

[[Expedited]] Bill No. 30-22  
Concerning: Buildings - Demolition or  
Removal  
Revised: May 10, 2023 Draft No. 2  
Introduced: November 1, 2022  
Enacted: May 16, 2023  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Then Councilmember Hucker and then Councilmember Riemer  
Co-sponsored by Councilmembers Balcombe, Katz, Stewart, and Sayles

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### AN [[EXPEDITED]] ACT to:

- (1) redefine the term demolish; and
- (2) generally amend the law regarding buildings and building permits.

By amending  
Montgomery County Code  
Chapter 8, Sections 8-27

|                              |  |
|------------------------------|--|
| <b>Boldface</b>              | <i>Heading or defined term.</i>                            |
| <u>Underlining</u>           | <i>Added to existing law by original bill.</i>             |
| [Single boldface brackets]   | <i>Deleted from existing law by original bill.</i>         |
| <u>Double underlining</u>    | <i>Added by amendment.</i>                                 |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * *                        | <i>Existing law unaffected by bill.</i>                    |

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 8-27. Demolition or removal of buildings.**

\* \* \*

(e) Permit requirement; conditions. A person must not demolish or remove a building or structure unless the Director has issued a permit to do so under this Section. Each demolition or removal permit must require the applicant to:

(1) before demolishing or removing a building or structure, exterminate any rodents or other pests in it;

(2) after demolition or removal, clear all construction and demolition debris;

(3) restore the established grade of the surrounding land, unless a sediment control permit is otherwise required; and

(4) at all times keep the site free from any unsafe condition.

(f) Bond or surety. Each applicant for a demolition or removal permit must file a performance bond, cash, certificate of guarantee, or surety with the Department, in an amount equal to the cost of demolition or removal, to assure the safe and expedient demolition or removal of the building or structure and clearing of the site. If the building or structure is not demolished or removed and the site is not cleared of all debris within the time specified in the permit, but not sooner than 60 days after the permit is issued, the Director may enter the property, demolish or remove the building or structure, clear the site of debris, and take action to forfeit the performance bond, enforce the guarantee, or otherwise reimburse the Department for its cost.

(g) Definitions. As used in this Section:

(1) [remove means to move a building or structure substantially intact from or within a site; and

(2) demolish]Demolish means to tear down or destroy an entire building or structure, or [all of a building or structure except a single wall or facade.] sixty-seven (67) percent or more of first story exterior walls of a one-family or two-family dwelling unit. Demolish includes the conversion of an exterior wall into an interior wall. Basement and cellar walls are not considered exterior walls[.]; and

(2) Remove means to move a building or structure substantially intact from or within a site.

**[[Sec. 2. Expedited Effective Date.**

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.]]

*Approved:*

  
\_\_\_\_\_  
Evan Glass, President County Council

5/17/2023

\_\_\_\_\_  
Date

*Approved:*

\_\_\_\_\_  
Marc Elrich, County Executive

\_\_\_\_\_  
Date

*This is a correct copy of Council action.*

\_\_\_\_\_  
Sara R. Tenenbaum, Clerk of the Council

\_\_\_\_\_  
Date