

Amendment to Council Bill No. 47 - 2007

BY: Chairperson at the request
of the County Executive

Legislative Day No. 11
Date: July 30, 2007

Amendment No. 7

(This amendment:

- 1. Adds a requirement that the applicant apply for certification with the Green Building Council within a year after receipt of a certificate of use and occupancy;*
- 2. Removes the surety and renumbers the sections accordingly; and*
- 3. Clarifies that civil penalties will be for failure to apply for certification.)*

On page 6, strike line 24 in its entirety and substitute:

“(E) TWELVE MONTHS AFTER RECEIPT OF A CERTIFICATE OF USE AND OCCUPANCY. WITHIN 12 MONTHS OF RECEIPT OF A CERTIFICATE OF USE AND OCCUPANCY, AN APPLICANT FOR NEW CONSTRUCTION SUBJECT TO THIS SUBTITLE SHALL APPLY TO THE GREEN BUILDING COUNCIL FOR CERTIFICATION.

(F) THIRTY-SIX MONTHS AFTER RECEIPT OF A CERTIFICATE OF USE AND OCCUPANCY.”

On page 7, strike in their entirety lines 1 through 20, inclusive.

On page 7, in line 22, strike “**3.1007**” and substitute “**SECTION 3.1006**”.

On page 7, in line 28, strike “**3.1008**” and substitute “**SECTION 3.1007**”.

On page 8, in line 23, strike “**3.1009**” and substitute “**3.1008**”.

On page 9, in line 12, strike “**3.1010**” and substitute “**3.1009**”.

On page 9, in line 16, strike “**3.1011**” and substitute “**3.1010**”.

On page 10, in line 4, strike “**3.1012**” and substitute “**SECTION 3.1011**”.

1 On page 10, in line 18, strike “**3.1013**” and substitute “**SECTION 3.1012**”.

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3 On page 10, strike in their entirety lines 5 through 16, inclusive, and substitute:

4 “(A) BUILDING CODE. EXCEPT FOR VIOLATIONS OF SECTION 3.1003(A) OF THIS
5 SUBTITLE, THIS SUBTITLE MAY BE ENFORCED IN ACCORDANCE WITH THE
6 HOWARD COUNTY BUILDING CODE AS ADOPTED IN SUBTITLE 1 OF THIS TITLE.
7 (B) CIVIL PENALTIES. EXCEPT FOR NEW CONSTRUCTION OF PUBLICLY FUNDED
8 BUILDINGS THAT ARE SUBJECT TO THIS SUBTITLE, THE DIRECTOR MAY
9 INSTITUTE THE FOLLOWING ALTERNATIVE AND CONCURRENT REMEDIES:

10 (1) THE DIRECTOR MAY INSTITUTE ANY ACTION AT LAW OR EQUITY,
11 INCLUDING INJUNCTION OR MANDAMUS, TO ENFORCE SECTION
12 3.1005(E) OF THIS SUBTITLE;

13 (2) THE DIRECTOR MAY ENFORCE SECTION 3.1005(E) OF THIS SUBTITLE
14 WITH CIVIL PENALTIES IN ACCORDANCE WITH TITLE 24 OF THIS
15 CODE AND A VIOLATION OF SECTION 3.1005(E) IS A CLASS A
16 OFFENSE; AND

17 (3) EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE
18 OFFENSE.”