

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2015, Legislative Day No. 13

Bill No. 59-15

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Mr. Todd Crandell, Councilman

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By the County Council, August 3, 2015

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A BILL  
ENTITLED

AN ACT concerning

County Parks - Authority of Director

FOR the purpose of authorizing the Director of Recreation and Parks to exclude a person from a park for certain violations; specifying the persons who may issue a notice of exclusion, the period of exclusion, and the contents of the notice; authorizing a person to appeal a notice of exclusion; prohibiting a person from entering a park during the period of exclusion; providing penalties; and generally relating to the authority of the Director to exclude a person from a park for certain violations.

BY adding  
Section 30-1-202(d)  
Article 30 - Recreation and Parks  
Title 1 - Administration and Regulation of Parks

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that the Law of Baltimore County, Maryland read as follows:

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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 §30-1-202. Authority of Director to Close or Restrict Use of Park.

2 (D) EXCLUSIONS FROM PARK.

3 (1) THE DIRECTOR MAY EXCLUDE A PERSON FROM A PARK FOR A  
4 VIOLATION OF ANY PROVISION OF THIS SUBTITLE OR FOR A VIOLATION OF ANY  
5 CRIMINAL STATUTE OR A VIOLATION OF ANY PARK RULE WHILE THE PERSON IS  
6 IN A PARK.

7 (2) NOTICE OF THE EXCLUSION MAY BE ISSUED BY THE DIRECTOR  
8 OR BY A DEPARTMENT OFFICIAL DESIGNATED BY THE DIRECTOR.

9 (3) ~~(1)~~ AN EXCLUSION SHALL BE FOR A PERIOD OF ~~(30) THIRTY DAYS.~~

10 ~~—————(II) IF A PERSON HAS BEEN EXCLUDED FROM A PARK WITHIN THE~~  
11 ~~TWO PRECEDING YEARS, THE EXCLUSION SHALL BE FOR (90) NINETY DAYS.—~~

12 ~~—————(III) IF A PERSON HAS BEEN EXCLUDED FROM A PARK ON TWO~~  
13 ~~OR MORE OCCASIONS WITHIN THE TWO PRECEDING YEARS, THE EXCLUSION~~  
14 ~~SHALL BE FOR 180 DAYS. TIME DETERMINED BY THE DIRECTOR.~~

15 (4) A NOTICE OF EXCLUSION SHALL BE IN WRITING AND SHALL  
16 INCLUDE:

- 17 (I) THE DATE, LENGTH, AND PLACE OF THE EXCLUSION;  
18 (II) THE PROVISION OF LAW THE PERSON HAS VIOLATED;  
19 (III) A BRIEF DESCRIPTION OF THE OFFENDING CONDUCT; AND  
20 (IV) A NOTICE OF THE RIGHT TO APPEAL.

21 (5) (I) A PERSON MAY APPEAL A NOTICE OF EXCLUSION IN WRITING  
22 TO THE DIRECTOR NOT MORE THAN 15 DAYS AFTER RECEIPT OF THE NOTICE.

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2 (II) THE DIRECTOR SHALL FORWARD THE APPEAL TO THE OFFICE  
3 OF ADMINISTRATIVE HEARINGS.

4 (III) 1. A PERSON AGGRIEVED BY THE DECISION OF THE OFFICE OF  
5 ADMINISTRATIVE HEARINGS MAY APPEAL THE DECISION OF THE OFFICE TO THE  
6 BOARD OF APPEALS.

7 2. THE APPEAL SHALL BE ON THE RECORD AND DETERMINED  
8 IN ACCORDANCE WITH THE PROVISIONS OF §3-6-304 OF THE CODE.

9 (6) (I) A PERSON WHO HAS BEEN EXCLUDED FROM A PARK MAY NOT  
10 ENTER OR REMAIN IN THE PARK AT ANY TIME DURING THE PERIOD OF  
11 EXCLUSION.

12 (II) A PERSON WHO VIOLATES SUBPARAGRAPH (I) OF THIS  
13 PARAGRAPH IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO  
14 A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 90 DAYS OR  
15 BOTH.

16 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
17 the affirmative vote of five members of the County Council, shall take effect on September 21,  
18 2015.