



June 9, 2009

### MCCF Testimony to County Council on Bill 24-09, Building Permits

I am Jim Humphrey, testifying on behalf of the Montgomery County Civic Federation as Chair of the Planning and Land Use Committee. We appreciate the fact that this legislation would seem to limit the impact that infill projects--specifically, one-family and two-family detached dwelling and townhouses no more than 3 stories above grade in height--can have on existing residential neighborhoods.

We do not understand, then, why the section on "required inspections" (beginning on line 36) pertains only to one-family and two-family detached dwellings and not also to 3-story townhouses. In addition, we believe that the wording of subsection 3 of the "required inspections" section should specify that the final inspection, which must occur within 18 months after issuance of the Building Permit, should find that all work on the exterior and interior of the structure is completed and the dwelling is habitable, that all work on the yard has been completed and it is no longer a sea of mud, and that the porta-john has been removed from the site.

In addition, we are concerned that the bill allows a period of 18 months from date of Building Permit issuance to the date of final inspection, and would also allow up to two 6-month extensions on top of that. Thirty months is an extremely long period of time to allow construction sites to exist in established residential neighborhoods, especially since these unfenced, unsecured sites constitute an "attractive nuisance" for children and others. Commercial construction sites are required to be fenced, so why not require fencing around residential construction sites, particularly those in the midst of established neighborhoods?

Finally, although it is not addressed in the proposed bill, we suggest the Council limit the validity period for Demolition Permits, perhaps to 30 or 60 days. And we believe that a final inspection should be required on all demolition projects, especially those which are not immediately progressing to the building phase, in order to insure that the foundation hole left by demolition of the prior structure is filled in and the site secured by fencing (in order to prevent the occurrence of unintentional swimming holes in the midst of residential neighborhoods, when the basements of demolished homes fill with rainwater).

As always, the Federation stands ready to assist Council members in your consideration of this legislation. Thank you.