

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2008, Legislative Day No. 12

Bill No. 84-08

Councilmembers Gardina, McIntire, Oliver, Olszewski & Bartenfelder

By the County Council, July 7, 2008

A BILL
ENTITLED

AN ACT concerning

Stormwater Management - Cost of repairs

FOR the purpose of providing that the cost of county repairs to stormwater management devices or practices on private property shall be a lien on the property of the property owner and collectable in the same manner as real property taxes; and generally relating to the cost of stormwater management devices or practices.

By repealing and reenacting, with amendments

Section 33-4-111(b)
Article 33. Environmental Protection and Resource Management
Title 4. Stormwater Management
Baltimore County Code, 2003

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that Section 33-4-111(b) of Title 4. Stormwater Management, of Article
3 33. Environmental Protection and Resource Management, of the Baltimore County Code,
4 2003, as amended, is hereby repealed and reenacted, with amendments, to read as follows:
5 § 33-4-111

6 (b) (1) The following procedures shall apply:

7 [(1)] (I) The owner or owners of any property on which stormwater
8 management devices or practices are found to be deficient and in need of maintenance shall be
9 notified of the required repairs and given a reasonable time in which to comply;

10 [(2)] (II) A follow-up inspection shall be made to determine if the repairs have
11 been completed in a satisfactory manner; and

12 [(3)] (III) The county and its agent may enter on the property of persons who
13 do not comply with a maintenance notification requiring repairs to any stormwater management
14 devices or practices to perform the necessary maintenance and to assess any DIRECT OR
15 INDIRECT cost involved to the owner or [owners] OWNERS OF THE PROPERTY, INCLUDING
16 THE OWNERS OF ALL PROPERTY SERVED BY THE DEVICE OR PRACTICE, WHICH
17 COST SHALL BE A LIEN ON THE PROPERTY OF THE OWNER OR OWNERS IN THE SAME
18 MANNER AS REAL PROPERTY TAXES, AND SHALL BE COLLECTED IN THE SAME
19 MANNER PROVIDED BY LAW FOR THE COLLECTION OF REAL PROPERTY TAXES.

20 (2) THE COUNTY MAY COLLECT THE COSTS IMPOSED UNDER
21 PARAGRAPH (1) OF THIS SECTION:

22 (I) IN ANNUAL INSTALLMENTS NOT EXCEEDING THREE IN

1 NUMBER;
2 (II) WITH INTEREST AT THE RATE OF 6 % PER ANNUM, ON AN
3 AMORTIZED BASIS; AND
4 (III) ON SUCH OTHER TERMS AND CONDITIONS AS CONSIDERED
5 APPROPRIATE BY THE COUNTY.

6 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the
7 affirmative vote of five (5) members of the County Council, shall take effect on August 15, 2008.

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