L5 6lr1546

## By: Prince George's County Delegation and Montgomery County **Delegation**Introduced and read first time: February 8, 2006

Assigned to: Environmental Matters

	A BILL ENTITLED					
1	AN ACT concerning					
2 3	Montgomery County - Planning Board - Fines PG/MC 125-06					
4 5 6 7 8	maximum fine for a certain continuing violation instead of imposing a separate fine for each day; altering a certain maximum fine; and generally relating to the					
9 10 11 12 13	Section 7-116(h) Annotated Code of Maryland					
14 15	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:					
16	Article 28 - Maryland-National Capital Park and Planning Commission					
17	7-116.					
20 21	8 (h) (1) (i) In addition to all other remedies provided by law, in 9 Montgomery County, the district council may authorize the planning board to impose 0 civil monetary fines and penalties and, when the public health, safety, or welfare are 1 threatened, issue stop work orders for violations described in item (ii) of this 2 subparagraph.					
23	(ii) This subsection applies to violations of:					
24	1. Titles 7 and 8 of this article;					
25 26	2. Montgomery County subdivision regulations and zoning ordinances;					

## **UNOFFICIAL COPY OF HOUSE BILL 782**

1 2	planning board is exclu	ısively a	3. uthorized	Any laws or regulations which the Commission or the to administer; or		
3	under its authority.		4.	Any decision made by the Commission or planning board		
5 6	(2) PARAGRAPH:	(I)	[A] EXC	CEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS		
9	1. A fine, not to exceed [\$500] \$1,000, may be imposed for each violation. The district council may establish a schedule of fines for each violation and may adopt procedures, consistent with this section, for imposing and collecting those fines.]; AND					
11 12	separate offense.		2.	Each day any violation continues shall constitute a		
	ALLOW THE PLANT	NING BO	OARD T	STRICT COUNCIL MAY ADOPT A SCHEDULE OF FINES TO O IMPOSE A FINE NOT EXCEEDING \$500,000 FOR A D OF IMPOSING A SEPARATE FINE FOR EACH DAY.		
	FINES FOR EACH V	IOLATI	ON AND	STRICT COUNCIL MAY ESTABLISH A SCHEDULE OF D MAY ADOPT PROCEDURES, CONSISTENT WITH THIS LLECTING THOSE FINES.		
21 22	(3) The district council may provide that the planning board may enforce the imposition of fines and penalties in a manner consistent with the process requiring certain notification and hearing under Article 66B, § 7.02 of the Code. The imposition of fines and penalties under this subsection may not be subject to an appeal to the Board of Zoning Appeals.					
	(4) The district council may provide that the planning board, through counsel, may prosecute violations for which civil monetary fines or penalties are imposed.					
				ocal law implementing the State Forest Conservation th those laws and not in accordance with this		
30 31	SECTION 2. AND October 1, 2006.	BE IT	FURTHE	ER ENACTED, That this Act shall take effect		