

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 60

(Delegates Haddaway-Riccio and Eckardt)

Environmental Matters

Education, Health, and Environmental Affairs

Talbot County - Zoning Regulations - Enforcement

This bill authorizes Talbot County to provide, by local law, for an administrative proceeding to enforce the county's zoning regulations. The law may authorize the imposition of civil fines and penalties for zoning violations.

Fiscal Summary

State Effect: None.

Local Effect: Potential minimal increase in Talbot County revenues from civil fines and penalties. The amount of any increase depends on the number of fines and penalties imposed and the amount of each. County expenditures are not affected.

Small Business Effect: None.

Analysis

Current Law: Chapter 190 of the Talbot County Code addresses zoning, subdivision and planning, and land development in the county and applies to all lands, submerged lands, waters, and islands within the unincorporated areas of Talbot County.

Generally, Article 66B does not apply to charter counties. However, under Article 66B, a charter county may provide for a civil penalty to enforce a zoning violation. Fines of up to \$500 may be imposed for each violation. The county may also (1) establish a schedule of additional fines for each violation; and (2) adopt procedures for the collection of the fines.

A person who receives a citation may elect to stand trial for the offense by filing with the zoning official a notice of intention to stand trial. All trials are heard by the District Court and all fines, penalties, or forfeitures collected by the District Court for zoning violations must be remitted to the county in which the zoning violation occurred.

Local Fiscal Effect: The bill may result in an increase in Talbot County revenues from civil fines and penalties imposed for zoning violations. However, the amount of any revenue increase cannot be reliably estimated and depends on the number of fines and penalties imposed and the amount of each. The county advises that it can implement the provisions of the bill with its existing budgeted resources.

Additional Information

Prior Introductions: None.

Cross File: SB 34 (Senator Colburn) - Education, Health, and Environmental Affairs.

Information Source(s): Talbot County, Maryland Department of Planning, Department of Legislative Services

Fiscal Note History: First Reader - January 16, 2012
ncs/hlb

Analysis by: Michael Sanelli

Direct Inquiries to:
(410) 946-5510
(301) 970-5510