

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2026 Legislative Session

Legislative Day No. 4

Bill No. 21 -2026

Introduced by: David Yungmann

SHORT TITLE: Enforcement of Owner Occupancy – Accessory Dwelling Units

TITLE: AN ACT requiring property owners with Accessory Dwelling Units (ADUs) to obtain and annually renew rental housing licenses; requiring attestation from property owners of occupancy at the ADU site for at least six months per year; prohibiting more than one rental license on single ADU parcel; establishing civil penalties for violation of these requirements; and generally relating to rental housing licenses.

Introduced and read first time _____, 2026. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2026.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2026 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2026 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved by the County Executive _____, 2026

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

LEG2597

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 *By amending:*

4 *Title 14 -. “Licenses, Permits, and Inspections.”*

5 *Subtitle 9 -. “Rental Housing License.”*

6 *Section 14.900-. “Definitions.”*

7 *To define “Accessory dwelling units (ADUs)”*

8 *and*

9
10 *By adding:*

11 *Title 14 -. “Licenses, Permits, and Inspections.”*

12 *Subtitle 9 -. “Rental Housing License.”*

13 *Section 14.901-. “Rental housing license.”*

14 *New Subsection (l)-. “Accessory dwelling units (ADUs) –*
15 *owner occupancy required”*

16
17 *Title 14 -. “Licenses, Permits, and Inspections.”*

18 *Subtitle 9 -. “Rental Housing License.”*

19 *Section 14.905-. “Enforcement and penalties.”*

20 *New Subsection (d)-. “Penalties for violating owner*
21 *occupancy requirement”*

22
23 **Title 14 – Licenses, Permits and Inspections**

24 **Subtitle 9. – Rental Housing License**

25
26 **Section 14.900. – Definitions.**

27 In this subtitle the following terms have the meanings indicated:

28 (A) *ACCESSORY DWELLING UNIT (ADU)* MEANS A SECOND DWELLING UNIT SUBORDINATE TO THE
29 PRINCIPAL DWELLING, LOCATED ON A LOT DEVELOPED WITH A SINGLE-FAMILY DETACHED,
30 SINGLE-FAMILY ATTACHED, OR SINGLE-FAMILY SEMI-DETACHED DWELLING UNITS WHICH

1 COMPLIES WITH THE REQUIREMENTS FOR SUCH USES WITHIN SECTION 128.0.A OF THE
2 HOWARD COUNTY ZONING REGULATIONS.

3 ~~[(a)]~~ (B) *Common ownership community* means:

4 (i) A residential or mixed use building that is subject to a condominium regime pursuant
5 to [title 11](#) of the real property article of the Annotated Code of Maryland; or

6 (ii) A residential or mixed use "cooperative housing corporation", as that term is defined
7 in section 5-6b-01 of the corporations and associations article of the Annotated Code of
8 Maryland.

9 ~~[(b)]~~ (C) *Common ownership community fees* means fees charged by the entity authorized to
10 impose a fee on the owner or occupant of housing units in connection with the provision of
11 services or the benefit of common areas in the Community.

12 ~~[(c)]~~ (D) *Director* means the director of the Howard County Department of Inspections,
13 Licenses and Permits or the Director's Authorized Designee.

14 ~~[(d)]~~ (E) *Dwelling* means an enclosed space wholly or partly used or intended to be used for
15 living and sleeping.

16 ~~[(e)]~~ (F) *Dwelling unit* has the meaning set forth in the Howard County Property Maintenance
17 Code for Rental Housing and includes a lot as defined in the Maryland Homeowners Association
18 Act in title 11b of the real property article of the Annotated Code of Maryland.

19 ~~[(f)]~~ (G) *Homeowners association* has the meaning set forth in section 11b-101(1) of the real
20 property article of the Annotated Code of Maryland.

21 ~~[(g)]~~ (H) *Homeowners association fees* means fees charged by the entity authorized to impose a
22 fee on the owner or occupant of dwelling units in connection with the provision of services or the
23 benefit of common areas in the community.

24 ~~[(h)]~~ (I) *Howard County Property Maintenance Code for Rental Housing* means the
25 International Property Maintenance Code, 2024 Edition, as adopted in [title 3](#), subtitle 7 of the
26 Howard County Code.

27 ~~[(i)]~~ (J) *Owner* has the meaning set forth in the Howard County Property Maintenance Code for
28 Rental Housing.

29 ~~[(j)]~~ (K) *Premises* has the meaning set forth in the Howard County Property Maintenance Code
30 for Rental Housing.

31

1 **Section 14.901. – Rental housing license.**

2 (L) *ACCESSORY DWELLING UNITS (ADUs) – OWNER OCCUPANCY REQUIRED.* IN ADDITION TO
3 FOLLOWING THE PROVISIONS OF THIS SECTION, AN OWNER OF PROPERTY IN HOWARD COUNTY
4 THAT IS DEVELOPED WITH AN ACCESSORY DWELLING UNIT (ADU) SHALL BE REQUIRED TO VERIFY
5 OWNER OCCUPANCY BY:

- 6 (I) RENEWING THEIR RENTAL HOUSING LICENSE ON AN ANNUAL BASIS; AND
- 7 (II) PROVIDING A SWORN AFFIDAVIT THAT THEY ARE RESIDING AT THE SUBJECT PROPERTY
8 FOR A PERIOD OF AT LEAST SIX MONTHS IN ANY GIVEN LICENSING YEAR, AND ANY OTHER
9 RELATED DOCUMENTATION REQUESTED AS PART OF THE RENTAL HOUSING LICENSE
10 RENEWAL PROCESS.

11
12 OWNERS OF PROPERTY DEVELOPED WITH AN ACCESSORY DWELLING UNIT ARE PROHIBITED FROM
13 OBTAINING MORE THAN ONE RENTAL HOUSING LICENSE ON THAT PROPERTY.

14
15 **Section 14.905. – Enforcement and penalties.**

16 (a) *Generally.* The Department may institute any action at law or equity, including injunction or
17 mandamus, to enforce the provisions of this subtitle.

18 (b) *Criminal Penalties.* A person who violates any provision of this subtitle or knowingly
19 provides a false statement to the Department is guilty of a misdemeanor and upon conviction, is
20 subject to a fine not exceeding \$1,000.00 or imprisonment not exceeding 30 days or both.

21 (c) *Civil Penalties.* Alternatively, and in addition to and concurrent with all other remedies, the
22 Department of Inspections, Licenses and Permits may enforce this subtitle pursuant to [title 24](#),
23 "Civil Penalties" of the Howard County Code. A violation of this subtitle is a Class B offense.
24 Each day that a violation continues is a separate offense.

25 (D) *PENALTIES FOR VIOLATING OWNER OCCUPANCY REQUIREMENT.* EXCEPT AS TO SECTION 24.107I, A
26 VIOLATION OF SECTION 14.901(L) OF THIS SUBTITLE SHALL BE ENFORCED UNDER TITLE 24 OF THE
27 HOWARD COUNTY CODE. A VIOLATION OF SECTION 14.901(L) SHALL RESULT IN A CIVIL PENALTY
28 IN AN AMOUNT OF \$2,500.00 FOR A FIRST-TIME OFFENSE, \$5,000.00 FOR A SECOND OFFENSE, AND
29 THEN PERMANENT REVOCATION OF THE RENTAL LICENSE ON THE PROPERTY FOR ANY SUBSEQUENT
30 OFFENSE THEREAFTER. CONTINUED VIOLATION BEYOND REVOCATION WILL RESULT IN A DAILY
31 FINE OF \$100 PER DAY.

1

2 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
3 *this Act shall become effective 61 days after its enactment.*