

EMERGENCY ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK,
AMENDING CHAPTER 110, "FEES AND PENALTIES", BY REPEALING AND RE-
ENACTING §110-2, "PENALTIES", TO INCREASE THE PENALTY FOR
NUISANCE VIOLATIONS AND FAILURE TO DISCLOSE IDENTITY OF
TENANT OCCUPANTS DURING THE COVID-19 PANDEMIC STATE OF
EMERGENCY

WHEREAS, §5-202 of the Local Government Article of the Annotated Code of Maryland provides that the Mayor and Council of the City of College Park have the authority to pass such ordinances as it deems necessary to preserve peace and good order, and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, since March 5, 2020, a State of Emergency has existed in the City of College Park; and

WHEREAS, the State of Emergency was caused by the COVID-19 pandemic; and

WHEREAS, the Executive Orders issued by the Governor of Maryland, and the County Executive of Prince George's County, the directives issued by the Health Officer of Prince George's County, and the resolutions issued by the County Council have imposed various restrictions with respect to social gatherings, to attempt to prevent COVID-19 infections; and

WHEREAS, the Mayor and Council determined that it is in the public interest to amend Chapter 110, to increase the penalties for violation of §141-1 and §144-5(E) of the City Code, to encourage compliance with the health and safety restrictions that are necessary for the public health and welfare of City residents.

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
CAPS	: Indicate matter added in amendment
[Brackets]	: Indicate matter deleted in amendment

WHEREAS, the Mayor and Council have determined that it is necessary for the public health, safety and welfare that this ordinance be adopted effective immediately to insure the full enforcement of the law.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park that Chapter 110 “Fees and Penalties”, §110-2, “Penalties” be and is hereby repealed and reenacted with amendments to read as follows:

§110-2 Penalties.

Unless otherwise noted herein, the violation of a City ordinance or resolution is a municipal infraction. The following fines and/or imprisonment for violations of various ordinances or resolutions are applicable in the City of College Park:

Chapter/Section	Violation	Penalty
	* * * *	
Ch. 141 Nuisances ARTICLE I		
§141-1	DURING COVID-19 PANDEMIC STATE OF EMERGENCY	
	INITIAL VIOLATION	\$1,000
	SUBSEQUENT VIOLATION	\$1,000
	AT ALL OTHER TIMES	\$50
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Chapter 144 Occupancy Permits		
	* * * *	
§144-5(E)	DURING COVID-19 PANDEMIC STATE OF EMERGENCY	
	FAILURE TO DISCLOSE IDENTITY OF OCCUPANTS	\$1,000
	Failure to disclose identity of occupants AT ALL OTHER TIMES	\$75.00

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Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that a public emergency affecting the operation of the City exists. Because an emergency exists, this Ordinance is hereby declared to be an Emergency Ordinance by the affirmative vote of at least six (6) members of the Council pursuant to the authority contained in Section C8-2 of the Charter of the City of College Park and, therefore, pursuant to Section C8-2 of the Charter of the City of College Park, this Ordinance may be adopted at the meeting at which it is introduced without prior public posting or public hearing thereon and shall take effect immediately upon its adoption 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. If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

Introduced on the 8th day of September, 2020

Adopted on the 8th day of September, 2020

Effective on the 8th day of September, 2020

ATTEST:

CITY OF COLLEGE PARK

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

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

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

Suellen M. Ferguson
Suellen M. Ferguson, City Attorney