COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2025 Legislative Session

Bill No. CB-033-2025

Chapter No. 33

Proposed and Presented by Council Member Oriadha

Introduced by Oriadha, Olson, Blegay, Burroughs, Adams-Stafford, Hawkins, Dernoga, Fisher, Ivey, and Watson

Co-Sponsors

Date of Introduction July 8, 2025

BILL

AN ACT concerning

Municipalities - County Building Permit Documentation

For the purpose of providing that the Department of Permitting, Inspections and Enforcement is required at the time a County building permit application is made to provide a certain municipality with certain documents; providing for a certain additional requirement; providing for re-lettering; and generally regarding County building permits in Prince George's County.

BY repealing and reenacting with amendments:

SUBTITLE 4. BUILDING.

Section 4-345,

The Prince George's County Code

(2023 Edition; 2024 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 4-345 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 4. BUILDING.

DIVISION 5. ADMINISTRATIVE PROVISIONS.

Sec. 4-345. - Requirements for Grading, Building Construction, Removal, etc., generally.

(a) The regulations contained in this Subtitle and the provisions of its Divisions jointly construed shall control all matters concerning grading, drainage, and erosion control, and the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and

maintenance of all buildings and structures and their service equipment, and shall apply to existing or proposed buildings and structures in the County, except such matters as are otherwise provided for in the Prince George's County Code, in the rules and regulations pertaining to the Washington Suburban Sanitary District as lawfully adopted by the Washington Suburban Sanitary Commission pursuant to the authorities contained in its organic statute, in Subtitle 27 of this Code adopted by the Prince George's County Council sitting as the District Council for that part of the Maryland-Washington Regional District in the County, as the same may from time to time be amended and in all laws having general application in the County under the public general and public local laws of the State, as well as rules and regulations of Maryland State departments or agencies.

(b) All work done under any permit issued under this Subtitle, except as provided in Subsection (i), below, shall be in full prior compliance with Subtitle 27 of this Code, including obtaining a Special Exception for the intended use; the rules and regulations of the Washington Suburban Sanitary Commission, where applicable; the regulations of Subtitle 11, Subtitle 23, Subtitle 25, and any other applicable provisions of the Prince George's County Code; or any other statute, ordinance, or regulation officially and lawfully adopted by State, Bi-County, or County agencies that are applicable in the County.

(c) No building permit shall be issued or granted for any building or structure in Prince George's County to be served by water supply systems or sewerage systems for which service from said system or systems cannot or will not be provided by the estimated completion date of the building or structure for which the permit is requested.

(d) No building permit shall be issued or granted for any building or structure in Prince George's County where the agency having jurisdiction over the provision of water supply or sewerage systems certifies that existing water supply or sewerage systems are inadequate to serve said building or structure, taking into account all other existing developments and developments approved for service by said agency within the service area.

(e) The applicant for the building permit is required to exhibit a copy of an approved Washington Suburban Sanitary Commission House Connection and Plumbing Application or a valid Washington Suburban Sanitary Commission Plumbing Permit for the building or structure for which the building permit is requested. Said documents are to serve as certification by that agency as to the availability and adequacy of the water supply and/or sewerage system. Where

the water supply and/or sewerage system is not available but service has been previously authorized by the Commission, the applicant for the building permit is required to submit a separate statement which shall be provided by the Washington Suburban Sanitary Commission specifying the projected date when such water and/or sewerage service can be provided to the proposed use.

(f) The Department of Permitting, Inspections and Enforcement is required at the time a County building permit application is made to provide the municipality in which the building is located a copy of the County building permit application and supporting documents provided no separate building permit is required by the municipality. If the municipality requires a separate building permit, the applicant shall file a municipal building permit application.

[(g) The Department of Permitting, Inspections and Enforcement is required at the time a County use and occupancy permit application is made to provide the municipality in which the building is located a copy of the County use and occupancy permit application and supporting documents provided no separate use and occupancy permit is required by the municipality. If the municipality requires a separate use and occupancy permit, the applicant shall file a municipal use and occupancy permit application.]

(g) The applicant for the building permit is required at the time application is made to indicate his best estimated starting and completion dates of the construction of said building or structure.

(h) The Director or the Director's designee shall make a determination, based on normal construction procedures as evidenced by progress determined from comparable projects, as to the reasonableness of the applicant's estimated completion date for his building or structure. If the Director or the Director's designee determines that the applicant's time estimate is unreasonable, he shall advise the applicant, in writing, as to his reasons for such a determination. The applicant shall then be given the opportunity to either justify his previous estimate or to submit a new estimate. If the Director or the Director's designee still considers the applicant's estimate to be unreasonable, then the applicant shall have recourse to the Board of Appeals for Prince George's County to challenge the Director's or the Director's designee's determination. The Director or the Director's designee shall then compare the estimated completion dates with the dates given for the availability of water supply or sewerage systems to insure that the availability date is not later than the estimated completion date for the building or structure for which the building permits

are requested.

(i) The issuance or granting of a building permit is specifically prohibited when the agency having jurisdiction over the provision of water supply or sewerage system is unable to provide an estimated date(s) when such service will be made available.

(j) No building permit shall be issued until such time as provisions have been made and approved for the improvement of adjacent or abutting streets, or provisions for their improvement have been accomplished under the provisions of Subtitle 23, or the regulations of the appropriate municipality when such permit is requested for work to be accomplished within a municipality. The Director or the Director's designee is hereby authorized and directed to assist in the enforcement of such statutes, ordinances, and regulations to the full extent of the powers delegated to him in this Division.

(k) Permits applied for prior to July 1, 1992, for sanitary landfills and for clean earth fills, when not pursuant to an approved plan of development, shall be exempted from compliance with the provisions of Division 2 of Subtitle 25 of this Code.

(l) No building permit shall be recommended for approval by the Planning Board or its authorized representative, or issued by the Department of Permitting, Inspections, and Enforcement, for any building or structure in Prince George's County on a lot or parcel of land that is located within the area of an adopted and approved Area Master Plan which includes a Zoning Proposal that has been prepared pursuant to the provisions of the Zoning Ordinance, or a Sectional Map Amendment which has been transmitted by the Planning Board to the District Council pursuant to the provisions of the Zoning Ordinance, if the lot or parcel is in a nonresidential zone, was proposed by the Planning Board for a less intense zone in which the proposed use is not permitted, and is undeveloped, until final action on the Sectional Map Amendment by the District Council. This Subsection shall not apply to a lot or parcel of land for which a grading permit has been issued by Prince George's County, sediment and erosion control devices have been installed by the permittee, and site grading activities have been initiated by the permittee.

(m) For a project participating in the Department of Permitting, Inspections, and Enforcement's Peer Review Program, every agency with responsibility relating to the approval of the project's building and/or grading permits, which includes the Department of Permitting, Inspections, and Enforcement, Prince George's County Department of Public Works and

Transportation, Prince George's County Health Department, Prince George's County Fire/EMS Department, Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission and Prince George's Soil Conservation District, shall exercise best efforts to ensure the issuance of the building and/or grading permit(s) for the project within fifteen (15) business days of the project's participation in the Peer Review Program. The fifteen business day time frame includes ten (10) business days for the first review cycle and five (5) business days for the second review cycle of every agency involved in the review process as required. This time frame does not include the time required for the design professional and permittee to respond to and address permit plan comments.

(n) An existing building in the C-S-C (Commercial Shopping Center) Zone with an original use and occupancy permit for a food or beverage store issued on or before May 1, 1965, with said use located in a building that was constructed prior to November 29, 1949, for which an off-site sales Class A beer, wine, and liquor license issued by the Board of License Commissioners for Prince George's County pursuant to Title 26 of the Alcoholic Beverages Article of the Annotated Code of Maryland on or before July 1, 2016, shall be permitted to perform interior and exterior renovations related to storage, pursuant to the terms of its Class A license, to improve and/or expand the facility by an area not to exceed twenty percent (20%) of the existing square footage of the current enclosed area and shall not be required to obtain a building permit to make such renovations or improvements.

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 9th day of September, 2025.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: _____
Edward P. Burroughs III
Chair

ATTEST:

_____
Donna J. Brown
Clerk of the Council

APPROVED:

DATE: 9/26/2025 BY: _____
Aisha N. Braveboy
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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