

HOUSE BILL 1475

L3, N1, Q1

6lr3238

By: **Delegates McMillan and Busch**

Introduced and read first time: February 12, 2016

Assigned to: Environment and Transportation and Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities – Vacant and Blighted Buildings – Registration, Remediation,**
3 **and Taxation**

4 FOR the purpose of authorizing a municipality to establish and maintain a registry of
5 vacant and blighted buildings and a special remediation fund to administer
6 registration, inspection, and remediation programs for vacant and blighted
7 buildings; authorizing a municipality to establish a certain class of real property and
8 set a special tax rate for that class of property; and generally relating to municipal
9 authority to regulate vacant and blighted buildings.

10 BY repealing and reenacting, without amendments,

11 Article – Local Government
12 Section 5–203, 6–101, and 6–102
13 Annotated Code of Maryland
14 (2013 Volume and 2015 Supplement)

15 BY adding to

16 Article – Local Government
17 Section 5–219
18 Annotated Code of Maryland
19 (2013 Volume and 2015 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – Tax – Property
22 Section 6–303(a)
23 Annotated Code of Maryland
24 (2012 Replacement Volume and 2015 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Local Government**

2 5–203.

3 (a) In addition to, but not in substitution of, the powers that have been or may be
4 granted to it, the legislative body of a municipality may exercise the express powers
5 provided in this subtitle by adopting ordinances.

6 (b) Except as provided in Article XI–E of the Maryland Constitution, an ordinance
7 adopted by the legislative body of a municipality may not conflict with State law.

8 **5–219.**9 **A MUNICIPALITY MAY:**10 **(1) ESTABLISH AND MAINTAIN:**11 **(I) A REGISTRY OF VACANT AND BLIGHTED BUILDINGS; AND**

12 **(II) A SPECIAL REMEDIATION FUND TO ADMINISTER**
13 **REGISTRATION, INSPECTION, AND REMEDIATION PROGRAMS FOR VACANT AND**
14 **BLIGHTED BUILDINGS; AND**

15 **(2) ESTABLISH:**

16 **(I) A CLASS OF REAL PROPERTY FOR VACANT AND BLIGHTED**
17 **BUILDINGS; AND**

18 **(II) SET A SPECIAL TAX RATE FOR THAT CLASS OF PROPERTY AS**
19 **PROVIDED IN § 6–303 OF THE TAX – PROPERTY ARTICLE.**

20 6–101.

21 (a) The legislative body of a municipality may provide that violations of
22 ordinances and resolutions authorized by this division are punishable as misdemeanors.

23 (b) A penalty for a violation of an ordinance or resolution that is declared to be a
24 misdemeanor under this section may not exceed imprisonment for 6 months or a fine of
25 \$1,000 or both.

26 (c) Sections 7–504 and 7–505 of the Courts Article shall govern imprisonment in
27 default of fines and costs.

28 6–102.

1 (a) (1) Unless State law classifies a violation as a criminal offense, the
2 legislative body of a municipality may provide, by law, that a violation of a municipal
3 ordinance is a municipal infraction.

4 (2) A municipal infraction is a civil offense.

5 (b) The legislative body of a municipality may classify as a municipal infraction:

6 (1) a violation of an ordinance or regulation concerning zoning or land use;
7 and

8 (2) littering in the municipality as prohibited under § 10–110 of the
9 Criminal Law Article.

10 (c) (1) A fine not exceeding \$1,000 may be imposed for each municipal
11 infraction.

12 (2) The fine is payable to the municipality by the person charged in the
13 citation within 20 calendar days of service of the citation.

14 **Article – Tax – Property**

15 6–303.

16 (a) (1) Except as provided in paragraph (2) of this subsection, in each year
17 after the date of finality and before the following July 1, the governing body of each
18 municipal corporation annually shall set the tax rate for the next taxable year on all
19 assessments of property subject to municipal corporation property tax.

20 (2) If not otherwise prohibited by this article, the governing body of a
21 municipal corporation may set special rates for any class of property that is subject to the
22 municipal corporation property tax.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2016.