

~~(V) NUISANCES AND OTHER VIOLATIONS UNDER TITLE 22;~~

~~(VI) ZONING REGULATIONS ADOPTED UNDER TITLE 26, ARTICLE~~

~~IV, AND~~

~~(VII) SOLID WASTE PROVISIONS UNDER TITLE 32~~ TITLE 22.
"NUISANCES" OF THE BALTIMORE COUNTY CODE 1988.

(4) "NUISANCE" MEANS, WITHIN THE BOUNDARIES OF THE COMMUNITY REPRESENTED BY THE COMMUNITY ASSOCIATION, AN ACT OR CONDITION KNOWINGLY CREATED, PERFORMED, OR MAINTAINED ON PRIVATE PROPERTY THAT CONSTITUTES A LOCAL CODE VIOLATION AND THAT:

(I) ~~SIGNIFICANTLY AFFECTS~~ NEGATIVELY IMPACTS THE WELL-BEING OF OTHER RESIDENTS OF THE NEIGHBORHOOD; AND

~~(II) NEGATIVELY IMPACTS THE VALUE OF NEIGHBORING PROPERTY; AND~~

~~(III) (II) 1. IS INJURIOUS TO PUBLIC HEALTH, SAFETY, OR WELFARE OF NEIGHBORING RESIDENTS; OR~~

~~2. OBSTRUCTS THE REASONABLE USE OF OTHER PROPERTY IN THE NEIGHBORHOOD.~~

(B) THIS SECTION ONLY APPLIES TO A NUISANCE LOCATED WITHIN THE BOUNDARIES OF BALTIMORE COUNTY.

(C) (1) A COMMUNITY ASSOCIATION MAY SEEK INJUNCTIVE AND OTHER EQUITABLE RELIEF IN THE CIRCUIT COURT FOR BALTIMORE COUNTY FOR ABATEMENT OF A NUISANCE UPON SHOWING THAT:

(I) THE NOTICE REQUIREMENTS UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION HAVE BEEN SATISFIED; AND

(II) THE NUISANCE HAS NOT BEEN ABATED.

(2) (1) AN ACTION MAY NOT BE BROUGHT UNDER THIS SECTION BASED ON A NUISANCE UNTIL 60 DAYS AFTER THE COMMUNITY ASSOCIATION GIVES NOTICE OF THE VIOLATION AND OF THE COMMUNITY ASSOCIATION'S INTENT TO BRING AN ACTION UNDER THIS SECTION BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE APPLICABLE LOCAL COUNTY CODE ENFORCEMENT AGENCY.

(II) AN ACTION UNDER THIS SECTION MAY NOT BE BROUGHT IF THE APPLICABLE COUNTY CODE ENFORCEMENT AGENCY HAS FILED AN ACTION FOR EQUITABLE RELIEF FROM THE NUISANCE.

(3) (1) AN ACTION MAY NOT BE BROUGHT UNDER THIS SECTION UNTIL 60 DAYS AFTER THE TENANT, IF ANY, AND OWNER OF RECORD RECEIVE NOTICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, FROM THE COMMUNITY ASSOCIATION THAT A NUISANCE EXISTS AND THAT LEGAL ACTION MAY BE TAKEN IF THE NUISANCE IS NOT ABATED.