

Bill No. 24-17
Concerning: Land Use Information -
Burial Sites
Revised: 10-27-17 Draft No: 8
Introduced: June 27, 2017
Enacted: October 31, 2017
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmember Rice, Council President Berliner and Councilmember Leventhal
Co-Sponsors: Councilmembers Katz, Navarro, Hucker, and Elrich

AN ACT to:

- (1) require the Planning Board to establish and maintain an inventory of burial sites in the County; and
- (2) generally amend the law relating to land use information function of the Planning Department.

By amending

Montgomery County Code
Chapter 33A, Planning Procedures
Sections 33A-17

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 33A-17 is amended as follows:**

2 **Article 4. Land Use information functions**

3 **33A-17. [Land use information functions] Information and referral services.**

4 (a) The Planning Board must provide [[informational]] information and
5 referral services on County land use and related regulatory functions to
6 interested members of the public. The services to be provided include
7 technical assistance and information on:

- 8 (1) master plans, including pending amendments;
9 (2) zoning, including pending cases and pending text amendments;
10 (3) subdivision control, including pending applications and
11 amendments to Chapter 50;
12 (4) growth policy and related regulatory requirements;
13 (5) federal, state, and local environmental regulations; and
14 (6) related administrative, regulatory, or legislative procedures
15 applicable to the Planning Board, Office of Zoning and
16 Administrative Hearings, Historic Preservation Commission,
17 Board of Appeals, other County regulatory agencies, Washington
18 Suburban Sanitary Commission, and County Council.

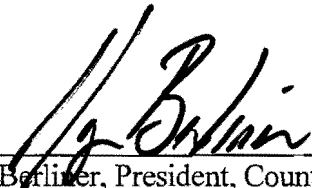
19 (b) A resource library must be maintained that contains:

- 20 (1) relevant laws, regulations, and administrative procedures;
21 (2) appropriate zoning and other maps;
22 (3) administrative and legislative hearing schedules;
23 (4) significant administrative and judicial land use decision; and
24 (5) master plans, policy documents, planning studies, and other
25 appropriate reference materials.

26 (c) All County departments, offices, and agencies must provide the planning
27 department with:

- 28 (1) requested materials (other than confidential documents) to ensure
 29 the availability to the public of current information[,]; and
 30 (2) the location and telephone number of the person or persons to
 31 whom inquiries may be referred.
- 32 (d) (1) In this subsection, a *burial site* means a physical location where
 33 human remains were buried in the earth, or entombed in a
 34 mausoleum or columbarium. A burial site includes a cemetery, but
 35 does not include the sprinkling of ashes from cremated remains.
- 36 (2) The Planning Board must maintain, and revise as appropriate, an
 37 inventory of burial sites located in the County. The inventory
 38 must:
- 39 (A) [[include each burial site located in an area of the County
 40 where the Planning Board is authorized to approve a
 41 subdivision;]]
- 42 [[B)] include a map and a description of each burial site,
 43 including ownership information when available;
- 44 [[C)](B) be made available to the public electronically; and
- 45 [[D)](C) be updated at least annually or as information
 46 becomes available.
- 47 (3) The Planning Board must establish a procedure for [[a person to
 48 request the addition of a]] additions or exclusions to the burial site
 49 [[to the]] inventory. The procedures must include [[a]]an outreach
 50 program.

Approved:



Roger Berliner, President, County Council

11/1/17

Date

Approved:

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Date