

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2022, Legislative Day No. 5

Bill No. 16-22

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Mr. Julian E. Jones Jr., Chairman  
By Request of County Executive

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By the County Council, March 7, 2022

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A BILL  
ENTITLED

AN ACT concerning

County Code – Nuisances – Weed Control

FOR the purpose of making amendments to the nuisance laws related to weed control; revising the height of grass, weeds or other rank vegetation; revising notice requirements;; and generally relating to nuisance laws related to weed control.

BY repealing and re-enacting, with amendments

Sections 13-7-401 and 13-7-402  
Article 13 – Public Health, Safety, and the Environment  
Title 7 – Nuisances  
Subtitle 4 – Weed Control  
Baltimore County Code, 2015

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

BY repealing and re-enacting, without amendments

Sections 13-7-403 and 13-7-404

Article 13 – Public Health, Safety, and the Environment

Title 7 – Nuisances

Subtitle 4 – Weed Control

Baltimore County Code, 2015

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

ARTICLE 13 – PUBLIC HEALTH, SAFETY, AND THE ENVIRONMENT

Title 7 – Nuisances

Subtitle 4 – Weed Control

§ 13-7-401. Prohibited Acts; Penalty.

(a) An owner, occupant, or person in control of a lot or parcel of land in the county may  
not allow or maintain on the lot or parcel of land:

(1) A growth of grass, weeds, or other rank vegetation to a height exceeding [1  
foot] 8 INCHES; or

(2) Ragweed, poison ivy, and all other noxious weeds that are generally known to  
be either allergenic, a skin irritant, or toxic when ingested.

(b) (1) The Department may modify the requirements of subsection (a) of this  
section in the cases of bona fide agricultural property, natural wooded areas, naturally vegetated  
landscape buffers in residential areas, stream protection areas, habitat protection areas, steep  
slope and erodible soil protection areas, storm water management facilities areas, unimproved

1 areas in more than 3 acres, areas publicly owned and maintained as natural areas, and private  
2 open-space areas covenanted with the county as recreational areas to be maintained in their  
3 natural state.

4 (2) (i) Notwithstanding paragraph (1) of this subsection, noxious weeds as  
5 described in subsection (a)(2) of this section may not be allowed to grow within 20 yards of a  
6 property line adjoining an occupied residential, commercial, or industrial property.

7 (ii) The setback requirement of subparagraph (i) of this paragraph does  
8 not apply to wetlands, stream protection areas, habitat protection areas, steep slope and erodible  
9 soil protection areas, storm water management facilities areas, naturally vegetated landscape  
10 buffers in residential areas, and nature study areas.

11 (c) Noxious weeds may be destroyed by:

12 (1) Spraying with a chemical compound;

13 (2) Cutting and removal;

14 (3) Plowing under; or

15 (4) Another method recommended by the Department of Health.

16 (d) (1) An owner, occupant, or person in control of a lot or parcel of land who fails to  
17 comply with this section is guilty of a misdemeanor [and on conviction is subject to a fine not  
18 exceeding \$1,000], PUNISHABLE BY A FINE OR BY IMPRISONMENT NOT TO EXCEED  
19 30 DAYS, OR BOTH.

20 (2) IN ADDITION TO ANY OTHER APPLICABLE CIVIL OR CRIMINAL  
21 PENALTIES, A PERSON WHO VIOLATES § 13-7-401(A) OF THIS SUBTITLE IS  
22 SUBJECT TO THE FOLLOWING FINES FOR VIOLATIONS THAT OCCUR WITHIN A  
23 PERIOD OF THREE MONTHS FROM THE DATE OF THE FIRST VIOLATION:

(I) FOR THE FIRST VIOLATION A FINE NOT TO EXCEED \$100;  
AND

(II) FOR THE SECOND VIOLATION A FINE NOT TO EXCEED  
\$500; AND

(III) FOR THE THIRD AND SUBSEQUENT VIOLATIONS: A FINE  
NOT TO EXCEED \$1,000.

[(2)] (3) Each day a violation continues constitutes a separate offense.

§ 13-7-402. Issuance of Notice.

(a) In this section, “person in control” includes an agent of the owner, as defined in § 13-7-101 of this title, occupant, or person in control of a lot or lands in the county.

(b) In addition to the penalty provided in § 13-7-401(d) of this subtitle, the Code Official or the Director of Environmental Protection and Sustainability, or the Director's designated representative may enforce the requirements of § 13-7-401(a) of this subtitle in accordance with Article 3, Title 6 of the Code.

(c) The correction notice required under this section shall inform the owner, occupant, or person in control of a lot or lands that:

(1) (i) Grass, weeds, or other rank vegetation have grown to a height exceeding [1 foot] 8 INCHES and that the owner, occupant, or person in control shall cut the weeds or other vegetation to a height not exceeding 3 inches; or

(ii) Noxious weeds are growing on the lands and that the owner, occupant, or person in control shall destroy the noxious weeds by any of the methods authorized under this subtitle; and

1                   (2) The owner, occupant, or person in control shall begin compliance with the  
2 notice within 5 days after service of the notice.

3                   (D) IN THE EVENT THAT THE OWNER, OCCUPANT, OR PERSON IN CONTROL  
4 FAILS TO COMPLY WITH THE CORRECTION NOTICE WITHIN THE TIMEFRAME SET  
5 FORTH IN § 13-7-403(A) OF THIS SUBTITLE, OR IF THE OWNER, OCCUPANT, OR  
6 PERSON IN CONTROL, HAS RECEIVED AT LEAST ONE CORRECTION NOTICE IN A  
7 12 MONTH PERIOD, THE CODE OFFICIAL OR THE DIRECTOR OF THE DEPARTMENT  
8 OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY, OR THE DIRECTOR'S  
9 DESIGNATED REPRESENTATIVE MAY, WITHOUT THE OBLIGATION TO ISSUE A  
10 SUBSEQUENT CORRECTION NOTICE, ENFORCE THE REQUIREMENTS OF § 13-7-  
11 401(A) OF THIS SUBTITLE IN ACCORDANCE WITH ARTICLE 3, TITLE 6 OF THE  
12 CODE.

13  
14 § 13-7-403. County Action After Non-Compliance.

15                   (a) Notwithstanding any other provision of law, if the owner, occupant, or person in  
16 control does not comply with a correction notice issued under § 13-7-402 of this subtitle within 7  
17 days after the service of the correction notice, the county shall cause the growth of grass, weeds,  
18 or other rank vegetation to be cut to a height not exceeding 3 inches or shall cause the noxious  
19 grass or weeds to be destroyed.

20                   (b) The expense incurred incident to the correction notice shall be paid by the owner of  
21 the lot or land and until paid shall be a lien on the realty and recoverable as other liens on realty  
22 in the county.

1     § 13-7-404. Hearing.

2             (a)     (1) Notwithstanding any other provision of law, a person served a correction  
3 notice under § 13-7-402 of this subtitle may request a code enforcement hearing.

4             (2) Notwithstanding any other provision of law, the code enforcement hearing  
5 request shall be made, in writing, to the Director of Environmental Protection and Sustainability  
6 or the Code Official within the 7-day time period and shall state, with particularity, any  
7 explanation for the nuisance or any defenses intended to be raised.

8             (b)     (1) The code enforcement hearing shall be conducted in accordance with Article  
9 3, Title 6 of the Code.

10            (2) The person served under this subtitle may appeal the decision of the Hearing  
11 Officer to the Board of Appeals in accordance with Article 3, Title 6 of the Code.

12  
13            SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
14 the affirmative vote of five members of the County Council, shall take effect April 15, 2022.



# LEGISLATION DETAIL

LEGISLATION

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DISPOSITION

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ENACTED

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EFFECTIVE

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AMENDMENTS

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## ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

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