

ORDINANCE NO. 03-2011

INTRODUCED BY: Walter Chase

AN ORDINANCE OF THE TOWN OF TRAPPE TO AMEND THE TRAPPE TOWN CODE TO ADD SECTION 12.5 TITLED "RESIDENTIAL RENTAL HOUSING LICENSE AND INSPECTION" TO ESTABLISH A LICENSING AND INSPECTION PROGRAM FOR RESIDENTIAL RENTAL DWELLING UNITS WITHIN THE TOWN OF TRAPPE

WHEREAS, the Town of Trappe is authorized by the Maryland Code Ann. Article 23A, § 2 to adopt such ordinances not contrary to the Constitution of Maryland, public general law, or public local law as it deems necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the municipality; and

WHEREAS, the Council of Trappe is authorized to provide for the publication and codification of all laws, ordinances, resolutions, or regulations adopted by the municipality; and

WHEREAS, the Council of Trappe desires to amend the Town Code by the addition of Section 12.5 to provide for a licensing and inspection program for all residential rental dwelling units within the Town of Trappe. The purpose of this section is to protect the health, safety and welfare of the Town residents and to prevent deterioration of the housing stock in the Town.

NOW, THEREFORE, the Council of Trappe hereby ordains as follows:

Section 1. The Trappe Town Code is hereby amended to reflect the addition of Section 12.5 as follows:

Section 12.5. Residential Rental Housing License and Inspection.

A. Definitions and word usage. As used in this chapter, the following terms have the meanings indicated.

Residential Rental Dwelling Unit – Any building or portion of a building in which a person resides in which consideration of money or other goods or services are paid or provided to the owner of such building, or the owner's authorized representative or other tenant. This definition shall include the letting or rental of any single-family residential dwelling unit, or multi-family residential dwelling unit.

Person – Any individual, proprietorship, partnership, corporation, association, or other legal entity.

B. Rental operating license required.

1. It shall be unlawful for any person to let any residential rental dwelling unit within the Town without first having obtained a license for said unit as hereinafter provided.

2. Within sixty (60) days after the effective date of this ordinance, the legal owner of record shall make written application to the Town for a rental unit license upon such form or forms as the Town shall from time to time designate. Such application shall be submitted together with a non-refundable rental license fee, as approved and authorized by the Council of Trappe.

C. Inspections.

1. All residential rental properties shall be subject to periodic inspections by the Town's designated code enforcement officer, or other designee, to determine if they are in conformance with the Town Code and applicable ordinances, laws or other regulations.

2. If an inspection reveals a violation of an applicable provision of the Town Code, including any building code, property maintenance code or minimum livability code in effect within the Town limits, the code enforcement officer shall provide written notification to the owner and to the occupant of the rental unit. The notice shall contain a time period within which the violation is to be corrected, which period shall be a minimum of ten (10) days unless the violation involves an immediate threat to health or safety, whereupon a shorter time frame may be specified by the town's enforcement officer. The code enforcement officer shall reinspect the premises to confirm that the violations have been corrected.

D. Revocation or Denial of License; Injunction. A license may be revoked or denied by the code enforcement officer if an owner, after the passage of the notice period described in the previous section, fails to eliminate violations of the Town Code. Revocation or denial of a license shall be in addition to, and not in substitution for, such other penalties as may be provided for said violations elsewhere in this Code or by State law. In addition to any other remedy which may be available in the event of a violation of the provisions of this chapter, the Town's designated code enforcement officer may seek an injunction to prevent the renting, or offering to rent, of rental dwelling units in the Town which do not have a license issued in accordance with this section.

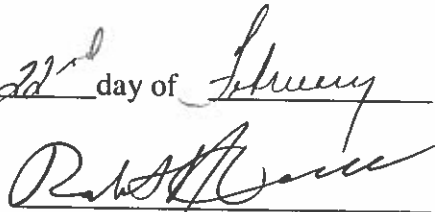
E. License Renewal. Licenses shall expire one year from the date of issuance, and are renewable annually. Applications for renewal shall be made at least sixty (60) days prior to the expiration date.

F. Display of Licenses. Licenses issued under this chapter shall be produced on the demand of a tenant or prospective tenant and shall be made available at reasonable times for examination by an authorized agent of the Town.

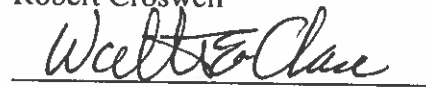
G. Fees. The Council of Trappe is hereby authorized to enact a resolution establishing a schedule of license, inspection, and reinspection fees pertaining to the administration of this chapter. Any unpaid license fee or reinspection fee shall be subject to interest and penalties as periodically established by the Council of Trappe for unpaid sums due to the Town.

H. Violations and Penalties. Any violation of this Section 12.5 shall be considered a municipal infraction and any person violating any provision of this section shall be assessed a fine of \$100 for the first infraction, and up to \$200 for each subsequent infraction. Each separate violation shall constitute a separate offense. Each day that any violation shall continue shall constitute a separate offense.

Section 3. This Ordinance shall become effective on the 22nd day of January, 2011.



Robert Crosswell



Walter Chase

Norm Fegel



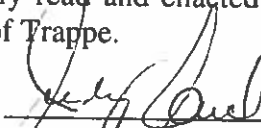
Rosalee Potter



Richard Dorbin

I hereby certify that the foregoing Ordinance Number 03-2011 of the Town of Trappe was duly read and enacted in accordance with the applicable provisions of the Charter of the Town of Trappe.

Attest:


Joedy Cecil, Clerk/Treasurer
Town of Trappe