

FINAL

AMENDED
May 19, 2014

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2014, Legislative Day No. 8

Bill No. 17-14

Introduced by Mr. Grasso, Chairman
(by request of the County Executive)

By the County Council, April 7, 2014

Introduced and first read on April 7, 2014
Public Hearing set for and held on May 5, 2014
Bill AMENDED on May 19, 2014
Public Hearing on AMENDED BILL set for and held on June 2, 2014
Bill Expires July 11, 2014

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works – Roads – Obstructions

2
3 FOR the purpose of defining a certain term; authorizing the Department of Public Works
4 to order certain obstructions along County roads be corrected; and generally relating
5 to roads.

6
7 BY repealing and reenacting, with amendments: § 13-2-303
8 Anne Arundel County Code (2005, as amended)

9
10 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
11 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
12 follows:

13
14 **ARTICLE 13. PUBLIC WORKS**
15 **TITLE 2. ROADS**

16
17 **13-2-303. Obstructions to vision and vertical clearance.**

18
19 (A) **Definitions.** FOR PURPOSES OF THIS SECTION, "VERTICAL CLEARANCE" MEANS
20 CLEARANCE FOR VEHICLES TRAVELING ON ROADWAYS UNDERNEATH AND ALONG SIDE
21 OF OVERHANGING TREES, BUSHES, VINES, UNDERGROWTH OR OTHER TYPES OF
22 VEGETATION, WHICH IS MEASURED UP FROM EACH EDGE OF AND ACROSS THE
23 TRAVELED PORTION OF THE ROADWAY.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Underlining indicates amendments to bill.
Strikeover indicates matter stricken from bill by amendment.

1 [(a)] (B) **Notice and service.** If the Director determines that trees, bushes, vines,
2 weeds, undergrowth, loose earth, or other obstructions other than buildings or similar
3 structures affixed to the ground exist on private property that obstruct the vision of
4 operators of vehicles traveling on a road OR OBSTRUCT VERTICAL CLEARANCE OF AT
5 LEAST 14 FEET [so as to constitute a traffic hazard], the Director shall serve the owner,
6 agent, lessee, or other person in control of the property with a written notice containing a
7 description of the premises on which the obstruction exists, a statement of the particulars
8 OF THE OBSTRUCTION [under which vision is obstructed], a statement of the steps
9 necessary to correct the condition, and an order directing that corrective steps be taken
10 within a stated period of time. The notice shall be served as provided in § 13-1-103.

11
12 [(b)] (C) **Hearing.** A person aggrieved by [an] A notice issued under this section may
13 petition the Director in writing for a hearing within 10 days after service. Within 10 days
14 after receipt of the petition, the Director may affirm, modify, or rescind the notice. An
15 official of the County may not remove an obstruction or enforce the notice until after the
16 hearing has been held and the notice upheld, the time to petition for a hearing has expired
17 without a petition having been filed, or an appeal to the Board of Appeals becomes final.

18
19 [(c)] (D) **Failure to comply.** If a person fails to comply with the provisions of any
20 notice issued under this section, the County shall enter the property on which the
21 obstruction is located and remove all or that part of the obstruction necessary to eliminate
22 the traffic hazard.

23
24 [(d)] (E) **Costs.** If the Director provides for the elimination of an obstruction under
25 this section, the Director shall file with the Controller's office a certified statement of the
26 cost to the County of the elimination, together with proof of service. THE OFFICE OF
27 FINANCE SHALL INVOICE THE OWNER OF THE PROPERTY ON WHICH THE OBSTRUCTION
28 WAS LOCATED FOR THE [The] cost of the removal, together with the costs of service[.]
29 THE INVOICE SHALL BE PAYABLE WITHIN 30 DAYS OF THE DATE OF THE INVOICE AND
30 ANY SUMS UNPAID 30 DAYS AFTER THE DATE OF BILLING shall be collected as provided
31 in § 1-9-101 of this Code.

32
33 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
34 from the date it becomes law.

AMENDMENT ADOPTED: May 19, 2014

READ AND PASSED this 2nd day of June, 2014

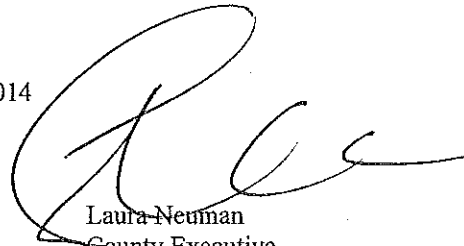
By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for her approval this 3rd day of June, 2014


Elizabeth E. Jones
Administrative Officer


APPROVED AND ENACTED this 10 day of June, 2014



Laura Neuman
County Executive

EFFECTIVE DATE: July 25, 2014

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
17-14 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer