

CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HAGERSTOWN,  
CHAPTER 197 THEREOF, ENTITLED *RENTAL FACILITIES*,  
BY DELETING AND REPEALING SECTION 197-11, THEREBY REMOVING THE  
AUTOMATIC EXPIRATION PROVISION OF THE ORDINANCE

RECITALS

WHEREAS, that during or about 2002, the Mayor and Council enacted an Ordinance, Chapter 197, entitled *Rental Facilities* providing for the licensing and inspection of residential rental facilities within the City in order to promote and ensure the safety, health, and habitability in housing conditions in said facilities; and

WHEREAS, that during or about May, 2003, the Mayor and Council amended Chapter 197 to include a "sunset" provision, Section 197-11, entitled *Expiration*, which provides that Chapter 197 automatically expires and shall be of no further force and effect on June 21, 2008; and

WHEREAS, the Mayor and Council of the City of Hagerstown desire to modify and amend Chapter 197 to remove the "sunset" provision in order to permit Chapter 197 to continue in full force and effect; and

WHEREAS, the Mayor and Council of the City of Hagerstown find it to be in the best interests of the citizens of the City of Hagerstown to do so;

NOW THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body as follows:

SECTION 1. That the recitals hereto are incorporated herein as if restated verbatim.

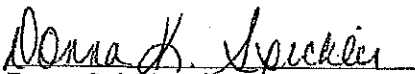
SECTION 2. The Code of the City of Hagerstown is hereby amended by deleting and repealing Section 197-11, *Expiration*.


SECTION 3. Effective Date. This amendment shall become effective immediately upon the effective date of this enacting ordinance.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Enacting Ordinance shall become effective at the expiration of thirty calendar days following its approval.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE CITY  
OF HAGERSTOWN, MARYLAND

  
Donna Spickler, City Clerk

By:   
Robert E. Bruchey, II, Mayor

Date of Introduction: August 28, 2007  
Date of Passage: October 23, 2007  
Effective Date: November 23, 2007

PREPARED BY:  
NAIRN & BOYER, LLC, City Attorneys

0-07-20

CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HAGERSTOWN,  
CHAPTER 197 THEREOF, ENTITLED *RENTAL FACILITIES*,  
TO INCREASE THE ANNUAL RENTAL UNIT LICENSE FEE TO \$45 PER UNIT  
EFFECTIVE JUNE 20, 2007, AND THEREAFTER TO \$50 PER UNIT EFFECTIVE  
JUNE 20, 2008

RECITALS

WHEREAS, the Mayor and Council have previously enacted an Ordinance, Chapter 197, entitled *Rental Facilities*, to promote and ensure the safety, health, and habitability in housing conditions in residential rental facilities in the City; and

WHEREAS, the Mayor and Council of the City of Hagerstown desire to modify and amend said Ordinance to increase the annual per unit license fee; and

WHEREAS, the Mayor and Council of the City of Hagerstown find it to be in the best interests of the citizens of the City of Hagerstown to do so:

NOW THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body as follows:

SECTION 1. Chapter 197 of the Code of the City of Hagerstown, Section 197-4.F.(1) is hereby amended to read as follows:

§197-4.F.(1) "Forty-five dollars per rental unit; or"

SECTION 2. Effective Date

The amendment contained in Section 1 above shall become effective on June 20, 2007.

SECTION 3. Chapter 197 of the Code of the City of Hagerstown, Section 197-4.F(1) shall be further amended to read as follows:

§197-4.F.(1) "Fifty dollars per rental unit; or"

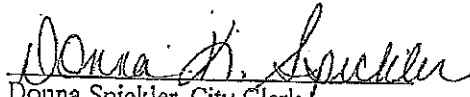
SECTION 4. Effective Date.

The amendment contained in Section 3 above shall become effective on June, 20 2008.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Enacting Ordinance shall become effective at the expiration of thirty calendar days following its approval.

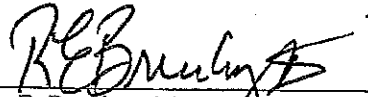
0-07-07

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

  
Donna Spickler, City Clerk

Date of Introduction: March 27, 2007  
Date of Passage: April 24, 2007  
Effective Date: May 25, 2007

MAYOR AND COUNCIL OF THE CITY  
OF HAGERSTOWN, MARYLAND

By:   
Robert E. Bruchey, Mayor

PREPARED BY:  
NAIRN & BOYER, LLC, City Attorneys

0-07-07

**CITY OF HAGERSTOWN, MARYLAND**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HAGERSTOWN, CHAPTER 197 THEREOF, ENTITLED *RENTAL FACILITIES*, TO PROVIDE AN EXEMPTION OF THE ANNUAL LICENSING FEE AND THE INTERIOR INSPECTION REQUIREMENT FOR SINGLE UNIT RENTAL FACILITIES OCCUPIED BY TENANTS WHO ARE RELATED WITHIN CERTAIN DEGREES TO THE OWNERS OF SAID RENTAL FACILITIES**

**RECITALS**

**WHEREAS**, the Mayor and Council of the City of Hagerstown have previously adopted, Chapter 197 of the City Code, entitled *Rental Facilities* by which it regulates rental facilities within the corporate limits of the City through licensing and inspection; and

**WHEREAS**, the Mayor and Council desire to exempt the owners of single unit rental facilities which are rented to tenants related to said owners from the license fee and interior inspection requirements of Chapter 197; and

**WHEREAS**, the Mayor and Council of the City of Hagerstown find it to be in the best interests of the citizens of the City of Hagerstown to do so;

**NOW THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body, as follows:

**SECTION 1.** Chapter 197 of the Code of the City of Hagerstown is hereby amended to add a new definition within Section 197-2, thereof, immediately following the definition of "DEPARTMENT", as follows:

"EXEMPT TENANT – A tenant of a single unit rental facility who is related to an owner of said facility as grandparent, parent, sibling, child, or grandchild, whether naturally, step or in-law."

**SECTION 2.** Chapter 197 of the Code of the City of Hagerstown, Section 197-4.F. is hereby repealed and re-enacted as follows:

"F. Except for a single unit rental facility occupied by an exempt tenant, payment of a nonrefundable annual license fee of:

- (1) Fifty dollars per rental unit; or
- (2) One hundred dollars for each rooming-house facility, plus \$10 for each rental unit in said rooming-house facility."

**SECTION 3.** Chapter 197 of the Code of the City of Hagerstown, Section 197-6.A. is hereby repealed and re-enacted as follows:

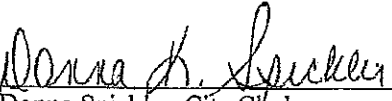
"A. In connection with the application requirements contained in §197-4 of this chapter, the issuance of a rental facility license shall be subject to an inspection of the exterior of each rental facility upon receipt of a completed application for a rental facility license, and annually thereafter.

The interior of each rental unit, except for a single unit rental facility to be occupied by an exempt tenant, shall be inspected at tenant turnover, prior to being occupied by a new tenant, but never more frequently than 36 months from the most recent interior inspection conducted pursuant to this section. Interior inspections shall be conducted within three full business days of receipt by the Department of the notice required under §197-5. Failure of the Department to offer the inspection within three full business days or to conduct said inspection when scheduled shall be deemed to be a waiver of the inspection requirement for said unit.”

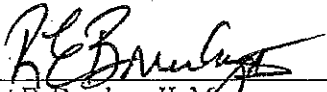
**SECTION 4. Effective Date.** The amendments contained in Sections 1, 2, and 3 above shall become effective on June 20, 2008.

**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED** that this Enacting Ordinance shall become effective at the expiration of thirty calendar days following its approval.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

  
Donna Spickler, City Clerk

MAYOR AND COUNCIL OF THE CITY  
OF HAGERSTOWN, MARYLAND

By:   
Robert E. Bruchey, II, Mayor

Date of Introduction: November 27, 2007  
Date of Passage: December 18, 2007  
Effective Date: January 18, 2008

PREPARED BY:  
NAIRN & BOYER, LLC, City Attorneys

CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HAGERSTOWN,  
CHAPTER 197 THEREOF, ENTITLED *RENTAL FACILITIES*,  
TO MODIFY THE PENALTY PROVISION

RECITALS

WHEREAS, the Mayor and Council have previously enacted an Ordinance, Chapter 197, entitled *Rental Facilities*, to promote and ensure the safety, health, and habitability in housing conditions in residential rental facilities in the City; and

WHEREAS, the Mayor and Council of the City of Hagerstown desire to modify and amend said Ordinance; and

WHEREAS, the Mayor and Council of the City of Hagerstown find it to be in the best interests of the citizens of the City of Hagerstown to do so;

NOW THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body as follows:

SECTION 1. The Code of the City of Hagerstown is hereby amended by deleting and repealing §197-10, *Violations and Penalties*, of Chapter 197, *Rental Facilities*.

SECTION 2. The Code of the City of Hagerstown is hereby amended by adding thereto a new section 197-10, to replace the section hereinabove repealed, to be §197-10, *Violations and Penalties*, of Chapter 197, *Rental Facilities*, to read as follows:

§197-10. *Violations and Penalties.*

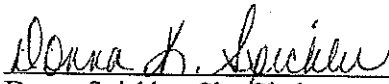
Any owner violating the requirements of this Chapter shall be guilty of a municipal infraction and shall be punished by a fine not exceeding \$1,000.00. Any such violation shall be cited as a prepayable fine in the amount of \$500.00.

SECTION 3. Effective Date. These amendments shall become effective immediately upon the effective date of this enacting Ordinance.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this enacting Ordinance shall become effective at the expiration of thirty calendar days following its approval.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE CITY  
OF HAGERSTOWN, MARYLAND

  
Donna Spickler, City Clerk

By:   
Robert E. Bruchey, II, Mayor

Date of Introduction: May 20, 2008  
Date of Passage: June 17, 2008  
Effective Date: July 18, 2008

PREPARED BY:  
NAIRN & BOYER, LLC, City Attorneys

CITY OF HAGERSTOWN, MARYLAND

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HAGERSTOWN,  
CHAPTER 197 THEREOF, ENTITLED *RENTAL FACILITIES*,  
TO MODIFY THE PENALTY PROVISION

RECITALS

WHEREAS, the Mayor and Council have previously enacted an Ordinance, Chapter 197, entitled *Rental Facilities*, to promote and ensure the safety, health, and habitability in housing conditions in residential rental facilities in the City; and

WHEREAS, the Mayor and Council of the City of Hagerstown desire to modify and amend said Ordinance; and

WHEREAS, the Mayor and Council of the City of Hagerstown find it to be in the best interests of the citizens of the City of Hagerstown to do so;

NOW THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the City of Hagerstown, Maryland, as its duly constituted legislative body as follows:

SECTION 1. Chapter 197 of the Code of the City of Hagerstown, Section 197-10.B. is hereby amended to read as follows:

§197-10.B.

The foregoing notwithstanding, any owner violating the requirements of §197-5 hereof shall be guilty of a municipal infraction and shall be punished by a fine not exceeding \$1,000.00. Such a violation shall be cited as a prepayable fine in the amount of \$500.00.


SECTION 2. Effective Date.

These amendments shall become effective immediately upon the effective date of this enacting Ordinance.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this enacting Ordinance shall become effective at the expiration of thirty calendar days following its approval.

WITNESS AND ATTEST  
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE CITY  
OF HAGERSTOWN, MARYLAND

  
Donna Spickler, City Clerk

By:   
Robert E. Bruchey, Mayor

Date of Introduction: August 22, 2006  
Date of Passage: September 26, 2006  
Effective Date: October 27, 2006

PREPARED BY:  
Umer, Nairn & Boyer, LLC, City Attorneys

0-06-26