

Bill No. 23-09  
Concerning: Unused Vehicles – Storage  
Revised: October 6, 2009  
Draft No. 4  
Introduced: May 5, 2009  
Enacted: October 6, 2009  
Executive: October 17, 2009  
Effective: April 15, 2010  
Sunset Date: None  
Ch. 25, Laws of Mont. Co. 2009

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN ACT** to:

- (1) amend the definition of rubbish in Chapter 26;
- (2) limit the storage of unused vehicles on residential property; and
- (3) generally amend County law governing the storage of unused vehicles.

By amending

Montgomery County Code  
Chapter 26, Housing and Building Maintenance Standards  
Sections 26-2 and 26-9  
Chapter 48, Solid Waste  
Section 48-24A

By adding

Montgomery County Code  
Chapter 26, Housing and Building Maintenance Standards  
Section 26-17A

|                                     |  |
|-------------------------------------|--|
| <b>Boldface</b>                     | <i>Heading or defined term.</i>                            |
| <u>Underlining</u>                  | <i>Added to existing law by original bill.</i>             |
| <b>[Single boldface brackets]</b>   | <i>Deleted from existing law by original bill.</i>         |
| <u>Double underlining</u>           | <i>Added by amendment.</i>                                 |
| <b>[[Double boldface brackets]]</b> | <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. 1. Sections 26-2, 26-9 and 48-24A are amended, and Section 26-17A**  
2 **is added, as follows:**

3 **26-2. Definitions.**

4           In this Chapter, the following words and phrases have the following  
5 meanings unless the context clearly indicates otherwise:

6   \*                   \*                   \*

7           *Rubbish:* All refuse, combustible or noncombustible, except garbage.  
8 *Rubbish* includes any debris from building construction or reconstruction, dead  
9 tree, uprooted tree stump, rubble, street refuse, [unused vehicle,] disabled  
10 machinery, bottle, can, waste paper, cardboard, sawdust pile, slash from sawmill  
11 operations, or other waste material.

12   \*                   \*                   \*

13           *Unused vehicle:* A [device] motor vehicle or trailer in, on, or by which any  
14 person or property may be transported on a public street, [which] that is:

- 15           (a) inoperable or, if operable, not currently registered by a government  
16               agency which registers vehicles of that type in Maryland, and
- 17           (b) not completely enclosed in a garage or other building.

18   \*                   \*                   \*

19 **26-9. Maintenance of dwelling units.**

20           Unless otherwise stated, the owner of each dwelling or dwelling unit must  
21 assure compliance with the following standards at all times. All installation,  
22 repair, and replacement must be performed in a workmanlike manner and with  
23 materials having properties and qualities substantially equal to or better than the  
24 original materials.

- 25           (a) *Basic requirements.*

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(13) A person must not store any unused vehicle on residential property for more than 30 days unless a person living in the household has received an extension under Section 26-17A.

**26-17A. Unused vehicle storage extensions.**

The Director may grant an owner or occupant of a residential property an extension to store an unused vehicle on residential property for more than 30 days for good cause shown. Good cause ~~[[includes]]~~ may include:

- (a) the owner of the vehicle is recovering from an illness or accident;
- (b) the owner of the vehicle is on a foreign assignment for the United States Government;
- (c) the owner demonstrates extreme financial hardship; ~~[[or]]~~
- (d) suspension of the driver’s license of the owner of the vehicle; or
- (e) historic vehicle restoration if the owner can show that the project will be complete in a definite period of time.

**48-24A. Storage of [motor] vehicles.**

- (a) In this section, “unused [motor] vehicle:”
  - (1) Means a vehicle that is:
    - ~~[[a.]]~~ (A) [Not] Inoperable or not currently registered by a government agency; and
    - ~~[[b.]]~~ (B) Not subject to Section 48-24 [of this Code];
  - (2) Includes trailers; and
  - (3) Does not include farm tractors or any farm equipment such as automobiles and trucks that are:
    - ~~[[a.]]~~ (A) Kept on properties consisting of [two (2)] 2 or more acres on which crops are being grown and harvested; and



80 (f) The county executive must adopt regulations under method (2) of  
81 section 2A-15 of this Code to carry out this section.]

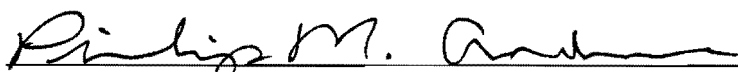
82 **Sec. 2. Report.**

83 The Director of Housing and Community Affairs must report to the Council  
84 on the number of waivers requested and granted under Section 26-17A for the first  
85 full year after this law takes effect.

86 **Sec. 3. Effective Date.**

87 This Act takes effect 180 days after it becomes law.


88 *Approved:*

89  
90  October 7, 2009  
91 Philip M. Andrews, President, County Council Date

92 *Approved:*

93  
94  Oct 17, 2009  
95 Isiah Leggett, County Executive Date

96 *This is a correct copy of Council action.*

97  
98  Oct. 19, 2009  
99 Linda M. Lauer, Clerk of the Council Date