

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2013, Legislative Day No. 21

Bill No. 71-13

Mr. Tom Quirk, Chairman
By Request of County Executive

By the County Council, December 16, 2013

A BILL
ENTITLED

AN ACT concerning

Government Reorganization – Department of Economic and Workforce Development
FOR the purpose of reorganizing county government by renaming the Department of Economic Development to be the Department of Economic and Workforce Development; providing for the construction and application of this Act; providing for the continuity of terms of certain officials, the status of certain transactions and employees, rights, titles, and interests, licenses, registrations, certifications, and permits; correcting technical errors; making certain stylistic changes; and generally relating to the reorganization of county government.

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.

By repealing and reenacting, with amendments

Sections 3-2-401, 3-2-402, and 3-2-403(a)
Article 3. Administration
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 10-10-104(a), (b), and (c), 10-10-105(b), (d), and (e), 10-10-106(a), (d), (e)(2),
(f), (g), and (h), 10-10-108(e)
Article 10. Finance
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Section 11-2-202(e)(1)
Article 11. Taxation
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Section 17-4-105(d)
Article 17. Miscellaneous Provisions and Offenses
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 32-4-226(b) and 32-9-110(a)(1)
Article 32. Planning, Zoning and Subdivision Control
Baltimore County Code, 2003

By repealing and reenacting, with amendments

Sections 101.1 (definition of “County trucking-facilities-Development Officials”),
1B01.1.B.1.c(1), 430A.5 (definition of “County Government Team”), 430A.8.E., 430A.17.C.3,
445.2.B.3, and 450.4.5(k)
Baltimore County Zoning Regulations, as amended

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County shall read as follows:

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Article 3. Administration

§ 3-2-401.

There is a Department of Economic AND WORKFORCE Development.

§ 3-2-402.

The Director of Economic AND WORKFORCE Development, appointed in accordance with § 402 of the Charter, shall administer the Department of Economic AND WORKFORCE Development.

§ 3-2-403.

(a) The Department of Economic AND WORKFORCE Development may appoint and convene advisory committees to aid and advise the Department in performing its duties under this subtitle.

Article 10. Finance

§ 10-10-104.

1 (a) The Director of Economic AND WORKFORCE Development and the Director of
2 Budget and Finance shall administer the Fund according to accepted principles of sound
3 accounting and fiscal management.

4 (b) [(1)] Except as provided in Subtitle 2 of this title, the Director of Economic
5 AND WORKFORCE Development shall recommend, and the Director of Budget and Finance
6 shall approve, the rates to be charged and the terms for the financial assistance provided under
7 this title.

8 (c) In consultation with the Director of Budget and Finance, the Director of
9 Economic AND WORKFORCE Development, or the Director of Planning, as applicable, shall
10 determine the terms of and the method and procedures for accounting for:

11 (1) Financial assistance from the Fund; and

12 (2) Payments by or charges against the Fund.

13

14 § 10-10-105.

15 (b) An applicant for financial assistance shall apply on a form required by the
16 Directors of Budget and Finance and Economic AND WORKFORCE Development.

17 (d) The Director of Economic AND WORKFORCE Development:

18 (1) Shall review financial assistance applications for need and financial ability
19 of the applicant; and

20 (2) May approve a financial assistance application up to the amount
21 requested, if sufficient monies exist in the fund.

1 (e) To assist the Director of Economic AND WORKFORCE Development and to
2 assure compliance with generally accepted accounting principles and borrowing purposes, the
3 Director of Budget and Finance may:

- 4 (1) Review the applications, financial status, and other information; and
- 5 (2) Advise the Director of Economic AND WORKFORCE Development.

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7 § 10-10-106.

8 (a) The Director of Economic AND WORKFORCE Development may lend,
9 guarantee, or grant to businesses up to 90% of the cost of:

- 10 (1) The acquisition of land and buildings;
- 11 (2) The construction, reconstruction, rehabilitation, repair, and improvement
12 of buildings;
- 13 (3) The cost of acquisition of machinery and equipment; and
- 14 (4) Working capital.

15 (d) To perfect and protect the county's financial position, the Department of
16 Economic AND WORKFORCE Development, the Office of Budget and Finance, and the Office
17 of Law shall require the recipient of a loan or guarantee under this title to secure the loan or
18 guarantee by:

- 19 (1) Appropriate notes;
- 20 (2) Security agreements;
- 21 (3) Financing statements;
- 22 (4) Mortgages or deeds of trust; or
- 23 (5) Any other documents or instruments.

1 (e) (2) The recipient shall deliver a copy of the audit to the Director of Economic
2 AND WORKFORCE Development and the Director of Budget and Finance.

3 (f) If they concur, the Director of Economic AND WORKFORCE Development, the
4 Director of Budget and Finance, and the County Administrative Officer may modify the financial
5 assistance requirements established in this section.

6 (g) (1) The Director of Economic AND WORKFORCE Development, through
7 the County Administrative Officer, shall provide written notification to each member of the
8 County Council of the Director’s intent to provide financial assistance under this title.

9 (2) If the Director has not received a written notice from the Council objecting
10 to the Director’s intent within 7 days after the day that the Director’s notice is delivered to the
11 Council members, the Director of Economic AND WORKFORCE Development may proceed to
12 provide financial assistance as described.

13 (h) The Director of Economic AND WORKFORCE Development shall provide each
14 member of the County Council with a quarterly report that outlines the financial assistance that
15 has been provided through the Department of Economic AND WORKFORCE Development.

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20 § 10-10-108.

21 (e) The Department of Economic AND WORKFORCE Development shall recruit
22 prospective redevelopers and request proposals for the revitalization of specific properties in the
23 District.

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Article 11. Taxation

§ 11-2-202.

(e) (1) Based on the recommendation of the Director of Economic AND WORKFORCE Development, the Director of Budget and Finance shall:

(i) Within 30 days after receiving the application, grant or deny the application for a tax credit under this section;

(ii) Notify the applicant of the decision at the address in the application; and

(iii) In the case of a denial, state the reasons for the denial.

Article 17. Miscellaneous Provisions and Offenses

§ 17-4-105.

(d) The Director of Economic AND WORKFORCE Development shall determine the form of financial assistance to be provided under this section.

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Article 32. Planning, Zoning and Subdivision Control

§ 32-4-226.

- (b) The following agencies shall review the Development Plan:
 - (1) Department of Planning;
 - (2) Department of Environmental Protection and Sustainability;
 - (3) Department of Education;
 - (4) Department of Recreation and Parks;
 - (5) Fire Department;
 - (6) Police Department;
 - (7) Department of Economic AND WORKFORCE Development;
 - (8) Department of Permits, Approvals and Inspections;
 - (9) Landmarks Preservation Commission, if the Development Plan involves any building or site identified on any one of the lists referred to in § 32-4-223(8) of this subtitle;
 - (10) State Highway Administration; and
 - (11) Any other county agency requested to be represented.

§ 32-9-110.

- (a) (1) The Growth Allocation Review Committee consists of the Directors or their designated representatives of:
 - (i) The Department of Environmental Protection and Sustainability;
 - (ii) The Department of Planning;

- 1 (iii) The Department of Permits, Approvals and Inspections;
- 2 (iv) The Department of Public Works;
- 3 (v) The Department of Recreation and Parks; and
- 4 (vi) The Department of Economic AND WORKFORCE Development.

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6 SECTION 2. AND BE IT FURTHER ENACTED, that the Baltimore County Zoning
7 Regulations shall read as follows:

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9 Section 101

10 Definitions

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12 § 101.1

13 COUNTY TRUCKING-FACILITIES-DEVELOPMENT OFFICIALS -- A committee
14 consisting of the County Administrative Officer, as Chairman, the Director of Planning, the
15 Director of Public Works, the Director of Permits, Approvals and Inspections and the Director of
16 Economic AND WORKFORCE Development, or their respective designees.

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18 Section 1B01

19 Regulations With Respect to D.R. Zones In General

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21 § 1B01.1

22 B.1. c. Variance of RTA. [Bill No. 2-1992]

1 (1) Notwithstanding the provisions of Section 307, the hearing officer, upon the
2 recommendation of the Departments of Public Works, Planning, Environmental Protection and
3 Sustainability, Permits, Approvals and Inspections, Recreation and Parks, or Economic AND
4 WORKFORCE Development, may determine the amount of RTA in cases where a single tract is
5 more than two acres, is vacant, or contains no more than one single-family detached,
6 semidetached or duplex dwelling.

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8 Section 430A

9 Renaissance Redevelopment Pilot Program

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11 §430A.5

12 COUNTY GOVERNMENT TEAM -- Includes a designee of the County Council member in
13 whose district a renaissance pilot project is proposed to be located and the Director or the
14 Director's designee from all of the following departments:

- 15 A. The Department of Planning, whose Director or designee shall serve as Chair;
- 16 B. The Department of Permits, Approvals and Inspections;
- 17 C. The Department of Economic AND WORKFORCE Development;
- 18 D. The Department of Environmental Protection and Sustainability;
- 19 E. The Department of Public Works;
- 20 F. The Department of Recreation and Parks; and
- 21 G. The Police and Fire Departments.

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23 §430A.8

1 E. The Director of Permits, Approvals and Inspections or the Director's designee, in
2 consultation with the Department of Economic AND WORKFORCE Development, shall
3 determine whether the master developer is qualified and shall consider:

- 4 1. The ability of the developer to design and construct the proposed development;
- 5 2. The financial viability of the developer and the ability of the developer to secure
6 financing for the proposed redevelopment;
- 7 3. The experience of the developer in high-quality residential and commercial
8 redevelopment; and
- 9 4. The experience and qualifications of the individual members of the proposed
10 design team in designing high-quality redevelopment projects.

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12 §430A.17

13 C. 3. The Director of Permits, Approvals and Inspections or the Director's designee, in
14 consultation with the Department of Economic AND WORKFORCE Development and other
15 appropriate County agencies, shall determine whether the prospective master developer is
16 qualified and shall consider:

- 17 a. The ability of the developer to construct the renaissance pilot project as
18 provided in the pattern book approved by the Planning Board;
- 19 b. The financial ability of the developer and the ability of the developer to
20 secure financing for the renaissance pilot project; and
- 21 c. The experience of the developer in high-quality residential and
22 commercial redevelopment.

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1 Section 455

2 Bus Shelters

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4 § 445.2

5 B. 3. The Department of Planning, in conjunction with the [Office of Community
6 Conservation,] Department of Public Works, and Department of Economic AND WORKFORCE
7 Development, shall:

- 8 a. Review the proposed site location; and
9 b. Approve or disapprove placing bus shelters at specific sites in accordance
10 with this paragraph.

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12 SECTION 3. AND BE IT FURTHER ENACTED, that the reference to the “Office of
13 Planning” in § 450.4.5(k) of the Baltimore County Zoning Regulations, as amended, shall be
14 amended to “Department of Planning.”

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16 SECTION 4. AND BE IT FURTHER ENACTED, that, except as expressly provided to
17 the contrary in this Act, any transaction or property interest affected by or flowing from any
18 change of nomenclature or any statute amended, repealed, or transferred by this Act and validly
19 entered into or existing before the effective date of this Act and every right, duty, or interest
20 flowing from the statute, remains valid after the effective date of this Act and may be terminated,
21 completed, consummated, or enforced as required or allowed by any statute amended, repealed,
22 or transferred by this Act as though the repeal, amendment, or transfer had not occurred. If the
23 change in nomenclature involves a change in name or designation of any County unit, the

1 successor unit shall be considered in all respects as having the powers and obligations granted
2 the former unit.

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4 SECTION 5. AND BE IT FURTHER ENACTED, that except as expressly provided in
5 this Act, the continuity of every commission, office, department, agency, bureau, or other unit in
6 existence on the effective date of this Act is retained. The personnel, records, files, furniture,
7 fixtures, and other properties and all appropriations, credits, assets, liabilities, and obligations of
8 each retained unit are continued as the personnel, records, files, furniture, fixtures, properties,
9 appropriations, credits, assets, liabilities, and obligations of the unit under the laws enacted by
10 this Act.

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12 SECTION 6. AND BE IT FURTHER ENACTED, that except as expressly provided to
13 the contrary in this Act, any person licensed, registered, certified, or issued a permit or certificate
14 by any commission, office, department, agency, bureau, or other unit established or continued by
15 any statute amended, repealed, or transferred by this Act is considered for all purposes to be
16 licensed, registered, certified, or issued a permit or certificate by the appropriate unit continued
17 under this Act for the duration of the term for which the license, registration, certification, or
18 permit was issued, and may renew that authorization in accordance with the appropriate renewal
19 provisions.

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21 SECTION 7. AND BE IT FURTHER ENACTED, that this Act, having passed by the
22 affirmative vote of five members of the County Council, shall take effect February 3, 2014.