County Council of Howard County, Maryland

2016 Legislative Session   Legislative Day No. 8

Bill No. 51-2016

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

AN ACT clarifying the method of computing time for deadlines set forth in the Howard County Code; defining certain terms; and generally relating to computing time.

Introduced and read first time _July 8_, 2016. Ordered posted and hearing scheduled.

By order _Jessica Feldmark_
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _July 18_, 2016.

By order _Jessica Feldmark_
Jessica Feldmark, Administrator

This Bill was read the third time on _July 29_, 2016 and Passed ___, Passed with amendments _✓_, Failed _____.

By order _Jessica Feldmark_
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 29th day of _July_, 2016 at 4 a.m./p.m.

By order _Jessica Feldmark_
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _Aug 5_, 2016

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** *by the County Council of Howard County, Maryland, that the Howard*

2 *County Code is amended as follows:*

3   *By adding Subtitle 9 "Computation of Time" to*

4   *Title 22 "General Provisions"*

5

6 <div align="center">**Title 22. General Provisions.**</div>

7 <div align="center">**SUBTITLE 9. COMPUTATION OF TIME.**</div>

8

9 **SECTION 22.900. DEFINITIONS.**

10 FOR PURPOSES OF THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:

11 (A) *DEADLINE* MEANS THE LAST DAY OF ANY PERIOD OF TIME BY WHICH ANY PERSON OR COUNTY

12 DEPARTMENT OR AGENCY IS REQUIRED TO TAKE SOME ACTION.

13 (B) ~~*HOLIDAY* MEANS RECOGNIZED COUNTY, STATE, AND FEDERAL HOLIDAYS.~~ (B) *HOLIDAY* MEANS

14 THE HOLIDAYS DESIGNATED BY THE COUNTY'S CHIEF ADMINISTRATIVE OFFICER AND POSTED ON

15 THE COUNTY'S WEBSITE.".

16 (C) *ORDINARY BUSINESS HOURS* MEANS 8 A.M. TO 5 P.M. ON MONDAY THROUGH FRIDAY.

17

18 **SECTION 22.901. APPLICATION.**

19 THIS SUBTITLE APPLIES TO ANY DEADLINE ESTABLISHED BY THIS CODE <u>THAT EXCEEDS SEVEN</u>

20 <u>DAYS</u>.

21

22 **SECTION 22.902. COMPUTATION OF TIME.**

23 (A) *BEGINNING OF THE PERIOD OF TIME.* IN COMPUTING ANY PERIOD OF TIME ~~PRESCRIBED BY THIS~~

24 <u>SUBJECT TO THIS SUBTITLE</u> ~~CODE~~, THE DAY OF THE ACT, EVENT, OR DEFAULT, AFTER WHICH THE

25 DESIGNATED PERIOD OF TIME BEGINS TO RUN, IS NOT TO BE INCLUDED.

26 (B) *DEADLINE.* THE DEADLINE IS TO BE COMPUTED AS FOLLOWS:

27   (1)   IF THE LAST DAY IS A SATURDAY, SUNDAY, OR HOLIDAY, THE DEADLINE SHALL BE

28   THE END OF THE NEXT DAY, WHICH IS NOT A SATURDAY, SUNDAY, OR HOLIDAY; OR

29   (2)   IF THE COUNTY OFFICE IS NOT OPEN ON THE LAST DAY OF THE PERIOD, OR IS CLOSED

30   FOR A PART OF A DAY, THE DEADLINE SHALL BE THE END OF THE NEXT DAY WHICH

1   IS:

2   (I)   NOT A SATURDAY, SUNDAY, OR HOLIDAY; OR

3   (II)   A DAY ON WHICH THE COUNTY OFFICE IS OPEN THE ENTIRE DAY DURING

4   ORDINARY BUSINESS HOURS.

5 ~~(C) *COUNTING DAYS.* WHEN COMPUTING A PERIOD OF TIME, INTERMEDIATE SATURDAYS,~~

6 ~~SUNDAYS, AND HOLIDAYS SHALL:~~

7   ~~(1)   BE COUNTED WHEN THE PERIOD OF TIME ALLOWED IS MORE THAN 7 DAYS; OR~~

8   ~~(2)   NOT BE COUNTED WHEN THE PERIOD OF TIME ALLOWED IS 7 DAYS OR LESS.~~

9

10 ***Section 2. And Be It Further Enacted*** *by the County Council of Howard County, Maryland that*

11 *this Act shall become effective 61 days after its enactment.*

Amendment _1_ to Council Bill No. 51-2016

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 9
Date: July 29, 2016

Amendment No. _1_

(This amendment:

1. *Clarifies that holidays means those holidays designated by the CAO and posted on the County's website; and*

2. *Clarifies that the bill applies to periods of time that exceed seven days.)*

1 On page 1, strike line 13 and substitute:

2 "(B) *HOLIDAY* MEANS THE HOLIDAYS DESIGNATED BY THE COUNTY'S CHIEF ADMINISTRATIVE

3 OFFICER AND POSTED ON THE COUNTY'S WEBSITE.".

4

5 On page 1, in line 17, after "CODE" insert "THAT EXCEEDS SEVEN DAYS."

6

7 On page 1, in line 20, strike "PRESCRIBED BY THIS" and substitute "SUBJECT TO THIS SUBTITLE".

8

9 On page 1, in line 21, strike "CODE".

10

11 On page 2, strike lines 2 through 5, inclusive and in their entirety.

ADOPTED ___7/29/16___
FAILED _____
SIGNATURE _Jessica Feldmark_

1

County Council of Howard County, Maryland

2016 Legislative Session   Legislative Day No. _8_

Bill No. _51_ -2016

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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

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2 County Code is amended as follows:

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6

7   ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that

8   this Act shall become effective 61 days after its enactment.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on
_August 5, 2016_____, 2016.

C. Jill Meyer (acting administrator)
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2016.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2016.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2016.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2016.

_____
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2016.

_____
Jessica Feldmark, Administrator to the County Council