

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, MARYLAND,**  
**AMENDING CHAPTER 144 “OCCUPANCY PERMITS”, BY REPEALING AND**  
**REENACTING §144-6 “INSPECTIONS” AND CHAPTER 110, “FEES AND**  
**PENALTIES”, §110-1, “FEES AND INTEREST” TO AUTHORIZE BIENNIAL**  
**INSPECTION OF DWELLING UNITS IN CERTAIN HOTELS AND APARTMENT**  
**BUILDINGS AND TO SET A FEE**

**WHEREAS**, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to prevent and remove nuisances; and

**WHEREAS**, the Mayor and Council have adopted a requirement, set out in Chapter 144 of the City Code, that all residential properties in the City must annually obtain an occupancy permit and related property inspection, to ensure the health and safety of the residents of the City; and

**WHEREAS**, the Mayor and Council have determined that it is appropriate to adopt an inspection process that allows the dwelling units in certain current code compliant hotels and apartment buildings consistently under unitary management and maintenance to be inspected once every two years, and to reduce the application fee charged for these buildings.

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to incorporate these changes in Chapters 144 and 110.

**Section 1.** NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park that Chapter 144 “Occupancy Permits”, §144-6, “Inspections” be and is hereby repealed and reenacted with amendments to read as follows:

---

CAPS : Indicate matter added to existing law.  
[Brackets] : Indicate matter deleted from law.  
Asterisks \* \* \* : Indicate matter remaining unchanged in existing law but not set forth in Ordinance

§144-6. Inspections; fees.

A. EXCEPT AS PROVIDED IN §144-6(B), [T]he Public Services Department shall inspect each such unit at least once each year. [~~and more often where a substantiated complaint of violation has occurred or the Director has probable cause to believe that a violation is occurring on such property.~~]

B. FOR APARTMENT AND HOTEL BUILDINGS, A BIENNIAL INSPECTION OF ONE HALF OF THE INDIVIDUAL DWELLING UNITS MAY BE AUTHORIZED AT THE DISCRETION OF THE PUBLIC SERVICES DIRECTOR, SO THAT ALL DWELLING UNITS ARE INSPECTED AT LEAST ONCE IN TWO YEARS. TO QUALIFY FOR BIENNIAL INSPECTION, THE FOLLOWING IS REQUIRED FOR THE PROPERTY AS A WHOLE:

COMPLIANCE WITH THE MOST CURRENT EDITIONS OF FIRE AND BUILDING CODES;

INSTALLATION OF COMPLETE LIFE SAFETY SYSTEMS INCLUDING SPRINKLERS, FIRE AND SMOKE ALARM SYSTEMS AND EMERGENCY LIGHTING;

MAINTENANCE OF ALL LIFE SAFETY SYSTEMS BY THIRD PARTY PROVIDERS WITH ANNUAL CERTIFICATION OF SYSTEM MAINTENANCE AND FUNCTIONALITY PROVIDED TO THE CITY;

A HISTORY OF ONGOING CITY CODE COMPLIANCE;

UNIFIED, ON-SITE MANAGEMENT AND MAINTENANCE;

PERIODIC FIRE EVACUATION DRILLS CONDUCTED AND MONITORED BY A QUALIFIED THIRD PARTY IN APARTMENT BUILDINGS.

ANNUAL CITY INSPECTION OF PUBLIC SPACES, TO INCLUDE WITHOUT LIMITATION, HALLWAYS, EXITS, AND COMMON AREAS; BUILDING AND LIFE SAFETY SYSTEMS; AND ALL MECHANICAL AND EQUIPMENT SPACES, INCLUDING WITHOUT LIMITATION BOILER AND FURNACE ROOMS, TELECOMMUNICATION ROOMS, AND ELECTRICAL EQUIPMENT ROOMS, WOULD CONTINUE TO BE REQUIRED. IN THE EVENT OF A SIGNIFICANT CODE VIOLATION, OR IF UNITARY MANAGEMENT OF THE PROPERTY SHOULD CEASE, THE PROPERTY MAY BE REQUIRED TO UNDERGO FULL ANNUAL INSPECTION.

C. UNITS MAY BE INSPECTED MORE OFTEN THAN REQUIRED HEREIN WHERE A SUBSTANTIATED COMPLAINT OF VIOLATION HAS OCCURRED OR THE DIRECTOR HAS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION IS OCCURRING ON SUCH PROPERTY.

[B] D. For the purpose of the occupancy permit application fee and any other fee schedules, said units shall be categorized and said fees shall be set forth in Chapter 110, Fees and Penalties.

**Section 2.** BE IT FURTHER ORDAINED AND ENACTED by the Mayor and

Council of the City of College Park that Chapter 110 “Fees and Penalties”, §110-1, “Fees and interests” be and is hereby repealed and reenacted with amendments to read as follows:

**§110-1 Fees and interests.**

The following enumerations are the current fees, rates, charges and interests applicable in the City of College Park:

<b>Chapter/Section</b>	<b>Description</b>	<b>Fee/Interest</b>
<b>Ch. 144, Occupancy Permits</b>		
§144-6[B] D	Rental dwelling units * * *	
	BIENNIAL INSPECTION UNITS	75% OF
		STANDARD FEE
	* * * *	

**Section 3. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

The public hearing, hereby set for \_\_\_\_\_ P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, shall follow the publication by at least seven (7) days, may be held separately or in

connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard.

After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. This Ordinance shall become effective on \_\_\_\_\_, 2018 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_ 2018.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_ 2018.

**EFFECTIVE** the \_\_\_\_ day of \_\_\_\_\_, 2018.

**ATTEST:**

**CITY OF COLLEGE PARK**

By: \_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

By: \_\_\_\_\_  
Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney