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: November 10, 2017

Effective: February 9, 2018

Sunset Date: None

Ch. 31 , Laws of Mont. Co. 2017

**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** *Heading or defined term.*

Underlining *Added to existing law by original bill.*

**[**Single boldface brackets**]** *Deleted from existing law by original bill.*

Double underlining *Added by amendment.*

**[[**Double boldface brackets**]]** *Deleted from existing law or the bill by amendment.*

\* \* \* *Existing law unaffected by bill.*

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Section 33A-17 is amended as follows:**

**Article 4. Land Use information functions**

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

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

(1) master plans, including pending amendments;

(2) zoning, including pending cases and pending text amendments;

(3) subdivision control, including pending applications and amendments to Chapter 50;

(4) growth policy and related regulatory requirements;

(5) federal, state, and local environmental regulations; and

(6) related administrative, regulatory, or legislative procedures

applicable to the Planning Board, Office of Zoning and Administrative Hearings, Historic Preservation Commission, Board of Appeals, other County regulatory agencies, Washington Suburban Sanitary Commission, and County Council.

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

(1) relevant laws, regulations, and administrative procedures;

(2) appropriate zoning and other maps;

(3) administrative and legislative hearing schedules;

(4) significant administrative and judicial land use decision; and

(5) master plans, policy documents, planning studies, and other

appropriate reference materials.

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

(1) requested materials (other than confidential documents) to ensure the availability to the public of current information**[**,**]**; and

(2) the location and telephone number of the person or persons to whom inquiries may be referred.

(d) (1) In this subsection, a *burial site* means a physical location where human remains were buried in the earth, or entombed in a mausoleum or columbarium. A burial site includes a cemetery, but does not include the sprinkling of ashes from cremated remains.

(2) The Planning Board must maintain, and revise as appropriate, an inventory of burial sites located in the County. The inventory must:

(A) **[[**include each burial site located in an area of the County where the Planning Board is authorized to approve a subdivision;**]]**

**[[**(B)**]]** include a map and a description of each burial site, including ownership information when available;

**[[**(C)**]]**(B) be made available to the public electronically; and

**[[**(D)**]]**(C) be updated at least annually or as information becomes available.

(3) The Planning Board must establish a procedure for **[[**a person to request the addition of a**]]** additions or exclusions to the burial site **[[**to the**]]** inventory. The procedures must include **[[**a**]]**an outreach program.

*Approved:*

/s/ 11/1/17

Roger Berliner, President, County Council Date

*Approved:*

/s/ 11/10/17

Isiah Leggett, County Executive Date

*This is a correct copy of Council action.*

/s/ 11/14/17

Linda M. Lauer, Clerk of the Council Date