

Bill No. 30-23  
Concerning: Rustic Roads Program –  
Rustic Roads Advisory Committee  
Revised: 7/26/2023 Draft No. 4  
Introduced: June 20, 2023  
Enacted: July 25, 2023  
Executive: August 7, 2023  
Effective: November 6, 2023  
Sunset Date: None  
Ch. 29 , Laws of Mont. Co. 2023

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Council President Glass at the request of the Planning Board

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**AN ACT** to:

- (1) amend Chapter 49 to revise the composition of the Rustic Roads Advisory Committee;
- (2) specify additional duties of the Rustic Roads Advisory Committee; and
- (3) generally amend Chapter 49 regarding the Rustic Roads Advisory Committee.

By amending

Montgomery County Code  
Chapter 49, Streets and Road  
Sections 49-77 and 49-80

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<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 49-77 and 49-80 are amended as follows:**

2                           **ARTICLE 8. RUSTIC ROADS PROGRAM**

3   \*   \*   \*

4   **49-77. Definitions.**

5   In this Article, the following terms have the meanings indicated:

6   *Committee* means the Rustic Roads Advisory Committee.

7   *Commodity farmer* means a person engaged in the production of at least 100 acres of  
8   field crops such as corn, soybeans, barley, and wheat, or forage crops such as hay,  
9   requiring the use of large commercial equipment for planting, nutrient application, pest  
10   management, and harvesting.

11   *Exceptional rustic road* means an existing public road or road segment which is so  
12   classified under Section 49-78.

13   *Public utility* means any private company or public agency that is regulated as a public  
14   utility under state law, or otherwise provides water, sewer, electric, gas, telephone, or  
15   cable service (as defined in Chapter 8A) in the County.

16   *Rustic road* means an existing public road or road segment which is so classified under  
17   Section 49-78.

18   [[*Table crop farmer* means a person who grows crops or raises animals for the purpose  
19   of producing food items that are customarily consumed directly by humans, including  
20   but not limited to fruits, vegetables, meat, seafood, dairy, eggs, honey, pulses, and  
21   grains.]]

22   \*   \*   \*

23   **49-80. Rustic Roads Advisory Committee.**

24           (a) *Membership.* The County Executive must appoint, subject to  
25           confirmation by the County Council, a Rustic Roads Advisory  
26           Committee. In making appointments, the Executive [[should]] must  
27           strive to achieve diversity on the Committee in support of racial equity

28 and social justice. The Committee has [7] 9 voting members. Each  
 29 member must be a resident of the County. The Executive should appoint:  
 30 (1) [3] three members who [are owner-operators of] operate  
 31 commercial farmland earning 50 percent or more of their income  
 32 from direct involvement in commodity farming[,];  
 33 (2) one [of whom] member who is a representative of the Agricultural  
 34 Advisory Committee and has been recommended to the Executive  
 35 by the AAC;  
 36 [(2)](3) one member who knows rural preservation techniques  
 37 through practical experience and training;  
 38 [(3)](4) one member who knows roadway engineering through  
 39 practical experience and training; and  
 40 [(4) one member who represents civic associations located in the  
 41 Agricultural Reserve; and  
 42 (5) one member who represents civic associations in areas located  
 43 outside the Agricultural Reserve where there are rustic roads.]  
 44 (5) three at-large members who do not satisfy the requirements of  
 45 subsections (a)(1) through (a)(4) above, to be drawn from [[other]]  
 46 frequent users of rustic roads. [[The Executive should strive to  
 47 include a table crop farmer or an operator of an agritourism  
 48 business.]] [[Examples of the at-large members include: a table  
 49 crop farmer who does not earn more than 50 percent of their  
 50 income from farming; an expert in tourism or historic sites along  
 51 the roads; a member of a religious institution on a rustic road; an  
 52 operator of an agritourism business, such as a winery, brewery,  
 53 farm stand, or recreation or entertainment venue on a rustic road;  
 54 or a person who regularly uses the roads to engage in or reach

55 places for outdoor recreation, such as to bike, boat, kayak, hike,  
56 fish, ride horses, or go birding.]]

57 \* \* \*

58 (e) *Duties.* The Committee must:

59 (1) promote public awareness and knowledge of the County rustic  
60 roads program;

61 (2) review and comment on classification of rustic roads and  
62 exceptional rustic roads;

63 (3) review and provide comments on subdivision applications when  
64 the requirements of the Subdivision Regulations conflict with this  
65 Article or Executive Regulations;

66 ~~[(4) review and provide comments on proposed improvements to rustic~~  
67 ~~roads;~~


68 (5) review and provide comments on proposed signs within the right-  
69 of-way of a rustic road;]]

70 (4) other duties as required by Executive Regulations;

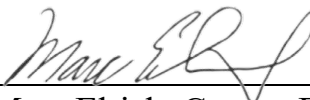
71 ~~[(3)]~~~~[(6)]~~(5) review and comment on Executive Regulations and  
72 other County policies and programs that may affect the rustic roads  
73 program; and

74 ~~[(4)]~~~~[(7)]~~(6) report on June 1 of each even numbered year to the  
75 Executive, the Council, and the Planning Board on the status of the  
76 rustic roads program.

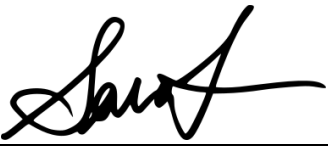
*Approved:*

  
 \_\_\_\_\_ July 25, 2023  
 Evan Glass, President, County Council Date

*Approved:*

  
 \_\_\_\_\_ August 7, 2023  
 Marc Elrich, County Executive Date

*This is a correct copy of Council action.*

  
 \_\_\_\_\_ August 7, 2023  
 Sara R. Tenenbaum, Clerk of the Council Date