

EMERGENCY LEGISLATIVE RESOLUTION 20-0-06

Resolution and Ordinance of the Town of University Park to amend Chapter 13 “Housing”, Article 2, “Rental Housing Code”, Section 13-203, “Rental property license and renewals” of the Code of Ordinances of the Town of University Park to allow a required inspection to be postponed or altered in scope by resolution of the Mayor and Council.

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Mayor and Common Council of the Town of University Park have the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the residents of the municipality and to prevent and remove nuisances; and

WHEREAS, the Mayor and Common Council have adopted Chapter 13, “Housing”, of the Town Code to regulate the maintenance of residential housing; and

WHEREAS, Chapter 13, §13-203, Rental property license and renewals, requires that each rental property undergo an inspection prior to receiving a license, and an inspection prior to annual renewal of the rental property license; and

WHEREAS, in light of the restrictions imposed due to the COVID-19 pandemic, the Mayor and Common Council have determined that it is in the public interest during declared emergencies to authorize by Resolution that any required inspection be postponed and/or altered in scope ; and

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[Brackets] indicate matter deleted from existing law

\* \* Asterisks\* \* indicate existing law which are unchanged but not set forth in the ordinance

CAPITALS INDICATE MATTER ADDED BY AMENDMENT TO THE PROPOSED ORDINANCE

[Brackets] indicate matter deleted by amendment to the proposed ordinance

WHEREAS, that the Mayor and Common Council have determined that it is necessary that this Ordinance be effective immediately and it is therefore adopted as an emergency measure pursuant to section 311(a) of the Town Charter.

Section 1: NOW THEREFORE be it resolved and ordained by the Mayor and Common Council of the Town of University Park that Chapter 13 “Housing”, Article 2 “Rental Housing Code”, § 13-203 “Rental property license and renewals”, of the Code of the Town of University Park, be repealed, re-enacted and amended to read as follows:

§13-203 Rental property license and renewals

(A) – (C) \* \* \* \*

(D) Inspections. All rental properties shall be subject to periodic inspection to determine if they are in conformance with the Code and shall be inspected PRIOR TO ISSUANCE AND at least once each year prior to renewal of the rental license. Permission for such inspections, without the necessity for obtaining any further permission or judicial warrant, is a condition of any license or temporary certificate. Failure to allow entry for such inspection or to require any tenant to allow entry for such inspection shall constitute sufficient reasons for the denial or revocation of the rental license or temporary certificate. IN THE EVENT A STATE OF EMERGENCY HAS BEEN DECLARED FOR THE TOWN BY THE MAYOR AND COUNCIL, OR BY THE STATE OF MARYLAND OR PRINCE GEORGE’S COUNTY, PURSUANT TO STATE OR LOCAL LAW, THE REQUIRED INSPECTION MAY BE POSTPONED AND/OR ALTERED IN SCOPE BY RESOLUTION OF THE MAYOR AND COUNCIL.

Section 2. Be it further resolved that the Common Council has determined that it is necessary that this Ordinance be effective immediately and it is therefore adopted as an emergency measure pursuant to section 311(a) of the Town Charter.

Section 3. Be it further resolved that this resolution shall become effective immediately upon enactment by the Mayor and Common Council of University Park.

Section 4. Be it further resolved that if any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or

word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

Section 5: Be it further resolved that a complete and exact copy of this proposed Ordinance shall be posted on the entrance door of the Town Building of University Park, Maryland, for a period of not less than ten (10) days, and a fair summary of this Ordinance shall be published at least once in a newspaper having general circulation in the community.

APPROVED this 1st day of June, 2020.

ATTEST:

MAYOR AND COMMON COUNCIL  
TOWN OF UNIVERSITY PARK

Andrea D. Marcavitch

By: Lenford C. Carey  
Lenford C. Carey, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: Suellen M. Ferguson  
Suellen M. Ferguson, Town Attorney

# TUP Adopted LR 20-O-06 Amendment of Chapter 13 Rentals

Final Audit Report

2020-06-02

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