

Bill No. 29-01
Concerning: Real Property - Disclosure -
Historic Sites
Revised: 7-19-01 Draft No. 1
Introduced: July 31, 2001
Enacted: November 6, 2001
Executive: November 19, 2001
Effective: April 1, 2002
Sunset Date: None
Ch. 24, Laws of Mont. Co. 2001

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Praisner, Ewing, Berlage, Leggett, Dacek, and Subin

AN ACT to:

- (1) require certain disclosures to buyers of real property located in a historic district, designated as a historic site, or listed on a locational atlas of historic sites;
- (2) require buyers of certain real property to indicate whether they received certain information about historic preservation requirements; and
- (3) generally amend the law governing disclosure of information in real estate transactions.

By adding

Montgomery County Code
Chapter 40, Real Property
Section 40-12A

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:

1 **Sec. 1. Chapter 40 is amended by adding Section 40-12A:**

2 **40-12A. Disclosure of Historic Designation.**

3 **(a) If any real property:**

4 **(1) has been designated as a historic site in the master plan for**
 5 **historic preservation;**

6 **(2) is located in an area designated as a historic district in that plan;**
 7 **or**

8 **(3) is listed as a historic resource on the County locational atlas of**
 9 **historic sites,**

10 **the seller must disclose that fact to each prospective buyer before the**
 11 **buyer signs a contract for the sale of the property.**

12 **(b) A prospective buyer must indicate, by signing an addendum to the**
 13 **contract or a separate section of the contract printed in boldface type in**
 14 **a clearly demarcated box, that:**

15 **(1) the seller has provided the information required by subsection (a);**
 16 **and**

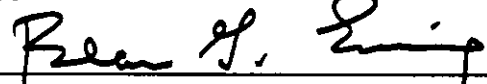
17 **(2) the buyer understands that special restrictions on land uses and**
 18 **physical changes may apply to this property, and the buyer may**
 19 **obtain more information about these restrictions from the staff of**
 20 **the County Historic Preservation Commission.**

21 **(c) The County historic preservation staff must inform the public, by**
 22 **posting on a web site or another equally effective means, that the**
 23 **boundaries of any historic district have changed within 5 days after the**
 24 **change takes effect. The failure to post this notice does not invalidate**
 25 **any boundary change or other action.**

26 **Sec. 2. Effective Date. Section 40-12A, added by this Act, takes effect on**
 27 **April 1, 2002, and applies to any contract for the sale of real property signed on or**

28 after that date.

29 *Approved:*

30 

11/8/01

31 Blair G. Ewing, President, County Council

Date

32 *Approved:*

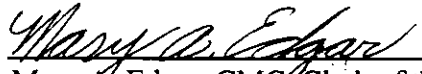
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11/8/01

34 Douglas M. Duncan, County Executive

Date

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

36 

11/20/01

37 Mary A. Edgar, CMC, Clerk of the Council

Date