

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 4

Bill No. 11-18

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

By the County Council, February 20, 2018

Introduced and first read on February 20, 2018
Public Hearing set for March 19, 2018
Bill Expires May 26, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Purchasing – Zoning – Leases – Small Cell Systems

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3 FOR the purpose of exempting leases with terms of three years or more for small cell
4 systems from the requirement of approval by ordinance of the County Council; adding
5 a zoning definition of “small cell system”; amending the zoning definition of
6 “commercial telecommunication facility” to exclude small cell systems; and generally
7 relating to purchasing and zoning.

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9 BY repealing and reenacting, with amendments: §§ 8-3-301; and 18-1-101(29)
10 Anne Arundel County Code (2005, as amended)

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12 BY renumbering: § 18-1-101(115) through (147) to be § 18-1-101(116) through (148)
13 Anne Arundel County Code (2005, as amended)

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15 BY adding: § 18-1-101(115)
16 Anne Arundel County Code (2005, as amended)

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18 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
19 That § 18-1-101(115) through (147) of the Anne Arundel County Code (2005, as amended)
20 is hereby renumbered to be § 18-1-101(116) through (148), respectively.

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22 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
23 Code (2005, as amended) read as follows:

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.

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ARTICLE 8. PURCHASING

TITLE 3. ACQUISITION, DISPOSITION, AND LEASE OF REAL PROPERTY

8-3-301. Lease of real property; approval by County Council.

The County Council shall approve by ordinance any contract for lease of County-owned real property that specifies a term, including renewal options, of three years or more, except that the following shall be exempt from this provision:

- (1) leases to County agencies, the State, or agencies of the State;
- (2) leases for recreational facilities;
- (3) leases to eleemosynary institutions;
- (4) leases applicable to the Arundel Center or the Arundel Center North; [and]
- (5) LEASES FOR SMALL CELL SYSTEMS, AS DEFINED IN ARTICLE 18 OF THIS CODE; AND

[(5)] (6) leases for commercial telecommunication facilities, as defined in Article 18 of this Code, OTHER THAN SMALL CELL SYSTEMS, on existing County structures if the standard lease includes the standard lease rate for commercial telecommunication facilities approved by resolution of the County Council.

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(29) "Commercial telecommunication facility" means a structure, such as a tower, antenna, monopole, panel, microwave dish, or in-building wireless communication enhancement system, including accessory structures, used for the wireless electromagnetic transmission of information, but the term does not include a satellite earth station, a structure used for amateur or recreational purposes such as a ham radio or citizens band radio, A SMALL CELL SYSTEM, or a facility owned by a public utility that is used to control the utility's distribution systems.

(115) "SMALL CELL SYSTEM" MEANS ANY LICENSED OR UNLICENSED SHORT RANGE EQUIPMENT ATTACHED TO EXISTING OR NEW LIGHT POLES, TRAFFIC LIGHTS, SIGNAGE, OR OTHER ABOVE-GROUND STRUCTURES FOR THE PURPOSE OF SUPPLEMENTING OR EXTENDING CELLULAR COVERAGE IN A LOCALIZED AREA.

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