

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2010 Legislative Session

Bill No. CB-30-2010

Chapter No. _____

Proposed and Presented by The Chairman (by request – Planning Board)

Introduced by Council Members Dernoga, Turner and Olson

Co-Sponsors _____

Date of Introduction June 15, 2010

BILL

1 AN ACT concerning

2 Housing and Property Standards and Anti-Litter and Weed Ordinance

3 For the purpose of revising certain definitions to conform to the revisions proposed to the
4 Woodland and Wildlife Habitat Conservation Ordinance.

5 BY repealing and reenacting with amendments:

6 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

7 Sections 13-231 and 13-261,

8 The Prince George's County Code

9 (2007 Edition, 2009 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Sections 13-231 and 13-261 of the Prince George's County Code be and the same
12 are hereby repealed and reenacted with the following amendments:

13 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

14 **DIVISION 7. PROPERTY STANDARDS AND MAINTENACE.**

15 **Sec. 13-231. Definitions.**

16 (a) The following words and phrases shall have the meanings indicated:

17 * * * * *

18 (8) **Tree** shall mean a [large woody plant, having one or several self-supporting stems
19 or trunks and numerous branches, and which reaches] plant with a woody stem capable of
20 achieving a height of at least twenty (20) feet at maturity.

21 * * * * *

(10) **Woodland** shall mean a perpetual biological community dominated by trees and other woody or herbaceous plants covering a land area of 10,000 square feet or greater. This includes areas that have at least 100 trees per acre with at least 50 trees that are 2 inches or greater in dbh (diameter at breast height -- means the diameter of a tree measured at a height of 4.5 feet from the ground). This also includes areas that have been [cut, but not cleared.] timber harvested where the stumps remain in place for future regeneration. The terms “woodland,” “forest,” and “forest cover” are synonymous and do not include orchards or other areas without multiple layers of woody and herbaceous vegetation.

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SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

DIVISION 9. ANTILITTER AND WEED ORDINANCE.

Sec. 13-261. Definitions.

* * * * *

(h) **Tree** shall mean a [large woody plant, having one or several self-supporting stems or trunks and numerous branches, and which reaches] plant with a woody stem capable of achieving a height of at least twenty (20) feet at maturity.

(i) **Underbrush** shall mean shrubs, bushes, and small trees growing beneath larger trees in a woodland or forest.

* * * * *

(l) **Woodland** shall mean a perpetual biological community dominated by trees and other woody plants covering a land area of 10,000 square feet or greater. This includes areas that have at least [25 trees per quarter acre] 100 trees per acre with at least 50 [% of those trees having a] trees that are 2-inches or greater dbh (diameter at breast height -- means the diameter of a tree measured at a height of 4.5 feet from the ground)]. This also includes areas that have been timber harvested where the stumps remain in place for future regeneration. The terms “woodland,” “forest,” and “forest cover” are synonymous and do not include orchards or other areas without multiple layers of woody and herbaceous vegetation.

1 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
2 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
3 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
4 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
5 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
6 Act, since the same would have been enacted without the incorporation in this Act of any such
7 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

8 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on
9 September 1, 2010.

Adopted this 13th day of July, 2010.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.