

ORDINANCE NO. 1006

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND (“THE COMMISSIONERS”), TO REPEAL IN ITS ENTIRETY SECTION 10-11 OF CHAPTER 10 OF THE CODE OF LAWS OF THE CITY OF CAMBRIDGE, AND TO ADOPT AND RE-ENACT WITH AMENDMENTS A NON-OWNER OCCUPIED REGISTRATION REQUIREMENT FOR NON-OWNER OCCUPIED RESIDENTIAL DWELLING UNITS TO BE CODIFIED AS A NEW SECTION 4-42 IN CHAPTER 4 “BUILDINGS AND HOUSING” OF THE CITY CODE.

WHEREAS, after further consideration, including the report and recommendations of an advisory committee on the issue, the Commissioners of Cambridge do hereby desire to re-institute a registration requirement for all non-owner-occupied residential dwelling units within the corporate boundaries of the City of Cambridge, for the purpose of maintaining an inventory of available rental housing, and to repeal in its entirety Section 10-11 which was adopted by Ordinance No. 995.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Commissioners of Cambridge, that Section 10-11 of Chapter 10 “Licenses” of the City Code, which was adopted by Ordinance No. 995 is hereby deleted in its entirety, and the following is hereby adopted as Section 4-42 entitled “Registration of Non-Owner-Occupied Residential Units” of Chapter 4 of the City Code:

Sec. 4-42. Registration of Non-Owner Occupied Residential Dwelling Units.

(a) By September 30, 2011 and on each September 30th annually thereafter, every owner of a non-owner occupied residential dwelling unit shall file a registration statement with the City's designated department ("department") for each such dwelling unit on a form to be provided by the department. Notification of the annual registration and registration fee will be mailed by the City in July of each year.

(b) For each such non-owner occupied residential dwelling unit, there shall be an annual registration fee of FORTY DOLLARS (\$40.00) to be paid at the time the owner files the annual registration statement. For any two-family dwelling or multiple-unit dwelling the registration fee shall apply to each individual residential dwelling unit within the structure.

(c) Any person becoming an owner of such a dwelling unit shall file a registration statement on the date of the property transfer; however, the new owner will not have to

pay the registration fee until the next September 30th registration date if the previous owner had registered the property and paid the registration fee. In the event that a registration fee was not paid, then the new owner shall be required to register the unit and pay the registration fee at the time he/she acquired ownership.

(d) The registration statement shall contain the following information:

(1) A description of the premises by street number or otherwise, in such manner as to enable the code official to find the same.

(2) The name and address of the owner of record and of the managing operator if other than the owner; and, in addition, if the owner is a corporation, the name and address of the resident agent thereof. If the owner is a partnership or other business entity, the statement shall further include the name and address and position of a responsible partner or officer.

(3) **Designation of a Resident Agent.** If the owner does not reside within Dorchester County or Forty (40) Miles of the City of Cambridge, the owner shall designate a resident agent defined as follows: a natural person 18 years of age or older who resides within the designated boundaries of Dorchester County, Maryland, or within FORTY (40) miles of the City of Cambridge, who is designated by the owner as his authorized agent for receiving notices of violations, for receiving court process on behalf of such owner in connection with the enforcement of ordinances relating to such units, and for notification of emergency conditions or repairs. For purposes of this subsection a physical address is required; a post office box does not suffice as an address. The department must be notified within 30 days of any change in the name or address of the designated agent. Where the owner has failed to notify the department of a new authorized agent or has failed to file a new registration statement by September 30th of any year as required, service of violation notices and court process on the last registered authorized agent shall be legal and sufficient service on any other until the department is notified of any change.

(4) Such other information as may be prescribed by the department from time to time.

(e) *Exemptions.* The following property owners are expressly exempt from the registration requirements set forth herein:

(1) Owners of bed and breakfasts, provided all licensing fees as required by section 20-15C of the city's zoning code are paid and not in arrears; said exemption shall apply to the structure which is being used as the bed and breakfast; and

(2) Any person who resides on a property, in which he or she is vested with a deeded interest, including a life interest or remainder interest, and which deed is of record among the Land Records for Dorchester County, Maryland.

(f) Any violation of the provisions of this section shall constitute a municipal infraction, the fine for which shall be \$100.00, and every day that a violation continues shall be deemed a separate offense. Any owner of a residential unit who shall fail to file a registration statement as required by this section shall be liable for said fine without notice.

(g) Pursuant to subsection 1-9(b) of this Code, the Commissioners hereby designate the Director of Public Works, the City Code Enforcement Officers, or the Director of the Municipal Utilities Commission as the code enforcement officials authorized by the Commissioners to issue citations for infractions hereof. The Commissioners hereby designate the Director of the Municipal Utilities Commission as the official of the City responsible for the billing and collection of all rental registration fees. All charges and fees due to the City for rental registration fees, shall be collected by the Director of the Municipal Utilities Commission in the same manner as unpaid water and sewer charges and trash disposal charges, pursuant to section 18-16. Furthermore, all unpaid rental registration fees shall be collected in the manner as taxes.

(h) The dollar amount of the annual registration fee may only be amended by Ordinance duly approved by the Commissioners of Cambridge.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Edwin C. Kinnamon

By: _____
Victoria Jackson-Stanley, Mayor

Introduced the _____ day of **FEBRUARY, 2011.**

Adopted the _____ day of **FEBRUARY, 2011**