



**Village of North Chevy Chase
(Sale of Property Disclosure)**

Resolution No.: 2024-4-2
Introduced: March 19, 2024
Adopted: April 16, 2024
Effective Date: May 16, 2024

**AN ORDINANCE TO AMEND SECTION 3-212 TO REQUIRE A
REAL PROPERTY SALE DISCLOSURE.**

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Section 6.02 of the Charter of the Village of North Chevy Chase authorizes the Village Council to pass such ordinances not contrary to the Constitution and other laws of Maryland, as it may deem necessary for the preservation of Village property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors to the Village;

WHEREAS, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 19th day of March, 2024;

WHEREAS, after proper notice to the public, the Village Council considered the following Ordinance in an open meeting conducted on the 16th day of April, 2024;

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, the Village Council finds that the foregoing Ordinance is necessary for the preservation of Village property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors to the Village.

NOW, THEREFORE, BE IT ORDAINED AND ORDERED, this 16th day of April, 2024, by the Village Council, acting under and by virtue of the authority given it by

the Maryland Code and the Village Charter, the Village Council does hereby adopt the foregoing Ordinance and amend the Village Code as follows:

* * *

Section 3-212. Property Ownership

A. The holders of title to all residential properties in the Village, whether in residence or absentee, are required to provide written notice to the Village Manager, indicating their name, mailing address, telephone number and email address, in order to allow the Village to make contact with the property owner if circumstances so require. In the event of change of ownership, any such change shall be reported to the Village Manager within 30 days of such change occurring. Information provided to the Village Manager pursuant to this Section will not be publicly disclosed or used for purposes other than official Village business absent the consent of the property owner providing the information. Failure to provide such information upon request of the Village Manager may result in a fine of up to \$500.

B. On or before entering into a contract for the sale of real property in the Village, the owner or agent of the property must provide the prospective buyer with a Village of North Chevy Chase Disclosure in accordance with Subsection D below. At the time the disclosure is delivered, each buyer must sign and date a written acknowledgment of receipt of the Disclosure. The Disclosure shall be included in or attached to the contract of sale.

C. The Disclosure required pursuant to Subsection B above does not apply to a tax sale; sheriff's sale; sale by foreclosure, partition or court-appointed trustee; deed in lieu of foreclosure; transfer by a fiduciary in the course of the administration of an estate, guardianship, conservatorship, or trust; transfer to a spouse, former spouse, domestic partner, former domestic partner, parent, sibling, child or grandchild; or transfer solely to provide a security or leasehold interest.

D. The Disclosure required pursuant to Subsection B above shall contain the following statements:

(1) The subject property is located within the Village of North Chevy Chase, an incorporated municipality and political subdivision of the State of Maryland. The Village is operated by a 5-member Village Council, elected by the residents and serve 2-year terms, and a Village Manager.

(2) In addition to any permitting requirements that may be imposed by Montgomery County, Village ordinances require residents to obtain permits for various activities including the addition to, or erection, alteration, construction, re-construction, repair and improvement of the exterior of all buildings and accessory buildings, fences and structures, and to any activity which will, or may, result in the excavation or alteration or temporary closure or blockage of streets, sidewalks, and/or public rights-of-way within the boundaries of the Village.

(3) The Village is responsible for road maintenance for all Village roadways and provides a range of services to its residents beyond those provided by Montgomery County. These services include regularly scheduled trash pickup; recycling and yard waste pickup; and bulk trash pickup; and leaf pickup and Village roadway snow removal and plowing services during an annually determined time frame of each year. More information about the Village's programs and services, including the permitting requirements, can be viewed on the Village's website (www.northchevyCHASE.org).

E. A buyer's failure to receive the Disclosure required by this Section does not invalidate the contract or excuse or waive buyer's compliance with the requirements of Village laws and regulations. Failure by the owner or the agent of the property to submit the necessary Disclosure to any prospective buyer is subject to a fine of up to \$500.

* * *


AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Charter of the Village, that:

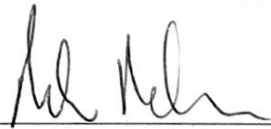
(1) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

(2) This Ordinance shall take effect on the 16th day of May, 2024 (30 days after adoption).

ATTEST:

VILLAGE OF NORTH CHEVY CHASE


Maury Mechanick, Secretary


Adrian Andreassi, Chair
Village Council