

SENATE BILL 393

L2

(1lr1689)

ENROLLED BILL

— Finance/Environmental Matters —

Introduced by **Calvert County Senators**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Calvert County – Regulation of Roads**

3 FOR the purpose of authorizing the County Commissioners of Calvert County, by
4 ordinance, to regulate the grading, constructing, improving, maintaining, and
5 repairing of certain roads; authorizing the County Commissioners to ~~regulate~~
6 ~~the construction and maintenance activities of private and public utilities in~~
7 establish standards for utility cuts in and across county rights-of-way;
8 authorizing the County Commissioners to regulate access to county-owned
9 roads; authorizing the County Commissioners to establish certain minimum
10 standards for new roads; authorizing the County Commissioners to regulate the
11 engineering and constructing and acceptance into the county roads system of
12 certain new public roads, bridges, sidewalks, curbs, gutters, and storm drainage
13 facilities; authorizing the County Commissioners to establish certain fees and
14 provide for certain civil penalties; providing for the enforcement of an ordinance
15 enacted under this Act in the same manner and to the same extent as certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 municipal infractions; authorizing the County Commissioners to seek other
 2 remedies provided by law; *providing for the application of this Act*; and
 3 generally relating to the authority of the County Commissioners of Calvert
 4 County to regulate roads in the county.

5 BY adding to

6 Article 25 – County Commissioners
 7 Section 11
 8 Annotated Code of Maryland
 9 (2005 Replacement Volume and 2010 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article 25 – County Commissioners**

13 **11.**

14 (A) **THIS SECTION DOES NOT APPLY TO A PRIVATELY OWNED ROAD IN**
 15 **CALVERT COUNTY THAT HAS BEEN CONSTRUCTED ON OR BEFORE SEPTEMBER**
 16 **30, 2011.**

17 (B) BY ORDINANCE, THE COUNTY COMMISSIONERS OF CALVERT
 18 COUNTY MAY:

19 (1) REGULATE THE GRADING, CONSTRUCTING, IMPROVING,
 20 MAINTAINING, AND REPAIRING OF COUNTY ROADS AND NEW ROADS INTENDED
 21 FOR FUTURE PUBLIC USE, INCLUDING ROADS PROPOSED FOR ANY SUBDIVISION
 22 APPROVED BY THE CALVERT COUNTY PLANNING COMMISSION, WHETHER
 23 RECORDED OR PROPOSED, INCLUDING SIDEWALKS, CURBS, GUTTERS,
 24 DRIVEWAY ENTRANCES, STORM DRAINAGE FACILITIES, AND APPURTENANCES
 25 TO BE LOCATED IN THE SUBDIVISION;

26 (2) ~~REGULATE THE CONSTRUCTION AND MAINTENANCE~~
 27 ~~ACTIVITIES OF PRIVATE AND PUBLIC UTILITIES IN~~ ESTABLISH STANDARDS FOR
 28 UTILITY CUTS IN AND ACROSS COUNTY RIGHTS-OF-WAY;

29 (3) REGULATE ACCESS TO COUNTY-OWNED ROADS;

30 (4) ESTABLISH MINIMUM STANDARDS TO WHICH A NEW ROAD IN A
 31 SUBDIVISION IN CALVERT COUNTY MUST BE CONSTRUCTED BEFORE THE
 32 ISSUANCE OF A BUILDING PERMIT THAT PERTAINS TO A LOT SERVED BY THE
 33 ROAD;

1 **(5) REGULATE THE ENGINEERING AND CONSTRUCTING OF ANY**
2 **NEW PUBLIC ROAD, BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE**
3 **FACILITY PROPOSED FOR ACCEPTANCE INTO THE COUNTY ROADS SYSTEM;**

4 **(6) REGULATE THE ACCEPTANCE OF ANY NEW PUBLIC ROAD,**
5 **BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE FACILITY INTO THE**
6 **COUNTY ROADS SYSTEM;**

7 **(7) ESTABLISH FEES TO DEFRAY THE COST OF REVIEWING PLANS**
8 **AND PERFORMING INSPECTIONS FOR THE CONSTRUCTION OF ROADS AND**
9 **UTILITY CUTS IN ACCORDANCE WITH AN ORDINANCE ENACTED UNDER THIS**
10 **SECTION; AND**

11 **(8) PROVIDE FOR A CIVIL PENALTY FOR VIOLATION OF AN**
12 **ORDINANCE ENACTED UNDER THIS SECTION.**

13 ~~**(B)**~~ **(C) A VIOLATION OF AN ORDINANCE ENACTED UNDER THIS**
14 **SECTION SHALL BE ENFORCED IN THE SAME MANNER AND TO THE SAME EXTENT**
15 **AS PROVIDED FOR MUNICIPAL INFRACTIONS UNDER ARTICLE 23A, § 3(B) OF**
16 **THE CODE.**

17 ~~**(E)**~~ **(D) IN ADDITION TO ANY REMEDIES PROVIDED FOR UNDER AN**
18 **ORDINANCE ENACTED UNDER THIS SECTION, THE COUNTY COMMISSIONERS OF**
19 **CALVERT COUNTY MAY SEEK OTHER REMEDIES PROVIDED BY LAW.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.