

HOUSE BILL 1570

L2, L5, L3

7lr0781

By: **Prince George's County Delegation**

Introduced and read first time: February 17, 2017

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Municipal Authority to Regulate Fences**

3 **PG 418–17**

4 FOR the purpose of exempting the exercise of certain powers by a municipal corporation
5 from a prohibition against the exercise of any powers relating to planning,
6 subdivision control, or zoning by a municipal corporation in Prince George's County
7 in the Maryland–Washington Regional District; authorizing a municipal corporation
8 in Prince George's County to enact a comprehensive local law regulating fences in
9 the municipal corporation; establishing that a certain local law regulating fences in
10 a municipal corporation may be less restrictive than certain local and zoning laws;
11 and generally relating to the authority of municipal corporations in Prince George's
12 County to regulate fences.

13 BY repealing and reenacting, with amendments,
14 Article – Land Use
15 Section 20–709, 22–202, and 22–203
16 Annotated Code of Maryland
17 (2012 Volume and 2016 Supplement)

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

20 **Article – Land Use**

21 20–709.

22 **[A] EXCEPT AS PROVIDED IN § 22–203 OF THIS ARTICLE, A** municipal
23 corporation in Prince George's County that is in the regional district may not exercise any

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 powers relating to planning, subdivision control, or zoning not granted to the municipal
2 corporation by the district council under § 25–303 of this article.

3 22–202.

4 (a) This section applies to any zoning law that imposes a more restrictive height
5 limitation, lesser percentage of lot occupancy, wider or larger courts, deeper yards, or other
6 more restrictive limitations than those provided by State, county, municipal, or other local
7 regulations.

8 (b) **[A] EXCEPT AS PROVIDED IN § 22–203(D) OF THIS SUBTITLE, A** zoning
9 law described in subsection (a) of this section shall prevail in the area where it is imposed
10 over the limitations provided by State, county, municipal, or other local regulations.

11 22–203.

12 (a) A municipal corporation in Prince George’s County shall have concurrent
13 authority in its boundaries with the county Department of Environmental Resources,
14 Licenses and Inspections Group, to seek compliance with zoning requirements to the extent
15 that the requirements pertain to signs.

16 (b) A municipal corporation in Prince George’s County may enact local laws
17 regulating fences erected in front of the building setback lines on all residential property
18 located in the municipal corporation.

19 (c) **A MUNICIPAL CORPORATION IN PRINCE GEORGE’S COUNTY MAY ENACT**
20 **A COMPREHENSIVE LOCAL LAW REGULATING FENCES IN THE MUNICIPAL**
21 **CORPORATION.**

22 (D) (1) **[Any] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
23 **SUBSECTION, ANY** local law enacted under this section may not be less restrictive than
24 any local law in effect or subsequently enacted by the county council.

25 (2) **A LOCAL LAW ENACTED UNDER SUBSECTION (C) OF THIS SECTION**
26 **MAY BE LESS RESTRICTIVE THAN:**

27 (I) **A LOCAL LAW IN EFFECT OR SUBSEQUENTLY ENACTED BY**
28 **THE COUNTY COUNCIL; OR**

29 (II) **A ZONING LAW IN EFFECT OR SUBSEQUENTLY ADOPTED BY**
30 **THE DISTRICT COUNCIL.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2017.