



# TOWN OF BERWYN HEIGHTS

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MAYOR  
Cheryl A. Jewitt

COUNCIL MEMBERS  
Jodie A. Kulpa-Eddy (Mayor Pro Tem)  
Patricia D. Dennison  
Christopher J. Rasmussen  
Gerald J. Shields

## ***Resolution 02-2017*** **Ordinance 120 –Rental Housing Fee and Fine Schedule**

**WHEREAS**, the Mayor and Town Council has determined that Ordinance 120 – Licensing of Rental Housing requires a fee and fine schedule for violations thereof; and

**WHEREAS**, Section 402 of the Town Charter of the Town of Berwyn Heights vests the Mayor and Town Council with authority to establish and enact such fees and fines; and

**WHEREAS**, the Mayor and Town Council adopted amendments to Ordinance 120 – Licensing of Rental Housing at its Town Meeting on March 8, 2017; and

**WHEREAS**, the Annotated Code of Maryland permits a maximum fine of \$1,000 per violation.

**NOW, THEREFORE, BE IT RESOLVED AND, IT HEREBY IS RESOLVED**, that the Mayor and Town Council this 8<sup>th</sup> day of March, 2017 does hereby adopt the following Ordinance 120 – Licensing of Rental Housing fee and fine schedule.

**BE IT FURTHER RESOLVED** that the fee and fine schedule to amended Ordinance 120 – Licensing of Rental Housing adopted at the Town Meeting on the 8<sup>th</sup> day of March, 2017 shall become effective May 8, 2017.

### **Rental Housing Application License Fee**

Rental Housing Application License Fee \$300  
The Rental Housing Application License Fee is not refundable if the rental unit fails to pass the inspection.

### **Licensing and Registration Violations**

Ordinance 120 requires rental property owners or agents to file a rental housing license application. Whenever a property owner or agent fails to file or complete the required forms, the property owner may be fined as follows:

Failure by property owner to apply for or renew an annual rental housing license	\$400
Failure to provide all required rental license application information	\$200

Fines may be doubled for each additional twenty (20) business days or portion thereof that the property owner is in violation of Ordinance 120

### **Missed Inspection and Re-Inspection Appointment Violation**

Whenever the property owner or agent misses a scheduled appointment for an inspection or re-inspection, the property owner may be fined as follows:

First missed appointment in any given calendar year	\$50
Second missed appointment in any given calendar year	\$75
Third and each successive missed appointment in any given calendar year	\$100

### Public Nuisance Violation

Whenever any person being the property owner, occupant, tenant, or person otherwise having any control to any degree of the premises who either creates, encourages, invites, permits or continues to allow a public nuisance pursuant to Ordinance 120, then the property owner may be fined as follows:

First occurrence in any given calendar year	\$200
Second occurrence in any given calendar year	\$400
Third and each successive occurrence in any given calendar year	\$600

### Remedial Violations

In cases where remedial action by the property owner or agent is required and appropriate, the property owner or agent will have twenty (20) business days from date of notice to correct the violation.

Failure to correct violation within twenty (20) business days of first notice	\$200
Failure to correct violation within twenty (20) business days of second notice	\$250
Each additional ten (10) business days thereafter	\$250
Failure to contact for inspection or re-inspection within ten (10) business days of first notice of violation	\$200
Failure to contact for an inspection or re-inspection within ten (10) business days of second notice of violation	\$250
Each additional ten (10) business days thereafter	\$300

### All Other Violations

In cases where action by owner is required and appropriate, the property owner may be fined as follows:

Failure to correct violation within twenty (20) business days of first notice	\$200
Failure to correct violation within twenty (20) business days of second notice	\$250
Each additional ten (10) business days thereafter	\$250
Failure to contact for inspection or re-inspection within ten (10) business days of first notice of violation	\$200
Failure to contact for an inspection or re-inspection within ten (10) business days of second notice of violation	\$250
Each additional ten (10) business days thereafter	\$300

### Liens

Failure to pay any fine(s) and fees set forth in this Fine Schedule will result in the amount of any fine(s) and fee(s) imposed being recorded as a lien against the property and be collected in the same manner as delinquent Town taxes.

### Revocation of or Denial to Renew Rental Housing License

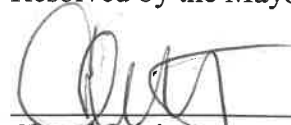
Town reserves the right to either revoke or deny the renewal of rental housing license for any violation(s) of Ordinance 120.

ATTEST:

  
Kerstin Harper, Town Clerk



Resolved by the Mayor and Town Council

  
Cheryl Jewitt

Mayor, Town of Berwyn Heights