemeanor, subject upon conviction to a fine of not less than twenty-five dollars (\$25.00). Each day on which a violation continues is a separate offense.

(2) ~~IN (I) THIS PARAGRAPH APPLIES TO~~ a county in the Western Maryland class that has adopted code home rule under Article XI-F of the Maryland [Constitution, the] ~~CONSTITUTION.~~

~~(I) (II)~~ **THE** county commissioners may:

[(i)] **1.** Declare a violation of any rule or regulation adopted in accordance with this section to be a civil infraction under Article 25B, § 13C of the Code; or

[(ii)] **2.** Abate, or contract for the abatement of, a violation of any rule or regulation adopted in accordance with this section at the expense of the owner of the real property where the violation occurred;~~AND.~~

~~(II) (III) 1. ANY UNPAID FEES CHARGED TO CHARGES IMPOSED ON AN OWNER OF REAL PROPERTY UNDER ITEM (I) 2 SUBPARAGRAPH (II) 2 OF THIS PARAGRAPH SHALL BE:~~

~~1. A A LIEN AGAINST THE REAL PROPERTY WHERE THE VIOLATION OCCURRED;AND.~~

2. RECORDED THE LIEN SHALL BE RECORDED IN THE OFFICE OF THE CLERK FOR THE COUNTY WHERE THE VIOLATION OCCURRED.

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

Approved by the Governor, April 24, 2008.