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

<table>
<thead>
<tr>
<th><strong>Boldface</strong></th>
<th><strong>Heading or defined term.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Underlining</strong></td>
<td><strong>Added to existing law by original bill.</strong></td>
</tr>
<tr>
<td>[Single boldface brackets]</td>
<td><strong>Deleted from existing law by original bill.</strong></td>
</tr>
<tr>
<td><strong>Double underlining</strong></td>
<td><strong>Added by amendment.</strong></td>
</tr>
<tr>
<td>[[Double boldface brackets]]</td>
<td><strong>Deleted from existing law or the bill by amendment.</strong></td>
</tr>
<tr>
<td>* * *</td>
<td><strong>Existing law unaffected by bill.</strong></td>
</tr>
</tbody>
</table>

*The County Council for Montgomery County, Maryland approves the following Act:*
Sec. 1. Section 49-33 is amended as follows:

49-33. Standards and specifications.

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

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

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

Approved:

George L. Leventhal, President, County Council 11/1/06

Approved:

Douglas M. Duncan, County Executive 11/14/06

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council