

Expedited Bill No. 39-06
Concerning: Streets and Roads – Fees –
Preliminary Subdivision Plans
Revised: 9-26-06 Draft No. 2
Introduced: September 19, 2006
Enacted: October 31, 2006
Executive: November 8, 2006
Effective: November 8, 2006
Sunset Date: None
Ch. 40, Laws of Mont. Co. 2006

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) authorize the Department of Public Works and Transportation to set fees by method 2 regulation for the review of preliminary subdivision plans; and
- (2) generally amend the law governing streets and roads.

By adding

Montgomery County Code
Chapter 49, Streets and Roads
Section 49-33, Standards and specifications

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. Section 49-33 is amended as follows:**

2 **49-33. Standards and specifications.**

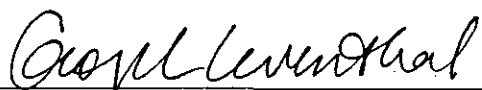
3 (a) Except as otherwise provided, the construction of all roads [shall] must
4 conform to the minimum requirements, standards, and specifications
5 provided in this article. [Whenever used in] In this article the word
6 “standards” means Montgomery County design standards, and the word
7 “specifications” means Montgomery County standard specifications. The
8 Montgomery County design standards and Montgomery County standard
9 specifications are hereby adopted and made a part of this article. The
10 “standards” and “specifications” adopted hereby may be amended by the
11 county executive by method 2 regulation. [adopted under method (2) of
12 section 2A-15 of this Code.] The [secretary] clerk of the county council
13 [shall] must keep among the official records the standards and
14 specifications, as adopted by the county council, [together with] and any
15 amendments [thereto]. The [secretary shall] clerk must also prepare and
16 make available to the public printed copies of this article and of such
17 standards and specifications[, and they shall]. These documents may be
18 [given such] provided for free [distribution] or sold for [such] a price [as
19 the] set by the county executive [may determine from time to time] or a
20 designee.

21 (b) The Department of Public Works and Transportation may set fees by
22 method 2 regulation for the costs of the review of any plan or document
23 submitted pursuant to the Subdivision Regulations in Chapter 50 or for
24 reviews requested under this Chapter. The fee must be based on the costs
25 of reviewing plans or documents and any staff participation in the
26 subdivision process. The Department must provide a copy of the current
27 regulation to the Montgomery County Planning Board.

28 **Sec. 2. Expedited Effective Date.**

29 The Council declares that this legislation is necessary for the immediate
30 protection of the public interest. This Act takes effect on the date on which it
31 becomes law.

32
33 *Approved:*


34 

George L. Leventhal, President, County Council

11/1/06

Date

35 *Approved:*

36 

Douglas M. Duncan, County Executive

11/1/2006

Date

37 *This is a correct copy of Council action.*

38 

Linda M. Lauer, Clerk of the Council

11/14/06

Date