

# SENATE BILL 393

L2

11r1689

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By: **Calvert County Senators**

Introduced and read first time: February 3, 2011

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2011

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## 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  
16 municipal infractions; authorizing the County Commissioners to seek other  
17 remedies provided by law; and generally relating to the authority of the County  
18 Commissioners of Calvert County to regulate roads in the county.

19 BY adding to

20 Article 25 – County Commissioners

21 Section 11

22 Annotated Code of Maryland

23 (2005 Replacement Volume and 2010 Supplement)

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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.



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

3 **Article 25 – County Commissioners**

4 **11.**

5 (A) BY ORDINANCE, THE COUNTY COMMISSIONERS OF CALVERT  
6 COUNTY MAY:

7 (1) REGULATE THE GRADING, CONSTRUCTING, IMPROVING,  
8 MAINTAINING, AND REPAIRING OF COUNTY ROADS AND ROADS INTENDED FOR  
9 FUTURE PUBLIC USE, INCLUDING ROADS PROPOSED FOR ANY SUBDIVISION  
10 APPROVED BY THE CALVERT COUNTY PLANNING COMMISSION, WHETHER  
11 RECORDED OR PROPOSED, INCLUDING SIDEWALKS, CURBS, GUTTERS,  
12 DRIVEWAY ENTRANCES, STORM DRAINAGE FACILITIES, AND APPURTENANCES  
13 TO BE LOCATED IN THE SUBDIVISION;

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

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

18 (4) ESTABLISH MINIMUM STANDARDS TO WHICH A ROAD IN A  
19 SUBDIVISION IN CALVERT COUNTY MUST BE CONSTRUCTED BEFORE THE  
20 ISSUANCE OF A BUILDING PERMIT THAT PERTAINS TO A LOT SERVED BY THE  
21 ROAD;

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

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

28 (7) ESTABLISH FEES TO DEFRAY THE COST OF REVIEWING PLANS  
29 AND PERFORMING INSPECTIONS FOR THE CONSTRUCTION OF ROADS AND  
30 UTILITY CUTS IN ACCORDANCE WITH AN ORDINANCE ENACTED UNDER THIS  
31 SECTION; AND

32 (8) PROVIDE FOR A CIVIL PENALTY FOR VIOLATION OF AN  
33 ORDINANCE ENACTED UNDER THIS SECTION.

1           **(B) A VIOLATION OF AN ORDINANCE ENACTED UNDER THIS SECTION**  
2 **SHALL BE ENFORCED IN THE SAME MANNER AND TO THE SAME EXTENT AS**  
3 **PROVIDED FOR MUNICIPAL INFRACTIONS UNDER ARTICLE 23A, § 3(B) OF THE**  
4 **CODE.**

5           **(C) IN ADDITION TO ANY REMEDIES PROVIDED FOR UNDER AN**  
6 **ORDINANCE ENACTED UNDER THIS SECTION, THE COUNTY COMMISSIONERS OF**  
7 **CALVERT COUNTY MAY SEEK OTHER REMEDIES PROVIDED BY LAW.**

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.