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|------------------|----------------|
| Introduced       | <u>1/3/17</u>  |
| Public Hearing   | <u>1/17/17</u> |
| Council Action   | <u>2/16/17</u> |
| Executive Action | <u>2/19/17</u> |
| Effective Date   | <u>4/1/17</u>  |

**County Council of Howard County, Maryland**

2017 Legislative Session

Legislative Day No. 1

Bill No. 4-2017

Introduced by: Jon Weinstein

AN Act requiring periodic reviews and certain revisions to the Howard County Design Manual;  
generally relating to standards for design and construction in Howard County.

Introduced and read first time January 3, 2017. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on January 17, 2017.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on February 1 2017 and Passed   , Passed with amendments   ✓  , Failed   .

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 9<sup>th</sup> day of February 2017 at 3 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

   Approved/Vetoed by the County Executive Feb 9, 2017

Allan H. Kittleman  
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland that the Howard  
2 County Code is amended as follows:

3 By amending:

4 Title 18 – Public Works.

5 Subtitle 10. – Department of Public Works.

6 Sec. 18.1001. - Department of Public Works.

7  
8 **Title 18 – Public Works.**

9 **Subtitle 10. - Department of Public Works.**

10  
11 **Sec. 18.1001. - Department of Public Works.**

- 12 (a) *Head.* The Director of Public Works shall be the head of the Department of Public Works.
- 13 (b) *Qualifications of Director of Public Works.* The Director of Public Works shall be appointed solely  
14 with regard to qualifications for the duties and responsibilities of the office. The Director shall be a  
15 registered professional engineer in Maryland. The Director shall have comprehensive knowledge of  
16 the principles and practices of civil engineering and Public Works administration. The Director shall  
17 have at least ten years of increasingly responsible experience in engineering and Public Works  
18 administration, including a minimum of five years in a managerial position in Public Works.
- 19 (c) *Duties and Responsibilities.* The Department of Public Works shall be responsible for the following  
20 functions:
- 21 (1) Developing and administering the capital projects, including, but not limited to:
    - 22 (i) Preparation of necessary plans, and other documents.
    - 23 (ii) Management and inspection, as appropriate, of construction.
    - 24 (iii) Participation with the Purchasing Agent in the tabulation and evaluation of bids and  
25 recommendation of contract awards.
  - 26 (2) Preparation of reports, studies, surveys, maps, plans, specifications and estimates for the  
27 County's public facilities and utilities.
  - 28 (3) Preparation of specifications in connection with the purchasing of materials, services, supplies  
29 and equipment.
  - 30 (4) Construction of County-owned buildings and improvements to them. Construction,  
31 improvement, alteration, operation, maintenance and repair of all County-owned roads, bridges,

1 water systems, sewerage systems and drainage facilities.

2 (5) Administration and enforcement of laws, rules and regulations relating to the use of the water  
3 and sewerage systems.

4 (6) ENSURING THAT THE HOWARD COUNTY DESIGN MANUAL IS REVIEWED AND REVISED IN  
5 ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

6 (7) Acceptance, on behalf of the County, of roads, drainage facilities and water and sewerage  
7 systems, and right-of-way, and easements related thereto, as provided by law.

8 ~~(7)~~ (8) Care and maintenance of County-owned or leased space, including alterations, repairs,  
9 cleaning, heating, cooling, lighting, power supply, floor covering, painting, and gardening.

10 ~~(8)~~ (9) Acquisition of land as prescribed by law and as directed by the County Executive.

11 ~~(9)~~ (10) Obtaining and administering agreements which provide for the construction of public  
12 facilities which the County may acquire upon completion of the terms of the agreement.

13 ~~(10)~~ (11) Collection of refuse and operation of facilities for the processing, handling, recycling and  
14 disposal of refuse.

15 ~~(11)~~ (12) Provision of engineering, architectural and surveying services for all agencies of County  
16 Government.

17 ~~(12)~~ (13) Managing property owned by the County and for obtaining leased space to be used by the  
18 County and agencies for which the County provides space, including:

19 (i) Renting or leasing land to be used by the County;

20 (ii) Renting or leasing buildings to be used by the County;

21 (iii) Renting or leasing County property to private individuals or companies, if the County does  
22 not have an immediate use for the property; and

23 (iv) Coordinating with agencies to determine their needs for additional or alternate space and  
24 arranging for securing that space in property owned or leased by the County.

25 ~~(13)~~ (14) Such other duties and responsibilities as may be prescribed by directive of the County  
26 Executive or by law.

27 (D) *DESIGN MANUAL.*

28 (1) WITH THE ASSISTANCE OF EACH APPROPRIATE AGENCY OF COUNTY GOVERNMENT, THE  
29 DEPARTMENT OF PUBLIC WORKS SHALL REVIEW EACH VOLUME OF THE HOWARD COUNTY DESIGN  
30 MANUAL TO ENSURE THAT EACH VOLUME IS COMPLETE, ACCURATE, AND REFLECTS THE LATEST  
31 AVAILABLE DATA AND BEST PRACTICES.

32 (2) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE REVIEW OF EACH VOLUME SHALL

1 OCCUR, AT THE LATEST, EVERY FIFTH YEAR IN ACCORDANCE WITH THE STAGGERED SCHEDULE  
2 ESTABLISHED BY COUNCIL BILL 4-2017.

3 (3) WITHIN 18 MONTHS AFTER EACH REVIEW IS COMPLETE, THE DEPARTMENT OF PUBLIC  
4 WORKS:

5 (I) SHALL SUBMIT REVISIONS TO THE COUNTY COUNCIL FOR APPROVAL; OR

6 (II) SHALL NOTIFY THE COUNTY COUNCIL THAT THE VOLUME OF THE HOWARD COUNTY  
7 DESIGN MANUAL DOES NOT REQUIRE ANY REVISIONS.

8 (4) FOR GOOD CAUSE, INCLUDING BUDGETARY CONSTRAINTS, THE DIRECTOR MAY ADJUST THE  
9 SCHEDULE REQUIRED BY THIS SUBSECTION. THE DIRECTOR SHALL NOTIFY PROMPTLY THE COUNTY  
10 COUNCIL WHENEVER AN ADJUSTMENT IS MADE AND INCLUDE THE REASONS FOR THE ADJUSTMENT.

11  
12 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that the*  
13 *Department of Public Works shall complete a review of the volumes of the Design Manual as follows:*

14 *September 1, 2018: Volume I - Storm Drainage;*

15 *September 1, 2021: Volume II - Water and Sewer;*

16 *September 1, 2024: Volume III - Roads and Bridges; and*

17 *September 1, 2027: Volume IV - Standard Specifications and Details for Construction.*


18 *Within 18 months after each listed date, the Department of Public Works shall submit revisions or a*  
19 *report indicating that no revisions are needed, in accordance with § 18.1001(d) of the County Code.*

20  
21 *Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland, that this Act*  
22 *shall become effective 61 days after its enactment.*

23  
24

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on February 9, 2017.

  
\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

Amendment 1 to Council Bill No. 4-2017

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 2  
Date: February 6, 2017

Amendment No. 1

*(This amendment clarifies that updates to the Design Manual may occur prior to the schedule specified in the legislation, and it clarifies that budgetary constraints may have an impact on meeting the proposed schedule.)*

- 1 On page 3, in line 1, after "OCCUR" insert "AT THE LATEST".
- 2
- 3 On page 3, in line 8, after "CAUSE," insert "INCLUDING BUDGETARY CONSTRAINTS".

ADOPTED 2/6/17  
FAILED \_\_\_\_\_  
SIGNATURE Jessica Edwards

6

1 OCCUR EVERY FIFTH YEAR IN ACCORDANCE WITH THE STAGGERED SCHEDULE ESTABLISHED BY COUNCIL  
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