



**THE TOWN OF CAPITOL HEIGHTS
FAIR SUMMARY AND PASSAGE
OF ORDINANCE 2012-006
REVISION TO PROPERTY MAINTENANCE CODE FINES**

This is to give notice that the Capitol Heights Town Council approved ORDINANCE 2012-006: concerning Property Maintenance for the purpose of modifying the amounts of fines for certain violations of the Town's property maintenance code; and generally relating to the property maintenance code for the Town of Capitol Heights. This measure was voted on and passed on Monday, January 14, 2013.

The Property Maintenance Code for the Town of Capitol Heights establishes the minimum regulations governing the conditions and maintenance of all property, buildings, structures, and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and this ordinance modifies the amounts of fines for certain violations.

ORDINANCE 2012-006 is available for inspection by the public at Town Hall during normal business hours, 9:00 a.m. to 4:30 p.m., Monday through Thursday and 9:00 a.m. to 1:00 p.m. on Friday.

Capitol Heights Town Council
www.capitolheightsmd.com

MAYOR AND COUNCIL OF THE TOWN OF CAPITOL HEIGHTS

Ordinance No.: 2012-006

Introduced by: Councilwoman King

Date Introduced: December 10, 2012

First Reading: December 10, 2012

Second Reading: January 14, 2013

Date Adopted: January 14, 2013

Date Effective: February 1, 2013

AN ORDINANCE concerning

Property Maintenance

FOR the purpose of modifying the amounts of fines for certain violations of the Town's property maintenance code; and generally relating to the property maintenance code for The Town of Capitol Heights.

BY repealing and reenacting, with amendments
Chapter V, HOUSING REGULATIONS
Sections 1-502 F., as adopted by Ordinance 2012-02
Code of The Town of Capitol Heights

SECTION 1. BE IT ENACTED BY THE MAYOR AND COUNCIL OF THE TOWN OF CAPITOL HEIGHTS that Section 1-502 F of Chapter V, HOUSING REGULATIONS, of the Code of The Town of Capitol Heights, as adopted by Ordinance 2012-02, be and it hereby is repealed and reenacted, with amendments, to read as follows:

Chapter V, HOUSING REGULATIONS

Section 1-502 Modifications.

The International Property Maintenance Code 2009, as adopted by Section 1-501, is modified as set forth below:

F. Sections 106.3, 106.4 and 106.5 on page 3 are deleted and new Sections 106.3 and 106.4 are substituted, to read as follows:

106.3 Violations and Penalties:

1. Knowing and intentional violations of this code, failures to comply with this code, or refusals or failures to comply with a notice issued pursuant to Section 107 of this code, are declared to be misdemeanors. Any person who knowingly and willfully commits any of these

acts shall, upon conviction, be guilty of a misdemeanor and subject to a fine of up to \$1,000, imprisonment for up to 6 months, or both fine and imprisonment. Each day that one of these acts continues is a separate offense.

2. Except as provided in paragraph 1 above, violations of this code, failures to comply with this code, or refusals or failures to comply with a notice issued pursuant to Section 107 of this code, are declared to be municipal infractions, and shall be subject to a fine of up to \$400 per offense, EXCEPT THAT THE SPECIFIC FINES SET FORTH ON THE ATTACHED FINE SCHEDULE SHALL APPLY TO THE VIOLATIONS SPECIFIED ON THAT SCHEDULE. These acts are strict liability offenses. Each day that one of these acts continues is a separate offense.

3. Where the code official or Town takes any action, including action under Section 106.4, to abate violations of this code, or to enforce failures to comply with this code or refusals or failures to comply with a notice issued pursuant to Section 107 of this code, the costs so incurred, including reasonable attorney fees, shall be a lien on the real estate, and may be collected and have the lien enforced in the same manner, and have the same rights, priority rights, interest and penalties as Town real property taxes.

* * *

SECTION 2. AND BE IT FURTHER ENACTED BY THE MAYOR AND COUNCIL OF THE TOWN OF CAPITOL HEIGHTS that that this Ordinance shall become effective twenty (20) days following its approval by the Council.

ATTEST:

APPROVED:

Michelle Bailey-Hedgepeth
Town Administrator

Kito A. James
Mayor

Marnitta L. King
Mayor Pro Tem/ Councilmember

Renita A. Cason
Councilmember

Absent
Victor L. James, Sr.
Councilmember

Y

Kenneth D. Vinson
Councilmember

Y

Monique I. Hunter
Councilmember

Y

Tamil Perry
Councilmember

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or
deleted from the law by amendment.
* * * indicates matter not changed and intentionally omitted

Exhibit A

Recommendations from the Code and Charter Committee

Revised: January 14, 2013

DESCRIPTION / ISSUE	Adopted FINES	SECTION-IPMC (International Property Maintenance Code)
Vacant Buildings & lots – Rubbish and dumping	\$1000	Section 301.3 Vacant structures & land
Exterior property area disrepair (Except as otherwise specified below)	\$100 - \$500	Section 302 Ext. Property Areas (Except as otherwise specified below)
Tall grass and weeds	\$50	Section 302.4 Weeds
Disrepair Fence; retaining wall; garage; carport and other structures	\$100	Section 302.7 Accessory Structure
Inoperable vehicles and vehicles parked on non-permanent surfaces	\$400	Section 302.8 Motor vehicles
Exterior structure in disrepair and related issues (Except as otherwise specified below)	\$100 - \$500	Section 304 Exterior Structure (Except as otherwise specified below)
Roof in Disrepair and other related roof issues	\$100	Sections 304.1.1 and 304.7
No house numbers signs, lack of identification	\$50	Section 304.3 Premises identification
Chimney in disrepair	\$250	Section 304.11 Chimney & towers
Windows (broken, missing and bordered)	\$100	Sections 304.13, 304.13.1 and 304.13.2
Exterior Doors (broken, missing and bordered)	\$300	Section 304.15 Doors
Stairway in disrepair including missing stairs	\$150	Sections 304.1.1.12 and 304.10 Stairs & walking surfaces
Lack of Handrails and unsafe conditions	\$100	Sections 305.5 Handrails and 307.1-General.;
Dumping, littering, garbage or trash – Empty Lots (Except as otherwise specified below)	\$100 - \$1000	Section 308 Rubbish & garbage (Except as otherwise specified below)
No trash receptacles	\$50	Section 308.03 Disposal of garbage
Fire hazard – Means of Egress	\$400	Section 701.1 and 701.2-Fire Safety