

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 38

Bill No. 108-15

Introduced by Mr. Grasso

By the County Council, November 16, 2015

Introduced and first read on November 16, 2015

Public Hearing set for December 7, 2015

Bill Expires February 19, 2016

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development - Adequate Public
2 Facilities – Adequate School Facilities

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4 FOR the purpose of amending the test for additional school capacity by requiring schools
5 over 95% of State-Rated Capacity be listed as closed on the school utilization chart;
6 and generally relating to adequate school facilities.

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8 BY repealing and reenacting, with amendments: § 17-5-502(a)
9 Anne Arundel County Code (2005, as amended)

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11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
12 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
13 follows:

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15 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

16
17 **TITLE 5. ADEQUATE PUBLIC FACILITIES**

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19 **17-5-502. School utilization chart.**

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21 (a) **Chart defined.** The Planning and Zoning Officer shall prepare a school
22 utilization chart for approval by ordinance of the County Council. The school utilization
23 chart:

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25 (1) may not be modified by the Office or be subject to review on any appeal of a

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

1 decision by the Office under this subtitle after the school utilization chart has been
2 approved as provided in subsection (d);

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4 (2) shall be revised at least once a year by the County Council upon the
5 recommendation of the Planning and Zoning Officer as soon as possible after receipt of
6 the September 30th pupil count audited by the State Department of Education, but may be
7 revised more often because of significant changes in enrollments or capacities;

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9 (3) shall be based on enrollments projected by the Board of Education and the
10 capacities of schools as determined by the Board of Education under subsections (b) and
11 (c); and

12
13 (4) shall determine for each public elementary, middle, and high school whether
14 the school [has capacity for additional students] ENROLLMENT IS 95% OR LESS OF STATE-
15 RATED CAPACITY during the third school year after the school year in which the most
16 recent revision of the school utilization chart is adopted and designate for that year each
17 public elementary, middle, and high school in the County as “open” IF THE SCHOOL IS AT
18 95% OR LESS OF STATE-RATED CAPACITY, or “closed” IF THE SCHOOL IS OVER 95% OF
19 STATE-RATED capacity [based on capacity for additional students].

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21 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
22 from the date it becomes law.