



# Howard County

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## Internal Memorandum

**Subject:** Testimony and Fiscal Impact Statement  
Council Bill No. 10-2019 – To provide a right of entry on a private property for the purpose of discharges in waterways of the County.

**To:** Lonnie R. Robbins  
Chief Administrative Officer

**From:** James M. Irvin, Director *Jim I*  
Department of Public Works

**Date:** March 8, 2019

The Department of Public Works supports the above referenced legislation as it will help to resolve an ongoing problem of not having prompt access to private property to remove debris that is blocking county waterways. Debris in waterways is a serious public safety issue because it can obstruct storm flow during severe weather events and cause flooding. During flash flood events, debris is also a threat to public safety and property because storm flow can cause debris to strike buildings, vehicles and people at a high velocity causing damage or injury.

Currently, the County does not have the authority to enter private property to remove debris when there is not an imminent life safety emergency and obtaining the proper access agreements can take several months. As we prepare for another storm season, it is critically important that the County has every tool at its disposal to keep residents safe. This includes the ability to remove potentially harmful debris from the waterway before it becomes a public safety issue. This legislation is a necessary step towards the County's important mission of maintaining public safety by proactively reducing the conditions that could cause flooding or damage persons or property.

Although the legislation will shorten the lengthy access process currently used, the Department will still notify property owners prior to entering private property and will negotiate with individual property owners for quick access to the location of debris.

The second part of the legislation clarifies existing authority for the Department to enforce violations when illegal dumping occurs in waterways that could also jeopardize public safety.

Initially, the Department does not think that the legislation will have a significant fiscal impact. The impact could increase if we have any significant storms events that generate a major cleanup effort. These cleanup efforts could cost \$50,000 to \$100,000 per event.