

**ARTICLE 15. CONSTRUCTION AND PROPERTY MAINTENANCE CODES****TITLE 4. PROPERTY MAINTENANCE CODE****TITLE 4. PROPERTY MAINTENANCE CODE**

## Section

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**SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS****§ 15-4-101. Definitions.**

In this title, the following words have the meanings indicated.

- (1) “Department” means the Health Department.
- (2) “Garbage” means organic waste consisting of the residue of animal, fruit, or vegetable matter that results from the preparation, cooking, handling, or storage of food, but the term does not include feces.
- (3) “Health Officer” means the Health Officer or the Health Officer’s designee.
- (4) “Nuisance” means a menace to the public health, safety, or welfare arising from the accumulation of

garbage, trash, or refuse or the presence of stagnant water or combustible material.

(5) Refuse” means ashes, garbage, trash, junk, industrial waste, dead animals, or other solid waste materials, including salvable waste.

(Bill No. 68-06; Bill No. 64-07)

**§ 15-4-102. Administration and enforcement.**

Except as otherwise provided in this title, the Health Officer and the Department shall administer and enforce all provisions of this title.

(Bill No. 68-06)

**§ 15-4-103. Compliance with title required.**

An owner or other person may not occupy or lease to another person a dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy, and in compliance with this title and other applicable State and County law.

(Bill No. 68-06)

**§ 15-4-104. Modifications.**

(a) **Generally.** The Health Officer may approve an application for a modification to any provision of Title 4 of this article upon finding that:

- (1) practical difficulties or unnecessary hardship will result from strict application of Title 4 of this article;
- (2) the purposes of Title 4 will be served by the alternate proposal; and
- (3) the modification will not be detrimental to the public health, safety, or welfare and not be injurious to other properties.

(b) **Form of decision.** The modification decision shall include written findings and conclusions and shall be maintained in the files of the Department.

(c) **Conditions.** In granting a modification, the Health Officer may require conditions to secure the objectives of the provision that has been modified.

(Bill No. 68-06)

## **SUBTITLE 2. PROPERTY MAINTENANCE CODE**

**§ 15-4-201. Adoption.**

The “2003 International Property Maintenance Code” as published by the International Code Council, Inc., is adopted by reference as the property maintenance code for the County, with the additions, insertions, omissions, and changes set forth in the Supplement.

(Bill No. 68-06)

## **SUBTITLE 3. REFUSE AND SEWAGE DISPOSAL SYSTEMS**

**§ 15-4-301. Refuse–vacant lots; roads; shopping centers; storage.**

Unless expressly allowed by other law, a person may not store refuse or dispose of, deposit, or dump refuse on any vacant lot or tract of land or on any road, walkway, or parking lot, including a shopping center or drive-in parking lot.

(Bill No. 68-06)

**§ 15-4-302. Refuse and trash.**

(a) **Prohibition.** An owner or occupant of any premises may not permit the accumulation of refuse or other waste on the premises if the accumulation may create a health, accident, or safety hazard or is accumulated in a manner that may cause or permit any part of the refuse or other waste to be carried or deposited by the elements onto any other property.

(b) **Refuse containers.** The owners and occupants of any premises are jointly and severally responsible for providing a sufficient number of containers for storage of refuse and other waste matter to prevent overflow between times of collection and for maintaining the premises in accordance with the standards of this section.

(c) **Maintenance of trash receptacles.** The owners and occupants of shopping centers and commercial establishments shall install and maintain trash receptacles on the pedestrian walkway areas of the shopping centers and commercial establishments. The trash receptacles shall be provided in adequate number and shall be clearly designated as trash receptacles.

(d) **Storage of useable materials.** Stored useable materials on any premises shall be stacked or piled in an orderly manner that leaves at least a 12-inch space between the material and the ground level. No stored materials shall be stacked or piled against an exterior wall.

(Bill No. 68-06)

**§ 15-4-303. Sewage disposal systems.**

(a) **Installation and operation.** Each sewage disposal system shall be installed in accordance with the County Private Sewage Disposal and Well Code as set forth in Title 2, Subtitle 5, Part 2 of this article and shall be capable of performing the function for which it is designed.

(b) **Maintenance.** Each sewage disposal system shall be maintained in a safe, sanitary, and functional condition, free from obstructions, leaks, and defects, so as to avoid creating a public health nuisance.

(c) **Design capacity.** Each sewage disposal system shall be maintained based on the original design and no property shall be improved in excess of the septic system capacity.

(Bill No. 68-06)

## **SUBTITLE 4. ABATEMENT AND DEMOLITION**

**§ 15-4-401. Emergency abatement of health or safety hazards.**

The Health Officer may take cognizance of any condition on property that poses or may reasonably be expected to pose a clear and present health or safety hazard; order the person responsible for creating, maintaining, or permitting an actual or potential health or safety hazard to take immediate action to abate the problem; and take direct action to abate the problem if the responsible person cannot be contacted or cannot or will not take immediate action to abate the problem.

(Bill No. 68-06)

**§ 15-4-402. Abatement of nuisances.**

(a) **Abatement after notice.** The Health Officer may enter an unimproved lot or vacant premises and cause a nuisance located on the lot or premises to be abated whenever the owner or person in charge of the lot or premises fails to do so within 15 days after service of notice from the County to abate the nuisance.

(b) **Service of notice.** The notice shall be served by posting it on the property or mailing a copy by certified mail to the last known address of the person in whose name the property is assessed for taxation.

(Bill No. 68-06)

**§ 15-4-403. Repair orders; court-ordered demolition–Health Department.**

When the Health Officer determines that a structure is dangerous, unsafe, unsanitary, or otherwise unfit for human use, the Health Officer shall order that the structure be repaired or otherwise made safe and sanitary. If the person fails to obey the order, the Health Officer may apply to a court of competent jurisdiction for a demolition order.

(Bill No. 68-06)

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