

SUPPLEMENT NO. 2

CODE OF THE PUBLIC LOCAL LAWS OF
WASHINGTON COUNTY, MARYLAND
2007 EDITION

(Amendments through 2009 and 2010 Legislative Sessions)

Title 1. County Commissioners

Subtitle 1. General

1.106. Contracts over \$50,000; bids.

1-106(b) Lowest bidder, Subsection (2) [AMENDED] (2010, ch. 705)

1.106.1. Contracts for public improvements.

1-106.1.(b) Limitations, Subsection (1) [AMENDED] (2010, ch. 679)

1.106.5 Procurement of professional or technical services. [ADDED] (2010, ch.705)

1.107. Aid to manufactories. [REPEALED] (2010, ch. 678)

1.113. County Attorney(s). [ADDED] (2010, ch. 676)

Subtitle 2. County Clerk

2.204. Same; compensation; assistant and attorney. [AMENDED] (2010, ch. 676)

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Subtitle 7. Taxes.

2-701. Building Excise Tax, Subsection (i) [ADDED] (2010, ch. 434)

Title 7. Roads (2009, ch. 450)

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7-101. Injuring or defacing sign. [AMENDED AND RENUMBERED TO 7-401]

7-102. Obstructing county road. [REPEALED]

7-103. Obstructing county road; penalty. [REPEALED]

7-104. Same; by setting out fences. [AMENDED AND RENUMBERED TO 7-404]

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7-106. Removal of weeds; penalty. [REPEALED]

7-107. Obstructions on roads; penalty. [REPEALED]

Subtitle 1. Definitions [NEW]

7-101. [NEW]

Subtitle 2. Powers and Duties of County Commissioners [REPEALED]

7-201. Roads less than 30 feet in width. [REPEALED]

7-202. Control over roads, bridges. [AMENDED AND RENUMBERED TO 7-302]

7-203. Same; meetings, records, contracts. [REPEALED]

7-204. Same; signposts, contracts, regulations. [AMENDED AND RENUMBERED
TO 7-303]

- 7-205. Levy for roads; borrowing power. [AMENDED AND RENUMBERED TO 7-304]
- 7-206. Special road improvement districts. [AMENDED AND RENUMBERED to 7-305]
- 7-207. Property owners' share of cost. [AMENDED AND RENUMBERED to 7-306]
- 7-208. Change of road name; procedure. [AMENDED AND RENUMBERED to 7-307]

Subtitle 2. Roads and Bridges. [NEW]

- 7-201. Uncertainty of boundaries. [NEW]
- 7-202. Plats required. [NEW]

Subtitle 3. Road Engineer. [REPEALED]

- 7-301. Road Engineer; removal, duties. [REPEALED]
- 7-302. Same; bond, salary. [REPEALED]

Subtitle 3. Powers and Duties of County Commissioners [NEW]

- 7-301. Road construction [NEW]
- 7-302. Control over roads, bridges. [PREVIOUS 7-202 WITH AMENDMENTS]
- 7-303. Same; signposts, contracts, regulations. [PREVIOUS 7-204]
- 7-304. Levy for roads; borrowing power. [PREVIOUS 7-205]
- 7-305. Special road improvement districts. [PREVIOUS 7-206]
- 7-306. Property owners' share of cost. [PREVIOUS 7-207]
- 7-307. Change of road name; procedure. [PREVIOUS 7-208]
- 7-308. Design standards. [NEW]
- 7-309. Traffic control devices. [NEW]
- 7-310. Rights-of-way.. [NEW]

Subtitle 4. Prohibitions [NEW]

- 7-401. Injuring or defacing sign. [PREVIOUS 7-101]
- 7-402. Traffic impedance. [NEW]
- 7-403. Personal property. [NEW]
- 7-404. Same; by setting out fences. [PREVIOUS 7-104]
- 7-405. Removal of weeds, etc. [PREVIOUS 7-105]

Title 8. Electrical Apparatus and Wiring (*2010, ch. 449*)

Subtitle 1. Electrical Apparatus and Wiring

- 8-111. Work under supervision of Master Electrician. [AMENDED]
- 8-113. License not transferable. [AMENDED]

TITLE 1. COUNTY COMMISSIONERS IS AMENDED AS FOLLOWS:

Title 1. County Commissioners

Subtitle 1. General

- 1-101. County Commissioners; number.
- 1-102. Term of Commissioner.
- 1-103. Compensation.
- 1-104. County Administrator.
- 1-105. Office hours.
- 1-106. Contracts over \$50,000; bids.
- 1-106.1. Contracts for public improvements.
- 1-106.2. Sole source procurement.
- 1-106.3. Intergovernmental cooperative purchasing.
- 1-106.4. Emergency and expedited procurement.
- 1-106.5. Procurement of professional or technical services.
- 1-107. Aid to manufactories. [Repealed 2010, ch. 678]
- 1-108. Contributions to non-profit organizations.
- 1-109. Rewards.
- 1-110. Charitable solicitations.
- 1-111. Collective bargaining.
- 1-112. Civil offenses.
- 1-113. County Attorney(s).

Subtitle 2. County Clerk

- 1-201. Clerk; oath.
- 1-202. Same; duties, bond.
- 1-203. Same; vacancy.
- 1-204. Same; compensation; assistant.
- 1-205. Same; examination of books, papers.
- 1-206. Same; oath to claimants.

Subtitle 3. Real Estate

- 1-301. Conveyance or acquisition of real estate.
- 1-302. Purchase of real estate for public purposes.

Subtitle 4. Prisoners and Inmates

- 1-401. Work by prisoners in jail.
- 1-402. Care of alcoholic inmates.

Subtitle 5. Housing, Building Permits and Sidewalks

- 1-501. Housing Code.
- 1-502. Building permits required.
- 1-503. Sidewalks; powers to have repaired, etc.

Subtitle 6. Miscellaneous Boards

- 1-601. Public works.
- 1-602. Recreation and Parks Board.
- 1-603. Transportation authority.
- 1-604. Commission for Women.
- 1-605. Advisory body to Washington County Board of Health.
- 1-606. Economic Development Commission.

Subtitle 7. Drainage, Watershed, and Garbage

- 1-701. Drainage; sewage systems authorized.
- 1-702. Watershed projects.
- 1-703. Dumping garbage, rubbish; regulations.
- 1-704. Recycling.

Subtitle 8. Public Local Laws and Code Supplement

- 1-801. Publication of local laws.
- 1-802. Code supplement.

Subtitle 9. Collective Bargaining [Abrogated 6/30/99]

Subtitle 10. Regulation of Noise

- 1-1001. Noise ordinance authorized.

Subtitle 11. Right to Farm

- 1-1101. Right to Farm ordinance authorized.

SUBTITLE 1. GENERAL, SECTION 1-106 IS AMENDED AS FOLLOWS:

Section 1-106.(b)(2) is amended and shall read as follows:

1-106. Contracts over \$50,000; bids.

(b) (2) A contract of purchase or other expenditure shall be awarded to the lowest responsible bidder who submits a responsive bid. (2010, ch. 705)

Section 1-106.1. is amended and shall read as follows:

1-106.1 Contracts for public improvements.

(a) *Advertising not required.* Notwithstanding § 1-106 of this subtitle and subject to subsection (b) of this section, the County Commissioners may contract, without advertising for bids, for a part of any public improvement if responsibility for the majority of the public improvement is with another public entity or a private entity.

(b) *Limitations*

(1) The costs of the county under a contract adopted under this section may not exceed \$100,000.

(2) Any action by the County Commissioners to participate in a public improvement in accordance with this section shall be:

(i) Taken at a regularly scheduled meeting of the County Commissioners; and

(ii) Based on written price quotations from at least three contractors. (2010, ch. 679)

Section 1-106.5 is added and shall read as follows:

1-106.5. Procurement of professional or technical services.

The County Commissioners may award a contract of purchase or other expenditure for the procurement of professional or technical services, including architectural, design engineering, legal, medical, technological, or technical services, on the basis of the qualifications, resources, and experience of the service provider and is not subject to the requirements of § 1-106 of this subtitle. (2008, ch. 671) (2010, ch. 705)

Section 1-107 is REPEALED.

1-107. Aid to manufactories. [Repealed 2010, ch. 678]

Section 1-113. is added and shall read as follows:

1-113. County Attorney(s).

(a) *Number; salary.*

(1) The County Commissioners may employ one or more County Attorneys to assist in the transaction of public business.

(2) The salary for a County Attorney shall be provided for in the budget.

(b) **Services provided.** A County Attorney may be employed by the County Commissioners to:

(1) Advise and counsel the County Commissioners, County officials, and County staff in conducting the business of the County;

(2) Render any legal opinions necessary to conduct the business of the County;

(3) Institute, prosecute, and defend lawsuits to which the County may be a party; or

(4) Perform any other duties as provided by law.

(c) **Special legal counsel.** The Office of the County Attorney may employ temporarily special legal counsel to work on problems of an extraordinary nature when the work to be done is of such character or magnitude as to require services in addition to those regularly provided by the County Attorney. (2010, ch. 676)

SUBTITLE 2. COUNTY CLERK, IS AMENDED AS FOLLOWS:

Section 1-204 is amended and shall read as follows:

1-204. Same; compensation; assistant.

(a) **Salary.** The County Clerk shall receive an annual salary as provided in the budget.

(b) **Other help.** The County Commissioners may employ an assistant to the County Clerk at an annual salary as provided in the budget. (P.L.L., 1860, Art. 21, sec. 85; 1888, Art. 22, sec. 96; 1930, sec. 144; 1957 Code, sec. 173; 1910, ch. 510, sec. 96 (p. 1179); 1924, ch. 35; 1927, ch. 342; 1933, ch. 104; 1937, ch. 541; 1939, ch. 485; 1943, ch. 432; 1953, ch. 379; 1970 ed. sec. 8-6; 1984, ch. 289; 1984 ed. sec. 1-204; 1991, ch. 211; 2006, ch. 99; 2010, ch. 676)

TITLE 2. FISCAL OFFICERS AND ISSUES IS AMENDED AS FOLLOWS:

Title 2. Fiscal Officers and Issues

SUBTITLE 7. TAXES IS AMENDED AND SHALL READ AS FOLLOWS:

Section 2-701(i) is added and shall read as follows:

2-701. Building Excise Tax.

(i) **Advisory School Design Review Committee.**

(1) (i) In this subsection the following words have the meanings indicated.

(ii) "Bidding document stage" means the period of time following the completion of design where all documents are compiled and made suitable for advertisement and competitive bidding.

(iii) "Committee" means the Advisory School Design Review Committee established by the County Commissioners.

(iv) 1. "Schematic design" means initial design concepts.
2. "Schematic design" includes a basic floor plan, exterior building elevations, and building cross sections.

(v) "Schematic design state" means the period of time when the schematic design for the project is developed.

(2) The County Commissioners shall establish an Advisory School Design Review Committee.

(3) The Washington County Board of Education shall provide a schedule of project milestones to the Committee at the beginning of the schematic design stage.

(4) The Committee shall:

(i) Review all construction plans for school capital improvement projects that exceed \$2,000,000; and

(ii) Ensure that the construction and operational and maintenance efficiencies for each capital improvement project provide an effective educational environment in a cost-efficient manner.

(5) The Committee shall begin its duties specified in paragraph (4) of this subsection at the schematic design stage for each capital improvement project and conclude its review at the bidding document stage of each capital improvement project.

(6) (i) The Committee may submit comments to the Washington County Board of Education after review of each stage of the project design.

(ii) The Washington County Board of Education shall accept, reject, or modify the Committee's comments during a regularly scheduled public meeting.

(7) At the conclusion of the Committee's review of a project, the Committee shall prepare a report summarizing its findings and making recommendations regarding the capital improvement project to the County Commissioners and the Washington County Board of Education.

(8) Before advertisement for competitive bids, the County Commissioners and the Washington County Board of Education jointly shall review the recommendations of the Committee.

(9) The County Commissioners shall have the responsibility of determining whether a capital improvement project may proceed to the bidding document stage.

(10) The County Commissioners are not bound by the recommendations submitted by the Committee. (2003, ch. 468; 2004, ch. 398; 2005, ch. 598; 2006, ch. 204; 2007, ch. 277, 2008, ch. 533; 2010, ch. 434)

TITLE 7. ROADS, IS AMENDED AND SHALL READ AS FOLLOWS:

Subtitle 1. Definitions

7-101.

Subtitle 2. Roads and Bridges

7-201. Uncertainty of boundaries.

7-202. Plats required.

Subtitle 3. Powers and Duties of County Commissioners

7-301. Road construction.

7-302. Control over roads, bridges.

7-303. Same; signposts, contracts.

7-304. Levy for roads; borrowing power.

7-305. Special road improvement districts.

7-306. Property owners' share of cost.

7-307. Change of road name; procedure.

7-308. Property owners' share of cost.

7-309. Change of road name; procedure.

7-310. Rights-of-way.

Subtitle 4. Prohibitions

7-401. Injuring or defacing sign.

7-402. Traffic impedance.

7-403. Personal property.

7-404. Same; by setting out fences.

7-405. Removal of weeds, etc.

Subtitle 1. Definitions

7-101.

(a) In this title the following words have the meanings indicated.

(b) "Director" means the Director of the Division of Public Works or its successor, or the Director's designee.

(c) "Division" means the Division of Public Works or its successor, including the departments organized within the Division.

(d) "Private land development" means a land development project funded by a private entity under the regulations established by the County Commissioners intended to convey or dedicate public infrastructure to the county. (2009, ch. 450)

Subtitle 2. Roads and Bridges

7-201. Uncertainty of boundaries.

(a) *Process.*

(1) If doubt exists as to the proper location or width of a county road, or right-of-way, the county may cause:

(i) The road to be surveyed; and

(ii) A description and plat made of the road and recorded among the land records of the county.

(2) The description of the road shall be made by reference to the original description of the road when the road was acquired.

(3) If the original description cannot be found, the description and plat shall be made of the road as existing.

(4) The description and plat shall be prepared under the supervision of and certified by a registered professional land surveyor or property line surveyor who is licensed to practice in the State.

(b) *Deemed correct.* The county and the courts shall consider the description and plat as official and prima facie correct until the contrary is proven. (2009, ch. 450)

7-202. Plats required.

If the County Commissioners acquire title to any plots or areas of land in conjunction with the construction, widening, relocating, or accepted ownership of a road, at the time of recording the deeds or deeds, the County Commissioners shall require the filing and recordation of plats with the deed or deeds showing the location and area of the land acquired in that manner. (2009, ch. 450)

Subtitle 3. Powers and Duties of County Commissioners

7-301. Road construction..

(a) *Authority.* The County Commissioners may construct a highway or road to be opened for the use of the public if, in the judgment of the Director, the highway or road:

(1) Meets engineering standards adopted by the County Commissioners; or

(2) If no standards are adopted by the County Commissioners, meets nationally accepted standards used by the engineering profession.

(b) **Regulations.**

(1) The County Commissioners may adopt regulations regarding the construction of new highways, roads, bridges, drainage systems, and other incidental structures offered for public ownership by private entities.

(2) From time to time, the Division shall reevaluate the regulations and make recommendations for revisions as deemed necessary by the Director.

(3) The County Commissioners shall accept into the county road system roads that are constructed in compliance with the county's regulations on a favorable recommendation of the Director.

(4) Acceptance of the road by the county:

(i) Includes the roadway and appurtenances such as drainage facilities, curbs, and traffic control devices; but

(ii) Does not include other items that may be located within the right-of-way such as driveways, driveway culverts, sidewalks, and other items as determined by the Director. (2009, ch. 450)

7-302. Control over roads, bridges.

(a) **Authority.** The County Commissioners have charge and control over all the county roads, streets, alleys, highways, and bridges and all matters pertaining to them, in accordance with the provisions of this title.

(b) **Responsibilities.** The County Commissioners shall:

(1) Keep the public highways, roads, bridges, streets, and alleys of the county in repair and reasonably safe for public travel;

(2) Exercise general supervision over the public highways, roads, bridges, streets, and alleys of the county; and

(3) Direct general and special repairs and improvements whenever the County Commissioners shall deem general and special repairs and improvements necessary or advisable for public convenience or safety. (1959, ch. 590, sec. 521; 1970 ed. sec. 27-8; 1984, ch. 289; 1984 ed. sec. 7-202; 1991, ch. 211; 2009, ch. 450)

7-303. Same; signposts, contracts, regulations.

(a) **Signposts; road names.** The County Commissioners may have signposts placed at road crossings or intersections designating the distance to the nearest prominent point and, subject to § 7-307 of this subtitle, may give suitable names to the county roads and change them as they see fit.

(b) **Maintenance.** The County Commissioners may let out the repair or maintenance of any road or portion of road by contract, when, in the Director's judgment, that course is advisable. In that case preference shall be given, where practicable to the owners of the land directly interested in the proper care of the road or roads, and the work shall be done under the supervision of the Director.

(c) **Contracts.** All contracts made by the County Commissioners for the repair or construction of roads or bridges shall be reduced to writing and all payments shall be subject to the approval by the Director of the work done under the contract.

(d) **Bids.**

(1) Whenever work on any road or bridge involves an outlay of \$50,000 or more, plans and specifications for them shall be prepared by the Division or someone designated by the Director.

(2) Bids for the work shall be solicited in accordance with § 1-106 of this Code. The County Commissioners do not have to have any work done by contract if, after bids have been received and opened, it is found that the same work can be done at less expense by direct employment of the required labor or if an emergency exists of such nature as to require the speedy repair or replacement of a county road, street, alley, highway, or bridge or other construction in connection with it. This subsection does not require bids when the work is to be done by the County Highway Department.

(e) **Regulations.** The County Commissioners may adopt regulations regarding the use of the roads, streets, avenues, lanes, alleys, and bridges of the county by telephone and telegraph companies, railroads, street railways companies, gas, water, and electric light utility companies, and similar uses, and by individuals and the traveling public. The County Commissioners may adopt regulations they consider necessary for the proper protection of the roads, streets, avenues, lanes, alleys, bridges of the county and the rights of the public in them. They may impose reasonable penalties for the violation of the regulations and may make other necessary provisions for their enforcement. All regulations, when adopted and recorded in a book or books kept for the purpose, shall have the force and effect of law.

(f) **Enforcement.** The Sheriff of the county is charged with the duty of enforcing all the regulations. In addition to other methods of enforcement, the County Commissioners may apply to the Circuit Court for an injunction to enforce compliance. In this case, it is not necessary to make other jurisdictional averment than the threatened

breach of these regulations, and the courts may grant these injunctions on the allegations being made. A certified copy of these regulations is proper evidence in any of the courts of the State. (1959, ch. 590, sec. 522; 1970 ed. sec. 27-9; 1984, ch. 289; 1984 ed. sec. 7-203; 1991, ch. 211; 2009, ch. 450)

7-304. Levy for roads; borrowing power.

(a) **Levy for roads.** The County Commissioners shall levy, annually, upon the assessable property of the county, at the time for making the county levy, a rate sufficient to pay the interest and the proper amount on the principal of any outstanding road bonds, a rate sufficient to pay the State Highway Administration the amount due for lateral roads or other plans for State aid for road purposes, and a rate to be set by the County Commissioners, not to exceed 40 cents on \$100.

(b) **Road and Bridge Fund.** The tax so levied and collected within the limits of all incorporated towns or cities, together with all other money receivable by Washington County for road and bridge purposes, including all fines and forfeitures on account of roads and bridges and all taxes collected on stocks and bonds not apportioned to or assessed in any district shall constitute a fund to be known as the General Road and Bridge Fund and may be expended for any lawful road or bridge purpose anywhere in Washington County and for no other purposes.

(c) **Borrowing power.** When there are insufficient funds in the county treasury set apart as the General Road and Bridge Fund to meet the demand for an emergency, the County Commissioners may borrow up to \$250,000 in 1 year, on the credit of the county, to be paid out of the road money provided in the next succeeding levy. All bills and claims on account of roads and bridges in the county shall receive the endorsement of the Director before payment and shall be passed upon by the County Commissioners at a regular or adjourned meeting. A bill or claim involving the expenditure of more than \$1,000, and a contract or agreement involving a larger expenditure from the road funds of the county may not be allowed or made except by a majority vote of the County Commissioners.

(d) **Claims.** All claims allowed and passed as aforesaid shall be approved by the President and attested by the Clerk of the County Commissioners. When so approved an order for the amount of the claim shall be drawn against the county Tax Collector who shall pay the amount out of the proper funds. (1959, ch. 590, sec. 527; 1970 ed. sec. 27-14; 1980, ch. 103; 1981, ch. 178; 1984, ch. 289; 1984 ed. sec. 7-205; 1991, ch. 211; 2009, ch. 450)

7-305. Special road improvement districts.

(a) **Definitions.**

(1) In this section the following words have the meanings indicated.

(2) “Special road improvement district” means an area of land in the county which has frontage on a substandard private road in which improvements to the road will be funded from special assessments imposed on all the owners of the land in proportion to the lengths of their respective frontages, designated as a special road improvement district by the County Commissioners.

(3) “Private road” means a road not previously accepted into the county road system.

(4) “Owners” means owners of property included in the district.

(b) **Authority to create; purpose.** The County Commissioners may create special road improvement districts within the confines of the county for the purpose of providing a method of funding the improvement of private roads in the county to county standards prior to acceptance in the county road system. Only land which fronts on the road to be improved shall be included in a district and, of such land, only so much thereof as shall have at least an average depth in one ownership of 100 feet shall be included.

(c) **Petition by owners.** The procedures set forth in this subtitle for the creation of a special road improvement district may only be initiated by a petition signed by the owners of the land in the proposed district having over half of the frontage on the road. The petition may be developed and the signatures obtained either by 1 or more of the owners or by the County Commissioners.

(d) **Commissioners’ receipt of petition.** Upon receipt of a petition or upon their own motion, if the County Commissioners developed and obtained the signatures to the petition, and before a district may be created, the County Commissioners shall:

(1) Cause an investigation to be made of the section of road to be improved; the investigation shall include a study of the condition of the road, the width of the right-of-way, the ownership and configuration of land fronting on the road, particularly with respect to the frontages and depths of the various tracts adjoining the road, the estimated cost of improving the road and any other matters which the County Commissioners may feel are relevant to the creation of a district; and

(2) Cause a public hearing to be held after written notice of the hearing and the purpose thereof has been published 1 time in a newspaper having general circulation in the county and after a copy of the notice has been mailed or delivered to each owner of land in the proposed district. At the hearing, all persons having an interest in the creation of the district shall be heard and be permitted to present any evidence relevant to the person’s position in the matter as may be desired.

(e) **Decision by Commissioners; appeals.** After the public hearing is held, the County Commissioners shall decide whether a special road improvement district shall be created for the area in question, or for part of it, and, if the decision is in favor of the creation of a district, it shall cause a resolution to be passed outlining its boundaries and

giving preliminary approval to the land therein as a special road improvement district. Afterwards, the same notice of its decision shall be given to the owners as was given of the public hearing. Any person aggrieved by the decision of the County Commissioners may appeal to the Circuit Court for Washington County within 10 days following receipt of the notice. If no appeal is taken within the period, the action of the County Commissioners shall be final and further appeal may not be taken.

(f) ***Commissioners' responsibilities; rescission of approval.*** Following the decision of the County Commissioners to establish a district, and after the expiration of the appeal period without an appeal being taken, the County Commissioners shall:

(1) Cause surveys to be made as well as determine the lengths of the various frontages of land abutting the road to be improved assessable under this section for the improvement of the road;

(2) Cause an advertisement for bids for the improvements to the road to be published at least 2 times in 2 successive weeks in some newspaper of general circulation in the county;

(3) Cause a notice to be mailed or otherwise delivered to all of the owners of assessable frontage on the road setting forth the names of all the owners, the lengths of their respective assessable frontages, the amount of the lowest responsible bid for the improvements and the individual amounts which the County Commissioners propose to assess as the share of each owner; and

(4) Pass a resolution rescinding previously given approval if, within the period of 15 days following the mailing or delivery of the last of the notices provided in paragraph (3) of this subsection, a petition against the creation of the district, signed by over 75 percent of the owners, is received by the County Commissioners; if so received, the district may not be created. If no petition is received by the County Commissioners within the 15-day period, it shall pass a resolution making final the preliminary approval and the district will then be in existence.

(g) ***Billing for improvements; liens.*** Following the final creation of the district, the County Commissioners shall bill each of the owners for the amount of the owner's respective share of the costs of the improvements, and the amount of each share shall be a lien against so much of the land and property of each owner as lies within the boundaries of the district in the same manner that real property taxes are liens on the property against which they are assessed. The County Commissioners may collect the shares from each of the owners and, in so doing, have the same powers as now are, or in the future may be, available to them for the collection of real property taxes.

(h) ***Commissioners' authority; acceptance of road.*** All matters relating to the work to be done in improving any private road under the provisions of this section, including scheduling, shall be under the sole control and supervision of the County Commissioners and, in the matter of scheduling them, the County Commissioners may

defer the awarding of a contract for the work until all of the shares are collected by them. At no later than the completion of the work, the road shall be accepted into the county road system. (1970 ed. sec. 27-15; 1977, ch. 664; 1984, ch. 289; 1984 ed. sec. 7-206; 1991, ch. 211; 2009, ch. 450)

7-306. Property owners' share of cost.

Property owners within a public road improvement district shall pay their share of the cost of road improvements on the basis of front footage, per lot, or in any other manner as determined by the County Commissioners. (1970 ed. sec. 27-16; 1981, ch. 178; 1984, ch. 289; 1984 ed. sec. 7-207; 1991, ch. 211)

7-307. Change of road name; procedure.

After notice of change has been advertised and a public hearing has been held on the proposed change, the County Commissioners may:

- (1) Change the name of streets and roads in the county;
- (2) Assign street or road address numbers to structures or other property along county roads or streets; and
- (3) Adopt ordinances or regulations concerning the names of streets and roads and numbers of structures. (1985, ch. 72; 1991, ch. 211)

7-308. Design standards.

(a) *Authority and requirements.*

- (1) The Director:
 - (i) May develop standards, policies, details, and specifications affecting the design and construction of public works in the county; and
 - (ii) Shall publish the standards, policies, details, and specifications in a manual to be made available by the Division.
- (2) The Division may assess a nominal fee for reproductions costs.
- (3) The manual shall include standards, policies, details, and specifications for public works.
- (4) The manual may adopt by reference a publication setting forth nationally accepted engineering and design standards for public works as the county's standards, policies, details, and specifications on either an interim or a permanent basis.

(b) **Notice.**

(1) A proposed manual or amendment to the manual shall be available for public review and comment.

(2) The Division shall provide general notice in a newspaper of general circulation by posting a notice:

- (i) At the county courthouse; or
- (ii) On the county's website.

(3) The proposed manual or an amendment to the manual shall be open for public review and comment for not less than 10 days.

(c) **Adoption.** The Director shall thereafter present the standards, manual, or revisions to the manual to the County Commissioners for adoption by resolution.

(d) **Interim standards.** The Director may develop and implement interim construction standards, policies, or details until the County Commissioners adopt the standards, policies, and details identified in subsection (a) of this section. (2009, ch. 450)

7-309. Traffic control devices.

(a) **Authority.** The Director may erect traffic control devices in accordance with § 25-102 of the Transportation Article of the Annotated Code of Maryland.

(b) **Placement.** Traffic control devices erected under subsection (a) of this section may be erected on any road, highway, street, alley, or right-of-way under the jurisdiction of the County Commissioners, provided that, on streets and highways, the traffic control devices conform to the system set forth in the most recent edition of the "Manual on Uniform Traffic Control Devices," or the Manual's successor, as adopted by the State Highway Administration.

(c) **Temporary signs.** Temporary directional signs may be erected in the county right-of-way in accordance with applicable State and local standards. (2009, ch. 450)

7-310. Rights-of-way.

(a) **Authority.** The County Commissioners may adopt regulations governing construction on a right-of-way.

(b) **Regulations.** The regulations adopted under subsection (a) of this section may:

(1) Prohibit a person, unless the person first obtains a permit from the County, from:

(i) Installing, maintaining, repairing, relocating, or removing:

1. Pipe;
2. Wire;
3. Cable;
4. Fiber optics; or
5. Other material; or

(ii) Performing an excavation or construction in, on, over, or across county property;

(2) Require the issuance of a permit under this section to be conditioned on the posting of a bond, letter of credit, or other surety acceptable to the Director, that guarantees the cost of restoration of the county property;

(3) Require a person who performs work on county property with a permit under this section to restore the property to a condition satisfactory to the Director and in accordance with standards set forth by the Director;

(4) If the holder of a permit under this section does not satisfactorily restore the property as provided under item (3) of this subsection, grant the Division the right to exercise any and all of the remedies provided in this section; and

(5) Authorize the Director to order the work done and apply the surety posted by the permit holder to cover the costs incurred by the county in:

- (i) Performing the work; or
- (ii) Causing the work to be performed. (2009, ch. 450)

Subtitle 4. Prohibitions

7-401. Injuring or defacing sign.

If any person wantonly injures or defaces any sign, road marker, automatic signal, other traffic devices, barricade, or sign used during the course of construction on or along any county road, that person is guilty of a misdemeanor and, upon conviction, is subject to a fine of not more than \$500 for each separate offense. (P.L.L., 1860, Art. 21, sec. 232;

1888, Art. 22, sec. 335; 1930, sec. 703; 1957 Code, sec. 514; 1970, ch. 18; 1970 ed. sec. 27-1; 1984, ch. 289; 1984 ed. sec. 7-101; 1991, ch. 211; 2009, ch. 450)

7-402. Traffic impedance.

(a) **Vehicle.** A person may not stop, stand, or park a vehicle so as to impede the movement of traffic or constitute a threat to public safety on a road, a highway, an alley, or a public parking facility of the county.

(b) **Unexpected vehicle.** A person may not park an unregistered motor vehicle or an unregistered trailer on a highway, road, or other property of the county.

(c) **Obstructions.**

(1) A person may not:

(i) Create or place an obstruction on a public highway, road, bridge, street, avenue, lane, or alley of the county; or

(ii) Interfere with or obstruct the side ditches or drains or encroach on them with fences or other obstructions or in any other manner.

(2) A person, including the person's agent or employee, that exercises the business of a common carrier may not permit a vehicle or steam or other engine or car to obstruct a crossing for 10 or more minutes at one time.

(d) **Penalties.**

(1) A person that refuses or neglects to comply with an order of the County Commissioners, the zoning inspector, or the Sheriff to remove a vehicle or obstruction in violation of this section within 24 hours from the time of the notice given is:

(i) Guilty of a misdemeanor; and

(ii) Subject to a maximum fine of \$500 for each offense.

(2) The Sheriff may impound a vehicle parked in violation of this section, otherwise parked so as to constitute a definite hazard to public safety, or parked, stopped, or standing so as to impede or obstruct the normal movement of traffic or pedestrians.

(3) The owner of an impounded vehicle may reclaim or secure the release of the vehicle after paying all outstanding fines and costs, including any towing, impoundment, and storage costs, as well as any administrative fees that the County Commissioners may establish. (2009, ch. 450)

7-403. Personal property.

(a) ***Disposal and abandonment prohibited.*** A person may not dispose of or abandon personal property on a county right-of-way, highway, road, easement, or county property.

(b) ***Lessor's duties.***

(1) A lessor of real property may not allow the personal property of an evicted tenant to remain on a county right-of-way, highway, road, easement, or county property for more than 2 days after the date of eviction.

(2) If personal property is not removed from the county right-of-way, highway, road, easement, or property on the third day following the date of eviction:

(i) The Division may cause the personal property to be removed; and

(ii) All expenses incurred in the removal of personal property, including any administrative fees the Division or the County Commissioners establish, shall be charged to the lessor of the real property. (2009, ch. 450)

7-404. Same; by setting out fences.

(a) ***Survey.*** Upon complaint of 1 or more taxpayers of the county to the County Commissioners of any person having encroached upon or obstructed the county roads by setting out fences, or hauling or throwing obstructions on the roads, the County Commissioners shall direct that a survey of the road be performed and the correct location of the center line be ascertained.

(b) ***Order.*** After marking with stakes the outside lines of the road as originally laid out, the Director shall report to the County Commissioners, at their next meeting, the name of the person who has encroached upon with fences or otherwise obstructed the road. The County Commissioners shall then pass an order notifying that person to set back the fences so as to give to the road its legal width, or to remove the obstructions, as the case may be, and place a copy of the order in the hands of the Sheriff of the county. The Sheriff shall notify the person to whom the notice is directed, by reading it to him, and return the order to the Commissioners, with the day and date of the giving of the notice to the person mentioned in it, endorsed upon it. (P.L.L., 1888, Art. 22, sec. 339; 1930, sec. 707; 1957 Code, sec. 517; 1880, ch. 311; 1970 ed. sec. 27-4; 1984, ch. 289; 1984 ed. sec. 7-104; 1991, ch. 211; 2009, ch. 450)

7-405. Removal of weeds, etc.

All persons who own improved lands along or adjacent to any of the improved public highways or roads of Washington County shall cut down and remove from and along such roads and highways all briars, undergrowth, bushes, and weeds on or before June 15 in each year. Upon the failure of any land owner to comply with the provisions of this section, the County Commissioners, at the expense of the county, shall have such briars, undergrowth, bushes, and weeds cut and removed. The County Commissioners shall be reimbursed for all costs and reasonable expenses necessarily incurred in this work, to be recovered from the party or parties delaying or refusing to cut and remove the briars, undergrowth, bushes, and weeds in the same manner as debts of like amounts are recoverable. This section does not supersede any other authority that may have been granted to the County Commissioners, nor does it substitute, diminish, or extinguish any other powers that they may have to regulate briars, undergrowth, bushes, or weeds. (P.L.L., 1930, Art. 22, sec. 708; 1957 Code, sec. 518; 1924, ch. 520; 1966, ch. 332; 1970 ed. sec. 27-5; 1984, ch. 289; 1984 ed. sec. 7-105; 1991, ch. 211; 2009, 450)

**TITLE 8. ELECTRICAL APPARATUS AND WIRING IS AMENDED AS
FOLLOWS:**

**SUBTITLE 1. ELECTRICAL APPARATUS AND WIRING, IS AMENDED AS
FOLLOWS:**

Section 8-111 is amended and shall read as follows:

8-111. Work under supervision of Master Electrician.

This subtitle may not be construed to prevent any individual from doing or performing any of the kinds of work enumerated in this subtitle if that work is performed under the direction and supervision of a duly licensed Master Electrician. The licensed Master Electrician shall be responsible for any and all work done under the authority granted by the Master Electrician's license. Any person working under the authority of a Master Electrician's license shall work under the direct supervision of the licensed Master Electrician. (1957 Code, sec. 218; 1951, ch. 328, sec. 179K; 1970 ed. sec. 12-11; 1984, ch. 289; 1984 ed. sec. 8-111; 1986, ch. 586; 1988, ch. 60; 1991, ch. 211; 2009, ch. 449)

Section 8-113(a) is amended and shall read as follows:

8-113. License not transferable.

(a) *In general.* A license or license renewal granted or issued under the provisions of this subtitle shall specify:

- (1) The name of the individual to whom it is issued; or
- (2) If the Board has authorized the assignment of the license or license renewal, the name of the individual to whom it is assigned. (2009, ch. 449)

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