

Expedited Bill No. 19-18
Concerning: Technical Corrections
Revised: 6/19/2018 Draft No. 2
Introduced: May 15, 2018
Enacted: June 19, 2018
Executive: July 2, 2018
Effective: July 1, 2018
Sunset Date: None
Ch. 14, Laws of Mont. Co. 2018

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

AN EXPEDITED ACT to correct technical, typographical, grammatical, reference, and codification errors in, and make stylistic, clarifying, and conforming amendments to, various provisions of County law.

By amending

Montgomery County Code
Chapter 5, Animal Control
Section 5-201

Chapter 16, Elections
Section 16-20

Chapter 22A, Forest Conservation – Trees
Sections 22A-3 and 22A-12

Chapter 26, Housing and Building Maintenance Standards
Section 26-2

Chapter 51A, Swimming Pools
Sections 51-1 and 51-10

Chapter 52, Taxation
Section 52-39

By renumbering

Chapter 30B
Sections 30B-1, 30B-2, 30B-3, 30B-4, 30B-5, 30B-6, 30B-7, 30B-8, 30B-9, 30B-10,
30B-11, 30B-12, 30B-13, and 30B-14

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1.** Sections 5-201, 16-20, 22A-3, 22A-12, 26-2, 51-1, 51-10, and 52-39
 2 are amended and Chapter 30B (Sections 30B-1, 30B-2, 30B-3, 30B-4, 30B-5,
 3 30B-6, 30B-7, 30B-8, 30B-9, 30B-10, 30B-11, 30B-12, 30B-13, and 30B-14) is
 4 renumbered as follows:

5 **5-201. Cruelty.**

6 * * *

7 (b) ~~[[b]]~~ *Regulations.* The County Executive may issue regulations,
 8 consistent with State law, to interpret and implement State anti-cruelty
 9 laws in the County.

10 **Chapter [30B] 15A. ECONOMIC DEVELOPMENT.**

11 **Article I. Economic Development Corporation.**

12 **[30B-1] 15A-1. Policy objectives.**

13 * * *

14 **[30B-2] 15A-2. Designation.**

15 * * *

16 **[30B-3] 15A-3. Board of Directors.**

17 * * *

18 **[30B-4] 15A-4. Status; incorporation; bylaws.**

19 * * *

20 **[30B-5] 15A-5. Economic development program.**

21 * * *

22 **[30B-6] 15A-6. Staff; support from County Government.**

23 * * *

24 **[30B-7] 15A-7. Report.**

25 * * *

26 **Article II. Workforce Development.**

27 **[30B-8] 15A-8. Policy objectives.**

28 * * *

29 [30B-9] 15A-9. Designation.

30 * * *

31 [30B-10]. 15A-10 Board of Directors.

32 * * *

33 [30B-11] 15A-11. Status; incorporation; bylaws.

34 * * *

35 [30B-12] 15A-12. Workforce development program.

36 * * *

37 [30B-13] 15A-13. Staff; support from County Government.

38 * * *

39 [30B-14] 15A-14. Report.

40 * * *

41 16-20. Collecting qualifying contributions.

42 * * *

43 (d)[[(d)]] *Consumer Price Index adjustment*. The Chief Administrative
44 Officer must adjust the contribution limit established in Subsection
45 (b), effective July 1, 2018, and July 1 of each subsequent fourth year,
46 by the annual average increase, if any, in the Consumer Price Index
47 for the previous 4 calendar years. The Chief Administrative Officer
48 must calculate the adjustment to the nearest multiple of 10 dollars, and
49 must publish the amount of this adjustment not later than March 1 of
50 each fourth year.

51 22A-3. Definitions.

52 * * *

53 *Conditional use* means a use approved under Section [[59-]]7.3.1 of Chapter
54 59.

55 * * *

56 *Minor subdivision* means a plan for a proposed subdivision or resubdivision
57 prepared and submitted for approval by the Planning Director under
58 Division 50.7 of Chapter ~~[[59]]~~ 50.

59 * * *

60 *Site plan* means a plan or an amendment to a site plan approved under
61 Section 7.3.4 of Chapter 59 or referred to in ~~[[Division]]~~ Section 7.7.1.B of
62 Chapter 59.

63 * * *

64 *Special exception* means a use approved as a conditional use under Section
65 7.3.1 or Section 7.7.1.B of Chapter 59 or referred to in ~~[[Division]]~~ Section
66 7.7.1.B of Chapter 59.

67 * * *

68 *Watershed* means any area delineated as a watershed in the Montgomery
69 County Municipal Separate Storm Sewer System (MS4) Permit
70 Implementation Program, or any smaller area within the watershed that is
71 delineated by the State of Maryland as a 12-Digit watershed.~~[[.]]~~

72 * * *

73 **22A-12. Retention, afforestation, and reforestation requirements.**

74 * * *

75 (f) *Special provisions for minimum retention, reforestation and*
76 *afforestation.*

77 * * *

78 (2) *Retention, reforestation and afforestation.* Forest retention
79 should be maximized where possible on each site listed in this
80 subsection. At a minimum, on-site forest retention, and in some
81 cases reforestation and afforestation, must be required as
82 follows:

83 * * *

84 (B) In a planned development or a site development using a
 85 cluster or other optional method of development in a one-
 86 family residential zone, on-site forest retention must
 87 equal the applicable conservation threshold in subsection
 88 (a). This requirement also applies to any site seeking a
 89 waiver or variance from base zone standards under
 90 Sections 59.4.4.5.D, 59.4.4.6.D, ~~[[59-4.4.7.C]]~~
 91 59.4.4.7.C, ~~[[59-4.4.8.C]]~~ 59.4.4.8.C, ~~[[59-4.4.8.C, 59-~~
 92 ~~4.4.9.C]]~~ 59.4.4.9.C, ~~[[59-4.4.10.C]]~~ 59.4.4.10.C, ~~[[59-~~
 93 ~~8.3.2]]~~ 59.8.3.2, ~~[[59-4.9.16.B]]~~ 59.4.9.16.B, and ~~[[59-~~
 94 ~~5.2]]~~ 59.5.2 if as a condition of the waiver or variance the
 95 Planning Board or County Council must find that the
 96 resulting development is environmentally more desirable.

97 * * *

98 **26-2. Definitions.**

99 * * *

100 *Transient lodging facility*: ~~[[A]]~~ ~~[hostel]~~ ~~[[hotel, boardinghouse, tourist home, or~~
 101 ~~rooming house]]~~ An Establishment defined and licensed under Chapter 54.

102 **51-1. Definitions.**

103 * * *

104 ~~[Hostel]~~ Hotel has the same meaning as in Code § 54-1.

105 * * *

106 **51-10. Safety standards; lifeguards and spa guards.**

107 * * *

108 (d) ~~[Hostels]~~ Hotels. Except for on Saturday and Sunday between 11:00
 109 a.m. and 7:00 p.m., paragraph (b) does not apply to a pool that has a

110 water surface area less than 2,500 square feet located on the grounds
111 of a [hostel] hotel for the exclusive use of its registered guests if:

112 (1) the [hostel] hotel is properly licensed under Chapter 54;

113 (2) the [hostel] hotel posts warning signs that meet the following:

114 * * *

115 (B) a safety sign is posted in a permanent location adjacent to
116 a [hostel] hotel in compliance with the American
117 National Standard for Public Spas;

118 * * *

119 (3) the pool area has a functional and visible emergency alert
120 system approved by the Director of the Department of Health
121 and Human Services that:

122 (A) connects directly to 9-1-1; and

123 (B) notifies an employee of the [hostel] hotel when activated;
124 and

125 (4) the [hostel] hotel has an employee with a valid
126 infant/child/adult cardiopulmonary resuscitation (CPR)
127 certificate from the American Red Cross, the American Heart
128 Association, the National Safety Council, or a comparable
129 program approved by the state Department of Health and
130 Mental Hygiene, on the premises of the [hostel] hotel when the
131 pool is open for use and no lifeguard is on duty.

132 **52-39. Definitions.**

133 In this Article the following terms have the following meanings:

134 * * *

135 *Residential* means the use of a building as a dwelling unit.

136 * * *

137 (4) *Senior residential* means:

138

* * *

139

(D) any household living unit constructed under Section
140 59.3.3.1 that is restricted by a covenant running with the
141 land for housing persons who are 55 years of age or
142 older. [[.]]

142

143

* * *

144

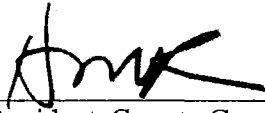
Sec. 2. Expedited Effective Date.

145

The Council declares that this legislation is necessary for the immediate
146 protection of the public interest. This Act takes effect on July 1, 2018.

146

Approved:

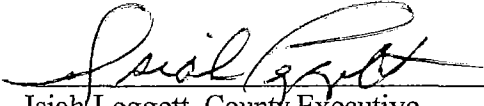


June 20, 2018

Hans D. Riemer, President, County Council

Date

Approved:

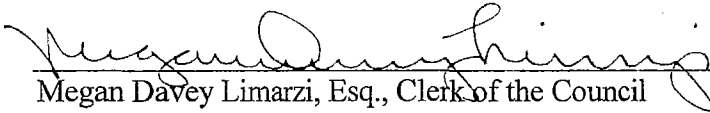


July 2, 2018

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.



July 2, 2018

Megan Davey Limarzi, Esq., Clerk of the Council

Date