

Bill No. 23-09
Concerning: Unused Vehicles - Storage
Revised: October 6, 2009
Draft No. 4
Introduced: May 5, 2009
Enacted: October 6, 2009
Executive: _____
Sunset: None
Effective: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) amend the definition of rubbish in Chapter 26;
- (2) limit the storage of unused vehicles on residential property; and
- (3) generally amend County law governing the storage of unused vehicles.

By amending

Montgomery County Code
Chapter 26, Housing and Building Maintenance Standards
Sections 26-2 and 26-9
Chapter 48, Solid Waste
Section 48-24A

By adding

Montgomery County Code
Chapter 26, Housing and Building Maintenance Standards
Section 26-17A

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

26 * * *

27 (13) A person must not store any unused vehicle on residential

28 property for more than 30 days unless a person living in the

29 household has received an extension under Section 26-17A.

30 **26-17A. Unused vehicle storage extensions.**

31 The Director may grant an owner or occupant of a residential property an

32 extension to store an unused vehicle on residential property for more than 30 days

33 for good cause shown. Good cause [[includes]] may include:

- 34 (a) the owner of the vehicle is recovering from an illness or accident;
- 35 (b) the owner of the vehicle is on a foreign assignment for the United
- 36 States Government;
- 37 (c) the owner demonstrates extreme financial hardship; [[or]]
- 38 (d) suspension of the driver’s license of the owner of the vehicle; or
- 39 (e) historic vehicle restoration if the owner can show that the project will
- 40 be complete in a definite period of time.

41 **48-24A. Storage of [motor] vehicles.**

- 42 (a) In this section, “unused [motor] vehicle:”
- 43 (1) Means a vehicle that is:
- 44 [[a.]] (A) [Not] Inoperable or not currently registered by a
- 45 government agency; and
- 46 [[b.]] (B) Not subject to Section 48-24 [of this Code];
- 47 (2) Includes trailers; and
- 48 (3) Does not include farm tractors or any farm equipment such as
- 49 automobiles and trucks that are:

50 [[a.]] (A) Kept on properties consisting of [two (2)] 2 or
 51 more acres on which crops are being grown and
 52 harvested; and

53 [[b.]] (B) Used for the purpose of growing and harvesting
 54 crops.

55 (b) A person must not store an unused [motor] vehicle on residential
 56 property in violation of Section 26-9(a)(13). [for more than ninety
 57 (90) days unless the unused motor vehicle:

58 (1) Is completely shielded from the view of individuals on
 59 adjoining property; for example, as by a six-foot solid wood
 60 fence or dense evergreen hedge; and

61 (2) Is stored within the building setback lines of the property; or

62 (3) Has a permit issued under this section.

63 (c) (1) A person living in the household may apply to the department
 64 for a permit to store an unused motor vehicle on residential
 65 property for more than ninety (90) days in cases of serious
 66 hardship.

67 (2) Serious hardship includes:

68 a. The owner of the vehicle recovering from an illness or
 69 accident;

70 b. The owner of the vehicle on a foreign assignment for the
 71 United States Government; or

72 c. Suspension of the driver's license of the owner of the
 73 vehicle.

74 (d) The department must issue a permit to store an unused motor vehicle
75 on residential property if the application for the permit is complete
76 and includes satisfactory documentation of eligibility for the permit.

77 (e) A permit issued under this section:

78 (1) May be issued for up to one (1) year; and

79 (2) May be renewed.

80 (f) The county executive must adopt regulations under method (2) of
81 section 2A-15 of this Code to carry out this section.]

82 **Sec. 2. Report.**

83 The Director of Housing and Community Affairs must report to the Council
84 on the number of waivers requested and granted under Section 26-17A for the first
85 full year after this law takes effect.

86 **Sec. 3. Effective Date.**

87 This Act takes effect 180 days after it becomes law.

88 *Approved:*

89

90

91 _____
Philip M. Andrews, President, County Council Date

92 *Approved:*

93

94

95 _____
Isiah Leggett, County Executive Date

96 *This is a correct copy of Council action.*

97

98

99 _____
Linda M. Lauer, Clerk of the Council Date
