

Introduced 4/1/19
Public Hearing 4/22/19
Council Action 5/6/19
Executive Action 5/13/19
Effective Date 7/13/19

County Council of Howard County, Maryland

2019 Legislative Session

Legislative Day No. 5

Bill No. 12 -2019

Introduced by: The Chairperson at the request of the County Executive

AN ACT repealing the Fire and Rescue Services Board; removing certain references to the Fire and Rescue Services Board; and generally relating to Boards and Commissions in Howard County.

Introduced and read first time April 1, 2019. 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 the Charter, the Bill was read for a second time at a public hearing on April 22, 2019.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on May 6, 2019 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 9th day of May, 2019 at 3 a.m. (p.m.)

By order Jessica Feldmark
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive May 13, 2019

Calvin Ball
Calvin Ball, 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
4 *By amending:*

- 5 1. *Title 2. Administrative Procedure*
6 *Subtitle 1. Administrative Procedure Act*
7 *Section 2.103(b)*
8
- 9 2. *Title 2. Administrative Procedure*
10 *Subtitle 1. Administrative Procedure Act*
11 *Section 2.109(b)*
12
- 13 3. *Title 17. Public Protection Services.*
14 *Subtitle 1. Fire and Rescue Services.*
15 *Section 17.103(h).*
16

17 *By repealing:*

- 18 1. *Title 6. County Executive and the Executive Branch.*
19 *Subtitle 3. Boards and Commissions.*
20 *Section 6.322.*
21
- 22 2. *Title 17. Public Protection Services.*
23 *Subtitle 1. Fire and Rescue Services.*
24 *Section 17.101.*
25

26 **Title 2. Administrative Procedure.**
27 **Subtitle 1. Administrative Procedure Act.**
28

29 **Section 2.103. - Applicability.**

30 (b) *This article does not apply to the following Agencies:* The Adult Public Guardianship Review
31 Board, the Advisory Board on Consumer Protection, the Board of Appeals, the Board of Library

1 Trustees, the Board of License Commissioners, the Board of Social Services, the Cable Advisory
2 Committee, the Commission on Aging, the Design Advisory Panel, [[the Fire and Rescue Services
3 Board,]] the Historic Landmarks and Sites Board, the Mental Health Advisory [[Board]]BOARD,
4 the Plumbing Advisory Board, the Public Works Board, the Recreation and Parks Board, the
5 Alcohol and Drug Abuse Advisory Board, the Commission on Disabilities, the Local Children's
6 Board, and the Soil Conservation District.

7

8 **Section 2.109. - Applicability.**

9 (b) *This article does not apply to the following Agencies:* The Adult Public Guardianship Review
10 Board, the Advisory Board on Consumer Protection, the Board of Appeals, the Board of Library
11 Trustees, the Board of License Commissioners, the Board of Social Services, the Cable Advisory
12 Committee, the Commission on Aging, [[the Fire and Rescue Services Board,]] the Historic
13 Landmarks and Sites Board, the Mental Health Advisory Board, the Plumbing Advisory Board,
14 the Public Works Board, the Recreation and Parks Board, the Alcohol and Drug Abuse Advisory
15 Board, the Commission on Disabilities, the Local Children's Board, and the Soil Conservation
16 District.

17

18 **Title 6. County Executive and the Executive Branch.**

18

19 **Subtitle 3. Boards and Commissions.**

19

20

21 **[[Section 6.322. - Fire and Rescue Services Board.**

21

22 There is a Fire and Rescue Services Board. Its membership and duties and responsibilities are set
23 forth in subtitle 1, "Fire Protection," of title 17, "Public Protection Services," of the Howard County
24 Code.]]

25

26 **Title 17. Public Protection Services.**

26

27 **Subtitle 1. Fire and Rescue Services.**

27

28

29 **[[Section 17.101. - Fire and Rescue Services Board.**

29

1 (a) *General Provisions.* General provisions applicable to this board are set forth in subtitle 3,
2 "Boards and Commissions," of title 6, "County Executive and the Executive Branch," of the
3 Howard County Code.

4 (b) *Number of Members.* The Fire and Rescue Services Board shall have seven members, all
5 residents of Howard County.

6 (c) *Selection of Members.* Six of the members shall be appointed by the County Executive and
7 confirmed by the County Council from names submitted by the Howard County Volunteer
8 Firefighter's Association, which shall determine the qualifications of those six members. One
9 member shall serve as a citizen advisory member and shall be appointed by the County Executive
10 and confirmed by the County Council.

11 (d) *Terms.* The Howard County Volunteer Firefighter's Association shall determine the initial
12 terms of six members which it submits for appointment to the Fire and Rescue Services Board so
13 that the terms of the members first appointed pursuant to this section shall serve staggered terms
14 of one, two, three, four and five years. The members appointed by the County Executive shall
15 serve a term of five years.

16 (e) *Executive Secretary.* The Director of Fire and Rescue Services or the Director's designee shall
17 serve as Executive Secretary of the Fire and Rescue Services Board and shall attend all meetings
18 of the Board.

19 (f) *Duties and Responsibilities.* The Fire and Rescue Services Board shall carry out all duties
20 and responsibilities assigned to it by law, including the following:

21 (1) *Advice and consultation.* The Fire and Rescue Services Board shall advise and consult
22 with the County Executive, the Director of Fire and Rescue Services, and other County
23 Officials and employees on matters concerning the administration of:

- 24 (i) Fire suppression and prevention.
- 25 (ii) Rescue services.
- 26 (iii) Fire training.
- 27 (iv) Arson investigation.
- 28 (v) Fire communications activities.
- 29 (vi) Emergency medical services.

30 (2) *Nominee for Director of Fire and Rescue Services.* When there is a vacancy in the position
31 of Director of Fire and Rescue Services, the County Executive shall provide to the Fire

1 and Rescue Services Board for review and comment, the names and a copy of their
2 resumes of the County Executive's top three choices to fill the vacancy. The Board shall
3 provide comments to the County Executive within 15 business days after receiving the
4 names. A new Director of Fire and Rescue Services may not be appointed until the 15
5 days has passed.

6 (3) *Other matters.* At the directive of the County Executive, Fire Chief, or by resolution of the
7 County Council, the Fire and Rescue Services Board shall review and make
8 recommendations on any matter related to fire or rescue services.]]

9
10 **Section 17.103. - Payments to volunteer fire corporations.**

11 (h) *Length of service award program for volunteer firefighting/EMS personnel.*

12 (9) *Active service standards:*

13 (i) To receive credit for a year of active service, a volunteer must have accumulated at
14 least 50 creditable points during the year.

15 (ii) Points shall be credited for the period from January 1 through December 31 and shall
16 not be transferrable from one year to the next.

17 (iii) Volunteers who also serve as career or contingent firefighting/EMS personnel of the
18 Howard County Department of Fire and Rescue Services shall not be credited with
19 points for activities performed during County-assigned work periods.

20 (iv) Points must be earned from a minimum of two of the categories contained in
21 subparagraph (v) of this paragraph.

22 (v) Points shall be credited as follows:

23 a. *Training course.* Twenty-five points maximum per year:

24 1. Five points per course for courses under 20 hours' duration, including one-
25 day courses, seminars, cardio-pulmonary resuscitation and similar training
26 courses.

27 2. Ten points per course for courses of 20 to 45 hours' duration, including
28 regional fire schools and similar courses.

29 3. Fifteen points per course for courses of over 45 hours' duration, including
30 University of Maryland fire-related courses, emergency medical care

1 courses, fire science courses of any accredited college or university and
 2 similar courses.

3 b. *Drills.* Twenty points maximum per year. One point for each minimum two-hour
 4 drill.

5 c. *Sleep-in or standby.* Thirty points maximum per year.

6 1. One point for each full night sleep-in.

7 2. One point for each standby which is an on-duty activity which consumes at
 8 least four hours and does not fall into any other category.

9 d. *Elected or appointed position.* Fifty points maximum per year. Points will be
 10 awarded on a monthly basis for the time served. Points may not be concurrently
 11 credited for this category and under subparagraph e. below for attending
 12 meetings within Howard County. Points will be awarded in only one of the
 13 categories below. However, individuals serving in more than one category may
 14 be awarded 12 additional points (one point per month) for each other
 15 Office/Committee position held.

Office	Maxi- mum Annual	Points per Month
Chief, President, Treasurer, Secretary	50	4.16
All other elected corporate, County or State association offices	25	2.08
[[Fire and Rescue Services Board representative	25	2.08]]
Committees	25	2.08
Uniformed service	50	4.16

16 e. *Attendance at meetings.* Twenty points maximum per year. One point per
 17 meeting.

18 f. *Responses.* Forty points maximum per year. One-half point for each response,
 19 regardless of its nature.

20 g. *Uniformed service.* A maximum of four years creditable service may be acquired
 21 for military service as provided in this item. Up to 50 points per year shall be

1 credited if volunteer service is interrupted by uniformed service, provided the
2 volunteer:

- 3 I. Is an active member in good standing;
- 4 II. Has at least one year of prior volunteer service;
- 5 III. Provides official orders or proof of service; and
- 6 IV. Is discharged or released from uniformed service under honorable
7 conditions.

8 h. *Permanent disability.* Fifty points per year shall be credited to any volunteer who
9 is found to be permanently and totally disabled by an administrative body or court
10 of competent jurisdiction authorized to make such a determination in the line of
11 duty as a volunteer.

12
13 ***Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that***
14 ***this Act shall become effective 61 days after its enactment.***

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on May 13, 2019.



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 _____, 2019.

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 _____, 2019.

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 _____, 2019.

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 _____, 2019.

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 _____, 2019.

Jessica Feldmark, Administrator to the County Council