

FINAL

AMENDED
November 6 and 20, 2017

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2017, Legislative Day No. 38

Bill No. 83-17

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

By the County Council, October 2, 2017

Introduced and first read on October 2, 2017
Public Hearing set for and held on November 6, 2017
Public Hearing on AMENDED bill set for and held on November 20, 2017
Public Hearing on SECOND AMENDED bill set for and held on December 4, 2017
Bill Expires January 5, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Article 2 – Branches of County Government – Executive
2 and Judicial Branches
3

4 FOR the purpose of making certain technical and stylistic changes; adding the Office of
5 Emergency Management as an office in the Executive Branch; repealing provisions
6 relating to Core Groups; correcting the name of Constituent Services; adding the
7 Compliance Officer as a position assigned to the Executive Office; removing certain
8 obsolete positions from the Executive Office; requiring a baccalaureate degree for the
9 Superintendent of the Department of Detention Facilities; ~~requiring the Director of~~
10 ~~Public Works to be an engineering graduate of a college or university~~; removing a
11 requirement that the Director of Public Works' period of relevant work experience be
12 immediately prior to appointment; comporting the qualifications of the Health Officer
13 to State law; adding ~~advertising and interview~~ provisions for filling a vacancy in the
14 position of Health Officer; clarifying that property taxes shall be paid on an entire
15 parcel even if only a portion of the parcel is being transferred; repealing a reserved
16 section; removing certain inaccurate language regarding successor agencies;
17 removing redundant language; and generally relating to the Branches of County
18 Government Article of the County Code.
19

20 BY repealing: §§ 2-1-104 and 2-3-104
21 Anne Arundel County Code (2005, as amended)

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 BY renumbering and repealing and reenacting, with amendments: § 2-3-105 to be § 2-3-
2 104

3 Anne Arundel County Code (2005, as amended)

4
5 BY repealing and reenacting, with amendments: §§ 2-1-101; 2-1-102; 2-1-103; 2-1-201;
6 2-1-301(b); 2-1-503; 2-1-504; 2-1-505; 2-1-603; ~~and 2-3-102~~ 2-3-102; and 2-3-105

7 Anne Arundel County Code (2005, as amended)

8
9 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
10 *Maryland,* That §§ 2-1-104 and 2-3-104 of the Anne Arundel County Code (2005, as
11 amended) are hereby repealed.

12
13 ~~SECTION 2. *And be it further enacted,* That § 2-3-105 of the Anne Arundel County~~
14 ~~Code (2005, as amended) is hereby renumbered to be § 2-3-104.~~

15
16 SECTION ~~3.~~ 2. *And be it further enacted,* That Section(s) of the Anne Arundel
17 County Code (2005, as amended) read as follows:

18
19 **ARTICLE 2. BRANCHES OF COUNTY GOVERNMENT**

20
21 **TITLE 1. EXECUTIVE BRANCH**

22
23 **2-1-101. Composition.**

24
25 The Executive Branch of the County government consists of:

26
27 (1) the County Executive;

28
29 (2) [the] County offices, departments, and other units enumerated in this title; and

30
31 (3) [the] County officers and employees assigned to those offices, departments,
32 and units.

33
34 **2-1-102. General supervision.**

35
36 The Executive Branch is subject to the general supervision and control of the County
37 Executive. The County Executive is responsible for the efficient operation and
38 management of the Executive Branch and for the faithful execution of the laws by [the]
39 County agencies, officials, and employees of the Executive Branch.

40
41 **2-1-103. Offices and departments.**

42
43 (a) **Offices in Executive Branch.** There are the following offices in the Executive
44 Branch:

45
46 (1) [the] Executive Office;

1 (2) [the] Office of the Chief Administrative Officer;

2

3 (3) [the] Office of Administrative Hearings;

4

5 (4) [the] Office of the Budget;

6

7 (5) [the] Office of Central Services;

8

9 (6) OFFICE OF EMERGENCY MANAGEMENT;

10

11 [(6)] (7) [the] Office of Finance;

12

13 [(7)] (8) [the] Office of Information Technology [(successor to the former
14 Information Services Division of the Office of Central Services)];

15

16 [(8)] (9) [the] Office of Law;

17

18 [(9)] (10) [the] Office of Personnel; and

19

20 [(10)] (11) [The] Office of Planning and Zoning.

21

22 (b) **Departments in Executive Branch.** There are the following departments in the
23 Executive Branch:

24

25 (1) [the] Department of Aging and Disabilities (successor to the Department of
26 Aging);

27

28 (2) [the] Department of Detention Facilities (successor to the Office of Detention
29 Facilities and the Office of Criminal Justice and Corrections);

30

31 (3) [the] Fire Department [(successor to the Office of Emergency Management)];

32

33 (4) [the] Department of Inspections and Permits;

34

35 (5) [the] Police Department;

36

37 (6) [the] Department of Public Works (successor to the Department of Public
38 Works and the Department of Utilities); and

39

40 (7) [the] Department of Recreation and Parks.

41

42 (c) **Other entities included in Executive Branch.** To the extent not prohibited by
43 State law, the following are treated as being in the Executive Branch for the purposes of
44 funding and coordinating State and County services at the local level:

45

46 (1) [the] Anne Arundel Community College;

47

48 (2) [the] Department of Education;

- 1 (3) [the] Health Department;
- 2
- 3 (4) [the] Department of Libraries; and
- 4
- 5 (5) [the] Department of Social Services[;].
- 6

7 (d) **Entities not included in Executive Branch.** The following County-funded State
8 agencies are not assigned to the Executive Branch:

- 9
- 10 (1) [the] Circuit Court for Anne Arundel County;
- 11
- 12 (2) [the] Orphans' Court for Anne Arundel County;
- 13
- 14 (3) [the] Office of the State's Attorney;
- 15
- 16 (4) [the] Office of the Sheriff of Anne Arundel County;
- 17
- 18 (5) [the] Board of License Commissioners for Anne Arundel County; and
- 19
- 20 (6) [the] Board of Supervisors of Elections for Anne Arundel County.
- 21

22 **2-1-201. Executive Office.**

23

24 (a) **Office.** There is an Executive Office in the Executive Branch that is responsible
25 for administrative support to the County Executive, [Community and] Constituent
26 Services [(as successor to the Office of Community Services and Information)],
27 government relations, human relations, and public information.

28

29 (b) **Persons assigned.** The following are assigned to the Executive Office:

- 30
- 31 (1) assistants to the County Executive;
- 32
- 33 (2) Chief of Staff;
- 34
- 35 (3) COMPLIANCE OFFICER;
- 36
- 37 [(3) the Criminal Justice Coordinator;]
- 38
- 39 (4) [the] Governmental Relations Officer;
- 40
- 41 (5) [the] Human Relations Officer;
- 42
- 43 (6) the Human Services Officer;
- 44
- 45 (7) the Land Use Officer;
- 46
- 47 (8) the] Public Information Officer; and
- 48
- 49 [(9)] (6) staff as provided in the annual budget.

1 **2-1-301. Chief Administrative Officer.**

2
3 (b) **Officer.** The Chief Administrative Officer is appointed by and serves at the
4 pleasure of the County Executive. The Chief Administrative Officer shall possess the
5 qualifications required by the Charter and be appointed solely on the basis of the
6 appointee's qualifications for performing the duties of the office. The Chief
7 Administrative Officer has the authority, duties, responsibilities, and functions prescribed
8 in the Charter and this Code, except the Chief Administrative Officer's supervisory
9 authority over Executive Branch offices, departments, and units [outside the
10 Administrative Core Group] is as the County Executive[,] from time to time[,] directs.

11
12 **2-1-503. Aging and Disabilities.**

13
14 The Director of the Department of Aging and Disabilities, after consultation with and
15 written agreement from the Area Agency on Aging Advisory Council, may establish fees
16 for [the] use of facilities and [the] participation in programs sponsored by the
17 Department, but the Director shall provide 90 days' notice of any new fee or change in a
18 fee by posting an appropriate notice in [each Department of Aging and Disabilities
19 facility and] each location in which a Department of Aging and Disabilities program
20 takes place.

21
22 **2-1-504. Detention Facilities.**

23
24 (a) **Qualifications.** The [qualifications of the] Superintendent of the Department of
25 Detention Facilities SHALL HAVE:

26
27 (1) [include] a baccalaureate degree in an appropriate discipline[,];

28
29 (2) a minimum of five years of related experience[,]; and

30
31 (3) demonstrated administrative ability and leadership. [The baccalaureate degree
32 requirement may be satisfied by the completion of a career development program that
33 includes work-related experience, training, or college credits at a level of achievement
34 equivalent to a bachelor's degree.]

35
36 (b) **Duties.** The authority, duties, and functions of the Superintendent include:

37
38 (1) operating detention facilities[, including the Jennifer Road Detention Center
39 and the Ordnance Road Correctional Facility];

40
41 (2) maintaining public safety through [the] confinement and supervision of
42 offenders;

43
44 (3) developing and managing the Department's operating budget;

45
46 (4) providing employee services; and

1 (5) implementing regulatory requirements and standards.

2
3 **2-1-505. Public Works.**

4
5 The Director of Public Works shall:

6
7 (1) be an engineering graduate of a college or university of recognized standing
8 and a registered professional engineer of demonstrated ability in [the] management of
9 public works; {or}AND

10
11 (2) {have an equivalent combination of acceptable education and experience; and

12
13 (3)} have had responsible charge of engineering works over a period of at least
14 five years [immediately prior to appointment].

15
16 **2-1-603. Health.**

17
18 (a) **Establishment.** There is a Department of Health as provided in the Charter.

19
20 (b) **Vacancy.**

21
22 (1) Within 60 days after the occurrence of a vacancy, the County Executive shall
23 submit by resolution to the County Council the name of an individual MEETING THE
24 QUALIFICATIONS OF § 3-302 OF THE HEALTH-GENERAL ARTICLE OF THE STATE CODE to
25 be nominated as Health Officer.

26
27 (2) ~~TO IDENTIFY A NOMINEE, THE COUNTY EXECUTIVE SHALL ADVERTISE THE~~
28 ~~VACANCY IN A MANNER DETERMINED IN THE SOLE DISCRETION OF THE COUNTY~~
29 ~~EXECUTIVE AND SHALL INTERVIEW THOSE APPLICANTS WHO, IN THE SOLE JUDGMENT~~
30 ~~OF THE COUNTY EXECUTIVE, MEET THE QUALIFICATIONS SET FORTH IN § 3-302 OF THE~~
31 ~~HEALTH-GENERAL ARTICLE OF THE STATE CODE AND, IF APPOINTED, WOULD SERVE THE~~
32 ~~BEST INTERESTS OF THE COUNTY PERSONNEL OFFICER SHALL ADVERTISE THE VACANCY~~
33 ~~AND INCLUDE THE QUALIFICATIONS FOR A HEALTH OFFICER LISTED IN § 3-302 OF THE~~
34 ~~HEALTH-GENERAL ARTICLE OF THE STATE CODE. THE PERSONNEL OFFICER SHALL~~
35 ~~REPORT TO THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL THE STEPS TAKEN TO~~
36 ~~PUBLICLY ADVERTISE THE VACANCY AND RECRUIT QUALIFIED CANDIDATES FOR~~
37 ~~HEALTH OFFICER.~~

38
39 (c) **[Qualifications.** The nominee for a vacancy shall have:

40
41 (1) a master's degree in public health and at least two years' work in the field of
42 public health; or

43
44 (2) at least five years' work in the field of public health; and

45
46 (3) any other qualifications and training in the field of public health required by
47 State rule or regulation.

48
49 (d) **Nominee not a physician.** If the nominee is not a physician, as defined in § 1-101
50 OF the Health-General Article[, § 1-101,] of the State Code, the Health Officer shall have
51 a deputy who:

1 (1) is a physician, as defined in § 1-101 OF the Health-General Article[, § 1-101,]
2 of the State Code; and

3
4 (2) meets the qualifications of subsection (c).

5
6 (e) **Referral to State.** On approval of the County Council, the name of the nominee
7 shall be sent to the Secretary of the State Department of Health and Mental Hygiene for
8 appointment as Health Officer.

9
10 **TITLE 3. JUDICIAL BRANCH**

11
12 **2-3-102. Conveyances of part of subdivision.**

13
14 [(a) **Lots in single tax account.**] Whenever [a tract of land or a number of lots in a
15 subdivision appear] PROPERTY APPEARS on the Controller's tax roll as a single account
16 and the person to whom the property is assessed executes a conveyance of less than the
17 entire property shown on the account, the Controller may not certify the deed for transfer
18 unless the [entire] taxes due on [that part] THE ENTIRE PROPERTY are paid.

19
20 [(b) **Blocks in single tax account.** Whenever one or more whole blocks or sections of
21 a subdivision appear on the Controller's tax roll as a single account and the person to
22 whom the property is assessed executes a conveyance of one or more lots out of the
23 subdivision, the Controller may not certify the deed for transfer unless taxes are paid for
24 the entire block or section of which the lots being conveyed are a part.]

25
26 **2-3-105.] 2-3-104. Additional marriage license fee.**

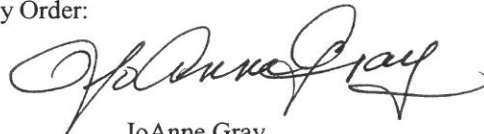
27
28 In addition to the marriage license fee of \$10 required by § 2-404(A) OF the Family
29 Law Article[, § 2-404(a),] of the State Code, the Clerk of the Circuit Court for Anne
30 Arundel County shall charge a fee of \$45 for each marriage license issued by the Clerk.
31 The proceeds of the additional fee shall be paid monthly to the Controller.

32
33 SECTION 4. 3. *And be it further enacted,* That this Ordinance shall take effect 45
34 days from the date it becomes law.

AMENDMENTS ADOPTED: November 6 and 20, 2017

READ AND PASSED this 4th day of December, 2017

By Order:



JoAnne Gray
Administrative Officer

Bill No. 83-17

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



JoAnne Gray
Administrative Officer

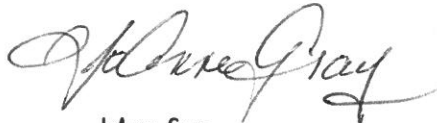
APPROVED AND ENACTED this 5th day of December, 2017



Steven R. Schuh
County Executive

EFFECTIVE DATE: January 22, 2018

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
83-17. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer