

HB1570/110018/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1570

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Prince” and substitute “Montgomery County Delegation and Prince”; in line 2, strike “Prince” and substitute “Maryland-Washington Regional District - Prince”; in the same line, strike “to Regulate Fences”; in line 3, strike “PG 418-17” and substitute “MC/PG 111-17”; strike beginning with “exempting” in line 4 down through “District;” in line 7; in line 7, after “authorizing” insert “the legislative body of”; strike beginning with “enact” in line 8 down through “laws” in line 10 and substitute “authorize the erection of a fence that exceeds certain height restrictions or limitations, under certain circumstances; correcting a certain reference to the Maryland-Washington Regional District; repealing certain provisions of law authorizing a municipal corporation in Prince George’s County to enact certain local laws regulating fences; repealing certain provisions of law prohibiting the enactment of a local law that is less restrictive than certain local laws; updating an obsolete reference regarding certain concurrent jurisdiction pertaining to signs of municipal corporations and Prince George’s County”; in line 12, strike “to regulate fences”; in line 15, strike “20-709, 22-202, and”; in the same line, after “22-203” insert “and 25-303”; and after line 17, insert:

“BY repealing and reenacting, without amendments,

Article – Land Use

Section 25-101

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)”.

AMENDMENT NO. 2

(Over)

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On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 10 on page 2, inclusive.

On page 2, in line 12, strike “(a)”; in lines 13 and 14, strike “Environmental Resources, Licenses and Inspections Group” and substitute “**PERMITTING, INSPECTION AND ENFORCEMENT**”; and strike in their entirety lines 16 through 30, inclusive, and substitute:

“25–101.

This title applies only in Prince George’s County.

25–303.

(a) This section applies to land in a municipal corporation that is in the [metropolitan] REGIONAL district and is:

- (1) zoned for residential or commercial use; or
- (2) adjacent to residential or commercial zones.

(b) (1) Notwithstanding any other law, and for the purpose of preserving, improving, or protecting the general character and design of lands and improvements in a municipal corporation, the legislative body of the municipal corporation, by local law, may impose stricter or additional conditions, restrictions, or limitations than are otherwise required by State, regional, or county zoning laws or agencies exercising zoning and planning jurisdiction over the municipal corporation.

(2) The stricter or additional conditions, restrictions, or limitations may apply only to:

- (i) fences;

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(ii) residential parking; and

(iii) residential storage.

(c) THE LEGISLATIVE BODY OF A MUNICIPAL CORPORATION, BY LOCAL LAW, MAY AUTHORIZE THE ERECTION OF A FENCE THAT EXCEEDS THE HEIGHT RESTRICTIONS OR LIMITATIONS OTHERWISE REQUIRED BY STATE, REGIONAL, OR COUNTY ZONING LAWS OR AGENCIES EXERCISING ZONING AND PLANNING JURISDICTION OVER THE MUNICIPAL CORPORATION.

(D) The legislative body of a municipal corporation may not enact a local law under this section without holding a public hearing on all issues.

[(d)] (E) A municipal corporation that enacts a zoning law in accordance with this section shall deliver a certified copy of the local law to the district council within 5 days after the enactment and at least 30 days before the effective date of the local law.

[(e)] (F) (1) If the district council does not approve the local law before the effective date of the local law, the local law shall be considered disapproved and may not take effect.

(2) The local law may not take effect unless approved by the district council.”.