

## MONTGOMERY COUNTY

OF REAL PROPERTY LOCATED IN MONTGOMERY COUNTY SHALL CONTAIN A PROVISION NOTIFYING PROSPECTIVE PURCHASERS OF THEIR RIGHT TO REVIEW APPLICABLE MASTER PLANS OR THE GENERAL PLAN. PROSPECTIVE PURCHASERS SHALL INDICATE IN WRITING THAT THEY HAVE BEEN OFFERED THE OPPORTUNITY TO REVIEW THE APPLICABLE MASTER PLAN OR THE GENERAL PLAN AND THAT THEY HAVE EITHER VIEWED THE SAME OR HAVE WAIVED THAT PRIVILEGE.

## 40-11. DISCLOSURE REQUIRED.

IT SHALL BE THE DUTY OF THE PROPERTY OWNER'S AGENT WHEN SELLING EITHER UNIMPROVED OR IMPROVED REAL PROPERTY LOCATED IN MONTGOMERY COUNTY, WHETHER OR NOT IN A SUBDIVISION, OR IN THE EVENT AN AGENT IS NOT EMPLOYED, IT SHALL BE THE DUTY OF THE PROPERTY OWNER, TO DISCLOSE TO THE PROSPECTIVE PURCHASER, OR IF MORE THAN ONE PURCHASER, TO AT LEAST ONE OF THE PURCHASERS, PRIOR TO THE ENTERING INTO OF A CONTRACT FOR SALE OF SUCH PROPERTY, THE RELATIVE LOCATION OF ANY AIRPORT OR HELIPORT, AS DEFINED IN THE COUNTY ZONING ORDINANCE, EXISTING WITHIN A FIVE MILE RADIUS OF THE PROPERTY.

## 40-12. OTHER DISCLOSURE REQUIREMENTS NOT AFFECTED.

NOTHING CONTAINED IN THIS ARTICLE SHALL BE CONSTRUED TO SUPERSEDE OR OTHERWISE AFFECT ANY OBLIGATION OR DUTY OF A REAL ESTATE AGENT OR BROKER TO FULLY DISCLOSE ALL SPECIFIC FACTS RELEVANT TO OR AFFECTING THE SUBJECT PROPERTY, WHICH ARE NOW IMPOSED OR MAY HEREAFTER BE IMPOSED BY STATE OR LOCAL LAW OR REGULATION OF THE MARYLAND STATE OR LOCAL REAL ESTATE COMMISSION.

## 40-13. APPLICATION.

THIS ARTICLE SHALL BE EFFECTIVE THROUGHOUT THE COUNTY EXCEPT IN ANY INCORPORATED TOWN, VILLAGE OR OTHER MUNICIPALITY WHICH BY LAW HAS AUTHORITY TO ENACT A LAW ON THE SAME SUBJECTS COVERED BY THIS ARTICLE. IF ANY SUCH INCORPORATED TOWN, VILLAGE OR OTHER MUNICIPALITY SHALL ADOPT THIS ARTICLE AND REQUEST THE COUNTY TO ENFORCE THE PROVISIONS THEREOF WITHIN ITS CORPORATE LIMITS, THE COUNTY SHALL THEREAFTER ADMINISTER AND ENFORCE THE SAME WITHIN SUCH INCORPORATED TOWN, VILLAGE OR MUNICIPALITY.

## 40-14. PENALTY.

ANY PERSON WHO SHALL VIOLATE ANY PROVISION OF THIS ARTICLE SHALL BE GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE SUBJECT TO A FINE OR NOT MORE THAN ONE THOUSAND DOLLARS (\$1000.00).

SECTION 2. Severability.