

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 782 (Prince George's County Delegation and Montgomery County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

---

**Montgomery County - Planning Board - Fines**  
**PG/MC 125-06**

---

This bill authorizes the district council for Montgomery County to adopt a fine schedule to allow the planning board to impose a fine of up to \$500,000 for a continuing violation as an alternative to imposing a fine for each day of a violation. The schedule must take into consideration a number of specified factors deemed appropriate by the district council, and the district council must establish standards defining the date on which fine liability accrues. Moreover, it increases the maximum fine that may be imposed for certain violations from \$500 to \$1,000 for each violation.

---

**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Potential increase in Montgomery County fine revenues. Expenditures would not be affected.

**Small Business Effect:** Potential minimal.

---

**Analysis**

**Current Law:** In addition to other remedies, the Montgomery County District Council may authorize the planning board to impose civil monetary fines and penalties for violations of (1) Titles 7 and 8 of Article 28; (2) Montgomery County subdivision regulations and zoning ordinances; (3) any laws or regulations which the Maryland-National Capital Park and Planning Commission (M-NCPPC) or the planning board is

exclusively authorized to administer; or (4) any decision made by M-NCPPC or the planning board under its authority.

A fine of up to \$500 may be imposed for each violation, and each day that any violation continues is a separate offense. The Montgomery County District Council is authorized to establish a schedule of fines for each violation and may adopt procedures for imposing those fines.

**Background:** The Montgomery County Council sits as the district council for that part of the Maryland-Washington Regional District lying within Montgomery County. M-NCPPC is a bi-county agency empowered by the State in 1927 to acquire and administer a regional system of parks within the Maryland-Washington Regional District and administer a general plan for the physical development of the area.

**Local Fiscal Effect:** Montgomery County fine revenues could increase from raising the maximum fine for each separate violation as well as allowing for a \$500,000 fine for a continuing violation. Any such increase would depend on the number of violations, the fine schedule adopted, as well as the fine imposed on the violator, none of which can be reliably predicted.

---

### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery County, Prince George's County, Maryland-National Capital Park and Planning Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - March 27, 2006  
ncs/hlb Revised - House Third Reader - April 5, 2006

---

Analysis by: Joshua A. Watters

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510