

Bill No. 30-14
Concerning: -Streets and Roads - Right-
of-Way Permit - Fee - Exemption
Revised: 7/23/14 Draft No. 2
Introduced: May 6, 2014
Enacted: July 29, 2014
Executive: August 5, 2014
Effective: November 4, 2014
Sunset Date: None
Ch. 26, Laws of Mont. Co. 2014

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Berliner, Riemer, Elrich, Leventhal, Floreen, Andrews, and Navarro

AN ACT to:

- (1) waive the filing fee for certain right-of-way permits to install certain geographic area signs by certain organizations; and
- (2) generally amend the law governing right-of-way permits.

By amending

Montgomery County Code
Chapter 49, Streets and Roads
Section 49-35, Right-of-way permit

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:

Sec. 1. Section 49-35 is amended as follows:

49-35. Right-of-way permit.

* * *

(b) The Director must collect a fee, set by Method 3 regulation, for each right-of-way permit application. However, the Director must not collect a fee for any permit to [remove]:

- (1) remove a tree that endangers a person or property; [or]
- (2) remove a stump in the right-of-way; or
- (3) install a sign identifying a geographic area in the right-of-way if:

(A) the primary applicant is an unincorporated or non-profit civic or homeowners' organization that is either:

- (i) listed on the Planning Board's most recent list of civic and homeowners associations; or
- (ii) [[a non-profit organization that by law is]] exempt from federal income taxes and shows that its annual revenue during its most recent fiscal year did not exceed an amount set by a regulation; [[and]]

(B) in a homeowners' association, maintenance responsibility of all common areas has been transferred from the developer; and

(C) the proposed sign would be smaller than a maximum size set by regulation.

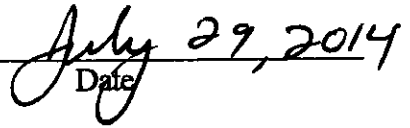
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27 *Approved:*

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Craig L. Rice, President, County Council


Date

31 *Approved:*

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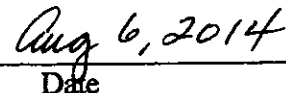
33 
Isiah Leggett, County Executive


Date

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

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Linda M. Lauer, Clerk of the Council


Date