

FINAL

AMENDED
November 20, 2017

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2017, Legislative Day No. 37

Bill No. 80-17

Introduced by Mr. Grasso and Mr. Pruski

By the County Council, September 18, 2017

Introduced and first read on September 18, 2017
Public Hearing set for and held on October 16, 2017
Bill AMENDED on November 20, 2017
Public Hearing on AMENDED BILL set for and held on December 4, 2017
Bill Expires December 22, 2017

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Rules of Practice and Procedure – Board of Appeals –
2 Meetings and Participation

3
4 FOR the purpose of amending the Rules of Practice and Procedure of the Board of
5 Appeals to vary the attendance requirements for participating in decisions; and
6 generally relating to the Board of Appeals.

7
8 BY repealing and reenacting, with amendments: Appendix B, Rule 1-103(d)
9 Anne Arundel County Code (2005, as amended)

10
11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
12 *Maryland,* That amendments to the Rules of Practice and Procedure as adopted by the
13 County Board of Appeals and set forth in this Ordinance are hereby approved:

14
15 **APPENDIX B. RULES OF PRACTICE AND PROCEDURE OF THE BOARD OF**
16 **APPEALS**

17
18 **Title 1. In General**

19
20 **Rule 1-103. Meetings.**

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 (d) **Participation in decision.** Only those members who have actually heard all the
2 evidence and testimony in an appeal shall participate in the decision unless all parties to
3 the appeal shall agree otherwise, except that, IF THE MINIMUM ATTENDANCE
4 REQUIREMENTS ARE MET, the Chair of the hearing shall have the ability to permit a
5 member to listen to the official stenographer's recording for any missed hearing or any
6 missed portion of a hearing, as applicable, and participate in the decision. [In no event
7 shall a member be permitted to participate in a decision if that member misses the first
8 hearing on any appeal.] A MEMBER MAY NOT PARTICIPATE IN A DECISION IF THEY DO
9 NOT ATTEND THE SOLE HEARING ON AN APPEAL. IF MORE THAN ONE HEARING IS
10 SCHEDULED FOR AN APPEAL WITH MORE THAN ONE HEARING DATE, A MEMBER SHALL
11 ATTEND AT LEAST ONE OF THE FIRST TWO HEARINGS OF ANY APPEAL IN ORDER TO
12 PARTICIPATE IN THE DECISION.

13
14 SECTION 2. *And be it further enacted*, That a certified copy of the Rules of Practice
15 and Procedure approved by this Ordinance shall be kept permanently on file in the Office
16 of the Administrative Officer to the County Council and in the Office of the County
17 Board of Appeals.

18
19 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
20 from the date it becomes law.

AMENDMENTS ADOPTED: November 20, 2017

READ AND PASSED this 4th day of December, 2017

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 5th day of December, 2017



JoAnne Gray
Administrative Officer

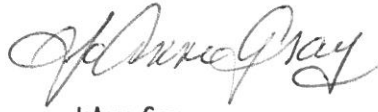
APPROVED AND ENACTED this 8th day of December, 2017



Steven R. Schuh
County Executive

EFFECTIVE DATE: January 22, 2018

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
80-17 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in cursive script that reads "JoAnne Gray".

JoAnne Gray
Administrative Officer