

COUNTY COUNCIL
OF
DORCHESTER COUNTY, MARYLAND

BILL NO. 2026-1

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO AMEND CHAPTERS 65 (BUILDING CODE), 82 (ELECTRICAL STANDARDS), 102 (HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION), 110 (MINIMUM LIVABILITY CODE), 119 (PLUMBING), AND 134 (STORMWATER MANAGEMENT) OF THE DORCHESTER COUNTY CODE BY PROVIDING THAT VIOLATIONS OF EACH SUCH CHAPTER SHALL BE A COUNTY INFRACTION AND SUBJECT TO A FINE NOT TO EXCEED \$5,000; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO COUNTY INFRACTIONS IN DORCHESTER COUNTY, MARYLAND.

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 10-317(a)(4), the County Council of Dorchester County, Maryland (the "County Council") is authorized and empowered to enact local laws to protect and promote public safety, health, morals, comfort, and welfare relating to the erection, construction, repair, and use of buildings and other structures in Dorchester County, Maryland (the "County"); and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 10-202(b)(1), the County Council is authorized and empowered to provide for the enforcement of an ordinance, resolution, bylaw, or regulation adopted under Division III, Title 10 of the Local Government Article by civil fines not exceeding \$5,000; and

WHEREAS, pursuant to the foregoing statutory authority, the County Council is desirous of amending Chapters 65, 82, 102, 110, 119, and 134 of the Dorchester County Code for the purpose of providing that a violation of each such Chapter shall be a County infraction, which is a civil offense, and subject to a fine not exceeding \$5,000; and

WHEREAS, the County Council finds that the enactments set forth herein are necessary to promote and protect the public health, safety, and welfare.

SECTION ONE: Acting under Md. Code Ann., Local Gov't § 10-317(a)(4), Md. Code Ann., Public Safety § 12-504, and Chapter 65 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 65 (Building Code), § 65-4(1) of the County Code be and it is hereby amended to read as follows:

§ 65-4 Amendments and changes to the International Building Code.

* * *

I. Section 114.4, Violations, is amended to read as follows:

“Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a ~~misdemeanor, punishable by~~ **County infraction under the authority of Chapter 147 of the Dorchester County Code and subject to** a fine ~~or not more than \$1,000 or by imprisonment not exceeding 30 days, or both such fine and imprisonment~~ **not to exceed \$5,000**. Each day that a violation continues after due notice has been served shall be deemed a separate offense **and shall be subject to a separate fine without the need for additional citations, notice, or hearings.**”

SECTION TWO: Acting under Md. Code Ann., Local Gov’t § 10-317(a)(4), Md. Code Ann., Public Safety § 12-504, and Chapter 65 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 82 (Electrical Standards), § 82-27 of the County Code be and it is hereby amended to read as follows:

§ 82-27 ~~Civil~~ County infractions; violations and penalties.

Any person who violates any part of this chapter shall be guilty of a ~~civil~~ **County** infraction under the authority of Chapter 147 of the Dorchester County Code **and subject to a fine not to exceed \$5,000**. ~~The maximum civil penalty for each violation of this chapter shall be \$1,000. Each new day may constitute a separate violation. An occurrence may contain more than one offense. Each day that a violation continues after due notice has been served shall be deemed a separate offense and shall be subject to a separate fine without the need for additional citations, notice, or hearings.~~

SECTION THREE: Acting under Md. Code Ann., Local Gov’t § 10-317(a)(4), Md. Code Ann., Public Safety § 12-504, and Chapter 65 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 102 (Heating, Ventilation, Air Conditioning and Refrigeration), § 102-3(F) of the County Code be and it is hereby amended to read as follows:

§ 102-3 Adoption.

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F. Section 115.4. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install or alter mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a ~~misdemeanor~~ **County infraction under the authority of Chapter 147 of the Dorchester County Code and subject to a fine not to exceed \$5,000**. **Each day that a violation continues after due notice has been served shall be deemed a separate offense and shall be subject to a separate fine without the need for additional citations, notice, or hearings;** ~~punishable by a fine of not more than \$1,000, or by imprisonment not exceeding 30 days, or~~

~~both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

SECTION FOUR: Acting under Md. Code Ann., Local Gov't § 10-317(a)(4), Md. Code Ann., Public Safety § 12-504, and Chapter 65 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 110 (Minimum Livability Code), § 110-12 of the County Code be and it is hereby amended to read as follows:

§ 110-12 Violations and penalties.

- A. Penalty. A property owner who willfully violates any provision of this code is guilty of a County infraction under the authority of Chapter 147 of the Dorchester County Code and subject to a fine not to exceed \$5,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense and shall be subject to a separate fine without the need for additional citations, notice, or hearings ~~misdemeanor and, on conviction for each violation, is subject to a fine not exceeding \$500 for each day that the violation exists or imprisonment not exceeding three months, or both.~~
- B. Other penalties. Any penalty ordered under this code is in addition to and is not a substitute for any other penalty authorized under a federal, state or local law.

SECTION FIVE: Acting under Md. Code Ann., Local Gov't § 10-317(a)(4), Md. Code Ann., Public Safety § 12-504, and Chapter 65 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 119 (Plumbing), § 119-14 of the County Code be and it is hereby amended to read as follows:

§ 119-14 Civil County infractions; violations and penalties.

Any person who violates any part of this chapter shall be guilty of a civil County infraction under the authority of Chapter 147 of the Dorchester County Code and subject to a fine not to exceed \$5,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense and shall be subject to a separate fine without the need for additional citations, notice, or hearings. ~~The maximum civil penalty for each violation of this chapter shall be \$1,000. Each new day may constitute a separate violation. An occurrence may contain more than one offense.~~

SECTION SIX: Acting under Md. Code Ann., Local Gov't § 10-317(a)(4), Md. Code Ann., Public Safety § 12-504, and Chapter 134 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 134 (Stormwater Management), § 134-29 of the County Code be and it is hereby amended to read as follows:

§ 134-29 Violations and penalties.

Any person convicted of violating the provisions of this chapter shall be guilty of a misdemeanor County infraction under the authority of Chapter 147 of the Dorchester County Code and, upon conviction thereof, shall be subject to a fine of not more than \$5,000 ~~or imprisonment not exceeding one year, or both~~, for each violation, with costs imposed in the discretion of the court

not to exceed \$50,000. Each day that a violation continues shall be a separate offense. In addition, the Dorchester County Council may institute injunctive, mandamus or other appropriate action or proceedings of law to correct violations of this chapter . Any court of competent jurisdiction shall have the right to issue temporary or permanent restraining orders, injunctions, or mandamus, or other appropriate forms of relief.

SECTION SEVEN: With respect to the substantive provisions of this Bill set forth in Sections 1 through 5, additions are shown in bold, underlined font and deletions are shown in strikethrough. Substantive language added after the date of introduction is in bold, italicized font and substantive language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION EIGHT: And be it further enacted and ordained that if any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Bill, it being the intent of the County Council that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION NINE: And be it further enacted and ordained that all bills, ordinances, or parts thereof inconsistent with the provisions of this Bill are hereby repealed to the extent of such inconsistency.

SECTION TEN: And be it further enacted and ordained that General Code Publishers is directed to codify the above amendments to the Dorchester County Code accordingly.

SECTION ELEVEN: And be it further enacted and ordained pursuant to § 308 of the Charter of Dorchester County, Maryland that promptly after enactment of this Act, the County Manager shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.

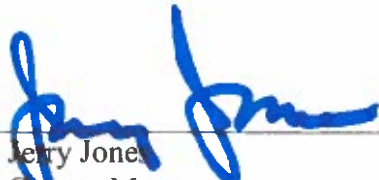
SECTION TWELVE: And be it further enacted and ordained that this Bill shall be known as Bill No. 2026-1 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 17th day of March, 2026.


ATTEST:

COUNTY COUNCIL OF DORCHESTER
COUNTY, MARYLAND

BY:


Jerry Jones
County Manager

BY:


George L. Pfeffer, Jr.
President

- Pfeffer - Aye
- Detmer - Aye
- Kramer - Aye
- Nichols - Absent
- Travers - Aye