

COUNTY COUNCIL

OF

DORCHESTER COUNTY, MARYLAND

BILL NO. 2026-4

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO AMEND CHAPTER 155 (ZONING) OF THE DORCHESTER COUNTY CODE BY PROVIDING THAT VIOLATIONS THEREOF 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 § 10-324(a)(1), the County Council is authorized and empowered to enact local laws relating to zoning and planning and to promote public safety, health, morals, and welfare; 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, following a public hearing held on February 4, 2025 the Dorchester County Planning Commission (the "Planning Commission") recommended that the County Council approve a text amendment amending Chapter 155 (Zoning) of the Dorchester County Code for the purpose of providing that violations thereof shall be a County infraction and subject to a fine not to exceed \$5,000; and

WHEREAS, on March 17, 2026, the County Council held a public hearing regarding the foregoing text amendment recommended by the Planning Commission, notice of which was published on February 28, 2026, and March 7, 2026, in The Star Democrat, a newspaper of general circulation in the County, in accordance with Md. Code Ann., Land Use § 4-203(b) and § 155-6(B) of the County Code; and

WHEREAS, having considered the recommendations of the Planning Commission and the Department of Planning & Zoning Staff, as well as the comments made during the March 17, 2026, public hearing, the County Council is desirous of amending Chapter 155 of the County Code

Code for the purpose of providing that a violation thereof 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 §§ 10-202(b)(1), 10-317(a)(4), and 10-324(a)(1) and Chapter 155 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 155 (Zoning), § 155-11(C) of the County Code be and it is hereby amended to read as follows:

§ 155-11 Violations, inspection and penalties.

* * *

I. Section 155-11(C)(1), Penalty provisions, is amended to read as follows:

Violations of the provisions of this chapter or failure to comply with any of its requirements shall constitute a ~~misdemeanor~~ **County infraction under the authority of Chapter 147 of the Dorchester County Code and subject to**. ~~Any person who violates this chapter or who fails to comply with any of its requirements shall, upon conviction thereof, be fined a fine not to exceed \$5,000 not more than \$1,000 or be imprisoned for not more than 30 days, or both.~~ Each and every day such violation occurs shall be considered a separate offense **and shall be subject to a separate fine without the need for additional citations, notice, or hearings.**

SECTION TWO: With respect to the substantive provisions of this Bill set forth in Section 1, 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 THREE: 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 FOUR: 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 FIVE: 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 SIX: 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 SEVEN: And be it further enacted and ordained that this Bill shall be known as Bill No. 2026-4 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