

Chapter 12
(Bill No. 7-70)

An Act to amend the Montgomery County Code 1965, Chapter 19, titled "Ponds, Wells and Excavations," Section 19-7; Chapter 25, titled "Unsafe Buildings," Section 25-5; Chapter 79, titled "Building Code," Sections 79-26 and 79-27; Chapter 81, titled "Child Care," Section 81-5; Chapter 82, titled "Eating and Drinking Establishments," Section 82-9; Chapter 83, titled "Electricity" (Electrical Code), Section 83-21; Chapter 86, titled "Fire Prevention Code," Section 86-22; Chapter 87, titled "Garbage and Refuse," Section 87-21; Chapter 91, titled "Housing Standards," Section 91-17; Chapter 103, titled "Streets and Roads" (Road Construction Code), Section 103-21; Chapter 105, titled "Swimming Pools," Section 105-7, to increase the maximum monetary fines imposed by these Sections to \$1,000.

Be It Enacted by the County Council for Montgomery County, Maryland, that—

Section 1. Chapter 19, titled "Ponds, Wells and Excavations," Section 19-7, of the Montgomery County Code 1965, is hereby amended as follows:

19-7. Penalty for violation of this Chapter.

Any person who violates any provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one thousand dollars or imprisoned for not more than six months.

Section 2. Chapter 25, titled "Unsafe Buildings," Section 25-5 of the Montgomery County Code 1965, is hereby amended as follows:

25-5. Penalties and Enforcement.

Any person who fails to comply with any notice or order issued pursuant to the authority of this Chapter or who violates any other provision hereof shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not to exceed one thousand dollars, or imprisonment for not more than six months. Each day of violation shall be deemed a separate violation hereof. In addition thereto, Montgomery County may institute injunctive, mandamus or other appropriate action or proceedings at law or equity for the enforcement of this Chapter or to correct violations of this Chapter, and any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, or mandamus or other appropriate forms of remedy or relief.

Section 3. Chapter 79, titled "Building Code," Sections 79-26 and 79-27, of the Montgomery County Code 1965, is hereby amended as follows:

79-26. Section 123.3 amended.

Any person who shall violate a provision of this Chapter or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building inspector or of a permit or certificate issued under the provisions of this Chapter, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or thirty days in jail, or both fine and jail. Each day that a violation continues shall be deemed a separate offense. The County Council may institute injunction, mandamus or other appropriate action or proceedings to pre-