

## APPLICABILITY OF COUNTY LAWS TO THE MUNICIPALITIES - 12/1/08

Code chapter & title	Town of Barnesville nca	Town of Brookville nca	Chevy Chase Village nnc	Chevy Chase View nca	Chevy Chase Sec. 3 nca	Town of Chevy Chase nnc	Chevy Chase Sec. 5 nca	City of Gaithersburg nnc	Town of Garrett Park nnc	Town of Glen Echo nca
01 General Provisions	yes	yes	yes	yes	yes	yes	yes	yes	no	yes
01A Structure of government	yes	yes	no	yes	yes	no	yes	no	no	yes
02 Administration/10	yes	yes	yes	yes	yes	yes	yes	yes	no	yes
02A Admin procedures act	yes	yes	no	yes	yes	no	yes	no	no	yes
02B Agricultural land preservation	no	yes	no	yes	yes	yes	yes	no	no	no
03 Air quality control	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
03A Alarms	yes	yes	no	yes	yes	yes	yes	yes	yes	yes
04 Amusements	yes	yes	no	yes	yes	no	yes	no	no	yes
05 Animal control/11	yes	yes	yes/1	yes	yes	yes	yes	no	yes	no
05 Animal cont, sec 42-58, rabies	health	health	health	health	health	health	health	health	health	health
05A Arts & Humanities	yes	yes	yes	yes	yes	no	yes	no	no	yes
06 Auction sales	yes	yes	yes	yes	no	no	yes	yes	no	yes
06A Beverage containers	yes	yes	no	yes	yes	no	yes	no	no	yes
07 Bicycles	yes	yes	no	yes	yes	yes	yes	yes	yes	yes
07A Off-The-Road Vehicles										
08 Buildings	yes	yes	yes	yes	yes	yes	yes	no	yes	yes
08A Cable communications	yes	yes	yes	yes	no	yes	yes	no	yes	yes
09 Reserved	--	--	--	--	--	--	--	--	--	--
09A Reserved	--	--	--	--	--	--	--	--	--	--
10 Reserved	--	--	--	--	--	--	--	--	--	--
10A Child day care fac. loan prog	entit	entit	entit	entit	entit	entit	entit	entit	entit	entit
10B Common ownrshp comm	yes	yes	no	yes	yes	no	yes	no	no	yes
11 Consumer protection	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
11A Condominiums	no	yes	no	yes	yes	no	yes	yes	no	yes
11B Contracts, procurement	no	yes	no	yes	no	no	yes	no	no	no
11C Cooperative housing	no	yes	no	yes	yes	no	yes	no	no	yes
12 Courts	no	yes	no	yes	yes	no	yes	yes	no	yes
13 Detention centers & rehab	no	yes	no	yes	yes	no	yes	yes	no	yes
13A Reserved	--	--	--	--	--	--	--	--	--	--
14 Develop. districts	yes	yes	no	yes	yes	no	yes	no	no	yes
15 Eating & drinking estab	health	health	health	health	health	health	health	health	health	health
16 Elections	no	yes	no	yes	yes	no	yes	yes	no	yes
17 Electricity	yes	yes	yes	yes	yes	yes	yes	no	yes	yes
18 Elm disease	yes	yes	no	yes	yes	yes	yes	no	yes	yes
18A Environmental sustainability	yes	yes	no	yes	yes	no	yes	no	no	yes
19 Erosion, sed cont, stormwtr	yes	yes	no	yes	yes	yes	yes	no	yes	yes
19A Ethics	no	yes	no	yes	no	no	yes	no	no	no
20 Finance	no	yes	no	yes	no	no	yes	no	no	no
20A Special obligation debt	no	yes	no	yes	no	no	yes	no	no	no
21 Fire & rescue services	yes	yes	no	yes	no	yes	yes	yes	yes	yes
22 Fire safety code	yes	yes	no	yes	yes	yes	yes	no	yes	yes
22A Forest conservation-trees/13	no	yes	yes	yes	yes	yes	yes	no	yes	yes
23 Gaming	yes	yes	no	yes	yes	yes	yes	no	no	no
23A Group homes	no	yes	yes	yes	yes	yes	yes	no	yes	no
23B Finan assist. NP ser orgs.	yes	yes	yes	yes	yes	no	yes	yes	no	yes
24 H&S, Sec. 11/11	health	health	health	health	health	health	health	health	health	health
24 H&S, Sec. 1	yes	yes	no	yes	yes	yes	yes	no	yes	yes
24 H&S, Sec.9, Smoking	yes	yes	no	yes	yes	yes	yes	no	no	yes
24 H&S, Sec.9A, Smoking rest.	yes	yes	no	yes	yes	yes	yes	no	no	no
24 H&S, Sec.10 Catast. health	entit	entit	entit	entit	entit	entit	entit	entit	entit	entit
24 H&S, Sec. 34-43, Mental	yes	yes	no/entit	yes	yes	yes	yes	no/entit	no/entit	yes/entit

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24 H&S, Sec. 54-61, Victims	yes	yes	no	yes	yes	yes	yes	no	no	yes
24A Historic resources preserv	no	yes/28	yes/28	yes	yes/28	yes/28	yes/28	no	yes/28	yes/28
24B Homeowners' associations	no	yes	no	yes	yes	no	yes	no	no	no
25 Hosps, sanitar., nursing care	health	health	health	yes	health	health	health	health	health	health
25A Housing, mod. priced	no	yes	no	yes	yes	no	yes	no	no	no
25B Housing policy	no/entit	yes	no/entit	yes	yes	no/entit	yes	no/entit	no/entit	no/entit
26 Housing, bldg main. stand.	yes	yes	yes	yes	yes	yes	yes	no	yes	yes
27 Human rights, civil liberties	no	yes	no	yes	yes	yes	yes	yes	yes	no
27A Indiv. water & sewer systems	health	health	health	health	health	health	health	health	health	health
28 Reserved	--	--	--	--	--	--	--	--	--	--
29 Landlord-tenant relations	no	yes	no	yes	yes	yes	yes	no	no	yes
29A Legislative oversight	no	yes	no	yes	no	no	yes	no	no	yes
30 Licensing & regulations, gen.	no	yes	no	yes	yes	no	yes	no	no	no
30A Municipal revenue program	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
30B Reserved	--	--	--	--	--	--	--	--	--	--
30C Motor veh towing priv prop	no	no	no	yes	no	no	no	yes	no	no
31 Motor vehicles & traffic	yes	yes	no	yes	yes	yes	yes	yes	no	yes
31A Motor veh repair, towing regs.	yes	yes	no	yes	yes	no	yes	yes	no	yes
31B Noise control	yes	yes	no	yes	yes	yes	yes	yes	no	yes
31C New home warr, bldr licensing	yes	yes	no	yes	yes	no	yes	yes	no	yes
32 Offenses - victim adv.	yes	yes	yes	yes	yes	yes	yes	no	no	yes
33 Personnel, human resources	no	yes	no	yes	no	no	yes	no	no	no
33A Planning procedures	no	yes/28	yes/28	yes/28	yes/28	yes/28	yes/28	no	yes/28	yes/28
33B Pesticides	yes	yes	no	yes	yes	yes	yes	no	no	yes
34 Plumbing & gas fitting	yes	yes	yes	yes	yes	yes	yes	no	yes	yes
35 Police	yes	yes	yes	yes	yes	yes	yes	yes	no	yes
36 Pond safety	yes	yes	yes	yes	yes	yes	yes	no	yes	yes
36A Public Ser Co. undergrd facs	yes	yes	no	yes	yes	no	yes	no	no	yes
37 Public welfare	yes	yes	yes	yes	yes	yes	yes	no	no	yes
38 Quarries	no	yes	no	yes	yes	no	yes	yes	no	yes
38A Radio, TV, appl. repair	yes	yes	yes	yes	yes	no	yes	no	yes	yes
39 Rat control	health	health	health	health	health	health	health	health	health	health
40 Real property	no	yes	yes	yes	yes	yes	yes	yes	yes	yes
41 Recreation & rec facilities	no	no	yes	yes	no	yes	yes	no	no	no
41A Rental assistance	yes	yes	yes	yes	yes	yes	yes	yes	no	yes
42 Revenue authority	no	yes	no	yes	yes	no	yes	yes	no	yes
42A Ridesharing; transp. mgt.	no	yes	no	yes	yes	no	yes	no	no	yes
43 Reserved	--	--	--	--	--	--	--	--	--	--
44 Schools & camps	no	yes	no	yes	yes	yes	yes	yes	yes	yes
44 Schools & camps, Sec. 17-45	health	health	health	health	health	health	health	health	health	health
44A Secondhand pers. property	yes	yes	no	yes	yes	yes	yes	yes	yes	yes
45 Sewers, sewage disp, drainage	yes	yes	no	yes	yes	yes	yes	no	yes	yes
46 Slaughterhouse	health	health	health	health	health	health	health	health	health	health
47 Vendors	yes	yes	no	yes	yes	yes	yes	no	yes	yes
48 Solid wastes	no	yes	no	yes	no	yes	yes	no	no	no
49 Streets & roads	yes	yes	no	yes	no	no	yes	no	no	no
49A Reserved	--	--	--	--	--	--	--	--	--	--
50 Subdivision of land	no	yes/28	yes/28	yes	yes/28	yes/28	yes/28	no	yes/28	yes/28
51 Swimming pools	health	health	health	health	health	health	health	health	health	health
51A Tanning facilities	health	health	health	health	health	health	health	health	health	health
52 Taxation	tax	tax	tax	tax	tax	tax	tax	tax	tax	tax
53 Taxicabs	no	yes	yes	yes	yes	yes	yes	yes	no	yes
53A Tenant displacement	yes	yes	no	yes	yes	no	yes	yes	no	yes

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54 Transient lodging facilities	yes	yes	no	yes	yes	no	yes	no	no	yes
54A Transit facilities	yes	yes	no	yes	yes	no	yes	yes	no	yes
55 Reserved	--	--	--	--	--	--	--	--	--	--
56 Urban renewal & com. dev.	no	yes	no	yes	yes	no	yes	no	no	no
56A Video games	no	yes	no	yes	yes	no	yes	no	no	yes
57 Weapons	yes	yes	no	yes	yes	yes	yes	no	no	yes
58 Weeds	yes	no	no	yes	yes	yes	yes	no	no	yes
59 Zoning	no	no	yes/28	yes/28	yes/28	yes/28	yes/28	no	yes/28	yes/28
60-70 Special taxing area laws										
71-84 Reserved	--	--	--	--	--	--	--	--	--	--
85-86 Reserved	--	--	--	--	--	--	--	--	--	--
87 Wash Suburban Transit Dist	no	no	no	yes	no	yes	yes	no	no	no

Footnotes:

- 1: Applies except to the licensing of cats.
- 2: Sections 13-17 apply and, in Somerset only, sections 10, 12A and 19A also apply.
- 3: Does not apply to refuse collection performed by Rockville.
- 4: Town zoning: RR-1, RR-2 & FR = residential; C-L = commercial.
- 5: The sections (6-20) that had applied in Kensington were deleted in Bill 27-94.
- 6: Applies except those pertaining to rural roads.
- 7: Except that Sections 30-44 (road construction code) and 21A apply in Somerset, and only Sections 30-44 apply in Laytonsville.
- 8: Sections 26A-26E apply.
- 9: Takoma Park has their law and county is authorized to enforce
- 10: Section 42, Health officer applies through the county (Health).
- 11: Sections enacted under public health law apply countywide. Sections are listed separately where needed for clarity.
- 12: City law adopts county law by reference
- 13: The provisions of the forest conservation law are required as part of the zoning and subdivision approval process. Municipalities subject to Chapters 50 and 59 are subject to Chapter 22A.
- 14: Only to the extent that such application is necessary to effectively implement other county laws that apply within the city.
- 15: Added provision requiring dogs to be leashed.
- 16: Somerset code modifies and supplements these chapters.
- 17: Martin's Additions charter says "exempt from sections of Chapter 31."
- 18: Kensington adopted only Section 40-12A.
- 19: Takoma Park is exempt from Article II.
- 20: Does not apply to drinking and eating establishments, which are covered separately in Rockville's code.
- 28: Refers to Article 28 of the Annotated Code of Maryland

NCA : New chapters adopted by the county apply; specific exemptions approach  
 NNC: New chapters adopted by the county do not apply; general exemptions with exceptions

Most chapters in the County Code are optional for the municipalities. Chapters and sections that are not optional are so indicated:  
 Health: Code chapters/sections enacted under public health law apply throughout the county. Municipalities can, however, exceed the State requirements in local law.  
 Tax: Code chapters/sections enacted under taxation law apply throughout the county.  
 Entit: Code chapters that have entitlement provisions are optional, although the entitlement provisions themselves apply in any case.  
 Municipal chapters published by state  
 Chapters 24A, 33A, 50, 57 & 59 have been adopted pursuant to the authority granted under Article 28 of the state code  
 MNCPPC (Article 28) & WSSC (Article 29) are contained in state law

Note: not all the modifications made by the municipalities are indicated. Where a provision in a municipal code is in conflict with a County code provision, please check with the municipality directly to find out which provision prevails.

NOTE! If you believe there is an error on this chart, please contact Sharon Gemperle, Office of the County Attorney, 240-777-6753, email: [sharon.gemperle@montgomerycountymd.gov](mailto:sharon.gemperle@montgomerycountymd.gov)