

(5) PROMOTE THE HEALTH, SAFETY, MORALS, ORDER, CONVENIENCE, AND PROSPERITY OF THE COMMUNITY.

~~(D)~~ (C) AN ORDINANCE ADOPTED UNDER THIS SECTION MAY ~~INCLUDE A REQUIREMENT THAT A JUNKYARD MAY NOT BE MAINTAINED OR OPERATED~~ PROHIBIT THE OPERATION OR MAINTENANCE OF A JUNKYARD, DUMP, OR OTHER FACILITY WITHIN THE LIMITS OF THE MUNICIPAL CORPORATION UNTIL AN ANNUAL LICENSE HAS BEEN OBTAINED FROM THE LEGISLATIVE BODY OF THE MUNICIPAL CORPORATION, AT A REASONABLE FEE SPECIFIED IN THE ORDINANCE.

~~(E)~~ (D) (1) (I) BEFORE THE LEGISLATIVE BODY OF A MUNICIPAL CORPORATION ADOPTS AN ORDINANCE UNDER THIS SECTION, THE LEGISLATIVE BODY SHALL GIVE NOTICE OF A PUBLIC HEARING ON THE PROPOSED ORDINANCE BY PUBLISHING NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPAL CORPORATION NOT LESS THAN FOUR TIMES, AT WEEKLY INTERVALS WITHIN A PERIOD OF AT LEAST 30 DAYS BEFORE THE DATE OF THE HEARING.

(II) THE NOTICE SHALL SPECIFY THE DATE, TIME, AND PLACE AT WHICH THE LEGISLATIVE BODY WILL CONDUCT A THE PUBLIC HEARING ON THE ORDINANCE.

(2) THE ORDINANCE IS NOT VALID UNLESS THE PUBLIC HEARING ACTUALLY IS HELD AS SPECIFIED IN THE NOTICE.

(E) (1) A PERSON WHO VIOLATES AN ORDINANCE ADOPTED UNDER THIS SECTION, INCLUDING THE MAINTENANCE OR OPERATION OF A JUNKYARD, DUMP, OR OTHER FACILITY WITHOUT A LICENSE, IS GUILTY OF A MISDEMEANOR, AND ON CONVICTION, IS SUBJECT TO A FINE OF AT LEAST \$25.

(2) EACH DAY ON WHICH A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

(F) THE LEGISLATIVE BODY OF A MUNICIPAL CORPORATION MAY DECLARE A VIOLATION OF AN ORDINANCE ADOPTED UNDER THIS SECTION IS TO BE A MUNICIPAL INFRACTION AND THAT SHALL BE ENFORCED IN ACCORDANCE WITH THE PROVISIONS OF § 3(B) OF THIS ARTICLE.

(G) IF THE LEGISLATIVE BODY OF A MUNICIPAL CORPORATION ADOPTS AN ORDINANCE UNDER THIS SECTION, THE PROVISIONS OF THE ORDINANCE MAY NOT BE CONSTRUED TO APPLY TO ANY BUSINESS LICENSED ON OR BEFORE JUNE 30, 2004 AS AN AUTOMOTIVE DISMANTLER AND RECYCLER OR A SCRAP PROCESSOR UNDER § 15-502 OF THE TRANSPORTATION ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2004.

Approved May 26, 2004.