

Expedited Bill No. 19-18  
Concerning: Technical Corrections  
Revised: 6/19/2018 Draft No. 2  
Introduced: May 15, 2018  
Enacted: June 19, 2018  
Executive: \_\_\_\_\_  
Effective: July 1, 2018  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

Lead Sponsor: County Council

---

**AN EXPEDITED ACT** to correct technical, typographical, grammatical, reference, and codification errors in, and make stylistic, clarifying, and conforming amendments to, various provisions of County law.

By amending

Montgomery County Code  
Chapter 5, Animal Control  
Section 5-201

Chapter 16, Elections  
Section 16-20

Chapter 22A, Forest Conservation – Trees  
Sections 22A-3 and 22A-12

Chapter 26, Housing and Building Maintenance Standards  
Section 26-2

Chapter 51A, Swimming Pools  
Sections 51-1 and 51-10

Chapter 52, Taxation  
Section 52-39

By renumbering

Chapter 30B  
Sections 30B-1, 30B-2, 30B-3, 30B-4, 30B-5, 30B-6, 30B-7, 30B-8, 30B-9, 30B-10,  
30B-11, 30B-12, 30B-13, and 30B-14

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<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. Sections 5-201, 16-20, 22A-3, 22A-12, 26-2, 51-1, 51-10, and 52-39 are amended and Chapter 30B (Sections 30B-1, 30B-2, 30B-3, 30B-4, 30B-5, 30B-6, 30B-7, 30B-8, 30B-9, 30B-10, 30B-11, 30B-12, 30B-13, and 30B-14) is renumbered as follows:**

**5-201. Cruelty.**

\* \* \*

(b) *Regulations.* The County Executive may issue regulations, consistent with State law, to interpret and implement State anti-cruelty laws in the County.

**Chapter [30B] 15A. ECONOMIC DEVELOPMENT.**

**Article I. Economic Development Corporation.**

**[30B-1] 15A-1. Policy objectives.**

\* \* \*

**[30B-2] 15A-2. Designation.**

\* \* \*

**[30B-3] 15A-3. Board of Directors.**

\* \* \*

**[30B-4] 15A-4. Status; incorporation; bylaws.**

\* \* \*

**[30B-5] 15A-5. Economic development program.**

\* \* \*

**[30B-6] 15A-6. Staff; support from County Government.**

\* \* \*

**[30B-7] 15A-7. Report.**

\* \* \*

## **Article II. Workforce Development.**

**[30B-8] 15A-8. Policy objectives.**

\* \* \*

**[30B-9] 15A-9. Designation.**

\* \* \*

**[30B-10]. 15A-10 Board of Directors.**

\* \* \*

**[30B-11] 15A-11. Status; incorporation; bylaws.**

\* \* \*

**[30B-12] 15A-12. Workforce development program.**

\* \* \*

**[30B-13] 15A-13. Staff; support from County Government.**

\* \* \*

**[30B-14] 15A-14. Report.**

\* \* \*

**16-20. Collecting qualifying contributions.**

\* \* \*

(d)[[(d)]] *Consumer Price Index adjustment*. The Chief Administrative Officer must adjust the contribution limit established in Subsection (b), effective July 1, 2018, and July 1 of each subsequent fourth year, by the annual average increase, if any, in the Consumer Price Index for the previous 4 calendar years. The Chief Administrative Officer must calculate the adjustment to the nearest multiple of 10 dollars, and must publish the amount of this adjustment not later than March 1 of each fourth year.

**22A-3. Definitions.**

\* \* \*

*Conditional use* means a use approved under Section [[59-]]7.3.1 of Chapter 59.

\* \* \*

*Minor subdivision* means a plan for a proposed subdivision or resubdivision prepared and submitted for approval by the Planning Director under Division 50.7 of Chapter ~~[[59]]~~ 50.

\* \* \*

*Site plan* means a plan or an amendment to a site plan approved under Section 7.3.4 of Chapter 59 or referred to in ~~[[Division]]~~ Section 7.7.1.B of Chapter 59.

\* \* \*

*Special exception* means a use approved as a conditional use under Section 7.3.1 or Section 7.7.1.B of Chapter 59 or referred to in ~~[[Division]]~~ Section 7.7.1.B of Chapter 59.

\* \* \*

*Watershed* means any area delineated as a watershed in the Montgomery County Municipal Separate Storm Sewer System (MS4) Permit Implementation Program, or any smaller area within the watershed that is delineated by the State of Maryland as a 12-Digit watershed. ~~[[.]]~~

\* \* \*

## **22A-12. Retention, afforestation, and reforestation requirements.**

\* \* \*

(f) *Special provisions for minimum retention, reforestation and afforestation.*

\* \* \*

(2) *Retention, reforestation and afforestation.* Forest retention should be maximized where possible on each site listed in this subsection. At a minimum, on-site forest retention, and in some cases reforestation and afforestation, must be required as follows:

\* \* \*

(B) In a planned development or a site development using a cluster or other optional method of development in a one-family residential zone, on-site forest retention must equal the applicable conservation threshold in subsection (a). This requirement also applies to any site seeking a waiver or variance from base zone standards under Sections 59.4.4.5.D, 59.4.4.6.D, ~~[[59-4.4.7.C]]~~ 59.4.4.7.C, ~~[[59-4.4.8.C]]~~ 59.4.4.8.C, ~~[[59-4.4.8.C, 59-4.4.9.C]]~~ 59.4.4.9.C, ~~[[59-4.4.10.C]]~~ 59.4.4.10.C, ~~[[59-8.3.2]]~~ 59.8.3.2, ~~[[59-4.9.16.B]]~~ 59.4.9.16.B, and ~~[[59-5.2]]~~ 59.5.2 if as a condition of the waiver or variance the Planning Board or County Council must find that the resulting development is environmentally more desirable.

\* \* \*

## **26-2. Definitions.**

\* \* \*

*Transient lodging facility:* ~~[[A]]~~ ~~[hostel]~~ ~~[[hotel, boardinghouse, tourist home, or rooming house]]~~ An Establishment defined and licensed under Chapter 54.

## **51-1. Definitions.**

\* \* \*

~~[Hostel]~~ Hotel has the same meaning as in Code § 54-1.

\* \* \*

## **51-10. Safety standards; lifeguards and spa guards.**

\* \* \*

(d) ~~[Hostels]~~ Hotels. Except for on Saturday and Sunday between 11:00 a.m. and 7:00 p.m., paragraph (b) does not apply to a pool that has a

water surface area less than 2,500 square feet located on the grounds of a [hostel] hotel for the exclusive use of its registered guests if:

- (1) the [hostel] hotel is properly licensed under Chapter 54;
- (2) the [hostel] hotel posts warning signs that meet the following:

\* \* \*

- (B) a safety sign is posted in a permanent location adjacent to a [hostel] hotel in compliance with the American National Standard for Public Spas;

\* \* \*

- (3) the pool area has a functional and visible emergency alert system approved by the Director of the Department of Health and Human Services that:

- (A) connects directly to 9-1-1; and

- (B) notifies an employee of the [hostel] hotel when activated; and

- (4) the [hostel] hotel has an employee with a valid infant/child/adult cardiopulmonary resuscitation (CPR) certificate from the American Red Cross, the American Heart Association, the National Safety Council, or a comparable program approved by the state Department of Health and Mental Hygiene, on the premises of the [hostel] hotel when the pool is open for use and no lifeguard is on duty.

## **52-39. Definitions.**

In this Article the following terms have the following meanings:

\* \* \*

*Residential* means the use of a building as a dwelling unit.

\* \* \*

(4) *Senior residential* means:

\* \* \*

(D) any household living unit constructed under Section 59.3.3.1 that is restricted by a covenant running with the land for housing persons who are 55 years of age or older. [[.]]

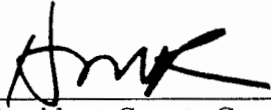
\* \* \*

**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 July 1, 2018.



*Approved:*



*June 20, 2018*

Hans D. Riemer, President, County Council

Date

*Approved:*

Isiah Leggett, County Executive

Date

*This is a correct copy of Council action.*

Megan Davey Limarzi, Esq., Clerk of the Council

Date