

**Chapter 45**  
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## **Chapter 45**

### **Property Maintenance Code**

§ 45-1. Scope.

- A. The provisions of this section shall govern the maintenance of real property in the Town of Church Hill.
- B. It shall apply to the exterior property areas of any lot in residential or non-residential use, whether such lot has a building or active use on it or is vacant, and whether any such building on such lot is occupied or unoccupied.
- C. Where any such provision of the Chapter may conflict with another provision or standard in the Town Code the stricter standard shall apply.
- D. It shall be the responsibility of both the owner and occupant(s) of the property to comply with the provisions of this Chapter. The violation of any provision of this Chapter by an occupant of property shall not exempt the owner from responsibility for compliance or shield such owner from penalties for non-compliance with the provisions of this Chapter.

§ 45-2. Purpose.

- A. The purposes of this Chapter are as follows:
  - 1. To prevent blight, public nuisance, and infestation by vermin.
  - 2. To protect, maintain, and enhance property values and ensure enjoyable, safe, and pleasant conditions for living and commerce free of objectional property conditions.
  - 3. To create the conditions favorable to investment in properties.
  - 4. To ensure buildings are visible and accessible to emergency first responders.
- B. This Chapter and its provisions complement and are intended to support and further the purposes of the Town of Church Hill Housing Code (Chapter 44), Nuisance and Littering Code (Chapter 49), and Zoning Ordinance (Chapter 75).

§ 45-3. Administration.

- A. This Chapter shall be referred to as the Town of Church Hill Property Maintenance Code. The Property Maintenance Code will be administered by a code enforcement officer appointed by the Town Commissioners. The initiation of enforcement will not rely solely on complaints provided to the Town, but also on regular windshield surveys conducted by the code enforcement officer.

- B. The provisions of this Chapter may also be enforced by the Zoning Administrator in the normal course of zoning administration and enforcement where violations of this Chapter are determined to be coincident with zoning violations.

§ 45-4. Standards.

A. Landscaping of Premises.

1. The landscaping of premises shall be maintained in an orderly state with lawns, bushes, trees, shrubs, and other such vegetation trimmed and free from unlawful overgrowth, dead trees and shrubs, and other conditions that would constitute a nuisance or have a blighting effect on nearby properties.
2. Dead or hazardous trees must be removed. Property owners may not leave in place tree trunks or stumps that are higher than 18 inches.
3. Vegetation. No grass or weeds shall be permitted to grow taller than 12 inches on any property.
4. Noxious plant growth. All exterior property areas shall be kept free from species of weeds or plant growth that are noxious or detrimental to the public health or that are migrating off the property onto any abutting property.
5. Overgrowth of vegetation on a property generally shall be unlawful if any one or more of the following applies:
  - a. The overgrowth has caused the primary improvements on the property to be wholly or substantially screened from view from pedestrians standing at ground level upon any right-of-way abutting any property line, except that this subsection is not intended to apply to trees and properly pruned hedges.
  - b. The overgrowth obstructs the view of address numerals.
  - c. The overgrowth obstructs access to escape and rescue opening points or paths of travel from any street to the primary entrance of the main structure.
  - d. The overgrowth is growing into or on the primary structure, storage sheds and buildings or is detrimental to or has caused damage to structures on the property;  
or
  - e. The overgrowth constitutes a public health, safety, and welfare issue, or fire hazard, or otherwise constitutes a public nuisance as set forth in Chapter 48 of the Town Code.
6. The requirements of Subsection (A) above shall have no application in the following areas of the Town:
  - a. Vegetated wetlands, as defined in the Annotated Code of Maryland Natural Resources Article 9 and COMAR 08.05.04.

- b. Banks of retention ponds, streams, and other bodies of water, natural or manmade.
- c. Banks of drainage easements.
- d. Property that is currently under development, from the date duly approved land disturbance begins until a certificate of occupancy is issued; except that if work is discontinued for more than 14 consecutive days, the property is no longer exempt from these requirements; and
- e. Any other area required to be naturally vegetated by reason of the application of the Zoning Ordinance, Subdivision Regulations, or any other ordinance or provision of law.

#### B. Sanitation

All exterior property areas, including porches and decks, shall be maintained in a clean and sanitary condition, free from any accumulation of litter, rubbish, refuse, trash, discarded furniture, or garbage of any kind, including but not limited to paper, boxes, cans, bottles, tires, construction materials, trimmings from lawns, hedges, shrubs or trees, fuel oil, lubricating oil, gravel, broken stone, mortar, and unused accumulations of mulch, hay, straw, manure, shavings, sawdust, coal, or ashes.

#### C. Grading and Drainage

1. All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon or within any building or structure located thereon.
2. Water in swimming pools, wading pools, and fish ponds shall not be allowed to stagnate and shall be always maintained in a clean and sanitary condition.
3. No person shall redirect stormwater or drain water from any source so that it flows onto or across abutting property or pools or causes erosion.
4. All open land on any lot shall be covered in grass or vegetation, if not otherwise improved with all-weather surfaced driveway, parking area, sidewalk, patio, or similar. No open areas shall remain unplanted in grass or vegetation or be subject to erosion or left with exposed soil and dirt.

#### D. Insect and Rodent Harborage

All exterior property areas, including accessory structures, shall be kept free from rodent infestation, and where rodents are found, they shall be promptly exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation, including but not limited to sealing holes inside and outside the structure to keep rodents out (e.g. plugging small holes with materials through which rodents, vermin and other pests cannot penetrate, or patch holes in the inside or outside walls of all structures); removing potential rodent nesting sites from the property (e.g. leaf piles and deep mulch); cleaning up food and water sources in and near structures; stacking firewood 18 inches off the ground and

storing trash/garbage in containers with tight fitting lids that do not have any holes at all times.

E. Open storage

1. Exterior property areas shall not be used for the open storage or accumulation of items including, but not limited to, household appliances or fixtures; coolers; items not intended by the manufacturer for exterior use, including upholstered furniture; tool boxes or chests and storage totes or containers; items that may rust or corrode when exposed to weather; automotive parts, fluids and accessories; inoperative vehicles; hazardous substances; glass; building rubbish or refuse; or other similar items or materials or the residue therefrom.
2. All camping, lawn care, maintenance and other construction materials, supplies, chemicals, tools, and equipment, except as specifically authorized elsewhere in this Chapter, shall be stored within a building, or completely screened so as not to be visible from adjoining properties or public street right-of-way, except for the following:
  - a. Extension ladders and wheelbarrows provided they are stored in the rear yard and do not harbor stagnant water.
  - b. Clothesline pole and wires.
  - c. Construction materials or equipment during active period of permitted construction.
  - d. Landscaping material and equipment being used for an ongoing project on the lot provided that such material and equipment are not stored on the exterior property areas for longer than 10 days.
  - e. Furniture intended by the manufacturer for outdoor use.
  - f. Patio heaters, firepits and grills subject to the regulations any health, safety and welfare regulations adopted by the Town pertaining to the use of such items.
  - g. Residential dumpster bags or dumpsters being used for household relocation and improvement projects are permitted subject to the following conditions:
    - i. The residential dumpster bag or dumpster is located on a property for no more than 45 days in one calendar year.
    - ii. The residential dumpster bag or dumpster must be located on private property and may not protrude into or damage the public right-of-way.
3. Firewood storage. No person shall permit the storage on any lot in the Town of any wood, logs, branches or other wood products intended to be used for burning in an interior or exterior woodstove or fireplace unless the same shall be cut to lengths for final use and are neatly stacked and stored evenly on a concrete, asphalt, brick or wood deck, patio, porch, or be placed on open racks that are elevated above the ground with minimum clearance of six inches (6") above a concrete, brick, block,

asphalt or wood surface or eighteen inches (18”) above an unimproved ground surface, and evenly piled so that these materials will not afford shelter or harborage for rodents. The area beneath the firewood rack shall be kept free of all debris and weeds. Firewood shall not be stored in any manner beyond the front building lines of the house or the required front set back line whatever is greater.

4. Inoperable vehicles.

- a. It shall be unlawful for any person to park or allow to be parked, or to store or allow to be stored any vehicle of any kind and description which is inoperable, dismantled, or wrecked upon any property where such use or storage is not expressly permitted by the Zoning Ordinance for longer than 48 hours, after such vehicle became inoperable.
- b. Except for vehicles stored or parked in a garage, it shall be unlawful to park or store more than one vehicle of any kind and description on a property that does not bear a current license plate provided such vehicle is parked or stored on an all-weather surface and outside of any required front, side or rear yard.
- c. On any residentially zoned lot, where a garage exists sized to accommodate at least two vehicles, no inoperable or unlicensed vehicles shall be parked or stored in the open on a lot.

5. This section shall not be construed to prohibit the parking or storage of materials or vehicles intended for commercial use, sale, or lease by an entity properly engage in such activity on a property zoned for such use, storage, sale, or lease.

F. Accessory Structures

An accessory structure is any building or structure, the use of which is incidental to that of the main building or residence, and which is located on the same property, including but not limited to, the following: fences, walls, attached or detached garages, gazebos, storage sheds and buildings.

1. Accessory structures shall be maintained in good repair, be structurally safe and sound, and be free from rust, corrosion, and graffiti. Storage tents, whether temporary or permanent, are not accessory structures and, therefore, are prohibited.
2. No accessory structure inclusive of patios, walkways, driveways, or other similar feature, shall shed stormwater and cause erosion, adverse drainage onto abutting property or the public right-of-way, or the ponding or pooling of stagnant water.

G. Appurtenance or Appurtenant Structures

Appurtenance or appurtenant structure is an exterior decorative, aesthetic, or other device such as, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes, exhaust ducts, shutters, flower boxes, cupolas, steps, porches, and other similar structures that are attached to walls or railings or other parts of the structure. Appurtenances and appurtenant structures shall be maintained in safe, weather resistant and structurally sound condition and shall be free of unsafe obstructions or hazardous conditions, and free from rust, corrosion and graffiti.

- H. All vehicle repair facilities, towing stations, and storage lots abutting a lot zoned for residential purposes shall be completely screened from such a lot notwithstanding the nonconforming status of a property.
- I. All exterior stairways, walkways, driveways, and other parts of the premises shall be kept in good repair and free from corrosion and graffiti. It shall be the duty of the owner to keep the premises free of hazardous conditions, which include but are not limited to ground surface hazards, holes excavations, breaks, and projections, and such conditions shall promptly be filled, repaired, replaced, or removed to eliminate any hazard.
- J. Driveways and Parking Surfaces
  - 1. No driveway, parking area, or vehicle storage area used or installed after January 1, 2024 shall be made of anything other than an all-weather surface of asphalt, concrete, brick, stone, crushed stone, or other paver or surface which may be approved for use by the Town in driveway applications. Notwithstanding the above, on lots in residential use, a ribbon driveway, in which the track ways for the vehicles tires is composed of an all-weather surface while the center section is in grass or other vegetation, is permitted. No grass, dirt, or other unimproved surface shall be used as a driveway.
  - 2. No driveway surface installed after January 1, 2024, shall be comprised of gravel or other non-permanent or loose material of any kind within the public road right-of-way or within ten feet of the right-of-way line. This is the driveway apron, and its design and material shall be approved by the Town Engineer before installation.
  - 3. No grass, dirt, or other unimproved surface shall be used as a driveway or for long term parking for any vehicle. The use of any such area as a driveway or for long term parking of a vehicle(s) shall cease by July 1, 2024.
  - 4. A driveway must be continuous from where it meets the driveway apron to the location in which the vehicle is parked.
  - 5. No surface used as a driveway, parking area, or vehicle storage area shall be eroded, rutted, exhibit signs of standing water, cause the distribution, flow, or accumulation of dust, dirt, muddy water, gravel, stone, or sediments onto abutting properties or the public right-of-way.
  - 6. No person shall park or store a vehicle of any kind within a public easement except on a driveway, or on a sidewalk, trail, HOA property, or any land set aside through land subdivision as the subdivision's open space.

K. Farm Animals

It shall be unlawful for any property owner or occupant of property within the Town of Church Hill to keep any farm animals in violation of the Town Animal Control Ordinance, Town Code, Chapter 23.

L. Nothing contained in this Chapter shall excuse any person, firm, partnership or corporation within the Town from complying with all applicable laws and regulations of Queen Anne's County or the State of Maryland.

§ 45-5. Violations and Penalties.

The violation of any provision of this Chapter by a property owner or his agent and/or any occupant of a property shall be deemed a municipal infraction subject to a fine of One Hundred Dollars (\$100). Each day a violation of any provision of this Chapter shall continue shall constitute a separate offense.

*Originally adopted on November 6, 2023 as Ordinance No. 183-23. The date of any amendment will appear below the amended paragraph in brackets ([ ]).*