

Introduced & 1st Reading: February 2, 2021
Adopted: March 2, 2021

**CITY OF MOUNT RAINIER, MARYLAND
ORDINANCE NO. 02-2021**

Introduced by: Councilmember Bryan Knedler

Amending Chapter 6, Health and Nuisances, of the Mount Rainier Code

WHEREAS, the City of Mount Rainier has the responsibility to keep its residents safe from nuisances that threatened public health and safety;

WHEREAS, the City’s Code Compliance staff are tasked with the health officer duties;

WHEREAS, the City requires non-roadworthy vehicles to be kept in enclosed sheds or garages;

WHEREAS, the City has a process to remove non-roadworthy vehicles;

WHEREAS, the City desires to amend its process to allow Code Compliance staff to place responsibility of removal on the property owner;

NOW, THEREFORE BE IT ORDAINED, that effectively immediately, Chapter 6, Health and Nuisances, of the Mount Rainier Code is hereby amended as follows:

SECTION 6-101. Health officer

~~There shall be annually appointed by the mayor, with advice and consent of the city council of Mount Rainier, a health officer.~~

IN THIS CHAPTER, “HEALTH OFFICER” REFERS TO CODE COMPLIANCE STAFF EMPLOYED BY THE CITY OF MOUNT RAINIER.

EXPLANATORY NOTE:

- (1) ~~Strikeout~~ indicates deletions from the existing language of the Mount Rainier Code.
- (2) **UNDERLINED AND ALL CAPS** indicates additions to the existing language of the Mount Rainier Code.
- (3) ********* indicates language of the Mount Rainier Code not shown in this ordinance

SECTION 6-102. Duties of health officer

The health officer shall perform such duties as are required by the laws of Maryland, the laws of Prince George's County, or the ordinances of the city. ~~He will be required to~~ THE HEALTH OFFICER SHALL qualify by oath, to perform faithfully the duties of his office. ~~He must submit a written report monthly to the mayor and council of all his investigations and the disposition thereof.~~

SECTION 6-116. Abandoned or non-roadworthy vehicles.

3. Under the authority of this section, any sworn police officer or code enforcement COMPLIANCE officer of the City of Mount Rainier may impound the abandoned or non-road-worthy vehicle, after attaching a notice on the presumed abandoned or non-road-worthy vehicle, which shall state, in part, "the attached motor vehicle is presumed abandoned or non-road-worthy; if not removed or brought into compliance with Section 6-116 of the General Ordinances of the City of Mount Rainier within ten (10) days from the date upon this notice, this motor vehicle shall MAY be impounded and sent to a scrap processor." Likewise, the motor vehicle owner will be liable for all towing, storage, preservation and all other charges relating to the disposition of the motor vehicle.

4. IF THE VEHICLE IS NOT ACCESSIBLE IN ORDER FOR THE NOTICE TO BE ATTACHED AS PROVIDED IN THIS SECTION, THE NOTICE MAY BE GIVEN BY ONE OF THE METHODS PROVIDED IN CITY CODE SECTION 3A-107.5.

5. AS AN ALTERNATIVE TO TOWING THE VEHICLE OR VEHICLES, THE CITY OF MOUNT RAINIER AFTER PROVIDING THE PROPER NOTICE OF THE VIOLATION OR VIOLATIONS, MAY FINE THE PROPERTY OWNER.

6. EACH VEHICLE IN VIOLATION AT THE SAME ADDRESS IS A SEPARATE OFFENSE.

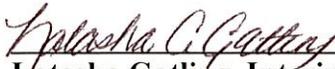
SECTION 6-118. Penalty

Any person, persons, firm, corporation or stock company violating any of the foregoing sections shall be issued a citation of municipal infraction with a fine of ONE-HUNDRED (\$100.00) DOLLARS ~~two hundred fifty dollars (\$250.00)~~ for the first violation,. IF THE VIOLATION IS NOT CORRECTED WITHIN THE TIME PERIOD SET BY CODE COMPLIANCE, TWO-HUNDRED (\$200.00) DOLLARS

~~four hundred dollars (\$400.00)~~ for the second AND SUBSEQUENT violation~~S.~~, and ~~four hundred dollars (\$400.00)~~ For any additional violations in the same ninety (90) day period. Every ten (10) days that a violation exists shall be deemed a separate offense.

THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF MOUNT RAINIER THIS 2nd DAY OF MARCH, 2021.

Attest:



Latasha Gatling, Interim City Manager



Malinda Miles, Mayor



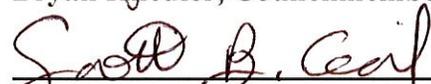
Luke Ghesek, Councilmember Ward 1



Celina Benitez, Councilmember Ward 1



Bryan Knedler, Councilmember Ward 2



Scott Cecil, Councilmember Ward 2

