

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 16

Bill No. 77-15

Mrs. Cathy Bevins, Chair
By Request of County Executive

By the County Council, October 5, 2015

A BILL
ENTITLED

AN ACT concerning

Baltimore County Code – Code Revision – First Enactment

FOR the purpose of revising, restating, and recodifying provisions of the Baltimore County Code; restoring a certain historic reference; correcting certain cross references; repealing certain obsolete language; clarifying certain department responsibilities; conforming county law to state law by prohibiting certain discrimination based on sexual orientation, gender identity, and genetic information; restoring a provision relating to lobbyists; making certain technical changes; making certain stylistic changes; providing for application of a part of this Act; providing for the effective date of this act; and generally relating to revision of the Baltimore County Code.

By repealing and reenacting, with amendments

Sections 1-1-101 and 1-1-102
Article 1. General Provisions
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 2-1-102, 2-3-103, and 2-3-107
Article 2. Legislative Branch
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.

By repealing and reenacting, with amendments

Sections 3-1-202(a), 3-2-602, 3-2-603, 3-2-604, 3-2-303, 3-2-1202(d), 3-3-101(e), 3-3-204, 3-3-305(b), 3-3-603, 3-3-1503, 3-3-1504(a), 3-3-1602(a), 3-3-1603, 3-3-1604, 3-3-1605(b), 3-3-1606, 3-3-1703, 3-3-1802(d)(2), 3-3-2002(a)(2), 3-3-2003, 3-3-2005, 3-3-2402(a)(2)(ii)2, 3-3-2403(a)(3), 3-3-2406(a), 3-5-101, and 3-8-106

Article 3. Administration
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 4-2-103, 4-4-101, 4-5-101(f), 4-5-313(a), and 4-6-101
Article 4. Human Resources
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 7-1-201(a) and (c), 7-1-202(a), 7-1-401(b) and (f), 7-1-501(d)(1), 7-1-508 and 7-1-512
Article 7. Public Ethics and Open Government
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 10-1-104(a), 10-1-107, 10-2-107, 10-2-108, 10-3-101, 10-3-105(a), 10-4-101(b), 10-5-103, 10-8-101(c)(3), 10-9-101, 10-10-108(f), and 10-14-104(a)
Article 10. Finance
Baltimore County Code, 2003

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

3
4 Article 1. General Provisions

5
6 § 1-1-101.

7 The provisions of the following articles shall be designated and cited as the “Baltimore
8 County Code, [2003] 2015” or the “Balt. Co. Code, [2003] 2015.”

9
10
11 SECTION 2. AND BE IT FURTHER ENACTED, that the Laws of Baltimore County
12 shall read as follows:

13
14 Article 1. General Provisions

1
2 § 1-1-102.

3 The common seal of the [county] COUNTY, AS PRESENTED TO THE COUNCIL BY
4 ADELAIDE M. HASPERT, shall be circular in shape and convenient in size and shall contain:

- 5 (1) The corporate name of Baltimore County, Maryland;
6 (2) The Calvert and Crossland coats of arms; and
7 (3) Seven stars representing the seven councilmanic districts.
8
9

10 Article 2. Legislative Branch
11

12 § 2-1-102.

13 The Personnel and Salary Advisory Board shall establish the compensation and
14 allowances to be paid to members of the County Council as provided in § 10-302 OF THE
15 LOCAL GOVERNMENT Article [25A, § 5(aa)] of the Annotated Code of Maryland.
16

17 § 2-3-103.

18 [(1)] (A) The Spending Affordability Committee consists of five members
19 appointed by the chairman of the County Council.

20 [(2)] (B) Of the members:

- 21 [(i)] (1) Three shall be members of the County Council; and
22 [(ii)] (2) Two other members shall be individuals who have relevant areas
23 of specialty including finance and organized labor.
24

25 § 2-3-107.

26 [(1)] (A) The County Council:

27 [(i)] (1) In considering a proposed county budget, shall consider the
28 recommendations of the Spending Affordability Committee; and

29 [(ii)] (2) Subject to [paragraph (2)] SUBSECTION (B) of this section, shall
30 adopt a budget that conforms to the committee's recommendations.

31 [(2)] (B) If the level of budget the council adopts is above the committee's
32 recommendations, the Council shall provide an analysis stating the extent to which the budget
33 exceeds the recommendations and explaining the Council's rationale for exceeding the
34 recommendations.
35

36 Article 3. Administration
37

38 § 3-1-202.

39 (a) This section does not apply to:

- 40 (1) A tax;
41 (2) A franchise fee, the amount of which is provided for in the Code; or
42 (3) The charges or fees authorized in connection with a cable [television
43 franchise] SYSTEM under Article 25 of the Code.
44

45 § 3-2-602.

46 [The Department of Environmental Protection and Sustainability includes:

- 1 (1) The Bureau of Waste Management and Community Services; and
2 (2) The Bureau of Resource Management And Engineering Services.

3
4 § 3-2-603.]

5 (a) The Director of Environmental Protection and Sustainability, appointed in
6 accordance with § 402 of the Charter, shall administer the Department and is directly responsible
7 to the County Administrative Officer.

8 (b) The department shall have the personnel considered necessary to carry out the
9 functions and responsibilities assigned to it.

10
11 [§ 3-2-604] § 3-2-603.

12 (a) The Department of Environmental Protection and Sustainability shall:

13 (1) Administer and enforce environmental laws, regulations, programs, and
14 activities for the purpose of conserving, enhancing, and perpetuating the natural resources of the
15 county and preserving and protecting the environmental health of its citizens; and

16 (2) Have the duties, functions, and responsibilities provided for in the Code
17 and assigned to it by directive of the County Administrative Officer.

18 (b) The Department of Environmental Protection and Sustainability is responsible
19 [for:

20 (1) Enforcement] FOR ENFORCEMENT of the state laws and regulations
21 concerning the environment that are delegated to the Department by state law, regulation, or
22 directive]; and

23 (2) All activities and functions performed by:

24 (i) The Bureau of Environmental Services of the County Health
25 Department, including air pollution control, water quality management, wastewater management,
26 regional community services, and environmental support services;

27 (ii) The Chesapeake Bay Critical Area staff of the Department of
28 Planning, including preparation and development of the County's Critical Area Protection
29 Program, and review of all development within the critical area or elsewhere for compliance with
30 state or county environmental laws and regulations;

31 (iii) The land use planning section of the division of comprehensive
32 planning of the Department of Planning; and

33 (iv) The sediment control section of the Department of Permits,
34 Approvals and Inspections]

35
36 § 3-2-303.

37 The Department of Corrections shall:

38 (1) Take charge of the detention facilities and [prisoners] INMATES in the detention
39 facilities;

40 (2) Be responsible for the safekeeping, care, and feeding of [a prisoner] AN
41 INMATE in the detention facilities from the time the [prisoner] INMATE is committed until the
42 [prisoner] INMATE is legally released, including while the [prisoner] INMATE is working
43 outside the detention facilities and going to and from that work;

44 (3) At the expense of the county through the budgetary and purchasing requirements
45 of the Charter and the Code, provide food and board for all [prisoners] INMATES committed to

1 its charge, including food and other articles for the comfort of sick [prisoners] INMATES as the
2 physician attending sick [prisoners] INMATES considers necessary;

3 (4) Comply with all rules adopted by the county concerning the detention facilities
4 buildings and the [prisoners] INMATES;

5 (5) Admit no visitor to the [prisoners] INMATES except in accordance with the
6 rules; and

7 (6) In accordance with state law, keep a complete record of [a prisoner] AN
8 INMATE committed to its custody, when and by whom committed, the charge, and when
9 released, together with other information required by the county.

10
11 § 3-2-1202.

12 (d) The Director of Planning shall administer the Department of [Planning]
13 PLANNING, which shall consist of the following divisions:

14 (1) [General administration] THE DIVISION OF COMMUNITY
15 DEVELOPMENT; AND

16 (2) [Comprehensive and community planning; and

17 (3) Strategic planning] THE DIVISION OF NEIGHBORHOOD
18 REINVESTMENT.

19
20 § 3-3-101.

21 (e) Except as otherwise provided by law, the County Administrative Officer shall:

22 (1) Terminate the membership of an elected or appointed member of a board,
23 commission, committee, panel, or foundation who is absent from more than one-third of the
24 scheduled meetings of the board, commission, committee, panel, or foundation within [1 year]
25 ANY 12-MONTH PERIOD; and

26 (2) Declare the member's position vacant subject to being filled by another
27 individual appointed in accordance with the provisions of the Code.

28
29 § 3-3-204.

30 [(1)] (A) The Commission on Aging shall meet at least one time each quarter.

31 [(2)] (i) (B)(1) Subject to [subparagraph (ii) of this] paragraph (2) OF THIS
32 SUBSECTION, the chairman or any three members of the Commission may call a special
33 meeting.

34 [(ii)] (2) Members of the Commission shall receive written notice of a
35 special meeting at least 5 days before the meeting.

36
37 § 3-3-305.

38 (b) In addition to the duties prescribed in Article 24 of the Code and state law, the
39 Board shall:

40 (1) Make recommendations on areas of productive agricultural land and their
41 inclusion within the county master plan as agricultural protection areas;

42 (2) Recommend to the Department of [Environmental Protection and
43 Sustainability] PLANNING procedures for mediation or arbitration of disputes regarding the
44 value of easements being considered for purchase by the county;

45 (3) Perform other duties assigned by the County Council or County
46 Executive;

1 (4) Prepare or review recommendations to the County Council on county
2 policies and programs for agricultural preservation and protection of agricultural soil resources;

3 (5) Review and make recommendations to the Department of Permits,
4 Approvals and Inspections on zoning regulation proposals that relate to agricultural uses
5 including tenant buildings, farmer's roadside stands, and other agricultural issues;

6 (6) Discuss and make recommendations to the County Council on programs to
7 promote the agricultural industry in the county; and

8 (7) Cooperate with county agencies and boards, the Cooperative Extension
9 Service, and the Soil Conservation District in carrying out its responsibilities.

10
11 § 3-3-603.

12 [(1)] (A) The County Executive shall appoint the chairman and vice-chairman of
13 the Commission on Disabilities.

14 [(2)] (B) The chairman shall appoint all committee and subcommittee members and
15 chairmen.

16
17 § 3-3-1503.

18 [(1)] (A) The County Executive shall appoint the chairman of the Plumbing and
19 Gasfitting Board.

20 [(2)] (B) The Chief Plumbing inspector of the county shall serve as the secretary of
21 the Board.

22
23 § 3-3-1504.

24 (a) The Director of Environmental Protection and Sustainability OR THE
25 DIRECTOR'S DESIGNEE and the Chief Plumbing Inspector of the county may not receive
26 additional compensation for their services on the Plumbing and Gasfitting Board.

27
28 § 3-3-1602.

29 (a)(1) The Review Committee for Public Swimming Pools and Bathing Beaches consists
30 of eight members.

31 (2) The eight members of the Committee shall include:

32 (i) A member of the Board of Health, approved by the Chairman of
33 the Board;

34 (ii) A representative of the State Department of Health and Mental
35 Hygiene; and

36 (iii) Six members who shall be appointed by the [Director of
37 Environmental Protection and Sustainability] HEALTH OFFICER, including:

38 1. One representative of the Department of [Environmental
39 Protection and Sustainability] HEALTH;

40 2. One member of the American Red Cross or a similar
41 organization; and

42 3. Four members of the swimming pool industry, of whom:
43 A. Two must be actively engaged in the swimming
44 pool construction or swimming pool supply business; and

45 B. Two must be actively engaged in the ownership,
46 management, or operation of one or more public swimming pools.

1
2 § 3-3-1603.
3 The representative from the Department of [Environmental Protection and Sustainability]
4 HEALTH shall be the secretary for the Review Committee for Public Swimming Pools and
5 Bathing Beaches.

6
7 § 3-3-1604.
8 [(1)] (A) The Review Committee for Public Swimming Pools and Bathing Beaches
9 shall meet:

10 [(i)] (1) Subject to [paragraph (2) of this] subsection (B) OF THIS
11 SECTION, at least one time each year; and

12 [(ii)] (2) When called by the secretary in accordance with the request of two
13 or more members of the Committee.

14 [(2)] (B) At least 30 days before the meeting, members of the Committee shall
15 receive a written notice of the annual meeting which shall include the time and location of the
16 meeting.

17
18 § 3-3-1605.
19 (b) The Review Committee may submit recommendations for changes in the rules
20 and regulations for public swimming pools and bathing beaches to the [Director of
21 Environmental Protection and Sustainability] HEALTH OFFICER for the [Director's] HEALTH
22 OFFICER'S consideration.

23
24 § 3-3-1606.
25 The [Director of Environmental Protection and Sustainability] HEALTH OFFICER may
26 adopt by regulations adopted under Title 7 of this article any or all of the recommendations of
27 the Review Committee for Public Swimming Pools and Bathing Beaches.

28
29 § 3-3-1703.
30 [(1)] (A) Each year and as required by vacancy, the Board of Recreation and Parks
31 shall select members of the Board to serve as chairman and vice-chairman.

32 [(2)] (B) The Board may select as secretary an individual who is a member of the
33 Board or an individual who is not a member of the Board.

34
35 § 3-3-1802.
36 (d) (2) A member of the Panel:
37 (i) May be removed at any time, with or without cause, on an
38 affirmative vote of five members of the County Council; and
39 (ii) Shall be removed by the County Council if the member is absent
40 from 50% or more of the scheduled meetings of the Panel within [1 year] ANY 12-MONTH
41 PERIOD.

42
43 § 3-3-2002.
44 (a)(2) The members shall be appointed as follows:

1 (i) Each member of the County Council shall appoint one veteran to
2 the Commission who must be a resident of the [Councilman's] COUNCILMEMBER'S district
3 and who is active in at least one of the following organizations:

- 4 1. The Veterans of Foreign Wars;
- 5 2. The American Legion;
- 6 3. Disabled American Veterans;
- 7 4. Military Order of the Purple Heart;
- 8 5. Korean War Veterans Association;
- 9 6. Amvets;
- 10 7. American ex-prisoners of war;
- 11 8. Catholic War Veterans;
- 12 9. Jewish War Veterans;
- 13 10. Military Officers Association; or
- 14 11. Vietnam Veterans of America; and

15 (ii) The County Executive shall appoint two members to the
16 Commission who need not be veterans as follows:

- 17 1. One at-large representative of the residents of the county;
- 18 and
- 19 2. One representative recommended by the Superintendent of
- 20 Schools and employed by the Department of Education.

21
22 § 3-3-2003.

23 (A) The Commission members shall elect a Chairperson who is a veteran.

24 (B) A Chairperson shall serve in that capacity for a 1-year term.

25
26 § 3-3-2005.

27 The Commission has the following duties and responsibilities:

28 (1) To establish a forum exclusively relating to the issues of Baltimore County
29 residents who served in the armed services of America[.];

30 (2) To maintain communication between government agencies, businesses,
31 educational institutions, and veterans in the county, with the intent that veterans' issues will be
32 addressed in the most effective and efficient manner[.]; AND

33 (3) To provide assistance, guidance, and information to government agencies,
34 businesses, and educational institutions to ensure adequate consideration of veterans, their
35 history of service, and their message of Americanism in education, employment, training and
36 public programs.

37
38 § 3-3-2402.

39 (a)(2)(ii) 2. The remaining members shall be [an] at-large members from the public.

40
41 § 3-3-2403.

42 (a)(3)(I) The Director of the Department of Health shall designate to the Commission an
43 ex officio, non-voting member to provide technical assistance.

44 (II) [This] THE EX OFFICIO NON-VOTING member shall also have the right to
45 address the Commission regarding any item on a meeting agenda.

1 § 3-3-2406.

2 (a) The Commission has the following duties and responsibilities:

3 (1) Maintain liaison with:

4 (i) The Animal Services Division;

5 (ii) The Animal Hearing Board;

6 (iii) The Police Department;

7 (iv) Public and private humane organizations;

8 (v) Animal services advisory commissions or boards in other counties and municipalities;

9 and

10 (vi) Animal services agencies in other states and the federal government;

11 (2) Consult with county and municipal animal services advisory commissions or boards on
12 their animal welfare programs;

13 (3) Collect and assemble pertinent information that is available from other agencies;

14 (4) Subject to subsection (b) of this section, visit the county animal shelter during hours that
15 the shelter is open to the public at times selected by the Commission, and observe all phases and
16 areas of the operation of the shelter;

17 (5) Subject to the limitations of the Maryland Public Information Act, collect and assemble
18 any and all data and records of the Animal Services Division pertaining to its operation[.];

19 (6) Review and make recommendations to the County Council and the County Executive
20 concerning:

21 (i) The budgets and fiscal needs of the Animal Services Division; and

22 (ii) The policies governing the operation of the Animal Services Division, including rules
23 and regulations for the operation of the animal shelter;

24 (7) Work actively in educating the public on issues related to animal rescue and adoption
25 and the need for sterilization of dogs and cats, and to review and make recommendations to
26 control the animal population and enhance adoption opportunities; and

27 (8) Generally promote the mission and responsibilities of the Animal Services Division.
28
29

30 § 3-5-101.

31 There is a County Board of Appeals as established in Article VI of the Charter and § 10-
32 305 of the LOCAL GOVERNMENT Article [25A, § 5] of the Annotated Code of Maryland.

33 § 3-8-106.

34 [(1)] (A) At the discretion of the Records Management Officer and with the
35 approval of the County Administrative Officer, records or archives of the county which are
36 considered to have historical significance may be lent to a responsible organization or group.

37 [(2)] (B) The responsible organization or group shall ensure that the records or
38 archives are properly preserved, displayed, indexed, and made available for reference purposes.
39

40 Article 4. Human Resources

41
42 § 4-2-103.

43 [(1)] (A) Notwithstanding any other provision of this article, the Personnel Rules
44 shall allow the County Administrative Officer to cause employees to be transferred within or
45 between county agencies to meet workload peaks or emergency conditions.

1 [(2)] (B) The Personnel Rules may not govern administration of the county's work
2 program, including hours of work and attendance.

3
4 § 4-4-101.

5 An individual in the classified service or one seeking admission to the classified service
6 may not be employed, promoted, demoted, or dismissed or in any way discriminated against
7 because of that individual's race, color, gender, religion, creed, ancestry or national origin, age,
8 marital status, SEXUAL ORIENTATION, GENDER INDENTITY, GENETIC
9 INFORMATION, OR physical or mental disability unrelated in nature and extent so as to
10 reasonably preclude the performance of the employment.

11
12 § 4-5-101.

13 (f)(1) "Employee organization" means an association, labor organization, federation,
14 council, or brotherhood, a purpose of which is to represent employees of a public employer in
15 matters of wages, hours, and terms and conditions of employment.

16 (2) "Employee organization" does not include an association, labor
17 organization, federation, council, or brotherhood, that discriminates with regard to the terms or
18 conditions of membership because of race, color, creed, sex, age, national origin, political
19 affiliation, religion, marital status, SEXUAL ORIENTATION, GENDER INDENTITY,
20 GENETIC INFORMATION, or disability.

21
22 § 4-5-313.

23 (a)(1) The county administration is not required to negotiate with any employee organizations
24 certified after March 1 of any fiscal year regarding wages, hours, and terms and conditions of
25 employment that would require legislation or the appropriation of funds in the annual budget.

26 (2) (I) If an employee organization is certified after March 1 of any fiscal
27 year, negotiations shall be deferred until the appropriate time in the budget preparation process in
28 the following fiscal year.

29 (II) No retroactivity shall be allowed in any agreement or in any
30 appropriation or legislation that is required to effect any agreement concluded by the county
31 administration and an exclusive representative.

32
33 § 4-6-101.

34 (A) (1) [(i)] An appointing authority may dismiss an employee in the exempt service
35 or serving under an emergency, temporary, seasonal, occasional, or part-time appointment from
36 the employee's job at any time.

37 [(ii)] (2) The dismissed employee does not have right of appeal or hearing.

38 [(2)] (B) When dismissing an employee under this section, the appointing authority
39 shall give the employee reasonable notice of the dismissal action as provided for in the Personnel
40 Rules and shall forward a copy of the notice to the Director of Human Resources.

41
42 Article 7. Public Ethics and Open Government

43
44 § 7-1-201.

45 (a) The Commission shall:

46 (1) Administer the provisions of this title;

1 (2) Provide notice of its meetings and take and maintain written minutes of its
2 meetings;

3 (3) Keep all records and forms required under this title in the offices of the
4 Commission to be maintained only by the staff of the Commission;

5 (4) Prescribe and provide forms for reports, statements, notices, complaints,
6 and other documents required by this title;

7 (5) Retain documents filed with the Commission for at least 4 years after the
8 date of their receipt;

9 (6) Determine if changes to this title are required to be in compliance with the
10 requirements of Title [15] 5, Subtitle 8 of the [State Government] GENERAL PROVISIONS
11 Article of the Annotated Code of Maryland and submit a written report with any
12 recommendations to the County Executive and the Council for enactment;

13

14 (7) For each financial disclosure and lobbying statement filed in accordance
15 with this title:

16 (i) Review the filing to determine if the filing complies with the
17 provisions of this title; and

18 (ii) Notify the filer of any omissions or deficiencies in the filing;

19 (8) Conduct public information and education programs regarding the purpose
20 and implementation of this title; and

21 (9) Disseminate information to public officials regarding:

22 (i) The purpose and scope of this title; and

23 (ii) The functioning of the Commission.

24 (c) The Commission shall certify to the State Ethics Commission on or before
25 October 1 of each year that the county is in compliance with the requirements of Title [15] 5,
26 Subtitle 8 of THE GENERAL PROVISIONS ARTICLE OF the Annotated Code of Maryland
27 for elected officials.

28

29 § 7-1-202.

30 (a) The Commission may:

31 (1) Administer oaths and affirmations; [and]

32 (2) Issue subpoenas:

33 (i) To compel the attendance and testimony of witnesses; and

34 (ii) For the production of books, papers, records, documents, and other
35 tangible [objects.]; AND

36 (3) In accordance with the process set forth in § 7-1-105 OF THIS TITLE,
37 and if necessary to protect the public interest and the integrity of the governmental process,
38 suspend or revoke the registration of an individual lobbyist if the Commission determines that
39 the lobbyist:

40 (i) Has knowingly and willfully violated any provision of this article;

41 or

42 (ii) Has been convicted of a criminal offense arising from lobbying
43 activities.

44

45 § 7-1-401.

1 (b) A public official who has not filed a financial disclosure statement and who is
2 appointed to fill a vacancy for a position under subsection (a) of this section[,] shall, within 30
3 days after the appointment, file a financial disclosure statement covering the calendar year
4 preceding the appointment.

5 (f)(1) Subject to paragraph (2) of this section, for members of boards and commissions
6 listed in subsection (a) of this section who do not receive compensation for service on the board
7 or commission, the Commission shall authorize disclosure similar to that allowed under [§ 15-
8 609] § 5-609 of the [State Government] GENERAL PROVISIONS Article of the Annotated
9 Code of Maryland.

10 (2) The chairman and members of the Board of Trustees of the Community
11 College of Baltimore County may file with the Commission a copy of their financial disclosure
12 statement filed under Title [15] 5 of the [State Government] GENERAL PROVISIONS Article
13 of the Annotated Code of Maryland.

14 § 7-1-501.

15 (d)(1) “Lobbyist” means a person who engages in lobbying IN THE PRESENCE OF
16 ANY OFFICIAL OR EMPLOYEE OF THE LEGISLATIVE OR EXECUTIVE BRANCH, and
17 who, within a reporting period:

- 18
- 19 (i) For the purpose of influencing legislative action:
 - 20 1. Communicates with a public official of the legislative or
21 executive branch and:
 - 22 2. A. Incurs \$100 or more of expenses, cumulatively, not
23 including personal travel and subsistence expenses; or
24 B. Receives \$500 or more as compensation;
 - 25 (ii) For the purpose of influencing executive action:
 - 26 1. Communicates with public officials of the executive
27 branch; and
28 2. Expends a cumulative value of \$100 or more on meals,
29 beverages, special events, or gifts for public officials of the executive branch; or
 - 30 (iii) For the purpose of influencing the comprehensive rezoning
31 process[.]:
 - 32 1. Engages in lobbying; and
33 2. Expends money, irrespective of the amount, on a public
34 official for meals, beverages, special events, or gifts.

35 § 7-1-508.

36 [(1)] (A) A person who would be required to file an annual report under § 7-1-506
37 of this subtitle is not required to file the annual report if the person:

38 [(i)] (1) Reasonably believes that all expenses incurred in connection with
39 the person's lobbying activities will be reported under § 7-1-506 of this subtitle by a properly
40 registered lobbyist acting on the person's behalf; and

41 [(ii)] (2) Has completed the authorization required under § 7-1-503(b)(4) of
42 this subtitle.

43 [(2)] (B) A person who is exempt under this section shall:

44 [(i)] (1) Engage in due diligence to ensure that the person's expenses are
45 reported as authorized under [paragraph (1)] SUBSECTION (A) of this section; and
46

1 [(ii)] (2) Is subject to the provisions of this subtitle within a reasonable time
2 after learning of the failure of the registered lobbyist to report information required by this
3 subtitle.

4
5 § 7-1-512.

6 [(1)] (A) A person who knowingly and willfully violates the provisions of this
7 subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$1,000
8 or imprisonment not exceeding 90 days or both.

9 [(2)] (B) If the person is a business entity, each officer and partner of the business
10 entity who knowingly authorized or participated in the violation is guilty of a misdemeanor and,
11 on conviction, is subject to the same penalties as the business entity.

12
13 Article 10. Finance

14
15 § 10-1-104.

16 (a) County money transferred to the Chief Fiscal Officer, Administrative Officer, or a
17 designee of any body politic or public body corporate including a board, Board of Trustees,
18 revenue authority, or any other entity referenced in TITLE 17 OF THE LOCAL
19 GOVERNMENT Article [95] of the Annotated Code of Maryland:

20 (1) Is deemed not under the control or custody of the Director of Budget and
21 Finance;

22 (2) Is the responsibility of the entity to which the money was transferred; and

23 (3) Shall be governed under TITLE 17 OF THE LOCAL GOVERNMENT
24 Article [95] of the Annotated Code of Maryland.

25
26 § 10-1-107.

27 [(1)] (A) The county may establish a reserve for capital projects from any portion of
28 the general fund undesignated fund balance not otherwise allocated for the following fiscal year.

29 [(2)] (B) Appropriations from the reserve shall be made only to finance capital
30 projects and debt service for capital projects.

31
32 § 10-2-107.

33 [(1)] (A) Except as provided in this title, a county officer or employee may not
34 order the purchase of any commodities, services, or professional capital improvement services
35 except under the requirements and conditions of this title.

36 [(2)] (B) A purchase order or contract made contrary to the provisions of this title:

37 [(i)] (1) Shall be of no effect and void; and

38 [(ii)] (2) Creates no obligation or liability for the county.

39
40 § 10-2-108.

41 [(1)] (A) The Director of Budget and Finance shall develop a program designed to
42 encourage and assist small businesses to contract with the county for commodities and services.

43 [(2)] (B) Small business shall be defined in accordance with the criteria established
44 by the Small Business Administration of the federal government.

45
46 § 10-3-101.

1 [(1)] (A) In accordance with the provisions of Article VII of the County Charter,
2 and in accordance with § 721 of the Charter, the County Council shall adopt bond issue
3 authorization ordinances submitted by the County Executive in each year of a general election in
4 the county.

5 [(2)] (B) The County Council shall adopt the ordinances on or before the first day
6 of the last month of the fiscal year currently ending.

7
8 § 10-3-105.

9 (a) General obligation bonds issued under this title are not subject to §§ 19-205 and
10 19-206 OF THE LOCAL GOVERNMENT Article [31, §§ 9, 10, and 11] of the Annotated Code
11 of Maryland.

12
13 § 10-4-101.

14 (b) “Association” means the BALTIMORE County Volunteer Firemen's
15 Association, Incorporated.

16
17 § 10-5-103.

18 [(1)] (A) Annually the county shall appropriate and pay to the fund an amount
19 which, when combined with the projected current year end balance, is projected to create a
20 reserve that, on a present-value basis, will satisfy all liabilities expected to occur in the upcoming
21 fiscal year.

22 [(2)] (B) The county shall annually appropriate funds to pay at least a portion of the
23 outstanding unpaid liability, as determined by actuarial analysis.

24 [(3)] (C) When the outstanding unpaid liability has been funded, the appropriation
25 procedure will be based on actuarial analysis to fund 100% of the projected outstanding liability
26 (on a present value basis) of the fund for the current year, all prior years, and the upcoming fiscal
27 year.

28 [(4)] (D) The amount of the reserve required shall be based on analysis of the
29 county's past claims experience and probable future claims, including the timing of payments,
30 and shall be determined by the Director of Budget and Finance in consultation with appropriate
31 county agencies and advisers.

32
33 § 10-8-101.

34 (c)(3) Notwithstanding paragraph (2) of this subsection, interest or other income from
35 investment of the Revenue Stabilization Reserve Account, or any portion of the Account, shall
36 be credited to the Account at the close of each fiscal year prior to any transfer under paragraph
37 (2) OF THIS SUBSECTION.

38
39 § 10-9-101.

40 (A) (1) [(i)] In this title “employee” means eligible employees of the county and their
41 dependents and employees of the Board of Library Trustees and their dependents.

42 [(ii)] (2) “Employee” includes a retiree.

43 [(2)] (B) If the County Board of Community College Trustees and the County
44 Board of Education elect to join the Health Insurance Fund, “employee” includes eligible
45 employees and retirees of those boards and their dependents.

46

1 § 10-10-108.

2 (f) In addition to the requirements of § 10-10-105[(b)] (C) OF THIS TITLE, an
3 applicant for financial assistance from the Fund shall provide:

4 (1) A concept plan that identifies the proposed project site and the total tract
5 acreage, and an indication whether a planned unit development will be utilized, including a
6 listing of proposed residential, industrial, or commercial uses, or combinations of such uses;

7 (2) A statement of how the site and the use will further the goals of the
8 Pikesville Plan;

9 (3) A list of the proposed capital improvements to be made to the property;
10 and

11 (4) A statement of the proposed economic impact of the project upon the
12 county.

13
14 § 10-14-104.

15 (a) Each year, the county shall appropriate and pay to the Other Post-Employment
16 Benefits Trust Fund an amount that is sufficient to pay:

17 (1) The county's estimated cost of all post-employment health and life
18 insurance claims the Trust Fund is projected to pay for following year; and

19 (2) All or part of the difference in the estimated cost of THE following year's
20 claims and the annual required contribution, which shall be an actuarially determined amount to
21 be paid each year to advance fund anticipated future other post-employment benefit payments,
22 discounted to their present value.

23
24
25 SECTION 3. AND BE IT FURTHER ENACTED, that nothing in this Act affects the
26 term of office of an appointed or elected member of any commission, office, department, agency,
27 bureau, or other unit. An individual who is a member of a unit on the effective date of this Act
28 shall remain a member for the balance of the term to which appointed or elected, unless the
29 member sooner dies, resigns, or is removed under provisions of law.

30
31 SECTION 4. AND BE IT FURTHER ENACTED, that, except as expressly provided to
32 the contrary in this Act, any transaction or property interest affected by or flowing from any
33 change of nomenclature or any statute amended, repealed, or transferred by this Act and validly
34 entered into or existing before the effective date of this Act and every right, duty, or interest
35 flowing from the statute, remains valid after the effective date of this Act and may be terminated,
36 completed, consummated, or enforced as required or allowed by any statute amended, repealed,
37 or transferred by this Act as though the repeal, amendment, or transfer had not occurred. If the
38 change in nomenclature involves a change in name or designation of any County unit, the
39 successor unit shall be considered in all respects as having the powers and obligations granted
40 the former unit.

41
42 SECTION 5. AND BE IT FURTHER ENACTED, that the continuity of every
43 commission, office, department, agency, bureau, or other unit in existence on the effective date
44 of this Act is retained. The personnel, records, files, furniture, fixtures, and other properties and
45 all appropriations, credits, assets, liabilities, and obligations of each retained unit are continued

1 as the personnel, records, files, furniture, fixtures, properties, appropriations, credits, assets,
2 liabilities, and obligations of the unit under the laws enacted by this Act.
3

4 SECTION 7. AND BE IT FURTHER ENACTED, that except as expressly provided to
5 the contrary in this Act, any person licensed, registered, certified, or issued a permit or certificate
6 by any commission, office, department, agency, bureau, or other unit established or continued by
7 any statute amended, repealed, or transferred by this Act is considered for all purposes to be
8 licensed, registered, certified, or issued a permit or certificate by the appropriate unit continued
9 under this Act for the duration of the term for which the license, registration, certification, or
10 permit was issued, and may renew that authorization in accordance with the appropriate renewal
11 provisions.
12

13 SECTION 8. AND BE IT FURTHER ENACTED, that Section 1 of this Act shall take
14 effect contingent on the passage by the county council of a resolution stating that the council is
15 adopting as complete the Baltimore County Code, 2015 compiled and codified in accordance
16 with § 1005(a) of the Charter. The resolution also shall provide a date on which the Baltimore
17 County Code, 2015 shall take effect.
18

19 SECTION 10. AND BE IT FURTHER ENACTED, that this Act, having passed by the
20 affirmative vote of five members of the County Council, shall take effect on the date of
21 enactment by the County Executive.