



The Washington County Division of Plan Review & Permitting (the "Department") is charged with the enforcement of the Washington County Zoning Ordinance (the "Ordinance") to protect and promote the health, safety and general welfare of its residents. The Ordinance authorizes the County to establish civil penalties for violations of the Ordinance in the event a violation is not corrected in a reasonable period of time. The goal of enforcing the Ordinance through the issuance of citations is not to generate revenue, but to encourage those in violation to bring their properties into compliance with the Ordinance.

**The following is a summary of the Department's procedures and contains answers to some frequently-asked questions. Should you have any other questions or concerns, you may contact our office at the following numbers:**

**Zoning Coordinator:** Kathy Kroboth at 240-313-2469    **Zoning Inspector:** Scott Stotelmyer 240-313-2458

#### **What is the violation fee schedule?**

First violation: One hundred dollars (\$100.00) per day.  
Second or subsequent violations (within a two-year period):  
Five hundred dollars (\$500.00) per day.

#### **What does the zoning inspector do during the initial inspection?**

If the Property is found to be in violation of the Ordinance, a notice to correct the violation will be posted in a conspicuous location, noticeable to the owner and occupant. If contact is made with the owner or occupant, the notice will be delivered to the individual and the name and relationship to the property will be obtained.

The inspector will photograph the violation on the property, the posted notice, the address of the dwelling, and an overall picture of the property. Close-up photographs may be taken of vehicles to verify license information.

#### **What does one do if a Field Correction Notice is issued for their property?**

After a notice is issued, contact may be made with the Zoning Coordinator, Kathy Kroboth, at 240-313-2469 or the Zoning Inspector, Scott Stotelmyer, at 240-313-2458 to discuss the notice. You may also visit the office at 80 West Baltimore St., Hagerstown.

One may also contact the Department to discuss an appeal if aggrieved by the issuance of a notice.

#### **How much time is allowed for compliance?**

A compliance date will be issued on the notice. Depending on the nature of the violation, generally, 30 days from the date of issuance of the notice will be given.

#### **Can an extension for compliance be granted?**

The owner of the property may request an extension in writing, stating the reason for the extension and the amount of time needed for compliance. The Zoning Inspector or Zoning Coordinator will provide a written response to the owner's request, either refusing the request for extension or establishing a modified deadline for full compliance.

If, after expiration of the notice period, the inspector has performed the compliance inspection and significant progress has been made from the initial inspection or other facts exist that justify such an action, an extension may be granted. The property may be photographed for documentation.

#### **What if there are extenuating circumstances?**

The County understands that there may be unforeseen circumstances that contributed to the violation. You may contact our office at the numbers listed above to discuss your concerns.

#### **When will a citation be issued?**

If the property is still in violation after expiration of the notice period or any extension(s) that may have been granted, a citation may be issued, providing for a fine of One Hundred Dollars (\$100.00) per day from the date of issuance of the citation (for first offenses).

#### **Can one elect to stand trial after a citation is issued?**

A person may elect to stand trial in District Court for the offense by filing a notice of intention to stand trial with the zoning official. The person electing to stand trial shall give notice at least 5 days before the date set forth in the citation for the payment of fines. The zoning official shall forward the notice of intention to stand trial to the District Court of Maryland for Washington County with a copy of the citation. For more information you can contact the Department at the numbers listed.

#### **How long do I have to pay the fine?**

Any person who receives a citation for a zoning violation that imposes a fine shall pay the fine as set forth on the citation within 15 days after issuance of the citation to:

Division of Plan Review & Permitting  
80 West Baltimore Street  
Hagerstown, MD 21740

Checks should be made payable to: Washington County Treasurer

If the fine is not paid within 15 days after the date the citation was issued, such person shall be liable for double the fine that person had failed to pay.

#### **Does the property need to be brought into compliance if the fine is paid?**

Yes. Paying the fine does not relieve that person from correcting the violation to bring the property into compliance with the Ordinance.

#### **Does the Department have the authority to enter onto private property?**

Section 26.3 of the Ordinance provides the Department the authority to enter onto any tract or parcel of land to enforce the provisions of the Ordinance.

#### **What is a "junk vehicle" and can untagged vehicles be kept on the property?**

Article 28 states that a junk vehicle is "A vehicle that does not display a current license plate lawfully upon a vehicle; is partially dismantled, wrecked or extensively damaged or deteriorated; and is not capable of lawful operation on public roads." The law also provides for the use of untagged vehicles on private property for agricultural purposes.

#### **What if the property is in compliance after the expiration of the notice period?**

On the day following expiration of the notice period, the inspector will inspect the property to verify compliance. If the property is in compliance, the property will be photographed for documentation in the event a future complaint is filed and the file will be closed.

#### **What if the property comes into violation again?**

If a violation that had previously been cited within a two-year period occurs on the same property, a new service request will be generated following the procedures for an initial complaint. The zoning inspector will perform an inspection and, if the property is again in violation, a citation may be issued to the owner or occupant in the increased amount of five hundred dollars (\$500.00) per day for each day the property is in violation.

**A copy of the Zoning Ordinance can be found at [www.washco-md.net/countyattorney/legal.htm](http://www.washco-md.net/countyattorney/legal.htm) or by visiting the Department at 80 West Baltimore St., Hagerstown.**