

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2016 Legislative Session

Legislative Day No. **2**

Bill No. 12 -2016

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

AN ACT reorganizing the Executive Branch of County Government pursuant to Section 403 of the Howard County Charter; ~~transferring certain functions currently performed by the Department of Housing and Community Development to the Department of Citizen Services;~~ creating a new Office of ~~Housing and~~ Community Partnerships within the Department of Citizen Services and setting forth the duties of the Office; correcting the positions that are appointed by certain appointing authorities; amending the duties and responsibilities of certain offices; renaming the Department of Citizen Services to be the Department of Community Resources and Services; renaming the Office on Aging to be the Office on Aging and Independence; renaming the Office of Consumer Affairs to be the Office of Consumer Protection; renaming the Office of Children's Services to be the Office of Children and Families; ~~renaming the Commission on Aging to the Commission on Aging and Independence;~~ renaming the Advisory Board on Consumer Affairs to be the Advisory Board on Consumer Protection; providing that certain employees of the Howard County Housing Commission are members of the County Retirement Plan and eligible for Other Post-Employment Benefits; providing for certain legal representation of the Howard County Housing Commission; adding additional qualifications for the Howard County Housing Commission's voting commissioners; making certain technical corrections; and generally relating to the Executive Branch of County Government.

Introduced and read first time _____, 2016. Ordered posted and hearing scheduled.

By order _____
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 _____, 2016.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2016 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2016 at ____ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2016

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**
2 **Howard County Code is amended as follows:**

3 **By amending:**

4 *Title 1- Human Resources*

5 *Section 1.306 “Executive Exempt”*

6 *paragraphs (1) and (6) of subsection (b)*

7

8 *Section 1.406 “Definitions”*

9 *Paragraph (4) of subsection (h), paragraph (2) of subsection (r), and subsection*
10 *(w)*

11

12 *Section 1.404B “Definitions”*

13 *Subsection (e)*

14

15 *Section 1.405B “Purpose and scope of trust”*

16 *Subsection (b)*

17

18 *Title 2 - Administrative Procedure*

19 *Section 2.103 “Applicability”*

20 *Subsection (b)*

21

22 *Section 2.109 “Applicability”*

23 *Subsection (b)*

24

25 *Title 4 - Contracts, Purchasing and Property*

26 *Section 4.202 “Acceptance and disposition of surplus school property”*

27 *Subsection (d)*

28

29 *Title 6 - County Executive and the Executive Branch.*

30 *Section 6.202 “Department of Citizen Services”*

31

1 ~~Section 6.313 “Commission on Aging”~~

2

3 Section 6.317 “Advisory Board on Consumer Affairs”

4

5 Title 12 - Health and Social Services.

6 Section 12.300. Local Children's Board established; purpose.

7 Subsections (a) and (b)

8

9 Section 12.301 “Membership of Local Children's Board; appointment”

10 Subparagraph (iv) of paragraph (2) of subsection (c)

11

12 ~~Section 12.500 “Office on aging”~~

13 ~~Subsections (b), (c), and (d)~~

14

15 Section 12.500 “Office on aging”

16 Subsections (b), (c), (d) and (e)

17

18 Section 12.501 “Commission on Aging”

19 Subsections ~~(b), (c),~~ (d) and (e)

20

21 Section 12.701 “Membership”

22 Subsection (d)

23

24 Section 12.901 “Department of Citizen Services”

25

26 Section 12.1500 “Office for Children's Services”

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28 Section 12.1701 “Membership”

29 Paragraph (3) of subsection (d)

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31 Section 12.1706 “Committees; operating procedures; staffing”

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Subsection (e)

Title 13 - Housing and Community Development

~~*Section 13.100 "General Provisions"*~~

Section 13.101 "Department of Housing and Community Development"

Paragraphs (5), (6) and (7) of Subsection (d)

~~*Section 13.102 "Transitional provision"*~~

Section 13.103 "Federal, State, and local grants"

Subsections (c) and (d)

~~*Section 13.201 "Organization"*~~

~~*Subsection (e)*~~

Section 13.202 "Powers and duties"

~~*Paragraph (iii) of Subsection (3) and Subsection (4)*~~ *Subsections (6), (7), (8) and (9)*

~~*Section 13.302 "Authorization procedure"*~~

~~*Subsection (a)*~~

Section 13.303 "Remedy for nonpayment"

~~*Section 13.401 "Definitions"*~~

Section 13.402 "Development procedures; moderate income housing unit agreement; alternative"

Paragraph (2) of Subsection (e) and Paragraph (3) of Subsection (f)

Section 13.403 "Prices for moderate income housing units offered for sale; rates for rental units"

1 *Paragraph (3) of Subsection (a)*
2
3 *Section 13.500 “Definitions”*
4 *Subsection (f)*
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6 *Section 13.501 “Establishment”*
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8 *Section 13.600 “Definitions”*
9 *Subsection (h)*
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11 *Section 13.601 “Establishment”*
12
13 *Section 13.611 “Documents and closing”*
14 *Subsection (e)*
15
16 *Section 13.701 “Establishment”*
17
18 *Section 13.702 “Definitions”*
19 *Subsection (g)*
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21 *Section 13.708 “Power and duties of Department”*
22 *Paragraph (4) of Subsection (b)*
23
24 *Section 13.800 “Definitions”*
25 *Subsection (l)*
26
27 *Section 13.801 “Establishment”*
28
29 *Section 13.812 “Loan documents and closing”*
30 *Subsection (e)*
31

1 ~~Section 13.900 “Definitions”~~
2 ~~Subsection (f)~~
3
4 ~~Section 13.901 “Establishment”~~
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6 ~~Section 13.1000 “Definitions”~~
7 ~~Subsection (h)~~
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9 ~~Section 13.1201 “Definitions”~~
10 ~~Subsection (e)~~
11
12 Section 13.1202 “Lease extensions”
13 Paragraph (4) of Subsection (f)
14
15 Section 13.1204 “Administration, violations, enforcement, penalties”
16 Subsection (a) and Subsection (c)
17
18 Section. 13.1305 “Composition; appointments; terms.”
19
20 Section 13.1307 “Chairperson; liaison to the Housing and Community
21 Development Board; staff; legal services”
22 Subsection (d)
23
24 ~~Section 13.1400 “Definitions”~~
25 ~~Subsection (b)~~
26
27 Section 13.1500 “Prohibited participation”
28
29 Title 14 - Licenses, Permits and Inspections
30 Section 14.700 “Definitions”
31 Subsection (a)

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Section 14.706 “Exceptions”

Subparagraph c. of Paragraph (8) of Subsection (a)

Section 14.710 “Penalty”

Title 16 – Planning, Zoning and Subdivision and Land Development Regulations

Section 16.501 “Licenses generally”

Subsection (c)

~~*Section 16.1104 “Housing Unit Allocation Process”*~~

~~*Subparagraph (ii) of Paragraph (1) of Subsection (e)*~~

Title 17 – Public Protection Services

Section 17.400 “Definitions”

Subsections (f) and (g)

Section 17.401 “Office of Consumer Affairs”

Subsections (b) and (c) and Paragraph (4) of Subsection (d)

Section 17.402 “Advisory Board on Consumer Affairs”

Subsections (b), (d) and (f)

Section 17.408 “Procedures and enforcement”

Paragraph (1) of Subsection (b) and Subsection (f)

Section 17.412 “Penalties”

Subsection (a)

Section 17.504 “Administration, enforcement and penalties”

Subsections (a), (b) and (d)

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Section 17.602 “Administration; rates; registration; hearing”

Section 17.603 “Public notice; tow procedures”

Paragraph (2) of Subsection (b) and Paragraph (1) of Subsection (c)

Section 17.604 “Notice”

Subsections (a), (c), (e) and (f)

Section 17.608 “Redemption and storage procedures”

Paragraph (4) of Subsection (d), Subsection (e) and Subsection (g)

Section 17.611 “Penalties”

Title 20 – Taxes, Charge and Fees

Section 20.129 “Property tax credit for senior citizens”

Subsection (f)

Section 20.129C “Property tax credit for accessibility features”

Subsection (h)

Title 22 – General Provisions

Section 22.206 “Financial Disclosure Statements”

Subsection (c)

By repealing:

~~*Title 6 – County Executive and the Executive Branch*~~

~~*Section 6.211 “Department of Housing and Community Development”*~~

By adding:

Title 12. Health and Social Services.

1 Subtitle 19. Office of Community Partnerships.

2 **Title 1. Human Resources.**

3 **Subtitle 3. Pay Plan.**

4
5 **Section 1.306. Executive exempt.**

6 (b) *Appointing Authorities.* Appointing authorities for executive exempt employees are
7 as provided in this subsection.

8 (1) *County Executive.* The County Executive is the appointing authority for
9 the:

10 Executive Assistant I, serving as the Assistant to the County Executive;

11 Administrative Assistant, serving as the Secretary to the County
12 Executive;

13 Administrative Assistant, Constituent Relations Assistant to the County
14 Executive;

15 Administrative Assistant, serving as the Secretary to the Chief of Staff;
16 Chief Administrative Officer;

17 Chief of Staff;

18 Director of [[Citizen]] COMMUNITY RESOURCES AND Services;

19 Director of Corrections;

20 Director of Finance;

21 Chief of Fire and Rescue Services;

22 ~~Director of Housing and Community Development;~~

23 Director of Inspections, Licenses and Permits;

24 Director of Planning and Zoning;

25 Chief of Police;

26 Director of Public Works;

27 Director of Recreation and Parks; and

28 Director of Technology and Communication Services.

29 (6) [[Citizen]] COMMUNITY RESOURCES AND Services. The Director
30 of [[Citizen]] COMMUNITY RESOURCES AND Services, with the approval of
31 the County Executive, is the appointing authority for the:

1 Human Services Manager II, serving as the Deputy Director of
2 [[Citizen]]COMMUNITY RESOURCES AND Services;
3 Human Services Manager [[I]]II, serving as the Administrator on Aging
4 AND INDEPENDENCE;
5 Human Services Manager I, serving as the Administrator of the Office
6 [[for Children's Services]]OF CHILDREN AND FAMILIES;
7 [[Human Services Specialist III, serving as the Local Children's Board
8 coordinator;]]
9 [[Human Services Specialist III, serving as the Grants
10 coordinator]]HUMAN SERVICES MANAGER I, SERVING AS THE
11 ADMINISTRATOR OF THE OFFICE OF HOUSING AND COMMUNITY
12 PARTNERSHIPS; and
13 Human Services Manager I, serving as the Consumer [[Affairs]]
14 PROTECTION Administrator.

15
16 **Title 1. Human Resources.**
17 **Subtitle 4. Retirement Plans.**
18 **Article 1. Generally.**
19

20 **Section 1.406. Definitions.**

21 The following terms, as used herein, unless a different meaning is clearly implied by the
22 context, shall have the following meanings:

23 (h) *Benefited employee.* Except as provided in paragraph (3) below, benefited employee
24 means:

- 25 (4) A benefited employee shall include full-time or part-time employees of the
26 Economic Development [[Authority]] AUTHORITY, THE HOWARD COUNTY
27 HOUSING COMMISSION, and the Howard Soil Conservation District;
28 provided that benefited employees of the Howard County Economic
29 Development [[Authority]] AUTHORITY, THE HOWARD COUNTY HOUSING
30 COMMISSION, and the Howard Soil Conservation District shall include

1 Advisory Board, the Public Works Board, the Recreation and Parks Board, the Alcohol
2 and Drug Abuse Advisory Board, the Commission on Disability Issues, the [[Council for
3 Children and Youth]]LOCAL CHILDREN’S BOARD, and the Soil Conservation District.

4
5 **Title 2. Administrative Procedure.**

6 **Subtitle 1. Administrative Procedure Act**

7 **Article III. Contested Cases**

8
9 **Section 2.109. Applicability.**

10 (b) *This Article Does Not Apply to the Following Agencies:* The Adult Public
11 Guardianship Review Board, the Advisory Board on Consumer [[Affairs]]PROTECTION,
12 the Board of Appeals, the Board of Library [[trustees]]TRUSTEES, the Board of License
13 Commissioners, the Board of Social Services, the Cable Advisory Committee, the
14 Commission on Aging ~~AND INDEPENDENCE~~, the Fire and Rescue Services Board, the
15 Historic Landmarks and Sites Board, the Mental Health Advisory Board, the Plumbing
16 Advisory Board, the Public Works Board, the Recreation and Parks Board, the Alcohol
17 and Drug Abuse Advisory Board, the Commission on Disability Issues, the [[Council
18 for Children and Youth]]LOCAL CHILDREN’S BOARD, and the Soil Conservation District.

19
20 **Title 4. Contracts, Purchasing and Property.**

21 **Subtitle 2. Real Property.**

22
23 **Section 4.202. Acceptance and disposition of surplus school property.**

24 (d) *Surplus School Use Committee.* Also within 45 days after notification by the Howard
25 County Board of Education that a particular school and site is no longer needed for
26 education purposes, the Howard County Council, by resolution, shall appoint a surplus
27 school use committee. The surplus school use committee shall be composed of ten
28 members and six nonvoting ex officio members. Seven of the ten members shall
29 represent the following areas: Human services, education, government, culture and arts,
30 housing, and the community. In addition, there shall be three at-large members. The ex
31 officio members shall include representation from the Department of Public Works,

1 [[housing and community development]] THE DEPARTMENT OF COMMUNITY RESOURCES
2 AND SERVICES, THE HOWARD COUNTY HOUSING COMMISSION, THE DEPARTMENT OF
3 HOUSING AND COMMUNITY DEVELOPMENT, THE [[economic development]] ECONOMIC
4 DEVELOPMENT AUTHORITY, the [[Fire]] Department OF FIRE AND RESCUE SERVICES, the
5 [[budget office]]OFFICE OF BUDGET, and the County Council. The committee may call
6 upon the County Executive to provide experts as needed.

7
8 **Title 6. County Executive and the Executive Branch.**

9 **Subtitle 2. Administrative Departments and Offices.**

10
11 **Section 6.202. Department of [[Citizen]] COMMUNITY RESOURCES AND Services.**

12 (a) *Department of [[Citizen]] COMMUNITY RESOURCES AND Services.* There is a
13 Department of [[Citizen]] COMMUNITY RESOURCES AND Services. The qualifications of
14 its Director and the nature of its duties and responsibilities are set forth in subtitle 9,
15 "Department of [[Citizen]]COMMUNITY RESOURCES AND Services," of title 12, "Health
16 and Social Services," of [[the Howard County]]THIS Code.

17 (b) *Office on Aging AND INDEPENDENCE.* There is an Office on Aging AND
18 INDEPENDENCE. The qualifications of its Administrator and the nature of its duties and
19 responsibilities are set forth in subtitle 5, "Older Howard Countians Act," of title 12,
20 "Health and Social Services," of [[the Howard County]]THIS Code.

21 (c) *Office of Consumer [[Affairs]]PROTECTION.* There is an Office of Consumer
22 [[Affairs]] PROTECTION. The qualifications of its Administrator and the nature of its
23 duties and responsibilities are set forth in subtitle 4, "Consumer Protection," of title 17,
24 "Public Protection Services," of [[the Howard County]]THIS Code.

25 (D) THERE IS AN OFFICE OF CHILDREN AND FAMILIES AND THE NATURE OF ITS DUTIES AND
26 RESPONSIBILITIES ARE SET FORTH IN TITLE 12, SUBTITLE 15 OF THIS CODE.

27 (E) THERE IS AN OFFICE OF ~~HOUSING AND~~ COMMUNITY PARTNERSHIPS AND THE NATURE
28 OF ITS DUTIES AND RESPONSIBILITIES ARE SET FORTH IN TITLE ~~13~~ 12, SUBTITLE ~~4~~ 19 OF THIS
29 CODE.

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

2 **Subtitle 3. Boards and Commissions.**

3
4 **Section 6.313. Commission on Aging ~~AND INDEPENDENCE~~.**

5 There is a Commission on Aging ~~AND INDEPENDENCE~~. Its membership and duties and
6 responsibilities are set forth in subtitle 5, "Older Howard Countians Act," of title 12,
7 "Health and Social Services," of the Howard County Code.

8
9 **Section 6.317. Advisory Board on Consumer ~~[[Affairs]]PROTECTION~~.**

10 There is an Advisory Board on Consumer ~~[[Affairs]]PROTECTION~~. Its membership and
11 duties and responsibilities are set forth in subtitle 4, "Consumer Protection," of title 17,
12 "Public Protection Services," of the Howard County Code.

13
14 **Title 12. Health and Social Services.**

15 **Subtitle 3. Local Children's Board.**

16
17 **Section 12.300. Local Children's Board established; purpose.**

18 (a) *Board Established.* There is a Howard County Local Children's Board within the
19 Department of ~~[[Citizen]] COMMUNITY RESOURCES AND Services~~.

20 (b) *Staffing.* Except as provided in subsection 12.306(a) of this subtitle, the Department
21 of ~~COMMUNITY RESOURCES AND [[Citizen]] Services~~ shall provide staffing for the Local
22 Children's Board.

23
24 **Section 12.301. Membership of Local Children's Board; appointment.**

25 (c) *Qualifications of Members of the Local Children's Board:*

26 (2) The membership of the Local Children's Board shall reflect, as closely as
27 is reasonable and practical, the profile contained in this paragraph.

28 (iv) The following individuals from the public sector shall be invited to
29 serve on the Board:

30 a. The Director of the local Department of Social Services;

- b. The Superintendent of Public Schools or an assistant superintendent;
- c. The Supervisor of the Local Office of Juvenile Justice;
- d. The Health Officer of Howard County;
- e. The Chief of Police of Howard County;
- f. The State's Attorney for Howard County;
- g. The Director of Recreation and Parks;
- h. The Director of the Department of [[Citizen]] COMMUNITY RESOURCES AND Services; and
- i. The Executive Director of the Howard County Mental Health Authority.

Title 12. Health and Social Services.
Subtitle 5. Older Howard Countians Act.

Section 12.500. Office on [[aging]] AGING AND INDEPENDENCE.

(b) *Head.* The Administrator on Aging AND INDEPENDENCE shall head the Office on Aging AND INDEPENDENCE. The Office [[on Aging]] is under the general supervision of the Director of [[Citizen]]COMMUNITY RESOURCES AND Services.

(c) *Qualifications of Administrator on Aging AND INDEPENDENCE.* The Administrator on [[aging]] AGING AND INDEPENDENCE shall be thoroughly trained and experienced in the principles and practices of a social services program with considerable knowledge of the financial, social, educational, organizational and other special needs and problems of the elderly. The Administrator shall have had five years of increasingly responsible experience in social service or related work, two years of which shall have been in a managerial position dealing with the provision of services of the elderly.

(d) *Duties and Responsibilities.* The Office [[on Aging]] shall:

- (1) Develop, in cooperation with the Commission on Aging ~~AND INDEPENDENCE~~ and with other County organizations, both public and private, a comprehensive County-wide annual plan for a coordinated system of health, social and community services for the aged, including

1 housing and institutional and noninstitutional care, and present such plan
2 to the County Executive. The annual plan shall include statements of the
3 long- and short-term needs of the elderly in Howard County, the long- and
4 short-term plans for serving those needs, and the proposed funding sources
5 and administrative responsibility for these plans.

6 (2) Administer those programs and activities for the aged designated as the
7 responsibility of the Office [[on Aging]] in the annual plan.

8 (3) Subject to existing law, review and coordinate all local programs and
9 services, both public and private, insofar as they relate and are important
10 to the well-being of the County's aged, including, but not limited to,
11 programs and services in the areas of income, maintenance, public health,
12 mental health, housing and urban development, employment, education,
13 recreation and rehabilitation of persons with disabilities.

14 (4) Review and formulate policy recommendations to the County and County
15 Council in reference to publicly funded plans and programs which have an
16 impact on the aged.

17 ~~((5))~~ Consult with the County Commission on Aging ~~AND INDEPENDENCE~~ on all
18 matters pertaining to policy and programs prior to making
19 recommendations to the Executive and County Council.}}

20 ~~((6))~~ After consultation with the Commission on Aging ~~AND INDEPENDENCE~~,
21 present plans for programs ~~AND POLICY~~ for the elderly to the County
22 Executive and County Council for budgetary approval.

23 ~~((7))~~ Consult with and advise the head of the principal departments of the
24 County Government with respect to programs and services for the aged,
25 for which they are primarily responsible.

26 ~~((8))~~ Cooperate with State, Federal and other local governmental units and
27 agencies in effectuating the purposes of this subtitle.

28 ~~((9))~~ Establish and administer any programs or services deemed desirable by
29 the Commission on [[aging]] ~~AGING AND INDEPENDENCE~~ and the County
30 Executive, under direction of the State ~~Office on~~ DEPARTMENT OF Aging
31 or the provisions of the Older Americans Act, as amended.

1 (~~10~~9) After prior consultation with the Commission on ~~[[aging]]~~AGING AND
2 INDEPENDENCE and approval by the County Executive, apply for, accept
3 and use any State or Federal funds, or other grant, fund and contributions,
4 public or private, available for the purposes specified in this subtitle.

5 (~~11~~10) Prepare and submit to the County Executive a budget for the Office
6 [[on]] and the Commission on ~~[[aging]]~~AGING AND INDEPENDENCE in
7 accordance with customary budget procedures.

8 (~~12~~11) Prepare and submit an annual report to the County Executive and the
9 County Council, setting forth the activities of the Office ~~[[on Aging]]~~ and
10 the Commission on ~~[[aging]]~~AGING AND INDEPENDENCE in the preceding
11 year, and its recommendations for legislation and funding.

12 (~~13~~12) Initiate and carry out any appropriate action, where relevant, to
13 implement the above objectives, or other related objectives, as they
14 become necessary and are deemed appropriate.

15 (~~14~~13) The Office ~~[[on Aging]]~~ shall be the principal County agency
16 responsible for the development of services to the aged and the medium
17 through which organizations exchange information, coordinate programs
18 and engage in joint endeavors.

19 (~~15~~14) *Other duties and responsibilities.* The Office ~~[[on Aging]]~~ shall
20 perform such other functions as may be prescribed by directive of the
21 County Executive or by law.

22 (e) *Guardianship Responsibilities.* The Administrator ~~[[on aging]]~~ may serve as guardian
23 of persons pursuant to section 13-707 of the estates and trusts article of the Annotated
24 Code of Maryland.

25
26 **Section 12.501. Commission on Aging AND INDEPENDENCE.**

27 (b) *Number of Members.* There is a Howard County Commission on Aging AND
28 INDEPENDENCE composed of no more than 15 members.

29 (c) *Qualifications of Members:*

30 (1) All members shall be residents of Howard County.

1 (2) A majority of members of the Commission shall be at least ~~55~~50 years
2 old.

3 (3) Members shall be selected because of their interest in the problems of the
4 aging and shall be broadly representative of the citizens of the County.

5 (d) *Executive Secretary.* The Administrator on Aging AND INDEPENDENCE, or the
6 Administrator's designee, shall serve as Executive Secretary of the Commission and shall
7 attend all meetings of the Commission.

8 (e) *Duties of the Commission on Aging AND INDEPENDENCE:*

9 (1) The Commission shall make such surveys concerning the problems of the
10 aging as it may determine, or as directed by the Executive or the County
11 Council, and promote in every manner possible the welfare and betterment
12 of the aged people of the County.

13 (2) The Commission shall act as the advisory body to the Office on Aging
14 AND INDEPENDENCE and shall review and make recommendations
15 concerning all new programs proposed by the Administrator on aging
16 prior to their implementation.

17 (3) The Commission ~~shall review the proposed budget of~~ ~~the~~ ~~Office on Aging AND INDEPENDENCE~~
18 ~~BUDGET RECOMMENDATIONS TO~~ ~~the~~ ~~Office on Aging AND INDEPENDENCE~~
19 ~~PRIOR TO THE SUBMISSION OF THE OFFICE'S BUDGET TO THE DEPARTMENT~~
20 ~~OF COUNTY ADMINISTRATION~~ ~~and~~ ~~make such recommendations as it~~
21 ~~deems appropriate to the Administrator on aging and the County~~
22 ~~Executive, prior to its submission to the County Council~~.

23 (4) Other matters. At the directive of the County Executive or by resolution of
24 the County Council, the Commission on Aging AND INDEPENDENCE shall
25 review and make recommendations on any matter related to older
26 residents of the County.

27

28 **Title 12. Health and Social Services.**

29 **Subtitle 7. Women's Issues.**

30

31 **Section 12.701. Membership.**

1 (d) *Executive Secretary.* The Executive Secretary of the Commission shall be the
2 Director of ~~[[Citizens]]~~ COMMUNITY RESOURCES AND Services or the Director's designee.
3 The Executive Secretary shall attend all meetings and assist with the administrative
4 affairs of the Commission, including preparing and submitting to the County Executive
5 the Commission's recommendation on an annual budget.

6
7 **Title 12. Health and Social Services.**

8 **Subtitle 9. Department of COMMUNITY RESOURCES AND ~~[[Citizen]]~~ Services.**

9
10 **Section 12.901. Department of ~~[[Citizen]]~~ COMMUNITY RESOURCES AND Services.**

11 (a) *Head:* The Director of ~~[[Citizen]]~~ COMMUNITY RESOURCES AND Services shall head
12 the Department of ~~Citizen~~ COMMUNITY RESOURCES AND Services.

13 (b) *Qualifications of THE Director ~~[[of Citizen Services]]~~.* The Director ~~[[of Citizen~~
14 Services]] shall be thoroughly trained and experienced in the principles and practices of
15 human services and their administration. The Director shall have had at least ten years of
16 increasingly responsible experience in human services administration, including a
17 minimum of five years in a managerial position.

18 (c) *Duties and Responsibilities.* The Department ~~[[of Citizen Services shall be]]~~ IS
19 responsible for the County's human services programs, including but not limited to:

- 20 (1) Overall supervision of program development and operations for the
21 following functions:
- 22 (i) Aging.
 - 23 (ii) Consumer ~~[[affairs]]~~ PROTECTION.
 - 24 (iii) ~~[[Child care coordination.]]~~ CHILDREN AND FAMILY SERVICES.
 - 25 (iv) ~~[[Youth services.]]~~ SUPPORT SERVICES FOR VETERANS.
 - 26 (v) ~~[[Disabilities services.]]~~ SERVICES FOR PERSONS WITH DISABILITIES.
 - 27 (vi) ~~HOUSING AND COMMUNITY~~ COMMUNITY PARTNERSHIPS.
 - 28 (vii) COORDINATION OF THE AMERICANS WITH DISABILITIES ACT.
 - 29 (viii) SELECTED EMERGENCY MANAGEMENT RESPONSIBILITIES.
 - 30 (ix) ADMINISTERING THE PLAN TO END HOMELESSNESS.

1 (2) *Other duties and responsibilities.* The Department [[of Citizen Services]]
2 shall perform such other functions as may be prescribed by directive of the
3 County Executive or by law.

4 (3) *Setting of fees.* The Department [[of Citizen Services]] may set fees for
5 programs, which may include the establishment of a procedure for
6 payment of a reduced fee based upon a participant's financial ability to
7 pay.

8 (d) *Authority to Adopt Regulations.* The Director [[of Citizen Services]] may adopt
9 regulations to establish eligibility for those County Government ~~HOUSING AND~~ human
10 service programs that provide financial support for elderly, disabled, or low or moderate
11 income individuals, families and households and the requirements of the Administrative
12 Procedure Act as defined in Title 2 of the Howard County Code shall be followed with
13 regard to the adoption of the regulations described in this subsection.

14

15 **Title 12. Health and Social Services.**

16 **Subtitle 15. [[Children's]] Services FOR CHILDREN AND FAMILIES.**

17

18 **Section 12.1500. Office [[for Children's Services]] OF CHILDREN AND FAMILIES.**

19 (a) *Office.* There is an Office [[for Children's Services]] OF CHILDREN AND FAMILIES in
20 the Department of [[Citizen]] COMMUNITY RESOURCES AND Services.

21 (b) *General Provisions.* General provisions applicable to this Office are set forth in
22 subtitle 2, "Administrative Departments and Offices," of title 6, "County Executive and
23 the Executive Branch," of the Howard County Code.

24 (c) *Head.* The Administrator of [[Children's Services]] CHILDREN AND FAMILIES shall
25 head the Office [[for Children's Services]] OF CHILDREN AND FAMILIES. The Office [[for
26 Children's Services]] and the Administrator [[of Children's Services]] are under the
27 general supervision of the Director of [[Citizen]] COMMUNITY RESOURCES AND Services.

28 (d) *Qualifications of Administrator.* The Administrator of the Office [[for Children's
29 Services]] shall be thoroughly trained and experienced in the principles and practices of a
30 social services program with considerable knowledge of the financial, social, educational,
31 organizational and other special needs and problems of children and youth. The

1 Administrator shall have had five years of increasingly responsible experience in social
2 service or related work, two years of which shall have been in a managerial position
3 dealing with the provision of services for children, youth and families.

4 (e) *Duties and Responsibilities.* Under the direction of the Director of
5 [[Citizen]]COMMUNITY RESOURCES AND SERVICES, [[Services]] the Office [[for
6 Children's Services]]OF CHILDREN AND FAMILIES shall:

7 (1) Develop, in cooperation with other County organizations, both public and
8 private, a comprehensive County-wide annual plan for a coordinated
9 system of health, social and community services for children and youth.
10 The system will provide an integrated continuum of care and services that
11 is child centered and family oriented the annual plan shall be presented to
12 the County Executive and include statements of the long- and short-term
13 needs of children and youth in Howard County, the long- and short-term
14 plans for serving those needs, and the proposed funding sources and
15 administrative responsibility for these plans.

16 (2) Consult with the Howard County Local Children's Board on all matters
17 pertaining to policy and programs prior to making recommendations to the
18 County Executive and County Council.

19 (3) Monitor the delivery of services for programs funded through the Howard
20 County Local Children's Board to ensure access to effective programs,
21 track outcomes, and track expenditures for reporting on service delivery.

22 (4) Subject to existing laws, review and coordinate all local programs and
23 services, both public and private, insofar as they relate and are important
24 to and promote the well-being of the County's children and youth.

25 (5) Review and formulate policy recommendations for the County Executive
26 and County Council in reference to publicly funded plans and programs
27 that have an impact on children and youth.

28 (6) Cooperate with State, Federal and other local governmental units and
29 agencies in effectuating the purposes of this subtitle.

30 (7) Work collaboratively with the Local Children's Board and with the
31 approval of the County Executive, apply for, accept and use any State or

1 Federal funds, or other grant, fund and contributions, public or private,
2 available for the purposes specified in this subtitle.

3 (8) Prepare and submit to the County Executive a budget for the Office and
4 Local Children's Board in accordance with customary budget procedures.

5 (9) Prepare and submit an annual report to the County Executive and the
6 County Council, setting forth the activities of the Office [[for Children's
7 Services]] and the Local Children's Board in the preceding year, and the
8 Office's recommendations for legislation and funding.

9 (10) Initiate and carry out any appropriate action, where relevant, to implement
10 the above objectives, or other related objectives, as they become necessary
11 and are deemed appropriate.

12 (11) In collaboration with the Local Children's Board, be the principal County
13 agency, outside the Howard County Public School System, responsible for
14 the development of services to the children and youth and the medium
15 through which organizations exchange information, coordinate programs
16 and engage in joint endeavors.

17 (12) Perform such other functions as may be prescribed by directive of the
18 Director of [[Citizen]]COMMUNITY RESOURCES AND Services, the County
19 Executive or by law.

20 (f) *Staffing of the Howard County Local Children's Board.* The Administrator of the
21 Office [[for Children's Services]]OF CHILDREN AND FAMILIES shall be responsible for
22 providing staff support for the Howard County Local Children's Board.

23
24 **Title 12. Health and Social Services.**

25 **Subtitle 17. Board to Promote Self Sufficiency.**

26
27 **Section 12.1701. Membership.**

28 (d) *Qualifications of Members:*

29 (3) Ex-officio members from the public sector shall include the following:

30 (i) The Director of the Department of Social Services, or the Director's
31 designee;

- 1 (ii) The Director of the Department of ~~[[Citizen]]~~ COMMUNITY RESOURCES
- 2 AND Services, or the Director's designee;
- 3 (iii) The Director of the Mental Health Authority, or the Director's designee;
- 4 (iv) The Director of the Howard County Health Department, or the Director's
- 5 designee;
- 6 (v) The ~~[[Director of the Department of Housing and Community~~
- 7 ~~Development]]~~ ADMINISTRATOR OF THE OFFICE OF HOUSING AND
- 8 ~~COMMUNITY PARTNERSHIPS~~ or the ~~[[Director's]]~~ ADMINISTRATOR'S OR THE
- 9 DIRECTOR'S designee;
- 10 (vi) The Director of the Department of Corrections, or the Director's designee;
- 11 (vii) The Administrator of the Office of Workforce Development, or the
- 12 Administrator's designee;
- 13 (viii) The President of Howard Community College, or the President's designee;
- 14 ~~and~~
- 15 (ix) The Superintendent of the Howard County Public School System, or the
- 16 Superintendent's designee; AND
- 17 (X) THE CHAIRPERSON OF THE HOWARD COUNTY HOUSING COMMISSION OR
- 18 THE CHAIRPERSON'S DESIGNEE.

19

20 **Section 12.1706. Committees; operating procedures; staffing.**

21 (e) *Department of ~~[[Citizen]]~~ COMMUNITY RESOURCES AND Services.* The Department

22 of ~~[[Citizen]]~~ COMMUNITY RESOURCES AND Services shall provide staffing for the Board.

23 **Title 12. Health and Social Services.**

24 **SUBTITLE 19. OFFICE OF COMMUNITY PARTNERSHIPS.**

25

26 **SECTION 12.1900. OFFICE OF COMMUNITY PARTNERSHIPS.**

27 (A) OFFICE. THERE IS AN OFFICE OF COMMUNITY PARTNERSHIPS IN THE DEPARTMENT OF

28 COMMUNITY RESOURCES AND SERVICES.

29 (B) GENERAL PROVISIONS. GENERAL PROVISIONS APPLICABLE TO THIS OFFICE ARE SET

30 FORTH IN SUBTITLE 2, "ADMINISTRATIVE DEPARTMENTS AND OFFICES," OF TITLE 6,

31 "COUNTY EXECUTIVE AND THE EXECUTIVE BRANCH," OF THE HOWARD COUNTY CODE.

1 (C) HEAD. THE ADMINISTRATOR OF THE OFFICE OF COMMUNITY PARTNERSHIPS SHALL
2 HEAD THE OFFICE OF COMMUNITY PARTNERSHIPS AND THE ADMINISTRATOR IS UNDER THE
3 GENERAL SUPERVISION OF THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY
4 RESOURCES AND SERVICES.

5 (D) QUALIFICATIONS OF ADMINISTRATOR. THE ADMINISTRATOR OF THE OFFICE OF
6 COMMUNITY PARTNERSHIPS SHALL HAVE A THOROUGH KNOWLEDGE OF HUMAN SERVICE
7 DELIVERY SYSTEMS INCLUDING, BUT NOT LIMITED TO, PRINCIPLES OF STRATEGIC
8 COMMUNITY PLANNING; MANAGEMENT OF SITE BASED SOCIAL SERVICE DELIVERY MODELS;
9 GRANT MAKING FROM LOCAL, STATE AND NATIONAL SOURCES RELEVANT TO A WIDE RANGE
10 OF HUMAN SERVICES; COORDINATED MODELS THAT REDUCE HOMELESSNESS; AND THE ROLE
11 OF NON-PROFIT ORGANIZATIONS AS PART OF THE HUMAN SERVICE SYSTEM. AT THE TIME OF
12 APPOINTMENT THE ADMINISTRATOR SHALL HAVE HAD AT LEAST FIVE YEARS' EXPERIENCE
13 IN HUMAN SERVICE SYSTEMS AND AT LEAST TWO YEARS IN A MANAGERIAL CAPACITY.

14 (E) DUTIES AND RESPONSIBILITIES. UNDER THE DIRECTION OF THE DIRECTOR OF
15 COMMUNITY RESOURCES AND SERVICES, THE OFFICE OF COMMUNITY PARTNERSHIPS
16 SHALL:

17 (1) ADMINISTRATION OF GRANTS. ADMINISTER THE COMMUNITY SERVICE
18 PARTNERSHIP GRANT PROGRAM, THE HOWARD COUNTY GOVERNMENT
19 FUNDING PROGRAM; COORDINATE WITH RELEVANT STATE AND FEDERAL
20 GRANTS; PROVIDE TECHNICAL SUPPORT TO NONPROFIT GRANTEES OR
21 CONTRACTORS; AND MONITOR THE EFFECTIVENESS OF PROGRAMS AND
22 GRANTEES.

23 (2) PARTICIPATION. PARTICIPATE IN COMMUNITY-BASED ORGANIZATIONS WITH
24 MEMBERSHIP OF NONPROFIT AGENCIES TO INTEGRATE HUMAN SERVICE AND
25 HOUSING EFFORTS OF COUNTY GOVERNMENT WITH NONPROFIT AGENCIES.

26 (3) IMPLEMENTING PLANS. ADMINISTER THE CONTINUUM OF CARE SYSTEM AND
27 RELATED ORGANIZATIONAL UNITS IN THE PLAN TO END HOMELESSNESS.

28 (4) FACILITIES. ADMINISTER SITE- OR CENTER-BASED PROGRAMS THAT OFFER
29 CONSUMERS ACCESS TO MULTIPLE SERVICES IN A SINGLE COMMUNITY
30 BASED LOCATION.

- 1 (5) POLICY RECOMMENDATIONS. REVIEW AND FORMULATE POLICY
2 RECOMMENDATIONS FOR THE COUNTY EXECUTIVE AND COUNTY COUNCIL
3 IN REFERENCE TO PUBLICLY FUNDED PLANS AND PROGRAMS THAT HAVE AN
4 IMPACT ON POPULATIONS SEEKING AFFORDABLE HOUSING, MOVING OUT OF
5 HOMELESSNESS, OR OTHER ISSUES COVERED IN THIS OFFICE.
- 6 (6) INITIATE AND CARRY OUT ANY APPROPRIATE ACTION, WHERE RELEVANT, TO
7 IMPLEMENT THE ABOVE OBJECTIVES, OR OTHER RELATED OBJECTIVES, AS
8 THEY BECOME NECESSARY AND ARE DEEMED APPROPRIATE.

9

10 **Title 13. Housing and Community Development.**

11 **Subtitle 1. — ~~[[DEPARTMENT OF HOUSING AND COMMUNITY~~**
12 **~~DEVELOPMENT]] DEPARTMENT OF COMMUNITY RESOURCES AND~~**
13 **~~SERVICES, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS.~~**

14 **SUBTITLE 1. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

15

16 **Section 13.100. ~~General provisions.~~**

17 ~~General provisions applicable to this [[Department]] OFFICE are set forth in subtitle 2,~~
18 ~~"Administrative Departments and Offices," of title 6, "County Executive and the~~
19 ~~Executive Branch," of the Howard County Code.~~

20

21 **Section 13.101. ~~[[Department of Housing and Community Development]] OFFICE OF~~**
22 **~~HOUSING AND COMMUNITY PARTNERSHIPS.~~**

23 ~~(a) *Head.* The [[Director of Housing and Community Development]] ADMINISTRATOR OF~~
24 ~~THE OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS shall head the [[Department of~~
25 ~~Housing and Community Development]] OFFICE OF HOUSING AND COMMUNITY~~
26 ~~PARTNERSHIPS. THE ADMINISTRATOR SHALL WORK UNDER THE GENERAL DIRECTION OF~~
27 ~~THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY RESOURCES AND SERVICES.~~

28 ~~(b) *Qualifications of [[Director of Housing and Community Development]]*~~
29 ~~ADMINISTRATOR OF THE OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS. The~~
30 ~~[[Director of Housing and Community Development]] ADMINISTRATOR shall have a~~
31 ~~thorough knowledge of [[the methods and principles of community development, housing~~

1 management, rehabilitation of existing housing, and community planning, including grant
2 programs associated with these functions]]HUMAN SERVICE DELIVERY SYSTEMS
3 INCLUDING, BUT NOT LIMITED TO, AFFORDABLE HOUSING PROGRAMS; PRINCIPLES OF
4 STRATEGIC COMMUNITY PLANNING; MANAGEMENT OF SITE BASED SOCIAL SERVICE
5 DELIVERY MODELS; GRANT MAKING FROM LOCAL, STATE AND NATIONAL SOURCES
6 RELEVANT TO A WIDE RANGE OF HUMAN AND HOUSING SERVICES; COORDINATED MODELS
7 THAT REDUCE HOMELESSNESS; AND THE ROLE OF NON-PROFIT ORGANIZATIONS AS PART OF
8 THE HUMAN SERVICE SYSTEM. At the time of appointment the [[Director]]ADMINISTRATOR
9 shall have had at least five years' experience in [[community development, housing
10 and/or real estate]]HUMAN SERVICE SYSTEMS, INCLUDING HOUSING, AND [[, including]] at
11 least two years in a managerial capacity.

12 (c) *Executive Secretary.* The [[Director of Housing and Community
13 Development]]ADMINISTRATOR shall serve as Executive Secretary of the Housing and
14 Community Development Board.

15 (d) *Duties and Responsibilities.* The [[Department of Housing and Community
16 Development]]OFFICE develops, manages and implements various programs designed to
17 [[secure safe and decent housing for the citizens of Howard County]] FUND OR PROVIDE A
18 RANGE OF HUMAN SERVICES AND HOUSING FOR HOWARD COUNTY CITIZENS, including but
19 not limited to the following:

20 (1) — *Policy and plans.* Consulting with other County agencies and with public
21 and private organizations to develop policy and plans related to HUMAN
22 SERVICES, housing, AND POSITIVE IMPACT AT THE INDIVIDUAL AND
23 community LEVEL[[development and urban renewal]].

24 (2) — *Coordination.* Reviewing, analyzing and coordinating HUMAN SERVICE
25 housing or community development projects, especially those which
26 involve more than one Department of County Government.

27 (3) — *Grants.* Designing, writing and negotiating HUMAN SERVICE, HOUSING,
28 [[housing]] and community development related grant proposals and
29 applications.

30 (4) — *ADMINISTRATION OF GRANTS.* ADMINISTERING THE COMMUNITY SERVICES
31 PARTNERSHIP PROGRAM, THE HOWARD COUNTY GOVERNMENT FUNDING

1 PROGRAM; COORDINATING WITH RELEVANT STATE AND FEDERAL GRANTS;
2 PROVIDING TECHNICAL SUPPORT TO NONPROFIT GRANTEEES OR
3 CONTRACTORS; AND MONITORING EFFECTIVENESS OF PROGRAMS AND
4 GRANTEEES.

5 ~~(5) — PARTICIPATION. PARTICIPATING IN COMMUNITY-BASED ORGANIZATIONS~~
6 ~~WITH MEMBERSHIP OF NONPROFIT AGENCIES TO INTEGRATE HUMAN SERVICE~~
7 ~~AND HOUSING EFFORTS OF COUNTY GOVERNMENT WITH NONPROFIT~~
8 ~~AGENCIES.~~

9 ~~((4))6) Liaison. Maintaining liaison with other County, State and Federal agencies~~
10 ~~with programs or services affecting HUMAN SERVICE INITIATIVES, housing~~
11 ~~policy and specific housing and community development programs.~~

12 ~~((5))7) Administering programs. Administering various local, State and Federal~~
13 ~~loan and grant programs for moderate and low-income individuals and~~
14 ~~families including, but not limited to, the overall supervision of program~~
15 ~~development and operations for the following:~~

16 (i) — The ~~[[Housing and]] Community Development [[block~~
17 ~~grant]] BLOCK GRANT PROGRAM;~~

18 (ii) — The Home Investment Partnership Program; and

19 (iii) — The Community Legacy Program and other programs offered by
20 the State of Maryland.

21 ~~((6) — County owned housing:~~

22 (i) — ~~Managing and maintaining housing owned by Howard County or~~
23 ~~funded in whole or in part with County funds.~~

24 (ii) — ~~Developing a senior housing project to be located on County~~
25 ~~property on Mount Ida Drive in Ellicott City, to be known as the~~
26 ~~Tiber Hudson Senior Housing Project.]]~~

27 ~~(8) — IMPLEMENTING PLANS. ADMINISTERING THE COORDINATION OF CARE~~
28 ~~SYSTEM AND RELATED ORGANIZATIONAL UNITS IN THE PLAN TO END~~
29 ~~HOMELESSNESS.~~

1 ~~(9) — FACILITIES. ADMINISTERING SITE OR CENTER BASED PROGRAMS THAT~~
2 ~~OFFER CONSUMERS ACCESS TO MULTIPLE SERVICES IN A SINGLE COMMUNITY~~
3 ~~BASED LOCATION.~~

4 ~~(10) — POLICY RECOMMENDATIONS. REVIEWING AND FORMULATING POLICY~~
5 ~~RECOMMENDATIONS FOR THE COUNTY EXECUTIVE AND COUNTY COUNCIL~~
6 ~~IN REFERENCE TO PUBLICLY FUNDED PLANS AND PROGRAMS THAT HAVE AN~~
7 ~~IMPACT ON POPULATIONS SEEKING AFFORDABLE HOUSING, MOVING OUT OF~~
8 ~~HOMELESSNESS, OR OTHER ISSUES COVERED IN THIS OFFICE.~~

9 ~~(11) — INITIATING AND CARRYING OUT ANY APPROPRIATE ACTION, WHERE~~
10 ~~RELEVANT, TO IMPLEMENT THE ABOVE OBJECTIVES, OR OTHER RELATED~~
11 ~~OBJECTIVES, AS THEY BECOME NECESSARY AND ARE DEEMED APPROPRIATE.~~

12 ~~[[7]]12) Other duties and responsibilities. [[The Department of Housing and~~
13 ~~Community Development shall perform]] PERFORMING such other~~
14 ~~functions as may be prescribed by directive of the County Executive or by~~
15 ~~law.~~

16 **Section 13.101. Department of Housing and Community Development.**

17 (d) Duties and Responsibilities. The Department of Housing and Community
18 Development develops, manages and implements various programs designed to secure
19 safe and decent housing for the citizens of Howard County, including but not limited to
20 the following:

21 (5) Administering programs. Administering various local, State and Federal
22 loan and grant programs for moderate and low-income individuals and
23 families including, but not limited to, the overall supervision of program
24 development and operations for the following:

25 (i) The [[Housing and]] Community Development [[block
26 grant]]BLOCK GRANT PROGRAM;

27 (ii) The Home Investment Partnership Program; and

28 (iii) The Community Legacy Program and other programs offered by
29 the State of Maryland.

30 [[6) County-owned housing:

1 (i) Managing and maintaining housing owned by Howard County or
2 funded in whole or in part with County funds.

3 (ii) Developing a senior housing project to be located on County
4 property on Mount Ida Drive in Ellicott City, to be known as the
5 Tiber Hudson Senior Housing Project.]]

6 [[7]]6)Other duties and responsibilities. [[The Department of Housing and
7 Community Development shall perform]] PERFORMING such other
8 functions as may be prescribed by directive of the County Executive or by
9 law.

10
11 **Section13.102. Transitional provision.**

12 ~~All agreements and contracts to which the [[Office of Housing and Community~~
13 ~~Development]] DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT is a party~~
14 ~~shall continue in effect as though made by the [[Department of Housing and Community~~
15 ~~Development]]OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS.~~

16
17 **Section13.103. Federal, State, and local grants.**

18 ~~(a) *Application for Grant.* The Department OF COMMUNITY RESOURCES AND SERVICES~~
19 ~~may apply on behalf of Howard County to any source for any grant, gift, contribution, or~~
20 ~~aid of any kind for the purpose of implementing approved urban renewal and community~~
21 ~~development plans subject to the approvals required by law.~~

22 ~~(b) *Acceptance of Grants.* The Department OF COMMUNITY RESOURCES AND SERVICES~~
23 ~~may accept grants, gifts, contributions, or bequests of property of any kind on behalf of~~
24 ~~Howard County for the purpose of implementing approved urban renewal and~~
25 ~~community development plans. Such acceptance shall be subject to the approvals~~
26 ~~required by law, including normal budgetary approval.~~

27 ~~(c) *Council Approval of Plan [[and Grant Applications]].* The Department OF~~
28 ~~COMMUNITY RESOURCES AND SERVICES shall obtain County Council approval, through a~~
29 ~~resolution, of[[:~~

- 30 (1) Its annual action plan]] ITS ANNUAL ACTION PLAN FOR COMMUNITY
31 DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP

1 PROGRAM FUNDS before submitting the plan to the United States
2 Department of Housing and Community URBAN Development[[; and
3 (2) Any other grant applications]].

4 (d) *Authority to Award Grants and Loans.* Council approval of the plan [[and other grant
5 applications]] under subsection (c) of this section shall be deemed to authorize the
6 Department of COMMUNITY RESOURCES AND SERVICES to award HOUSING grants and
7 loans in accordance with the programs approved in the plan or grant.

8

9 **Title 13. Housing and Community Development.**

10 **Subtitle 2. Housing and Community Development Board.**

11

12 **~~Section 13.201. Organization.~~**

13 ~~(e) *Executive Secretary.* The Director of THE DEPARTMENT OF COMMUNITY RESOURCES
14 AND SERVICES [[Housing and Community Development]] or the Director's designee shall
15 serve as Executive Secretary to the Board and shall attend all meetings.~~

16

17 **~~Section 13.202. Powers and duties.~~**

18 ~~The Board shall have the following powers and duties:~~

19 ~~(3) — To review and make recommendations to the County Executive and the County
20 Council concerning:~~

21 ~~(iii) — Any administrative procedures to implement Howard County laws which
22 have been promulgated by the Department of COMMUNITY RESOURCES
23 AND SERVICES [[Housing and Community Development].~~

24 ~~(4) — To act as a grievance panel when so designated in administrative procedures by
25 the Department of COMMUNITY RESOURCES AND SERVICES [[Housing and
26 Community Development]].~~

27 **Section 13.202. Powers and duties.**

28 The Board shall have the following powers and duties:

29 [[(6) To serve as a public housing agency in accordance with requirements developed by
30 the U.S. Department of Housing and Urban Development and by the Maryland

1 Department of Housing and Community Development—Community Development
2 Administration.]]
3 ([[7]]6) To review applications for housing-related industrial revenue bonds and MIDFA
4 loans and bonds and make recommendations to the Industrial Revenue Bond Review
5 Subcommittee of the Economic Development Authority.
6 ([[8]]7) To perform such other duties as may be designated by the County Executive
7 pursuant to section 13.1103, "Powers, Authority," subsection (o).
8 ([[9]]8) At the direction of the County Executive, or by resolution of the County Council,
9 the Board shall review and make recommendations on any matter related to housing in
10 the County.

11 **Title 13. Housing and Community Development.**

12 **Subtitle 3. Rehabilitation Fund.**

13
14 ~~**Section 13.302. Authorization procedure.**~~

15 ~~(a) The Department of COMMUNITY RESOURCES AND SERVICES MAY [[Housing and~~
16 ~~Community Development is authorized to]] establish and administer rules and procedures~~
17 ~~for the County wide rehabilitation fund in accordance with section 2.103 of the Howard~~
18 ~~County Code.~~

19
20 **Section 13.303. Remedy for nonpayment.**

21 If the property owner defaults on payment of his loan, the [[Director of Housing and
22 Community Development is authorized to]]COUNTY MAY enforce the terms of the loan
23 and/or mortgage obtained pursuant to the loan against the owner of record at the time the
24 loan was granted or the owner of record at time a suit is filed, or any owner of record
25 between said dates.

26
27 **Title 13. Housing and Community Development.**

28 **Subtitle 4. Moderate Income Housing Units.**

29
30 ~~**Section 13.401. Definitions.**~~

31 ~~(a) *In General.* In this subtitle, the following words have the meanings indicated:~~

1 ~~(B) ADMINISTRATOR MEANS THE ADMINISTRATOR OF THE OFFICE OF HOUSING AND~~
2 ~~COMMUNITY PARTNERSHIPS.~~

3 ~~([[b]]C) Commission means the Howard County Housing Commission.~~

4 ~~([[c]]D) Department means the Howard County Department of [[Housing and Community~~
5 ~~Development]] COMMUNITY RESOURCES AND SERVICES.~~

6 ~~([[d]]E) Designee means the Howard County Housing Commission, a nonprofit~~
7 ~~corporation, or a quasi-public housing development organization designated by the~~
8 ~~Department as eligible to operate and maintain moderate income housing units on a long-~~
9 ~~term basis.~~

10 ~~([[e]]F) Director means the Director of the Department of COMMUNITY RESOURCES AND~~
11 ~~SERVICES [[Housing and Community Development]].~~

12 ~~([[f]]G) Dwelling unit has the meaning stated in the Howard County Zoning Regulations.~~

13 ~~([[g]]H) Eligible purchaser means a holder of a certificate of eligibility under section~~
14 ~~13.406 of this subtitle who has been prequalified by the Department to obtain a mortgage~~
15 ~~in an amount sufficient to enable the individual to purchase a moderate income housing~~
16 ~~unit.~~

17 ~~([[g]]I) First time home buyer means an individual who, during the three years before~~
18 ~~receiving a certificate of eligibility:~~

19 ~~(1) — Has not owned any property used or usable as a residence; or~~
20 ~~(2) — Has owned a personal residence but, because of the separation or divorcee~~
21 ~~of the joint tenants or the death of one of the joint tenants, needs to~~
22 ~~purchase a personal residence without the former joint tenant.~~

23 ~~([[i]]J) Initial sale price means the price set by the Housing and Community Development~~
24 ~~Board under section 13.403 of this subtitle for the first sale of a type of moderate income~~
25 ~~housing unit.~~

26 ~~([[j]]K) Median income means the median annual income of Howard County as~~
27 ~~determined by the U.S. Census Bureau.~~

28 ~~([[k]]L) Moderate income means an annual household income of up to 80 percent of the~~
29 ~~median income in Howard County.~~

30 ~~([[l]]M) Moderate income housing unit means a dwelling unit offered for sale or rent to~~
31 ~~households with moderate incomes.~~

1 ~~(~~[[m]]N~~) Moderate income housing unit offered for sale means a unit that is built on a~~
2 ~~subdivided lot or subject to a condominium regime, as provided in a moderate income~~
3 ~~housing unit agreement under subsection 13.402(b) of this subtitle.~~

4 ~~(~~[[n]]O~~) Proffered unit means a moderate income housing unit in a development for~~
5 ~~which the provision of moderate income housing is proffered by the petitioner and made~~
6 ~~a condition of approval in a preliminary development plan approved by the Zoning~~
7 ~~Board.~~

8 ~~(~~[[o]]P~~) Rehabilitated existing moderate income housing unit means an existing~~
9 ~~residential housing unit that has been determined by the Department ~~[[of Housing and~~~~
10 ~~Community Development]] to have met the specified eligibility criteria and rehabilitation~~
11 ~~requirements for such units as provided in this subtitle and that is subject to and bound to~~
12 ~~comply with all of the requirements in this subtitle applicable to newly built moderate~~
13 ~~income housing units.~~

14 ~~(~~[[p]]Q~~) Rental unit means a moderate income housing unit that is not a moderate income~~
15 ~~housing unit offered for sale.~~

16
17 **13.402. Development procedures; moderate income housing unit agreement;**
18 **alternative.**

19 (e) *Optional Methods:*

20 (2) A developer may use an optional method under this subsection if the
21 Director, upon recommendation from the Housing and Community
22 Development Board and in consultation with the Director of Planning and
23 Zoning ~~[[and the Director of Citizen Services]]~~ COMMUNITY RESOURCES
24 AND SERVICES, determines that:

- 25 (i) a. The number of moderate income housing units to be
26 constructed in the development will render the development
27 economically unfeasible; or
28 b. The development proposes an indivisible package of services
29 and facilities to all residents that would cost the moderate
30 income housing unit owners so much that the units would be
31 rendered unaffordable to eligible purchasers; and

1 (ii) The optional method results in geographic distribution of
2 moderate income housing units throughout the County.

3 (f) *Alternative Compliance to Optional Methods.*

4 (3) In determining whether to approve a request under this subsection, the
5 Director, upon recommendation from the Housing and Community
6 Development Board and in consultation with the Director of Planning and
7 Zoning~~[[~~ and the Director of ~~Citizen Services~~], COMMUNITY RESOURCES
8 AND SERVICES, shall consider whether:

9 (i) The phasing of moderate income housing units will be provided
10 sooner than would be required by the phasing of market rate units;

11 (ii) The units present innovative architecture or site design features
12 that contribute to affordability;

13 (iii) The design reduces operating and maintenance costs;

14 (iv) The location of the proposed alternative is part of a mixed-use
15 development with existing or potential transit service; and

16 (v) The development provides a package of services or amenities for
17 the benefit of moderate income residents.

18

19 **Section 13.403. Prices for moderate income housing units offered for sale; rates for**
20 **rental units.**

21 (a) *Base Prices for Moderate Income Housing Units Offered for Sale.* The base sale price
22 for a moderate income housing unit shall be determined by the Housing and Community
23 Development Board in accordance with this subsection.

24 (3) Before establishing the base sale price for moderate income housing units
25 located in planned senior communities and age-restricted adult housing
26 developments, the Board shall consult with the Office on Aging AND
27 INDEPENDENCE.

28

29 ~~**Title 13. Housing and Community Development.**~~

30 ~~**Subtitle 5. Tenant Retrofit Loan and Grant Program**~~

31

1 **Section 13.500. Definitions.**

2 In this subtitle, the following words have the meanings indicated:

3 ~~(f) Department means the Department of [[Housing and Community Development]]~~

4 ~~COMMUNITY RESOURCES AND SERVICES.~~

6 **Section 13.501. Establishment.**

7 There is a tenant retrofit loan and grant program administered by the Department [[of
8 Housing and Community Development]].

10 **Title 13. Housing and Community Development.**

11 **Subtitle 6. -- Housing Initiatives Loan Program.**

13 **Section 13.600. Definitions.**

14 In this subtitle, the following words have the meanings indicated:

15 ~~(h) Department means the Department of [[Housing and Community Development]]~~

16 ~~COMMUNITY RESOURCES AND SERVICES.~~

18 **Section 13.601. Establishment.**

19 There is a housing initiatives loan program administered by the Department [[of Housing
20 and Community Development]].

22 **Section 13.611. Documents and closing.**

23 ~~(e) The County Executive may designate the Chief Administrative Officer, the Deputy
24 Chief Administrative Officer, or the Director of [[Housing and Community
25 Development]] THE DEPARTMENT OF COMMUNITY RESOURCES AND SERVICES to execute
26 the loan documents and take such other action on behalf of the County Executive as is
27 required or permitted to be taken by the County Executive pursuant to this subtitle.~~

29 **Title 13. Housing and Community Development.**

30 **Subtitle 7. Rental Housing Expense Assistance Program.**

1 **~~Section 13.701. Establishment.~~**

2 There is a rental housing expense assistance program administered by the Department of
3 ~~[[Housing and Community Development]] COMMUNITY RESOURCES AND SERVICES.~~

4
5 **~~Section 13.702. Definitions.~~**

6 In this subtitle the following words have the meaning indicated.

7 ~~(g) *Department* means the Department of [[Housing and Community Development]]~~
8 ~~COMMUNITY RESOURCES AND SERVICES.~~

9
10 **~~Section 13.708. Powers and duties of Department.~~**

11 ~~(b) Any rules or amendments to rules adopted pursuant to this subtitle shall be~~
12 ~~promulgated in accordance with the Administrative Procedure Act, title 2, subtitle 1 of~~
13 ~~this Code and, in addition, shall be subject to the following procedures:~~

14 ~~(4) — Not less than 15 days following the date of the publication of the public~~
15 ~~notice, the Department [[of Housing and Community Development]] shall~~
16 ~~hold a public hearing on any rules or amendments to rules.~~

17
18 **~~Title 13. Housing and Community Development.~~**

19 **~~Subtitle 8. Rental Housing Development Program.~~**

20
21 **~~Section 13.800. Definitions.~~**

22 In this subtitle the following words have the meanings indicated:

23 ~~(1) *Department* means the Department of [[Housing and Community Development]]~~
24 ~~COMMUNITY RESOURCES AND SERVICES.~~

25
26 **~~Section 13.801. Establishment.~~**

27 There is a rental housing development program administered by the Department~~[[of~~
28 ~~Housing and Community Development]]~~.

29
30 **~~Section 13.812. Loan documents and closing.~~**

1 ~~(e) The County Executive may designate the Chief Administrative Officer, the Deputy~~
2 ~~Chief Administrative Officer, or the Director of [[Housing and Community~~
3 ~~Development]]COMMUNITY RESOURCES AND SERVICES TO execute the [[load]]LOAN~~
4 ~~documents and take such other action on behalf of the County Executive as is required or~~
5 ~~permitted to be taken by the County Executive pursuant to this subtitle.~~

6
7 **~~Title 13. Housing and Community Development.~~**

8 **~~Subtitle 9. Homeownership Assistance Program.~~**

9
10 **~~Section 13.900. Definitions.~~**

11 ~~In this subtitle the following words have the meanings indicated:~~

12 ~~(f) Department means the Department of [[Housing and Community~~
13 ~~Development]]COMMUNITY RESOURCES AND SERVICES.~~

14
15 **~~Section 13.901. Establishment.~~**

16 ~~There is a Homeownership Assistance Program administered by the Department~~
17 ~~[[of Housing and Community Development]]. The County Council shall approve by~~
18 ~~resolution any rules, programs and policies adopted to implement the program in~~
19 ~~conformance with this subtitle.~~

20
21 **~~Title 13. Housing and Community Development.~~**

22 **~~Subtitle 10. Displacement Assistance Program.~~**

23
24 **~~Section 13.1000. Definitions.~~**

25 ~~In this subtitle the following words having the meanings indicated:~~

26 ~~(h) Department means the Department of [[Housing and Community Development]]~~
27 ~~COMMUNITY RESOURCES AND SERVICES, OFFICE OF HOUSING AND COMMUNITY~~
28 ~~PARTNERSHIPS.~~

29
30 **Title 13. Housing and Community Development.**

31 **Subtitle 12. Lease extensions-conversion of rental housing to a condominium regime.**

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~~Section 13.1201. Definitions.~~

~~(e) Department means the Department of [[Housing and Community Development]]
COMMUNITY RESOURCES AND SERVICES.~~

Section 13.1202. Lease extensions.

(f) *Offering of Lease Extension:*

- (4) *Notification to Howard County Office of Consumer [[Affairs]]PROTECTION.* Within 75 days after giving of notice of intent to convert, the owner shall provide the Howard County Office of Consumer [[Affairs]]PROTECTION with the following:
 - a. A notice indicating the number of units in the rental facility being made available to qualified households pursuant to subsections (b) and (c) of this section; and
 - b. A list of all households meeting the criteria of subsections (b) and (c) indicating the priority of each in relation to the total number of units being made available; and
 - c. A list of households submitting notarized applications who do not meet the criteria for lease extensions; and
 - d. A list of all households as to whom an extended lease has become effective, specifying the criteria under which each household qualified.

Section 13.1204. Administration, violations, enforcement, penalties.

(a) *Administration.* The Office of Consumer [[Affairs]]PROTECTION shall administer this subtitle. It shall develop and issue written regulations for the administration of this subtitle in accordance with Howard County Administrative Procedures Act.

(c) *Enforcement.* The Office of Consumer [[Affairs]]PROTECTION shall enforce the provisions of this subtitle pursuant to its duties, powers, authority and the procedures set forth in subtitle 4, "Consumer Protection" of title 17 "Public Protection Services," of the Howard County Code.

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Title 13. Housing and Community Development.

Subtitle 13. Howard County Housing Commission Articles of Organization.

Section. 13.1305. - Composition; appointments; terms.

(a) Appointment:

(1) Voting Commissioners. The Commission has seven voting Commissioners, at least five of whom shall be residents of Howard County. The Commissioners shall be appointed by the County Executive with the approval of the County Council.

(2) Nonvoting Commissioner:

(i) The Commission shall have an additional nonvoting Commissioner who shall be a member of the Housing and Community Development Board selected in accordance with subsection 13.501(d) of this Code.

(ii) The Commission may have an additional nonvoting Commissioner who shall be an employee of the County who is not an elected official of the County. This nonvoting Commissioner shall be appointed by the County Executive and approved by the County Council.

(3) Evidence of due and proper appointment. A certificate of the appointment or reappointment of a Commissioner shall be filed with the custodian of records, and the certificate shall be conclusive evidence of the due and proper appointment of a Commissioner.

(b) Qualifications: [[. Of the seven voting Commissioners, at the time of appointment one shall be a person of eligible income.]]

(1) OF THE SEVEN VOTING COMMISSIONERS, AT THE TIME OF APPOINTMENT AT LEAST ONE SHALL BE A PERSON OF ELIGIBLE INCOME;

(2) OF THE REMAINING SIX VOTING COMMISSIONERS, EACH SHALL HAVE

1 EXPERIENCE IN ONE OR MORE OF THE FOLLOWING AREAS:

- 2 (I) AFFORDABLE HOUSING DEVELOPMENT;
3 (II) AFFORDABLE HOUSING FINANCE;
4 (III) MULTI-FAMILY RESIDENTIAL PROPERTY MANAGEMENT;
5 (IV) MULTI-FAMILY RESIDENTIAL CONSTRUCTION OR DESIGN;
6 (V) FEDERAL, STATE, OR LOCAL HOUSING FINANCE PROGRAMS;
7 (VI) BUSINESS MANAGEMENT, INCLUDING BUDGET, FINANCE, OR
8 HUMAN RESOURCES; OR
9 (VII) OTHER RELEVANT EXPERTISE.

10 AS NEW APPOINTMENTS ARE CONSIDERED, SPECIAL ATTENTION SHALL BE GIVEN
11 TO ENSURE THAT A DIVERSITY OF EXPERTISE IS MAINTAINED ON THE
12 COMMISSION.

13 (c) *Ineligibility to Serve as Commissioners.* The following individuals are not
14 eligible to serve as voting Commissioners:

- 15 (1) An employee of the housing Commission;
16 (2) An elected official of the County;
17 (3) An employee of the County.

18 (d) *Terms of Office:*

- 19 (1) A Commissioner shall serve for a term of five years, except that a
20 nonvoting Commissioner shall serve at the pleasure of the County
21 Executive.
22 (2) The terms of the Commissioners shall be staggered as required by
23 law.
24 (3) No Commissioner shall be reappointed after having served eight or
25 more consecutive years immediately before reappointment.
26 (4) All vacancies shall be filled for the balance of the unexpired term
27 only. A Commissioner shall hold office until the Commissioner's
28 successor has been appointed.
29 (5) A Commissioner who is absent from three consecutive regular
30 meetings of the Commission, unless excused by resolution of the
31 Commission, may be removed from office.

1
2 **Section 13.1307. Chairperson; liaison to the Housing and Community Development**
3 **Board; staff; legal services.**

4 (d) *Legal Services.* For the legal services it may require, the Commission [[shall]]MAY
5 use the services of the County Solicitor[[, who]] OR may employ [[outside]]ITS OWN legal
6 counsel [[for these purposes]].
7

8 ~~**Title 13. Housing and Community Development.**~~

9 ~~**Subtitle 14. -- Notice-Sale of Multifamily Dwelling Units**~~

10
11 ~~**Section 13.1400. Definitions.**~~

12 (b) ~~*Department*~~ means the Department of [[Housing and Community Development]]
13 COMMUNITY RESOURCES AND SERVICES.
14

15 **Title 13. Housing and Community Development.**

16 **Subtitle 15. Howard County Participation in Housing Projects.**

17
18 **Section 13.1500. Prohibited participation.**

19 Neither the [[Department of Housing and Community Development]] COUNTY nor the
20 Housing Commission may construct or provide financing or financial assistance for a
21 housing project that would:

22 (a) Increase the poverty level in a census tract block group if the poverty level in the
23 census tract block group is ten percent or greater; or

24 (b) Increase the poverty level in a census tract block group to ten percent or greater.
25

26 **Title 14. Licenses, Permits and Inspections.**

27 **Subtitle 7. Solicitors and Peddlers**

28
29 **Section 14.700. Definitions.**

30 (a) *Administrator* means the Administrator of the Howard County Office of Consumer
31 [[Affairs]]PROTECTION OR THE ADMINISTRATOR'S [[or his/her]] designee.

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Section 14.706. Exceptions.

- (a) The provisions of this subtitle shall not apply to:
 - (8) Any person selling or attempting to obtain orders for the sale of goods, wares, merchandise, services or foodstuffs for companies, firms, corporations or partnerships which:
 - c. Are in compliance with all orders, directives, stipulations and agreements between them and the Howard County Office of Consumer [[Affairs]]PROTECTION.

Section 14.710. Penalty.

Any person who violates any of the provisions of this subtitle shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than \$50.00 nor more than \$500.00 or imprisoned for not more than 30 days, or be both fined and imprisoned. Alternatively or in addition to and concurrent with all other remedies, the Office of Consumer [[Affairs]]PROTECTION or the Police Department may enforce this subtitle with civil penalties pursuant to title 24, "Civil Penalties," of the Howard County Code. A first violation of this subtitle shall be a Class D offense. Subsequent violations shall be Class B offenses.

Title 16. Planning, Zoning and Subdivision and Land Development Regulations.
Subtitle 5. Mobile Home Development.

Section 16.501. Licenses generally.

(c) After 30 days' notice to the licensee of any complaint filed with the licensing authority by any Law Enforcement Officer, Health Officer, Building Inspector, Fire Inspector, Consumer [[Affairs]]PROTECTION Investigator, or any person, the Board of Appeals may, after a public hearing and upon a finding of a violation of any provision of this subtitle or of the provisions of any health, zoning or building laws or regulations, revoke or suspend any license granted pursuant to this subtitle; or the Board may, after such notice, hearing and appropriate finding, in its lawful discretion, place such

1 restrictions and conditions upon the continued operation of the licensee as may be in the
2 public interest. Any party to this proceeding aggrieved by the decision of the Board shall
3 have the right to appeal the finding, decision and order of the Board to the Circuit Court
4 of Howard County within 30 days in accordance with the Maryland rules of procedure for
5 appeals from administrative agencies.

6
7 **~~Title 16. Planning, Zoning and Subdivision and Land Development Regulations~~**

8 **~~Subtitle 11. Adequate Public Facilities.~~**

9
10 **~~Section 16.1104. Housing unit allocation process.~~**

11 ~~(e) Special Affordable Housing Opportunities:~~

12 (1) ~~From time to time, the County may be presented with a special affordable~~
13 ~~housing opportunity for development of either:~~

14 (ii) ~~An innovative moderate income housing unit development,~~
15 ~~including, without limitation, multiplexes, stacked units, or~~
16 ~~accessory apartments, that has been determined by the Department~~
17 ~~of [[Housing and Community Development]]COMMUNITY~~
18 ~~RESOURCES AND SERVICES and the Department of Planning and~~
19 ~~Zoning to:~~

- 20 a. ~~Demonstrate a new housing product that is more affordable~~
21 ~~than existing housing products; and~~
22 b. ~~Have the potential to promote housing diversity and the~~
23 ~~construction of a broader range of affordable housing.~~

24
25 **Title 17. Public Protection Services.**

26 **Subtitle 4. Consumer Protection.**

27
28 **Section 17.400. Definitions.**

29 (f) *Administrator* means the head of the Office of Consumer [[Affairs]]PROTECTION.

30 (g) *Advisory Board on Consumer [[Affairs]]PROTECTION*, hereinafter known as the
31 "Board," shall consist of seven members. Each appointment shall be for an overlapping

1 five-year term, and each appointee shall hold office until a successor is appointed and
2 confirmed. A vacancy on the Board shall be filled for the unexpired term of the departing
3 member. All members of the Board shall be designated by the County Executive, subject
4 to ~~[[conformation]]~~CONFIRMATION by the County Council. The members of the Board
5 shall serve without compensation, but they may be reimbursed for all expenses
6 reasonably incurred in the performance of their duties as may be provided in the budget.

7
8 **Section 17.401. Office of Consumer ~~[[Affairs]]~~PROTECTION.**

9 (b) *Head.* The Consumer ~~[[Affairs]]~~PROTECTION Administrator shall head the Office of
10 Consumer ~~[[Affairs]]~~PROTECTION. The Director of ~~[[Citizen]]~~COMMUNITY RESOURCES
11 AND Services shall exercise administrative supervision over the Office of Consumer
12 ~~[[Affairs]]~~PROTECTION.

13 (c) *Qualifications of Consumer ~~[[Affairs]]~~PROTECTION Administrator.* The Consumer
14 ~~[[Affairs]]~~PROTECTION Administrator shall have thorough knowledge of methods and
15 practices of protecting consumer interest, including knowledge of County, State and
16 Federal laws, and knowledge of the methods and techniques of investigating complaints
17 and charges of unlawful trade practices. The Administrator shall have at least five years
18 of experience in community service or related work, including one year dealing with
19 consumer protection or trade practices and at least one year of managerial experience.

20 (d) *Duties and Responsibilities.* The Office ~~[[of Consumer Affairs]]~~ shall have the
21 following duties:

- 22 (4) To issue cease and desist orders with respect to consumer practices
23 declared to be in violation of this subtitle by the Office. If, upon all the
24 evidence, the Administrator of the Office ~~[[of Consumer Affairs]]~~ finds
25 that the respondent has engaged in a deceptive or unfair trade practice
26 within the scope of any provision of this subtitle, it shall so state its
27 findings. The Office thereupon shall issue and cause to be served upon the
28 respondent an order requiring the respondent to cease and desist from the
29 deceptive or unfair trade practice and to take such affirmative action as
30 equity and justice may require to effectuate the purposes of this subtitle.

31

1 **Section 17.402. Advisory Board on Consumer [[Affairs]]PROTECTION.**

2 (b) *Number of Members.* There is an Advisory Board on Consumer
3 [[Affairs]]PROTECTION which shall consist of seven members.

4 (d) *Executive Secretary.* The Consumer [[Affairs]]PROTECTION Administrator or the
5 Administrator's designee shall serve as Executive Secretary of the Board and shall attend
6 all meetings of the Board.

7 (f) *Duties and Responsibilities.* The [[Advisory]] Board [[on Consumer Affairs]] shall
8 carry out all duties and responsibilities assigned to it by law.

9 (1) The Board may annually review the programs of the Office OF CONSUMER
10 PROTECTION and make recommendations to the Administrator prior to the
11 submitting of the annual budget.

12 (2) The Board shall submit an annual report to the County Executive and to
13 the County Council.

14 (3) The Board may advise the Office [[of Consumer Affairs]] in carrying out
15 its duties.

16 (4) The Board may hold public hearings as deemed necessary, including
17 hearings for the purpose of forming recommendations on inclusion or
18 exclusion of persons or organizations from applications of the provisions
19 of this subtitle.

20 (5) At the directive of the County Executive or by resolution of the County
21 Council, the [[Advisory]] Board [[on Consumer Affairs]] shall review and
22 make recommendations on any matter related to consumer protection.
23

24 **Section 17.408. Procedures and enforcement.**

25 (b) *Reasonable Grounds a Violation Has Occurred.* Whenever the Administrator
26 determines that there are reasonable grounds to believe a violation has occurred, the
27 Office shall commence with one or more of the following procedures, which it, in its sole
28 discretion, deems appropriate:

29 (1) *Conciliation.* Attempt to conciliate the matter, either by methods of initial
30 conference and persuasion with all interested parties and such
31 representatives as the parties may choose to assist them, or by such other

1 methods as this office shall, in its discretion, deem appropriate. In
2 attempting such conciliation to assist a complaining consumer to resolve
3 the individual dispute, the Office may utilize the goods services of the
4 Advisory Board on Consumer [[Affairs]]PROTECTION. Conciliation
5 conferences shall be informal, and nothing said or done during such initial
6 conference shall be made public by the Office, the Board, or its members,
7 unless the parties agree thereto in writing. The terms of the conciliation
8 agreed to by the parties may be reduced to writing and incorporated into a
9 written conciliation or settlement agreement to be signed by the parties,
10 which written agreement is for conciliation purposes only and does not
11 constitute an admission by any party that the law has been violated. A
12 written conciliation or settlement agreement shall be signed, on behalf of
13 the Office, by the Administrator of the Office.

14 (f) *Referral to Office of Law.* If the Office [[of Consumer Affairs]], with respect to any
15 matter which involves a violation of section 17.403, fails to effect an assurance of
16 compliance or discontinuance or determines that a complaint is not susceptible of
17 settlement, the Office may transmit the matter to the Office of Law for appropriate legal
18 action.

19
20 **Section 17.412. Penalties.**

21 (a) *Civil Penalties.* The Office of Consumer [[Affairs]]PROTECTION may enforce the
22 provisions of this subtitle with civil penalties pursuant to the provisions of title 24,
23 "Civil Penalties," of the Howard County Code. A first violation of this subtitle shall be
24 a Class D offense. Subsequent violations shall be Class A offenses.

25
26 **Title 17. Public Protection Services.**

27 **Subtitle 5. New Home Contract of Sale.**

28
29 **Section 17.504. Administration, enforcement and penalties.**

30 (a) This subtitle shall be administered by the Office of Consumer
31 [[Affairs]]PROTECTION.

1 (b) The Office of Consumer [[Affairs]]PROTECTION may enforce the provisions of this
2 subtitle with civil penalties pursuant to the provisions of title 24, "Civil Penalties," of the
3 Howard County Code. A violation of this subtitle shall be a Class B offense.

4 (d) The Office of Consumer [[Affairs]]PROTECTION may seek an injunction to prohibit a
5 person who has engaged or is engaging in a violation of this subtitle from continuing or
6 engaging in the violation.

7

8 **Title 17. Public Protection Services.**

9 **Subtitle 6. Towing from Private Property.**

10

11 **Section 17.602. Administration; rates; registration; hearing.**

12 (a) Each tow truck operated by a trespass towing service shall be identified, registered,
13 and insured as required under State law, except that any required lettering shall be placed
14 on both sides of the truck. Each driver employed by a trespass towing service shall be at
15 least 18 years of age and shall have a valid license to operate a tow truck.

16

17 (b) Each trespass towing service shall be registered with the Office of Consumer
18 [[Affairs]]PROTECTION and shall pay annually in January a registration fee recommended
19 by the Consumer [[Affairs]] PROTECTION Administrator and which is set annually by
20 resolution of the County Council.

21 (c) Every trespass towing service shall file with the Office of Consumer [[Affairs]]
22 PROTECTION a schedule of its rates for each action connected with the towing or storage
23 of unauthorized vehicles.

24 (d) A trespass towing service shall not charge a rate that is higher than the rate on file
25 with the Office of Consumer [[Affairs]] PROTECTION for any action in connection with
26 the towing or storage of any unauthorized vehicle.

27 (e) Each trespass towing service shall inform the Office of Consumer [[Affairs]]
28 PROTECTION of the type of business organization or ownership in which the service
29 operates and the address of a person authorized to accept service.

30 (f) Each trespass towing service shall enter into a written contract with every owner of
31 private property that authorizes the towing service to tow vehicles from its property. The

1 towing service shall keep on file each contract that is in effect, or that was terminated
2 within the previous 12 months. The Office of Consumer [[Affairs]] PROTECTION, the
3 Police Department or the owner of any vehicle towed by the service may inspect and
4 copy any contract during normal business hours. The cost of photocopying the contract
5 shall be no more than the County charges the public for photocopying County documents.
6 The Office of Consumer [[Affairs]] PROTECTION may issue model contracts that meet the
7 requirements of this subsection.

8 (g) The Office of Consumer [[Affairs]] PROTECTION may revoke the registration of
9 trespass towing services which violate the provisions of this subtitle. The Administrator
10 shall send a written decision to the trespass towing service stating that the registration has
11 been revoked and the reasons for the revocation. The decision shall indicate the right of
12 the trespass towing service to a hearing before the Administrator of the Office of
13 Consumer [[Affairs]] PROTECTION or the Administrator's designee under the
14 Administrative Procedures Act set forth at Title 2, Subtitle 1 of the Howard County Code.

15 (h) A towing service may appeal a decision of the Office of Consumer Affairs to revoke
16 its registration to the Administrator or the Administrator's designee within 30 days of the
17 date of the decision. The hearing on a decision to revoke a towing service's registration
18 shall be conducted in accordance with title 2, subtitle 1, article III of the Howard County
19 Code, the Administrative Procedures Act, and shall be heard by the Administrator of the
20 Office of Consumer [[Affairs]] PROTECTION or the Administrator's designee.

21 (i) Within 30 days of the date of a decision of the Administrator of the Office of
22 Consumer [[Affairs]]PROTECTION, or the Administrator's designee, to revoke a towing
23 service's registration, the towing service may appeal that decision to the Board of
24 Appeals pursuant to the procedures set forth in title 2, subtitle 2 of the Howard County
25 Code. The appeal to the Board of Appeals shall be heard on the record of the hearing
26 before the Office of Consumer [[Affairs]]PROTECTION in accordance with the procedures
27 set forth in subsection 2.210(b) of the Howard County Code.

28
29 **Section 17.603. Public notice; tow procedures.**

30 (b) *Signs.* Except as provided in paragraph (3) of this subsection, a property owner shall
31 post a sign notifying the public of parking restrictions at least 24 hours before towing or

1 ordering the towing of an unauthorized vehicle in accordance with the following
2 provisions:

3 (2) Each sign shall:

- 4 (i) Be at least 24 inches high by 30 inches wide;
- 5 (ii) Summarize all parking restrictions enforced on the property,
6 including time and area restrictions;
- 7 (iii) State that a vehicle that violates the restrictions may be towed at
8 the vehicle owner's expense;
- 9 (iv) State that County and State law require that towed vehicles be
10 available for redemption 24 hours per day, seven days per week;
- 11 (v) State the maximum amount that the owner of the vehicle may be
12 charged for the towing or removal of an unauthorized vehicle;
- 13 (vi) List the name and telephone number of each towing service hired
14 to tow unauthorized vehicles from the property and the location to
15 which the vehicle will be towed;
- 16 (vii) State that a vehicle owner may contact the Office of Consumer
17 [[Affairs]]PROTECTION and state the phone number of the Office
18 [[of Consumer Affairs]];
- 19 (viii) Be sized, printed, and located so that it is able to be read by
20 motorists in daylight and at night; and
- 21 (ix) Be maintained in a legible and unobstructed condition.

22 (c) *Tow Procedures*. Each tow conducted pursuant to this subtitle shall be conducted in
23 the following manner:

24 (1) Except as provided in paragraph (2) of this subsection, a towing service
25 shall not tow a vehicle from private property unless the property owner
26 has directly or through an agent expressly authorized the towing of the
27 particular vehicle. Authorization shall be in the form of a tow slip. The
28 Office of Consumer [[Affairs]]PROTECTION may issue a model tow slip.
29 The tow slip shall:

- 30 (i) Contain the following information:
 - 31 a. The address from which the vehicle was towed;

- 1 b. The date and time the vehicle was towed;
- 2 c. The make, model, year, and color of the vehicle;
- 3 d. If available, the vehicle identification number;
- 4 e. The reason the vehicle was towed;
- 5 f. The name and signature of the tow operator and the person
- 6 who authorized the vehicle to be towed; and
- 7 g. The name and phone number of the Office of Consumer
- 8 [[Affairs]]PROTECTION; and
- 9 (ii) Be signed by the property owner, or the owner's agent, and the
- 10 driver of the tow truck immediately before the vehicle is towed;
- 11 and
- 12 (iii) Be legibly copied and a copy of which shall be securely attached to
- 13 the vehicle.

14

Section 17.604. Notice.

15 (a) A towing service that tows an unauthorized vehicle from private property shall notify
16 the Police Department and the Office of Consumer [[Affairs]]PROTECTION of the
17 following information within one hour after leaving the property:

- 18 (1) The name of the towing service;
- 19 (2) The make, model, color, year, vehicle identification number and
- 20 registration plate number of the towed vehicle;
- 21 (3) The address the vehicle was towed from;
- 22 (4) The time the vehicle was towed; and
- 23 (5) The storage site where the vehicle will be stored.

24 (c) If a vehicle has not been redeemed within three days after towing or removing the
25 vehicle, the towing service shall notify the owner, any secured party, and the insurer of
26 record by certified mail, return receipt requested, and first class mail, of the same
27 information required to be given to the Police Department and Office of Consumer
28 [[Affairs]]PROTECTION in subsection (a) of this section.

29 (e) The towing service shall retain each tow slip and, and for those vehicles towed
30 without tow slips as provided in section 17.603(c)(2), a record of the information
31

1 furnished to the police, for 12 months after the tow. For each vehicle towed without a tow
2 slip, the towing service shall record and retain the name of the owner of the property and,
3 if the tow was authorized by an agent, the name of the agent. The Police Department, the
4 Office of Consumer [[Affairs]]PROTECTION and the owner of any vehicle towed by the
5 service may inspect and copy this information at any time during normal business hours.

6 (f) If a towing service tows an unauthorized vehicle from private property when the
7 Office of Consumer [[Affairs]]PROTECTION is closed, the towing service shall notify the
8 Office of the tow before 10:00 a.m. on the next business day following the tow, either by
9 telephone or by facsimile machine.

10
11 **Section 17.608. Redemption and storage procedures.**

12 (d) *Payment and Promise to Pay:*

13 (4) Options:

14 (i) Each trespass towing service shall accept as full payment either a
15 credit card or a personal check, at the option of the towing service,
16 validly signed by the vehicle owner or the vehicle owner's agent
17 for the amount of all valid charges.

18 (ii) Each trespass towing service shall notify the Office of Consumer
19 [[Affairs]]PROTECTION on the rate schedule filed under section
20 17.602 of this subtitle whether it opts to accept credit cards or
21 personal checks or both. The towing service shall notify the Office
22 of Consumer [[Affairs]]PROTECTION if it changes that option.

23 (iii) The option chosen by a trespass towing service shall be available
24 to the owners of all vehicles towed by that service without the
25 consent of their owners.

26 (e) *Rates Displayed.* Every trespass towing service shall display prominently, at each
27 redemption area, a copy of its current rates and a statement that these rates do not exceed
28 the rates filed with the Office of Consumer [[Affairs]]PROTECTION. Every trespass towing
29 service shall also display prominently a sign, furnished at a reasonable fee by the Office
30 of Consumer [[Affairs]]PROTECTION, listing the office's telephone number and
31 summarizing the vehicle owner's rights under this subtitle.

1 (g) *Receipt*. Upon receiving payment, a towing service shall furnish the vehicle owner a
2 receipt on a form approved by the Office of Consumer [[Affairs]]PROTECTION. The
3 receipt shall:

- 4 (1) Record the amount paid to redeem the vehicle, the actions for which the
5 vehicle owner paid, and the date and time of the redemption;
- 6 (2) Be signed legibly by an agent of the towing service, and list the name,
7 address and telephone number of the towing service;
- 8 (3) Briefly inform the vehicle owner that the Office of Consumer
9 [[Affairs]]PROTECTION can explain the vehicle owner's rights. If the
10 vehicle owner believes that any provision of County law has been violated
11 the vehicle owner may obtain a copy of the law from the Office of
12 Consumer [[Affairs]]PROTECTION.

13
14 **Section 17.611. Penalties.**

15 (a) The Office of Consumer [[Affairs]]PROTECTION may take any action at law or in
16 equity, including injunction and mandamus, to enforce the provisions of this subtitle.

17 (b) Alternatively or in addition to and concurrent with other remedies, the Office of
18 Consumer [[Affairs]]PROTECTION may:

- 19 (1) Seek a civil fine not to exceed \$1,000.00 for any violation of this subtitle;
20 or
- 21 (2) Enforce the provisions of this subtitle with penalties as provided in title
22 24, "Civil Penalties," of the Howard County Code. A violation of this
23 subtitle shall be a Class A offense. Each day that a violation continues is a
24 separate violation.

25
26 **Title 20. Taxes, Charges and Fees.**

27 **Subtitle 1. Real Property Tax; Administration, Credits, and Enforcement.**

28 **Part III. - State-Authorized Howard County Tax Credits.**

29
30 **Section 20.129. Property tax credit for senior citizens.**

31 (f) *Publicity*:

1 (1) The Director of Finance shall develop and carry out a plan to publicize the
2 credit authorized by this section. The plan shall be designed to reach those
3 taxpayers most likely to be eligible for the credit.

4 (2) The [[Department of Citizen Services]]OFFICE OF AGING AND
5 INDEPENDENCE, or another appropriate unit of County Government that
6 the County Executive selects, shall develop and carry out a plan to educate
7 senior citizens about the credit authorized by this section.

8

9 **Section 20.129C. Property tax credit for accessibility features.**

10 (h) *Publicity.* The Department of Finance and the [[Department of Citizen Services]]
11 OFFICE OF AGING AND INDEPENDENCE shall publicize the credit authorized by this section
12 in a way designed to inform those most likely to benefit from the credit.

13

14

Title 22. General Provisions.

15

Subtitle 2. Public Ethics Law.

16

17 **Section 22.206. Financial Disclosure Statements.**

18 (c) This section applies to members of the following boards and commissions:

19

(1) Board of Appeals;

20

(2) Planning Board;

21

(3) Recreation and Parks Board;

22

(4) Public Works Board;

23

(5) Ethics Commission;

24

(6) Housing and Community Development Board;

25

(7) Agricultural Land Preservation Advisory Board;

26

(8) Equal Business Opportunity Commission;

27

(9) Historic [[District]]PRESERVATION Commission;

28

(10) Board of Library Trustees;

29

(11) Howard County Housing Commission;

30

(12) Economic Development Authority Board;

31

(13) Howard County Pension Oversight Commission;

- 1 (14) Howard County Mental Health Authority Board;
- 2 (15) Howard County Alcoholic Beverage Hearing Board;
- 3 (16) Howard County Revenue Authority Board;
- 4 (17) Design Advisory Panel;
- 5 (18) Animal Matters Hearing Board;
- 6 (19) Advisory Board on Consumer [[Affairs]]PROTECTION;
- 7 (20) Board of Electrical Examiners;
- 8 (21) Board of Health; and
- 9 (22) Human Rights Commission.

10
11 ~~At a future time, we will have to do a ZRA to amend the following definition in Section~~
12 ~~103.0 of the Zoning Regs:~~

13 ~~Moderate Income Housing Unit: A dwelling unit offered for sale or rent to households~~
14 ~~with incomes up to 80% of the median income in Howard County, in accordance with~~
15 ~~Title 13, Subtitle 4 of the Howard County Code and the Procedures of the Howard~~
16 ~~County Department of [[Housing and Community Development]]COMMUNITY~~
17 ~~RESOURCES AND SERVICES.~~

18
19 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County,
20 *Maryland that the provisions of Section 1 of this Act that make amendments to the*
21 *Howard County Retirement Plan and to Other Post-Employment Benefits in sections*
22 *1.406, 1.404B (e) and 1.405B of the Howard County Code shall apply beginning on July*
23 *1, 2016.*

24
25 ***Section 3. And Be It Further Enacted, That, except as expressly provided to the contrary***
26 *in this Act, any transaction or employment status affected by or flowing from any change*
27 *of nomenclature or any statute amended by this Act and validly entered into or existing*
28 *before the effective date of this Act and every right, duty, or interest flowing from a*
29 *statute amended by this Act remains valid after the effective date of this Act and may be*
30 *terminated, completed, consummated, or enforced as required or allowed by any statute*
31 *amended by this Act as though the amendment had not occurred. If a change in*

1 nomenclature involves a change in name or designation of any County agency, the
2 successor unit shall be considered in all respects as having the powers and obligations
3 granted the former unit.

4
5 **Section 4. And Be It Further Enacted, that any transaction or employment status**
6 **affected by or flowing from any change of nomenclature or any statute amended by this**
7 **Act shall apply beginning on July 1, 2016.**

8
9 **Section 5. And Be It Further Enacted by the County Council of Howard County,**
10 **Maryland, that the County Council requests that the Howard County Commission on**
11 **Aging review Section 6.313 as well as Title 12, Subtitle 5 of the Howard County Code**
12 **and make recommendations to the County Executive and the Council regarding the**
13 **Commission's mission and responsibilities, diversity of Commission membership,**
14 **updating of archaic or obsolete language, and any other suggested revisions to better**
15 **align the roles of the Commission and the Office on Aging and Independence.**

16
17 **Section 3 6. And Be It Further Enacted by the County Council of Howard County,**
18 **Maryland, that this Act shall become effective 61 days after its enactment.**