

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1161

(Charles County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

Charles County - Assessment for Abatement of Zoning Violation

This bill authorizes the Charles County Commissioners, when a zoning violation is abated, to assess against the property the reasonable cost of a zoning violation abatement. The assessment must be added to the annual property tax bill to be collected in the same manner as other taxes and subject to the same interest and penalty for the nonpayment of county taxes. The bill specifies that an assessment is a lien against the property from the date of assessment until paid.

The bill takes effect upon the enactment of HB 1290 which revises, restates, and recodifies the laws of the State that relate to land use.

Fiscal Summary

State Effect: None.

Local Effect: Charles County revenues increase by approximately \$12,000 annually beginning in FY 2013 to cover the cost of zoning violation abatements. County expenditures are not directly affected.

Small Business Effect: None.

Analysis

Current Law: Properties with zoning violations that are not corrected may have liens placed on them by the county. In order for Charles County to abate a zoning violation, the Charles County District Court must issue an order to allow the county to conduct an abatement. The county is responsible for the costs and cannot be reimbursed for those costs until the property is sold. Charles County advises that these costs are usually not recouped.

Background: In Carroll County, when a zoning violation is abated, the county commissioners are authorized to assess against the property the reasonable cost of a zoning violation abatement. The assessment must be added to the annual property tax bill to be collected in the same manner as other taxes and subject to the same interest and penalty for the nonpayment of county taxes.

Local Fiscal Effect: The bill provides a mechanism for Charles County to recoup the cost of conducting zoning violation abatements. The county estimates that six of these abatements occur each year. Based on the cost incurred by the county for nuisance abatement (\$2,000), it is estimated that county revenues may increase by \$12,000 annually beginning in fiscal 2013 to cover the cost of zoning violation abatements.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles County, Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2012
mc/hlb

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