

Introduced	<u>10/1/18</u>
Public Hearing	<u>10/15/18</u>
Council Action	<u>10/29/18</u>
Executive Action	<u>11/8/18</u>
Effective Date	<u>1/8/19</u>

## County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 13

Bill No. 74-2018

Introduced by: Jon Weinstein

AN ACT repealing and reenacting the Exemptions Subsection of Section 6 of Council Bill 56-2018 to clarify that certain exemptions are not to increase the amount of impervious surface in the watershed; to create exemptions to the “Tiber Branch Watershed and Plumtree Branch Watershed Safety Act” for the relocation of historic properties and the Department of Planning and Zoning and Hearing Authority approvals; to specify that certain county approvals were allowed as exemptions; and generally relating to the Tiber Branch Watershed and Plumtree Branch Watershed Safety Act.

Introduced and read first time October 1, 2018. 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 October 15 2018.  
 By order Jessica Feldmark  
 Jessica Feldmark, Administrator

This Bill was read the third time on October 29 2018 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 1<sup>st</sup> day of November 2018 at 1<sup>00</sup> a.m./p.m.  
 By order Jessica Feldmark  
 Jessica Feldmark, Administrator

Approved by the County Executive 11/8, 2018  
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*  
2 *Section 6.D “Exemptions.” of Council Bill 56-2018 is repealed and reenacted to read as*  
3 *follows:*

4 *D. Exemptions. The restrictions in this Act shall not apply to the following:*

- 5 *1. Any proposed construction on real property that drains in whole or in part*  
6 *to the Tiber-Hudson Watershed or the Plumtree Branch Watershed*  
7 *involving the reconstruction or repair of improvements on real property*  
8 *damaged by fire, flood, or other natural disaster which results in no*  
9 *increase of the square footage of impervious surfaces that existed on the*  
10 *property prior to the natural disaster; or*
- 11  
12 *2. Any proposed construction on real property that drains in whole or in part*  
13 *to the Tiber Branch Watershed or the Plumtree Branch Watershed that*  
14 *does not increase the square footage of the impervious surfaces on the*  
15 *property over the square footage of impervious surfaces that existed on*  
16 *the property prior to the Effective Date of this Act; or*
- 17  
18 *3. Any proposed construction that is exclusively devoted to improving storm*  
19 *water management on existing developed property that drains in whole or*  
20 *in part to the Tiber Branch Watershed or the Plumtree Branch Watershed;*  
21 *or*
- 22  
23 *4. Any proposed construction related to the relocation of historic structures,*  
24 *as defined in Section 16.601 of the County Code; or*
- 25  
26 *5. Any Department of Planning and Zoning or Hearing Authority approvals*  
27 *that do not involve construction; or*
- 28  
29 *6. Any Department of Planning and Zoning or Hearing Authority approvals*  
30 *that are required for construction exempted by this subsection.”.*

1 *Section 2. And Be It Further Enacted by the County Council of Howard County,*  
2 *Maryland, that this Act shall become effective 61 days after its enactment.*

3

4

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on November 8, 2018.

  
\_\_\_\_\_  
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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
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 \_\_\_\_\_, 2018.

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