

SUPPLEMENT NO. 1

CODE OF THE PUBLIC LOCAL LAWS OF
WASHINGTON COUNTY, MARYLAND
2007 EDITION
(Amendments through 2008 Legislative Session)

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TITLE 1. COUNTY COMMISSIONERS IS AMENDED AS FOLLOWS:

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

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

1-106. Contracts over \$25,000; bids.

(a) (1) Except as otherwise provided in this subtitle, the County Commissioners or any employee of the county may not enter into any contract of sale or purchase or any contract for any county work, project, or other expenditure to which the county is a party where the amount involved in the contract exceeds \$50,000 without advertising for bids at least 1 week before the bid by publication in at least one newspaper that is published in the county or through electronic media.

(2) Notwithstanding paragraph 1 of this subsection and regardless of whether the total cumulative procurement exceeds \$50,000, if a contract is for an indeterminate amount of goods or services procured on an as-needed basis over a period of time, the County Commissioners or an employee of the county may, without advertising for bids, enter into a contract of purchase or a contract for a county work project or other expenditure to which the county is a party.(2008, ch. 671)

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

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

(i) The contract of purchase or other expenditure is for the procurement of professional or technical services, including architectural, design engineering, legal, medical, technological, or technical services; and

(ii) The County Commissioners have authorized the award of the contract on the basis of the qualifications, resources, and experience of the bidder, regardless of whether the bidder is the lowest bidder. (2008, ch. 671)

SUBTITLE 2. COUNTY CLERK, IS AMENDED AS FOLLOWS:

Section 1-202 is amended and shall read as follows:

1-202. Same; duties, bond.

(a) *Duties; bond.*

(1) The County Clerk shall:

(i) Keep careful and accurate minutes of the proceedings of the County Commissioners;

(ii) Keep all records, papers and documents of the county in safe custody; and

(iii) Perform other duties imposed upon clerks of County Commissioners by any general or local law and other clerical duties required of the County Clerk by order of the County Commissioners.

(2) (i) Before beginning the duties of the office of the County Clerk, the County Clerk shall execute a \$10,000 bond to the State of Maryland, to be approved by a judge of the Circuit Court for Washington County, conditioned on the true and faithful performance of the duties of the office. The bond shall provide that the County Clerk shall well and faithfully account for and pay to the proper person all money, orders, or funds coming into the County Clerk's hands.

(ii) The bond shall be liable for any default by the County Clerk or misappropriation of any of the county's money or funds which are entrusted to the County Clerk, and shall be recorded in the office of the Clerk of the Circuit Court for Washington County.

(3) All necessary books and stationery required by the County Clerk shall be supplied by the County Commissioners and shall remain the property of the County Commissioners.

(b) *Additional duties.* Notwithstanding any other provision of this Code, the County Commissioners by ordinance may:

(1) Provide additional duties for the County Clerk; and

(2) Assign duties imposed upon the County Clerk by this section to other county officials. (P.L.L., 1888, Art. 22, sec. 94; 1930, sec. 142; 1957 Code, sec. 171; 1880, ch. 65; 1910, ch. 510, sec. 94 (p. 1178); 1974, ch. 823, sec. 8-4; 1970 ed. sec. 8-4; 1984, ch. 289; 1984 ed. sec. 1-202; 1991, ch. 211; 2008, ch. 82)

SUBTITLE 5, HOUSING, BUILDING PERMITS AND SIDEWALKS, IS AMENDED AS FOLLOWS:

Section 1-503 is amended and shall read as follows:

1-503. Sidewalks; powers to have repaired, etc.

(a) *Powers.* The County Commissioners, in addition to but not in substitution of the powers which have been or may be granted them, may require the installation and maintenance of sidewalks along the public streets and highways of the county, except in incorporated municipalities of the county. The Commissioners may require that they be graded, paved, repaired, improved, or maintained, with curbs to be set and gutters laid, at the cost and expense of the abutting real property or the owner; or compel by fine or otherwise the owner or proprietor of any lot or parcel of land to pave, repair, or maintain sidewalks or footways and to set curbs and lay gutters in front of the sidewalks.

(b) *Notice required.*

(1) This subsection does not apply to the snow or ice removal or other obstructions or hazards of sidewalks.

(2) The County Commissioners, before proceeding to carry out the provisions of this section, shall notify every owner in front of whose property they propose to do any grading, paving, setting of curb, laying of gutters, or repairing and shall allow the owners 30 days to perform the work under the direction of the County Commissioners. If the owners fail or refuse to complete the work by the expiration date on the notice, the County Commissioners may perform the work and its cost shall be assessed against the owners in front of whose property the work was performed.

(3) Whenever the County Commissioners have determined, under the provisions of this section, the exact amount of cost for which any property or the owners have been liable for work done or repairs made, they shall deliver to the County Treasurer a statement of the amount or amounts, together with the names of the respective owners of the property in front of which the work was done or the repairs were made. The County Treasurer shall enter upon the County Treasurer's books against each property mentioned in the statement the amount charged respectively to the property. This amount constitutes a lien on the particular parcel of property against which the amount is assessed. The County Treasurer shall notify each of the owners of the amount charged against the owner's property and proceed to collect the amount in the same way and manner as taxes are collected for the county.

(c) The County Commissioners may adopt regulations governing the maintenance of sidewalks by abutting real property owners for purposes of snow or ice removal or other obstructions or hazards. (1957 Code, sec. 194; 1951, ch. 503; 1970 ed. sec. 8-29; 1984, ch. 289; 1984 ed. sec. 1-503; 1991, ch. 211; 2008, ch.308)

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

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

Section 2-701 is amended and shall read as follows:

2-701. Building Excise Tax.

(a) ***Authorized.***

(1) The County Commissioners of Washington County, by ordinance, may fix, impose, and collect a building excise tax on any building construction within Washington County.

(2) The County Commissioners may collect a building excise tax on building construction within Washington County prior to the date an initial building permit is issued for that building construction.

(b) ***Required contents.***

(1) The County Commissioners shall specify in the ordinance the:

(i) Types of building construction subject to the building excise tax; and

(ii) Tax rates.

(2) (i) For nonresidential retail building types, the County Commissioners may impose a building excise tax not to exceed \$4 per square foot.

(ii) For nonresidential nonretail building types, the County Commissioners may impose a building excise tax not to exceed \$1.50 per square foot.

(3) The County Commissioners may impose different rates for different building types and uses.

(4) Except as provided in paragraph (5) of this subsection, for residential units, the County Commissioners may impose a building excise tax not to exceed \$4.50 per square foot.

(5) (i) For any fiscal year, this paragraph applies to the development of a single subdivision where the Washington County Department of Permits and Inspections has issued more than 25 building permits for new residential units in that fiscal year.

(ii) The County Commissioners may impose a building excise tax for residential units developed in a subdivision described under subparagraph (i) of this paragraph that does not exceed twice the building excise tax set under paragraph (4) of this subsection, if the development of the subdivision:

1. Is in a school district where a school is at or above 90% of the state rated school capacity;

2. Causes the roads or intersection within 1 centerline mile in any direction of any new street connecting the subdivision to be lower than a level of service D; or

3. Causes the intersections outside of the urban and town growth areas to be lower than a level of service C.

(c) *Uses of building excise tax revenues.*

(1) The County Director of Finance shall deposit the revenues from the building excise tax into a special, nonlapsing fund.

(2) The revenues deposited in the special fund that are generated by the building excise tax imposed on nonresidential building types may only be used for:

(i) Primary, secondary, or higher education capital expenditures;

(ii) Public safety capital expenditures;

(iii) Public infrastructure projects; and

(iv) Debt reduction related to capital improvements expenditures.

(3) The revenues from the building excise tax imposed on single-family residential units or multifamily residential units may only be used as follows:

(i) 70% for schools;

(ii) 23% for roads;

(iii) 2% for public libraries; and

(iv) 5% for parks and recreational facilities, public safety, water and sewer infrastructure, and agricultural land preservation.

(4) (i) The revenues from the building excise tax imposed on single-family residential units and multifamily residential units used for public libraries, water and sewer infrastructure, and parks and recreation may only be used for the capital costs of public works, improvement, and facilities.

(ii) The revenues from the building excise tax imposed on single-family residential units and multifamily residential units used for schools may only be used for the capital costs that primarily provide additional capacity required to accommodate new construction or development.

(5) At the end of the fiscal year, any unspent or unencumbered balance in the special fund shall remain in the fund available for use in future fiscal years for purposes specified in this subsection and does not revert to the general fund of Washington County.

(d) ***Applicability of tax to municipal corporations.***

(1) (i) This paragraph applies to a municipal corporation within Washington County that has not adopted an adequate public facilities ordinance with school adequacy tests substantially similar to or more stringent than the adequate public facilities ordinance adopted by the County Commissioners.

(ii) A municipal corporation described in subparagraph (i) of this paragraph shall assist the county commissioners in the collection of the building excise tax within the municipal corporation by:

1. Collecting and remitting the tax to the County; or
2. Requiring the tax to be paid to the County Commissioners in accordance with the terms of the County ordinance.

(2) (i) This paragraph applies to a municipal corporation within Washington County that has adopted an adequate public facilities ordinance with school adequacy tests substantially similar to or more stringent than the adequate public facilities ordinance adopted by the County Commissioners.

(ii) For each single-family residential unit or multifamily residential unit that is within a municipal corporation described in subparagraph (i) of this paragraph, the municipal corporation:

1. Shall assist the County Commissioners in the collection of that portion of the building excise tax that is dedicated to schools and public libraries as provided under subsection (c)(3) of this section, by collecting and remitting that amount of the tax to the County; and
2. May retain the remaining portion of the building excise tax.

(iii) For each nonresidential building type that is within a municipal corporation of Washington County, the municipal corporation:

1. Shall assist the County Commissioners in the collection of 72% of the building excise tax on each nonresidential building type by collecting and remitting that amount of the tax to the County; and

2. May retain the remaining portion of the building excise tax.

(iv) 1. The municipal corporation is not required to retain any portion of the building excise tax as provided under subparagraph (ii)2 or (iii)2 of this paragraph.

2. Any portion of the building excise tax not retained by a municipal corporation under item 1 of this subparagraph shall be remitted to the County.

(v) 1. The director of finance of a municipal corporation retaining any revenue from the building excise tax under subparagraph (ii)2 or (iii)2 of this paragraph shall deposit the revenues into a nonlapsing special fund.

2. The revenues from the municipal corporation's special fund may only be used for the capital costs of public works, improvements, and facilities required to accommodate:

- A. Roads;
- B. New construction or development of parks and recreational facilities;
- C. New construction or development of water and sewer infrastructure; and
- D. New construction or development of public safety.

(vi) At the end of a fiscal year, any unspent or unencumbered balance in the municipal corporation's special fund shall remain in the fund available for use in future fiscal years for purposes specified in subparagraph (iv)2 of this paragraph and does not revert to the general fund of the municipal corporation.

(e) ***Agricultural land preservation.*** Each fiscal year, the County Commissioners shall encumber at least \$1,000,000 of local funds for agricultural land preservation.

(f) ***Exemptions.***

The building excise tax does not apply to construction intended to be actively used for farm or agricultural use so long as the construction continues to be

actively used for farm or agricultural use.

(g) ***Report by municipal corporations.***

(1) On or before September 30 of each year, each municipal corporation that retains revenues under subsection (d)(2) of this section shall report annually to the County Commissioners:

(i) The amount of revenues the municipal corporation received and the number of single-family residential units and multifamily residential units that generated these revenues;

(ii) The amount of revenues remitted to the County Commissioners and the amount retained by the municipal corporation; and

(iii) A detailed accounting of how the revenues that were retained by the municipal corporation were distributed among the acceptable uses specified in subsection (d)(2)(iii) of this section and the specific projects for which the revenues were used.

(2) The report prepared by each municipal corporation shall be based on the fiscal year ending on June 30 of the year the report is submitted.

(h) ***Report by County Commissioners.***

(1) On or before December 31 of each year, the County Commissioners shall:

(i) Report to the members of the Washington County legislative delegation:

1. The amount of revenues by school district that the County Commissioners received from nonresidential building types and residential units, and the number and type of units that generated these revenues; and

2. A detailed accounting of how the revenues were distributed among the acceptable uses specified in subsection (c) of this section and the specific projects for which the revenues were used; and

(ii) Submit to members of the Washington County legislative delegation the report prepared by each municipal corporation under subsection (g) of this section.

(2) The reports prepared by the County Commissioners shall be based on the fiscal year ending on June 30 of the year the reports are submitted. (2003, ch. 468; 2004, ch. 398; 2005, ch. 598; 2006, ch. 204; 2007, ch. 277, 2008, ch. 533)

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

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

Section 8-101 is amended as follows:

8-101. Board appointed; qualifications, tenure.

(a) *Defined.* In this subtitle, "Board" means the Board of Electrical Examiners and Supervisors.

(b) *Appointed.* The County Commissioners shall appoint a Board of Electrical Examiners and Supervisors, consisting of 5 individuals, for the purpose of examining into the qualifications and capabilities of all individuals who are engaged or desire to engage in the business of Master Electrician as defined in this subtitle.

(c) *Membership.* The Board shall consist of 4 competent individuals who are familiar with the electrical business. Those individuals shall have been residents of the county for at least 5 years. One individual shall be selected from an electric public utility company doing business in Washington County, 2 individuals shall be from among the duly licensed Master Electricians in the county, and 1 member shall be appointed at-large. Their term of office shall be for 2 years.

(d) *Volunteer Fire Company.* The fifth member shall be designated by the Washington County Fire and Rescue Association and shall be an active member of a Volunteer Fire Company in the county. The term of office of this member is 2 years.

(e) *Vacancy.* Should a vacancy occur during the term of any member, the County Commissioners shall appoint an individual to fill the vacant position. The County Commissioners may remove any member of the Board for incompetency or improper conduct upon satisfactory evidence being presented to it of the condition. (1957 Code, sec. 208; 1951, ch. 328, sec. 179A; 1970 ed. sec. 12-1; 1984, ch. 289; 1984 ed. sec. 8-101; 1986, ch. 586; 1990, ch. 37; 1991, ch. 211; 2008, ch. 298)

Section 8-103 is amended and shall read as follows:

8-103. Compensation of Board members.

(a) *Compensation.*

(1) Each member of the Board shall receive compensation in an amount approved by the County Commissioners for actual service in attending meetings of the Board.

(2) The compensation shall be paid by the County Commissioners.

(3) The Secretary of the Board may receive additional compensation as the Board considers just and reasonable, subject to the bylaws of the Board.

(b) **Source of funds.** The compensation and expenses of the Board may not be paid out of the funds in the State Treasury or become a charge against the State. (1957 Code, sec. 210; 1951, ch. 328, sec. 179C; 1955, ch. 229, sec. 179C; 1970 ed. sec. 12-3; 1984, ch. 289; 1984 ed. sec. 8-103; 1986, ch. 586; 1991, ch. 211; 1993, ch. 32; 2008, ch. 298)

Section 8-104 is amended and shall read as follows:

8-104. Meetings of Board; regulations.

(a) **Meetings.** The Board shall meet at least quarterly in each year in Hagerstown and shall hold special meetings as frequently as the proper and efficient discharge of its business requires.

(b) **Regulations.**

(1) The Board shall adopt rules and regulations for:

(i) The examinations and licensing of Master Electricians and Restricted Electricians;

(ii) If approved by the State Board of Master Electricians, the examinations and licensing of apprentice and journeyman electricians;

(iii) The approval of reciprocal licensing agreements with other municipalities and local governments with similar regulation;

(iv) The enforcement of codes and certain permitting issues related to electrical work, including the adjudication of disputes;

(v) The provision of timely notice of meetings to those who have made application for a license

(vi) The conduct of hearings by the Board, including appeals to the Board related to the orders, decisions, or determinations made by the Code Official relative to the application and interpretation of the code; and

(vii) The placement, installation, and operation of electrical wires, appliances, apparatus, or construction in, upon, and about buildings in Washington County.

(2) (i) Prior to the adoption of any new or amended regulations by the Board, the County Commissioners shall review the regulations.

(ii) The County Commissioners may either approve, modify, or reject the regulations following their review in subparagraph (i) of this paragraph.

(3) (i) If the County Commissioners approve or modify the regulations as provided in paragraph (2) of this subsection and the Board adopts these regulations, the regulations have the same force and effect as law.

(ii) If the County Commissioners reject the regulations as provided in paragraph (2) of this subsection, the Board may not adopt the regulations.

(4) The Board shall give notice of the adoption of new or amended regulations. (1957 Code, sec. 211; 1951, ch. 328, sec. 179D; 1970 ed. sec. 12-4; 1984, ch. 289; 1984 ed. sec. 8-104; 1991, ch. 211; 2005, ch. 75; 2008, ch. 298)

Section 8-105 is amended and shall read as follows:

8-105. Master Electrician; definition, license.

(a) ***Defined.***

(1) In this subtitle, Master Electrician means and includes any and all individuals engaged in the business of, or holding themselves out to the public as engaged in the business of installing, erecting, or repairing, or contracting to install, erect, or repair electric wires or conductors that are used for the transmission of electric current for electric light, heat, or power purposes, or moldings, ducts, raceways, or conduits for the reception or protection of such wires or conductors, or to any electrical machinery, apparatus, devices, or fixtures to be used for electric light, heat, or power purposes.

(2) In this subtitle, "Restricted Electrician" means any individual who has been found competent by the Board of Electrical Examiners and Supervisors to engage in limited fields of electrical work.

(b) ***Representation.***

(1) A "Master Electrician" license issued in accordance with the provisions of this subtitle and the rules and regulations of the Board entitles any licensed individual to engage in the business of and to hold himself out to the public as engaged in the business of installing, erecting, and repairing and of contracting to install, erect, and repair any electric wires or conductors, etc.

(2) A "Restricted Electrician" license issued in accordance with this subtitle and the rules and regulations of the Board permits any licensed individual to engage in the business of and to hold himself or herself out to the public as engaged in the business of installation and repair of the particular category of electrical equipment and apparatus described in the rules and regulations of the Board and on the license.

(c) *Not applicable.* This subtitle does not apply to any firm or corporation if the individual managing and in charge of the electrical work for the firm or corporation is a Master Electrician licensed under this subtitle. (1957 Code, sec. 212; 1951, ch. 328, sec. 179E; 1970 ed. sec. 12-5; 1984, ch. 289; 1984 ed. sec. 8-105; 1986, ch. 586; 1991, ch. 211; 2008, ch. 298)

Section 8-106 is amended and shall read as follows:

8-106. License required; examination; appeals; certificate of insurance.

(a) *Examination.* Before any individual engages in the business of a Master Electrician or Restricted Electrician in Washington County, that individual shall apply to the Board for a license examination.

(b) The Board shall hold license examinations 4 times annually at a time and place determined by the Board.

(c) Examinations shall be administered and results determined according to the rules and regulations of the Board. (1957 Code, sec. 213; 1951, ch. 328, sec. 179F; 1970 ed. sec. 12-6; 1984, ch. 289; 1984 ed. sec. 8-106; 1986, ch. 586; 1988, ch. 60; 1991, ch. 211; 1993, ch. 32; 1994, ch. 43; 1996, ch. 295; 1997, ch. 686; 2008, ch. 298)

Section 8-107 is amended and shall read as follows:

8-107. Certificate of insurance required; license fees.

(a) *Liability insurance.*

(1) Before the issuance or the renewal of a Master Electrician's license or a Restricted Electrician's license, an individual shall deliver to the Board a certificate of comprehensive general liability insurance, including completed operations coverage, with limits of \$300,000 for bodily injury and \$100,000 for property damage.

(2) The certificate of insurance shall be issued to the "Board of Electrical Examiners and Supervisors of Washington County" with the applicant's name, and company name if applicable, appearing on the certificate.

(3) A holder of a Master Electrician's license shall forward any notice of cancellation of insurance to the Board within 10 days of the cancellation date.

(4) Insurance obtained in compliance with this section shall relieve the applicant for a Master Electrician's license from any requirement to furnish a separate surety bond.

(5) An applicant for a Restricted Electrician's license shall also comply with the insurance requirements of this section.

(6) Holders of an inactive Master Electrician's license are exempt from the insurance requirements of this subsection.

(b) **License fees.** The fees shall be determined by a fee schedule adopted by the County Commissioners. (1988, ch. 60; 1991, ch. 211; 1993, ch. 32; 1996, ch. 295; 2008, ch. 298)

Section 108 is amended as follows:

8-108 Renewal of licenses. [REPEALED; 2008, ch. 298]

Section 112 is amended and shall read as follows:

8-112. Unlicensed person doing work; penalty.

(a) **Prohibited acts.** A person is guilty of a misdemeanor who:

(1) Practices, engages, or continues in the work of a Master Electrician or a Restricted Electrician without compliance with all the provisions of this subtitle;

(2) Performs the work of a Master Electrician or a Restricted Electrician while not licensed as, or under the supervision of, a Master Electrician or a Restricted Electrician, respectively;

(3) Has been licensed as a Master Electrician or a Restricted Electrician and who fails to renew his license and performs the work of a Master Electrician or a Restricted Electrician; and

(4) Violates any of the provisions of this subtitle.

(b) **Penalties.**

(1) Upon conviction, the person shall be fined not less than \$250 nor more than \$1,000 or imprisoned not more than 90 days, or both.

(2) Any conviction automatically shall revoke and annul any license that may have been issued to that person. (1957 Code, sec. 219; 1951, ch. 328, sec. 179L;

1970 ed. sec. 12-12; 1984, ch. 289; 1984 ed. sec. 8-112; 1986, ch. 586; 1991, ch. 211; 1993, ch. 32; 2008, ch. 298)

Section 117 is amended as follows:

8-117. Restricted Electrician license; issue. [REPEALED; 2008, ch. 298]

TITLE 10. PROHIBITED ACTS IS AMENDED AS FOLLOWS:

SUBTITLE 5. SPECIAL EVENTS IS ADDED AND SHALL READ AS FOLLOWS:

Subtitle 5. Special Events

10-501. Definitions.

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

(b) "Athletic Event" means:

(1) An organized competitive event in which a group of people collectively engage in a sport or form of physical activity, including running, jogging, walking, bicycling, or skating on:

(i) Public property within the unincorporated area of Washington County if the expected attendance, including participants and spectators, is greater than 100 people; or

(ii) A county road; or

(2) A recreational event in which a group or people collectively engage in a sport or form of physical activity, including running, jogging, walking, bicycling, or skating on:

(i) Public property within the unincorporated area of Washington County if the expected attendance, including participants and spectators, is greater than 100 people; or

(ii) A county road if the expected attendance, including participants and spectators, is greater than 50 people.

(c) (1) "Entertainment Event" means an event organized for the primary purpose of entertaining or amusing people and held on public or private property within the unincorporated area of Washington County, if the expected attendance, including participants and spectators, is greater than 250 people.

(2) "Entertainment Event" includes:

- (i) Parades;
- (ii) Bonanzas;
- (iii) Carnivals;
- (iv) Fairs; or
- (v) Concerts.

(d) "Event Requiring Assistance" means an event:

(1) That requires the closure of a roadway or intersection in Washington County;

(2) That requires the rerouting of traffic on a roadway or intersection in Washington County; or

(3) That requires the assistance of county law enforcement, traffic control, emergency services, or other county staff at a level which exceeds normal staffing levels.

(e) "Special Event" means an Athletic Event, Entertainment Event, or Event Requiring Assistance whether held for profit, nonprofit, or charitable purposes.

10-502. Permit.

Subject to §10-504 of this subtitle, an individual, corporation, partnership, association, or other entity, whether public or private, may not hold a Special Event without first obtaining a Special Event permit.

10-503. Regulations.

The Board of County Commissioners of Washington County may, by ordinance or resolution, adopt regulations concerning:

- (1) Special Event permit application requirements;
- (2) Special Event permit processes;
- (3) Special Event permit application fees;
- (4) Civil penalties and citations for failure to comply with this subtitle or any regulations adopted by ordinance or regulation by the Board under this subtitle;

- (5) Special Event permit appeal procedures; and
- (6) Events determined by the Board to be excepted from the definition of Special Event.

10-504. Exceptions.

This subtitle does not apply to the following types of events:

(1) Unless it is an Event Requiring Assistance, an Athletic Event or Entertainment Event:

(i) Sponsored by and held on property owned by the Board of Education of Washington County or a private or parochial school;

(ii) Held at a privately owned golf facility or other licensed recreational site during normal daily operations if the number of participants and spectators does not exceed the number of people that can be served by the facilities; or

(iii) Held inside a permanent and fully enclosed structure designed primarily for the gathering of people, including a place of worship, public auditorium, theater, recreation hall, or gymnasium, if the maximum number of participants and spectators does not exceed the maximum capacity of the structure;

(2) Unless it is an Event Requiring Assistance, an Athletic Event held on public property as part of the regular activity of an athletic or recreational sports league that has received permission to use public facilities from the Washington County Department of Parks and Recreation; and

(3) An Athletic Event or Entertainment Event sponsored and directed in whole by the Board of County Commissioners of Washington County. (2008, ch. 113)