

Resolution No. 16-649
Introduced: July 8, 2008
Adopted: July 15, 2008

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of adopting regulations governing building and demolition permits for the Village of Drummond

Background

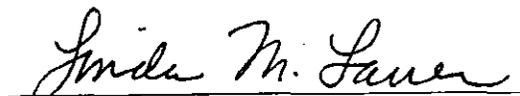
1. Under state law codified as Montgomery County Code §65-9, the Village of Drummond and the First Addition to Drummond (hereafter collectively "The Village of Drummond" or "The Village") is a Special Taxing District. The Village Council may recommend regulations for adoption by approval of the County Council.
2. On April 14, 2008, the Village of Drummond recommended the attached Regulation for adoption by the County Council.
3. The purpose of the attached Regulation is to clarify that the building regulation submitted by the Village of Drummond and approved by the County Council in Resolution No. 15-1540 on July 18, 2006 applies to both a permit to demolish and construct a building within the Village of Drummond.
4. A Public hearing on this Regulation was held on April 14, 2008.

Action

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

The County Council approves the attached Regulations for the Village of Drummond.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

**RESOLUTION
OF THE CITIZENS COMMITTEE
OF THE VILLAGE OF DRUMMOND
AMENDING REGULATIONS
GOVERNING BUILDING PERMITS**

RESOLUTION

BE IT RESOLVED, by the Citizens Committee of the Village of Drummond, that the following amendments to the Regulations governing building permits are adopted and recommended to the Montgomery County Council for its approval.

WHEREAS, the Village of Drummond and the First Addition to Drummond (hereafter collectively "The Village of Drummond" or "The Village") is a Special Taxing District under the laws of the State of Maryland. The Maryland Code Annot., Article 26, Section 1;

WHEREAS, Montgomery County recognizes the Village of Drummond as a Special Taxing District located within the County. Montgomery County Code, Chapter 65-1;

WHEREAS, under the Charter granted by the State of Maryland establishing the Village of Drummond as a Special Taxing District, the Montgomery County Council "may, upon recommendation of the Drummond Citizens Committee, adopt such regulations with respect to dumping of garbage, sanitation, erection of buildings, care of property, or other police or health regulations and provide penalties for the violation thereof" as the County Council "may deem proper, which regulations may be enforced by or through said committee." Acts of Maryland, 1916, CH. 22, §8; as codified in Montgomery County Code, Section 65-9;

WHEREAS, the Montgomery County Council on July 18, 2006, approved a Regulation of the Village of Drummond establishing requirements and procedures for issuance of building permits;

WHEREAS, the Village of Drummond wishes to avoid any ambiguity as to whether the building permits that were the subject of the approved Regulation encompass demolition permits as well as construction permits, and so expressly includes them herein; and

WHEREAS, public hearings on regulating demolition, were held by the Drummond Citizens Committee on April 14, 2008, after due notice to residents of the Village of Drummond;

NOW, THEREFORE, the Drummond Citizens Committee adopts the following amendments to the Regulations Governing Building Permits and requests approval by the Montgomery County Council:

(Underlining indicates text that is added to the existing Regulations, and [bold text in brackets] indicates text that is deleted from the existing Regulations.)

VILLAGE OF DRUMMOND
REGULATIONS
BUILDING AND DEMOLITION PERMITS

1. ***Building or Demolition Permit Required.*** No building shall be erected, removed, or demolished within the Village of Drummond, nor any modification made in the exterior of any portion of a building which requires a building permit from Montgomery County, until a [building] permit therefor is approved and issued by the Village of Drummond.

2. ***Approval.*** An application for a building permit or demolition permit shall be submitted to the Drummond Citizens Committee ("Committee") containing the following information. Additional information may be requested by the Committee. The Committee may prepare and require an application form. The Committee may establish by Resolution a fee to be charged to all applicants. The Committee from time-to-time may change the fee by Resolution, but the fee shall not exceed \$100. An application may be denied for failure to provide the requested information.

The application shall include:

- a. The signature of the owner and/or his authorized agent;
- b. The street address, plat number and date of subdivision plat recordation of the lot upon which the proposed work is to be performed;
- c. The full name and address of each owner;
- d. A brief description of the work to be performed for which the building permit or demolition permit is requested;
- e. A copy of the building or demolition plans and all other documents submitted or anticipated to be submitted to Montgomery County as part of the application for a building or demolition permit for the identical work issued by Montgomery County; and,

f. A certification by the applicant that the applicant provided to the owners of adjoining and confronting property within the Village of Drummond, and to the occupants of said property if the owners are not the occupants, a reasonable opportunity to inspect the building or demolition permit plans and notice of the anticipated date of the hearing before the Committee. The certification shall include an explanation of the steps taken to comply with these requirements and to identify those persons who have inspected the plans.

3. **Criteria for Issuance of Permit.** The Committee shall consider, in approving or disapproving an application, such factors as:

a. Whether the application is complete and conforms to the requirements of this Regulation;

b. Whether the proposed work complies with the provisions of Chapter 8 of the Montgomery County Code;

c. Whether the proposed work complies with all applicable subdivision and zoning requirements; and

d. Whether the proposed work complies with all other applicable Village of Drummond Regulations, County, State, and Federal laws.

4. **Permit Contingent on County Permit.** [The] Village of Drummond Building and Demolition Permits [is] are effective and valid only for the identical work authorized by a valid Building or Demolition Permit issued by Montgomery County and only for that time period for which the Montgomery County Permit is valid.

5. **Liability for Damage to Village of Drummond Property.** As a condition for the grant of a permit, the permit holder shall be liable for any damages to Village of Drummond property including rights of way, sidewalks, curbs, streets and green space. Permit holders shall be subject to the expense necessary to repair such damage as close to the original condition as possible. The Committee may, by contract or otherwise, cause any necessary repairs to be made, and the cost of such work and the damages resulting therefrom shall be charged against the permit holder or against the property and collected as a tax in a manner similar to other taxes.

6. **Stop Work Order.** Whenever the Chair of the Committee, or his or her delegate, may determine that actions are being taken in violation of the provisions of this Regulation, he or she may order such work to be stopped immediately. A Stop Work Order shall be issued in writing and served upon the owner of the property or the owner's agent, or the person doing the work. It shall be unlawful for any person to continue to permit continuation of work in or about the property after having been served with a Stop Work Order. The permit holder may appeal such Order to the Committee, which, upon request, shall hold a hearing within fourteen (14) days.

7. **Revocation of [Building] Permit.** The Committee may revoke, after a hearing, a permit issued under this Regulation in the case of any false statements or misrepresentations of fact in the application or on the plans upon which the permit was based, or in the case of any violation of this Regulation or violation of any condition upon which the permit was issued.

8. **Penalty for Violation of Regulation.** Any person failing to comply with this Regulation shall make or cause to be made such corrections, abatements, restorations, alterations or removals of work commenced or finished as may be necessary to remedy a condition that violates this Regulation, and if such remedy is not completed within thirty (30) days from the date of notification of violation, the Committee may by contract or otherwise, remove, [or] demolish, or restore such structure or parts thereof that violate this Regulation, or otherwise correct or abate the violation, and the cost of such work and the damage resulting therefrom shall be charged against the property and collected as a tax in a manner similar to other taxes.

APPROVED:

Drummond Citizens Committee by a vote of 3 of 3 on April 14, 2008.


Signature

Janet Friedman
Printed Name

Secretary
Title