

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 782
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “day;” insert “specifying certain criteria that the District Council must consider in establishing a certain schedule of fines; requiring the District Council to establish certain standards to specify the date on which certain liability accrues;”; and in the same line, after “fine;” insert “making a technical correction;”.

AMENDMENT NO. 2

On page 2, in line 13, after “(II)” insert “AS AN ALTERNATIVE TO IMPOSING A FINE FOR EACH DAY OF A VIOLATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH;”; and in line 15, strike “INSTEAD OF IMPOSING A SEPARATE FINE FOR EACH DAY”.

AMENDMENT NO. 3

On page 2, in line 16, after “(III)” insert “1.”; and after line 18, insert:

“2. THE SCHEDULE OF FINES SHALL TAKE INTO CONSIDERATION THE FACTORS DEEMED APPROPRIATE BY THE DISTRICT COUNCIL, INCLUDING:

- A. THE WILLFULNESS OF ANY VIOLATION;
- B. THE PUBLIC COST OF ANY CORRECTIVE ACTION OR RESTORATION;
- C. ADVERSE IMPACTS CAUSED BY THE VIOLATION WITH RESPECT TO ENVIRONMENTAL RESOURCES OR PUBLIC FACILITIES;
- D. THE EXTENT TO WHICH ANY VIOLATION IS PART OF

(Over)

A PATTERN OR PRACTICE BY ANY RESPONSIBLE PARTY; AND

E. THE IMPACT OF ANY VIOLATION ON FEATURES
PRESCRIBED UNDER THE APPLICABLE MASTER PLAN OR OTHER LAND USE PLAN
ADOPTED UNDER THIS ARTICLE.”.

AMENDMENT NO. 4

On page 2, in line 21, strike “Article 66B, § 7.02” and substitute “ARTICLE 23A, § 3(B)”.

AMENDMENT NO. 5

On page 2, after line 29, insert:

“(6) THE DISTRICT COUNCIL SHALL ESTABLISH STANDARDS TO
DEFINE THE DATE ON WHICH LIABILITY FOR ANY FINE IMPOSED IN ACCORDANCE
WITH THIS SUBSECTION ACCRUES.”.