

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2007, Legislative Day No. 10

Bill No. 45-07

All Councilmembers

By the County Council, May 21, 2007

A BILL
ENTITLED

AN ACT concerning

Recreational Space

FOR the purpose of authorizing the Director of Recreation and Parks to waive local open space

requirements under certain conditions; prescribing the nature and amount of the waiver fee;

specifying the use of the fee; and generally relating to the waiver of local open space requirements.

BY adding

Section 32-6-108(g)

Article 32 - Planning, Zoning and Subdivision Control

Title 6 - Adequate Public Facilities

Baltimore County Code 2003

BY renumbering

Section 32-6-108 (g) (h), (i), (j) and (k) to be 32-6-108 (h), (i), (j), (k) and (l), respectively

Article 32 - Planning, Zoning and Subdivision Control

Title 6 - Adequate Public Facilities

Baltimore County Code 2003

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY,
2 MARYLAND, that Section 32-6-108(g) be and it is hereby added to Article 32 - Planning, Zoning and
3 Subdivision Control, Title 6 - Adequate Public Facilities of the Baltimore County Code 2003 to read as

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

~~Strike out~~ indicates matter stricken from bill.

Underlining indicates amendments to bill.

1 follows:

2 §32-6-108. Recreational Space.

3 (G) (1) WAIVER OF STANDARDS. THE STANDARDS OR REQUIREMENTS FOR
4 LOCAL OPEN SPACE CONTAINED IN THIS SECTION OR IN THE LOCAL OPEN SPACE
5 MANUAL MAY BE WAIVED BY THE DIRECTOR OF RECREATION AND PARKS FOR GOOD
6 CAUSE SHOWN, IF HE DETERMINES THAT THERE IS NO SUITABLE LAND TO MEET THE
7 OPEN SPACE REQUIREMENTS, OR FOR ANY ENVIRONMENTAL CONSIDERATIONS HE
8 DEEMS APPROPRIATE.

9 (2) THE DIRECTOR ~~MAY~~ SHALL ASSESS A FEE FOR THE WAIVER IN AN
10 AMOUNT NOT LESS THAN THE FEE ESTABLISHED IN ACCORDANCE WITH SUBSECTION
11 (L) BELOW. THE FEE SHALL BE USED IN THE SAME COUNCILMANIC DISTRICT AS THE
12 PROPERTY FOR WHICH THE WAIVER WAS GRANTED.

13 (3) THE DIRECTOR MAY ALSO ACCEPT EQUIPMENT OR MATERIALS
14 SUITABLE FOR RECREATIONAL USE ON COUNTY PROPERTY.

15 (4) THE DIRECTOR SHALL ALLOCATE UP TO TEN PERCENT OF ANY CASH
16 FEE COLLECTED UNDER THIS SECTION TO NEIGHBORSPACE OF BALTIMORE COUNTY,
17 INC.

18 SECTION 2. AND BE IT FURTHER ENACTED, that Section 32-6-108(g), (h), (i), (j) and (k) of
19 Article 32- Planning, Zoning and Subdivision Control, Title 6 - Adequate Public Facilities, of the Baltimore
20 County Code 2003, be and they are hereby renumbered to be Section 32(h), (i), (j), (k) and (l), respectively.

21 SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days after its
22 enactment.