

SHARPTOWN HOUSING RENTAL LICENSE ORDINANCE #56

**TOWN OF SHARPTOWN
RENTAL HOUSING LICENSE
AMENDED ORDINANCE NO. 56**

**AN AMENDED ORDINANCE OF THE TOWN OF SHARPTOWN, MARYLAND,
PROVIDING FOR THE LICENSING OF RENTAL HOUSING UNITS IN ORDER
TO PROMOTE SAFE, HEALTHY AND HABITABLE HOUSING CONDITIONS,
AND PROVIDING FOR ENFORCEMENT AND PENALTIES RELATED
THERE TO.**

WHEREAS, the Commissioners of the Town of Sharptown, Maryland, desire to license rental housing units in the Town of Sharptown for the health and safety of the residents of said units as provided in the Sharptown Charter, Section SHC3-1 (28); and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE TOWN COMMISSIONERS OF SHARPTOWN, MARYLAND, that:

Section 1. Purpose.

The purpose of this ordinance is to assure compliance with all laws, ordinances and regulations applicable to rental housing units within the corporate limits of Sharptown. It is further the purpose of this ordinance to promote and ensure safe, healthy and habitable housing conditions in rental housing units, to prevent deterioration of rental housing units and to encourage responsible management, maintenance and use of rental housing units by the inspection and licensing of these units.

Section 2. Definitions.

As used in the ordinance, the following terms shall have the meanings indicated:

CODE VIOLATIONS – Violations of the Code of the Town of Sharptown or any other code, law, ordinance or regulation adopted and incorporated by reference in the Code of the Town of Sharptown.

CODE ENFORCEMENT OFFICER – The code enforcement officer for the Town of Sharptown.

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PERSON – An individual, group of individuals, partnership, joint venture, corporation, association and any other entity, however named or called other than the parent, grandparent or children of the legal property owner.

RENTAL HOUSING UNIT – Any space in any building which, for a consideration, is made available by any person to another person for dwelling purposes.

Section 3. License required; licensing procedure; licenses; appeals.

A. General; certification: Any property owner renting for habitation any rental housing unit in the Town of Sharptown (hereinafter “Town”) shall obtain a license from the Town. The holder of a license shall be the owner of the rental housing unit. Application for a rental license shall be on forms prescribed by the Town. If applicable, all owners shall certify to the town the name, address and telephone number of an agent qualified to accept notice and authorize repairs on behalf of the owner. The application shall contain a consent to inspection during reasonable hours for the entire term of the license.

B. Review of application: The Town shall issue or deny a rental housing license within fourteen (14) days of receiving an application. The Code Enforcement Officer shall receive all applications and coordinate a review process involving the appropriate Town, County or State agencies. The issuance of a license is not to be construed as proof or acknowledgement by the Town that the subject property complies with all applicable codes. A denial shall be issued in writing by the Code Enforcement Officer setting forth the code violation(s) and reason(s) for such denial.

C. Inspection of rental housing units:

- (1) Inspection prior to issuance of license.

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An inspection of the property for which application has been made will be conducted prior to the issuance of a license upon recommendation of any reviewing agency. If an inspection indicates that a rental facility is not in compliance with all applicable laws, the license application may be denied until remedial action, as determined by the Code Enforcement Officer, remedies the violation.

(2) Inspections during term of license:

(a) The Code Enforcement Officer, upon recommendation of any appropriate Town, County or State agency, shall cause the inspection of a rental housing unit when there exists the belief that a property is not in compliance with all applicable laws. Inspection procedures as set forth in the Town, County or State laws and codes, as amended, shall be followed.

(b) If an inspection indicates that a rental housing unit is not in compliance with all applicable laws and codes, the license may be subject to revocation, suspension, or other remedial action as determined by the Code Enforcement Officer. A license may be revoked or suspended if the landlord, after ten (10) days written notice, fails to eliminate or initiate bona fide efforts to eliminate code violations. Revocation or suspension of a license shall be in addition to and not in substitution for such other penalties as may be provided for in other laws or ordinances. After revocation or suspension of a license, the Code Enforcement Officer may require the tenants to vacate the rental housing unit, after ten (10) days written notice.

(c) Re-Inspection – Tenant Vacancy: A landlord shall notify the Code Enforcement Officer when a tenant vacates a rental housing unit. The

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Code Enforcement Officer shall inspect each rental housing unit prior to placement of new tenants in that unit by the landlord.

D. Term of license. Licenses shall be issued for a term of one (1) year, renewable for additional one-year terms, subject to payment of the license fee and compliance with all applicable laws.

E. Fee. An administration fee and annual rental license fee established by the Commissioners of Sharptown shall be charged to the owner of such property and, if not timely paid, such charge will be carried on the records of the Town of Sharptown and shall be collectable in the same manner as real estate taxes are collected. If the rental application has not been received at the Town Hall and/or inspection has not been scheduled by the owner within fourteen (14) days from the date of the notice then the standard rental license fee that has been established by the Commissioners of Sharptown shall be doubled. After the third notice and failure to comply with the rental inspection, the Code Enforcement Officer shall issue municipal infraction citation(s) pursuant to Sharptown Municipal Infraction Ordinance #39 of the Sharptown Code.

F. Display of license. The license shall be displayed in a prominent public place in the premises.

G. Transferability of licenses. Licenses issued hereunder shall not be transferable, and subsequent title holders of a rental housing unit shall be required to obtain a separate license.

H. Appeals:

(1) To the Housing Board of Appeals: Any person aggrieved by an action of the Code Enforcement Officer may, within ten (10) days of receipt of

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written notice of such action, appeal such action to the Housing Board of Appeals by filing a notice of appeal with the Housing Board of Appeals. The Housing Board of Appeals shall meet and conduct a hearing according to its rules and regulations. A suspension or revocation shall be stayed pending this hearing and the decision of the Housing Board of Appeals.

(2) To Circuit Court for Wicomico County: Any person aggrieved by an action of the Housing Board of Appeals may appeal to the Circuit Court for Wicomico County pursuant to the Maryland Rules of Procedure.

Section 4. Enforcement.

The Commissioners of the Town of Sharptown may initiate proceedings in the District Court for Wicomico County or any other court of competent jurisdiction to enforce the provisions of this ordinance.

Section 5. Fines.

Failure to correct violations within the time period set by the Code Enforcement Officer shall result in the issuance of a municipal infraction citation pursuant to Sharptown Municipal Infraction Ordinance #39 of the Sharptown Code.

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AND BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, by the Commissioners of the Town of Sharptown, Maryland, that this ordinance shall take effect from and after the date of its final passage.

The above ordinance was introduced and read to the Commissioners of the Town of Sharptown, Maryland, at a meeting held on the 3RD day of May, 2010, published on the 3rd and 17th days of May, 2010 and finally passed at a meeting held on the 17th day of May, 2010.

WITNESS:

Judy Schneider
JUDY SCHNEIDER, CLERK

P. Douglas Gosnell (SEAL)
P. DOUGLAS GOSNELL

Timothy B. Shaver (SEAL)
TIMOTHY B. SHAVER

Jean C. Cordrey (SEAL)
JEAN C. CORDREY

Edward A. Baker (SEAL)
EDWARD A. BAKER

Michael M. Thompson (SEAL)
MICHAEL M. THOMPSON