

RESOLUTION
OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF UNIVERSITY
PARK TO WAIVE AN IN-PERSON INSPECTION OF A RENTAL PROPERTY
PRIOR TO ISSUANCE OR RE-ISSUANCE OF A RENTAL LICENSE, DURING A
STATE OF EMERGENCY PROVIDED THAT THE OWNER OR PROPERTY
MANAGER INSPECT THE RENTAL PROPERTY FOR COMPLIANCE WITH THE
REQUIREMENTS LISTED IN THE RENTAL CODE COMPLIANCE
CERTIFICATION FORM AND CERTIFY THAT COMPLIANCE UPON PENALTY
OF PERJURY

WHEREAS, on March 5, 2020, the Honorable Larry J. Hogan, Jr., Governor of Maryland, as a result of the presence of COVID-19, a highly infectious disease, declared a public health catastrophe, a public emergency, and an immediate danger to public safety in the State of Maryland. On March 23, 2020 Governor Hogan ordered additional action including closure of non-essential businesses, and on March 30, 2020, he ordered all residents to stay at home; and

WHEREAS, the issuance of these Orders by the Governor resulted in a State of Emergency existing in the Town beginning on March 5, 2020; and

WHEREAS, while the Governor's Orders have been amended, the state of emergency is still in effect; and

WHEREAS, the Order of the Governor of the State of Maryland Number 20-0415-01, dated April 15, 2020, entitled "Requiring Use of Face Coverings Under Certain Circumstances and Requiring Implementation of Certain Physical Distancing Measures" is still in effect; and

WHEREAS, the Town Hall and administrative offices continue to be closed; and

WHEREAS, all current rental licenses issued for residences in the Town will expire on June 30, 2020. Issuance or re-issuance of a rental license currently requires an in-person inspection of the rental property by the Code Compliance Officer; and

WHEREAS, based on the Governor's Orders and the continued concerns about the COVID-19 pandemic, the Mayor and Council have determined that it is in the public interest

that in-person inspections by the Code Compliance Officer be suspended during the ongoing state of emergency, and that owners be required to inspect for and certify compliance with a rental code compliance checklist; and

WHEREAS, the Mayor and Common Council have determined that it is in the public interest, will not endanger the public health, welfare, or safety, and will not will deprive any person of their due process rights, to authorize, adopt, confirm and/or ratify the actions contained in this Resolution.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council, in light of the several Orders issued by Governor Hogan responding to the COVID-19 State of Emergency and the Mayor and Council powers under the Town Charter and Code and the Maryland Code, that a State of Emergency continues to exist within the Town and that the Mayor be and he is hereby authorized to administer the Town's emergency response and to take the following actions:

Require that all rental licenses may be issued or re-issued without an in-person inspection by the Town's Code Compliance Officer during the course of the COVID-19 State of Emergency, provided that the owner or property manager of the rental property inspect the Property for compliance with the requirements listed in the Rental Code Compliance Certification, issued by the Town in substantially the form attached, and certify that compliance upon penalty of perjury. In-person inspections may be undertaken once the said State of Emergency has concluded, and/or at any time necessary for the health and safety of the Town's residents and visitors. Once the State of Emergency has concluded, in-person inspections shall be promptly undertaken for any rental property that was newly licensed during the State of Emergency.

ADOPTED by the Mayor and Common Council at a regular public meeting on the
1st day of June, 2020.

EFFECTIVE the 1st day of June, 2020.

WITNESS

MAYOR AND COMMON COUNCIL
TOWN OF UNIVERSITY PARK

Andrea D. Marcavitch
Andrea Marcavitch, Clerk

Lenford C. Carey
Lenford C. Carey, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Suellen Ferguson
Suellen M. Ferguson, Town Attorney

TUP Adopted 20-R-04 Rental Housing Inspection

Final Audit Report

2020-08-03

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