

Introduced 09.06.2022
Public hearing 09.19.2022
Council action 10.3.2022
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2022 Legislative Session

Legislative Day No. 13

BILL NO. 55 - 2022

Introduced by: Deb Jung

AN ACT to enable the Zoning Board to issue a subpoena in certain circumstances; and generally relating to Zoning matters.

Introduced and read first time Sept 6, 2022. Ordered posted and hearing scheduled.

By order

Michelle Harrod
Michelle Harrod, 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 Sept 19, 2022.

By order

Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on Oct 3, 2022 and Passed , Passed with amendments , Failed .

By order

Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2022 at ___ a.m./p.m.

By order

Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2022

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 *By amending:*

4 *Title 16 - Planning, Zoning and Subdivisions and Land Development Regulations.*

5 *Subtitle 2. - Zoning.*

6 *Section. 16.206. Conduct of hearings.*

7
8
9
10 **HOWARD COUNTY CODE**

11 **Title 16 - Planning, Zoning and Subdivisions and Land Development Regulations.**

12 **Subtitle 2. – Zoning.**

13 **Sec. 16.206. Conduct of hearings.**

14 (A) All public hearings on piecemeal map amendment or development plan petitions shall
15 be conducted in accordance with the rules of procedure adopted by the Zoning Board insofar as they
16 do not conflict with the Howard County Administrative Procedure Act.

17 (B) THE ZONING BOARD MAY ISSUE SUBPOENAS DECIDED THROUGH A MAJORITY VOTE IN
18 AID OF HEARINGS HELD UNDER THIS SECTION.

19 (C)(1) The Board shall prepare an official record of its proceedings in each case, which shall
20 include testimony and exhibits; but it shall not be necessary to transcribe the testimony unless
21 requested for court review.

22 (2) Every decision and final order in a piecemeal map amendment or
23 development plan case shall be in writing, signed by a majority of the entire board, attested by the
24 administrative assistant to the Board, and shall be accompanied by findings of fact and conclusions of
25 law and shall be made a part of the record of proceedings.

26 (3) The final order of the Zoning Board denying or granting the petition for a
27 piecemeal map amendment, or approving or disapproving a development plan, shall be filed with the
28 Department of Planning and Zoning, which shall maintain it as part of the official records of the
29 County.

30
31 **Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act**
32 **shall become effective 61 days after its enactment.**

Amendment 1 to Council Bill No. 55-2022

BY: Deb Jung

Legislative Day No. 14

Date: October 3, 2022

Amendment No. 1

(This amendment limits who may be the subject of a subpoena.)

1 On page 1, in line 18, before the period, insert “; HOWEVER, A SUBPOENA MAY BE ISSUED ONLY TO
2 AN EMPLOYEE, OFFICIAL, OR REPRESENTATIVE OF A UNIT OF COUNTY GOVERNMENT AND MAY NOT
3 BE ISSUED TO A PARTY”.

Not Introduced - Late Filed
10-3-2022
Michelle Harrod

FAILED
Nay - 2
Yes - 3
Needs 4 votes

