

Clerk's Note: The effective date was corrected to reflect August 21, 2023.

[[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: May 22, 2023
Effective: [September 27, 2023] August 21, 2023
Sunset Date: _____
Ch. 16, Laws of Mont. Co. 2023

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

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

Boldface	<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:

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

2 * * *

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

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

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

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

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

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

25 (g) Definitions. As used in this Section:

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


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

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

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


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

Approved:



Evan Glass, President County Council 5/17/2023
Date

Approved:



Marc Elrich, County Executive 5/22/2023
Date

This is a correct copy of Council action.



Sara R. Tenenbaum, Clerk of the Council 5/23/2023
Date