



**ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR**

To: Members of the County Council

From: Susan L. Smith, County Auditor

Date: November 11, 2020

Subject: Legislation to be heard or eligible for vote on November 16, 2020: Bill Nos. 69-20, 85-20, 86-20, 89-20, 90-20, 91-20, 92-20, 93-20, and 94-20; Resolution Nos. 46-20 and 47-20.

Bill No. 69-20: Zoning – Farm or Agricultural Heritage Site Stays and Special Events (As Amended)

This bill defines and provides zoning requirements regarding agricultural heritage site, farm or agricultural heritage site special event, and farm or agricultural heritage site stay, and expands the definition of agritourism. We commented on this bill and the related amendments in our letters dated September 30, 2020, October 14, 2020, and October 28, 2020.

At the November 2, 2020 Council meeting, a motion to hold the vote until the November 16, 2020 meeting passed. We have no further comments on this bill.

Bill No. 85-20: Public Works – Utilities – Water and Wastewater System Connections and Charges (As Amended)

This bill eliminates the user connection charge to property owners connecting to the County's water and wastewater system; eliminates the option to connect under a private contract administered by the Department of Public Works (DPW), requires a public works agreement (PWA) under specified conditions; and, when a PWA is not required, requires the owner to pay a new tap connection permit fee to cover certain DPW costs related to the connection. We commented on this bill in our letter dated October 28, 2020.

At the November 2, 2020 Council meeting, this bill was amended to exempt properties to be served by the petition capital projects known as Coriander Place – Gingerville Water Project (W805901), Heritage Harbour Water Takeover (W805700), and Heritage Harbour Sewer Takeover (S807500) from the provisions of the Ordinance, and provides that the properties to be served by the projects shall be subject to the applicable user connection charges at the rate in effect as of March 1, 2020, and that they will be paid, collected, deferred, financed, or assessed in accordance with the provisions in effect prior to the effective date of this bill. The names for these projects in the budget bill and budget book are Coriander Place WM Extension (W805900), Heritage Harbor Wtr Takeover (W805700), and Heritage Harbor Swr Takeover (S807500).

Fiscal impact: This amendment will result in the property owners served by the aforementioned projects paying the previously agreed upon user connection charge and terms, including the previously allowed deferrals and financing of the charges as opposed to the terms under this bill where the property owners pay for the cost of the user connection directly and pays a tap connection permit fee. The Coriander Place – Gingerville Water Project (W805901) was also exempt from Bill 80-20 that converted assessments from a front foot assessment to an equivalent dwelling unit assessment calculation.

Bill No. 86-20: Subdivision and Development – Site Development – Plan Review Timelines and Requirements

This bill amends plan review timelines and requirements for subdivision sketch and final plans, site development preliminary and site development plans, including clarifying when they are void; provides exemptions from preliminary and site development plans for common, minor uses of land; and requires the reservation of land for public facilities during the site development plan process as is currently done in the subdivision process. We commented on this bill in our letter dated October 28, 2020.

At the November 2, 2020 Council meeting, a motion to hold the vote until the November 16, 2020 meeting passed. We have no further comments on this bill.

Bill No. 89-20: Public Safety – Animal Control and Animal Control Commission – Renaming and Repurposing

This bill renames the Animal Control Agency to be the Animal Care and Control Agency (Agency), renames the Animal Control Commission to be the Animal Matters Commission (Commission), changes the method for appointing members to the Commission, changes the procedures for hearings before the Commission, revises the powers of the Agency, increases certain impoundment fees, and provides additional requirements and consequences to owners of animals.

According to the Police Department, the Commission typically meets 12 times per year either for a half day or a whole day. In the past 3 years, the Commission has heard between 25-30 administrative appeals and 25-55 citation appeals, annually. The legislative summary explains the purpose of the bill and provides an explanation by section. We provide the following insight regarding the major changes in the bill:

- Expands the definition for “cruelty” to include overdriving or overloading an animal, inflicting unnecessary suffering or pain on an animal, or any act prohibited by Md. Ann. Code Criminal Law §§ 10-606 (regarding aggravated cruelty to animals, including sexual contact with animals), 10-607 (regarding dogfighting), or 10-608 (regarding cockfighting). Overdriving or overloading an animal, and inflicting unnecessary suffering or pain on an animal are prohibited by Md. Ann. Code Criminal Law § 10-604.
- Changes the appointment process of the Commission. The five citizen members of the Commission that are appointed by the County Executive will no longer need to be from a list of two candidates from each County District submitted by the County Council. **This will result in less oversight in member selection by the County Council. The Council should consider whether they want to retain this oversight.**
- Allows an Agency Officer, authorized agent of the Agency, Police Officer, or other public official required to protect animals, subject to the limitations in Md. Ann. Code Criminal Law Article § 10-615(f), to seize, remove or impound an animal that: (1) does not have access to

sufficient food or water; (2) is subjected to cruelty; or (3) is abused or neglected as defined in Md. Ann. Code Criminal Law Article § 10-604. Md. Ann. Code Criminal Law Article § 10-615(f) prohibits the entry into a private dwelling, or removal of a farm animal without the prior recommendation of a veterinarian licensed in the State. According to the Police Department, the expansion for cruelty/neglect (including the hearing process and disposition process discussed below) creates a local civil process for the enforcement, penalty, and recording of violations in order to hold owners more accountable. The Police Department further stated that many cases of cruelty/neglect do not rise to the level of criminal misconduct, but still require intervention. Further, for criminal cases, animals are often held over one year, whereas this civil process might result in more animals being impounded, but the impoundments will be for shorter periods of time.

- Creates a reckless animal owner designation and prohibits a person with this designation to own, keep, possess, or harbor any animal for four years from the date of the designation; requires all animals owned or in the custody of the designated person to be impounded and seized by the Agency and be immediately considered unwanted or unredeemed; and revokes the designated person's basic private dog and cat licenses. This bill does not require a suspension or revocation of a specialty private license (e.g. dog fancier license) or commercial animal license (e.g., commercial kennel license). Currently, Subtitle 7 contains provisions for suspension or revocation of a license and the Agency could still pursue suspension or revocation of these licenses based on violations under Article 12 using current processes.

A person may be designated a reckless animal owner if found guilty of violating the provisions in the Animal Care and Control Article three or more times from separate incidents within a 24-month period. A person is considered to be found guilty if placed on probation before judgment, pays a civil fine for a violation, or owns an animal designated by the Agency as potentially dangerous, dangerous, or vicious within the preceding 24 months. According to the Police Department, targeting and labeling irresponsible owners is in line with trends in animal enforcement, animal protection, and animal welfare to be proactive in protecting both humans and animals instead of reactive. Upon designation by the Police Chief, or designee:

- The agency is required to issue a written notice to the owner designated that includes the owner's name and address; a description of the circumstances that led to the designation; and the name, description and license number(s) of any animals owned, or in the custody of, the reckless animal owner; and a notice of the right to appeal the designation.
- Allows the designated owner to appeal the designation by filing a written notice of appeal with the Commission within ten days of service of the reckless animal owner notice.
- Requires determination to be based on a preponderance of the evidence.
- Requires any person charged under Md Ann. Code Criminal Law Article §§ 10-604 through 10-618 to immediately surrender to the Agency all animals in the person's ownership or custody.
- Changes the Agency Officers' powers from those possessed by the Sheriff to enforce the County law pertaining to animal control, to specific powers listed to enforce both the County law and the State Code for animal control. According to the Office of Law, this provides clarity since many powers and duties of Sheriffs are by common law as adjusted by acts of the Maryland State Legislature and to eliminate confusion that Agency Officers are under the direction of the Police Department and, not the Sheriff. While the bill might impact some

powers that the Agency Officers technically could have under the current Code, it is not expected that the bill will impact any powers, which the Agency Officers currently exercise as they are specified in the bill.

- Clarifies that in the absence of an Agency Officer, any law enforcement officer (as opposed to any County Police Officer) can issue a written notice of violation when observing or receiving a sworn affidavit of an individual observing an unrestrained animal upon school grounds or in a public recreation area. According to the Police Department, this is being clarified, in part, due to issues within the City of Annapolis.
- Requires written notice to the owner of any animal seized or surrendered that advises the owner that a written petition for return of the animal may be filed with the Commission within ten days of service or posting of the notice, and that the Agency shall establish a violation based on a preponderance of the evidence. This is already allowed for potentially dangerous, dangerous, or vicious animal orders but now will apply also to animals seized or surrendered under new areas (e.g., reckless owner designations, cruelty/neglect of animals). This bill further adds that if a written petition is not filed, the owner cannot be identified after reasonable efforts by the Agency, or if the Police Chief (or designee) determines that prohibiting the owner from redeeming the animal is necessary for the health of the animal or to protect the animal from cruelty, the animal shall be deemed unwanted or unredeemed and the Agency may dispose of the animal under one of the approved methods (e.g., placement in an approved home or rescue organization, released into a suitable habitat, euthanasia). The owner is responsible for the cost of the Agency maintaining the animal and for the cost of euthanasia when that is the method of disposal.
- Allows a person receiving a citation 15 days, instead of ten days, to submit a written request for a hearing before the Commission or the district court. According to the Police Department, the Agency holds citations for 15 days in accordance with uniform State citation law, and if they request a Commission hearing they send the citation to the Commission. If a hearing is not requested, the Agency will hold the citation another 20 days to allow them to pay the fine and if they fail to pay, the Agency forwards the citation to the district court. Anne Arundel County Code § 9-2-101(e) requires a civil fine imposed by a citation be paid within 20 days.
- Currently, there are three actions that can be appealed to the Commission: (1) citations and affidavits of complaints governed under Subtitle 2; (2) administrative orders, including potentially dangerous, dangerous, or vicious animal orders governed under Subtitle 3; and (3) licensing appeals governed under Subtitle 7. This bill is adding additional Agency actions that can be heard by the Commission under Subtitle 2, including appeals of orders, redemption conditions, seizures, and reckless owner designations. This bill is also consolidating the general hearing provisions for both existing and new actions into one section for consistency and clarity and to ensure they apply to all hearings. The following changes were noted regarding the process:
 - Currently, requests by the Police Chief (or his designee) must be heard within 15 days of the request and he can request the Commission to convene immediately for the purpose of investigating acute emergencies, and all other items (e.g. requests for citation hearings) are required to be heard within 30 days of request. Under this bill, the Commission is to hear all appeals, petitions, or requests for a hearing within 30 days. According to the Police Department, requests by the Police Chief, or designee for an expedited hearing is very rare (possibly one since 2011).
 - Clarifies that the Agency does not “promptly refer the citation to the Commission” who then “holds it”, but rather the Agency holds the citation to allow the alleged violator to request a Commission hearing. It also clarifies that the violator can

request to stand trial in the district court and then the Agency will forward the citation to the district court for trial. This is the current process. This bill also states if the Commission finds that a violation did occur, they will forward the citation to the district court and that the Commission may amend the fine to an amount not to exceed the face value. Currently, the Agency holds the citation for 20 days after the hearing to wait for payment and if not paid, they will forward the citation to the district court.

- Currently, hearings for appeals related to potentially dangerous, dangerous, or vicious animals may be postponed under specified circumstances, the hearing is required to be open to the public, the Commission may admit all relevant evidence without regard to formal rules of evidences, and witnesses testify under oath or affirmation administered by a Commission designee. This now applies to all Commission hearings (even petitions and other requests for hearings).
- Clarifies that findings of violations for citations will be referred to the district court and findings and recommendations related to anything other than a citation will be provided to the Police Chief (or his designee) within 15 days of the hearing, and within 15 days of receipt of the recommendation the Chief shall issue a final decision and the decision will be served to the owner.
- Currently, appeals for potentially dangerous, dangerous, or vicious animals are subject to de novo review by the Anne Arundel County Board of Appeals (Board of Appeals), decisions related to a license may be appealed to the Board of Appeals, and redemption fees may be waived by the Board of Appeals. Under this bill, the Police Chief's decisions for Reckless Animal Owner designations and animal cruelty and neglect are also subject to de novo review by the County Board of Appeals.
- Eliminates from the section on hearings that the Commission will issue fines levied under Anne Arundel County Code § 12-4-1001 and that each day a violation continues is a separate offense. This section provides for a fine of \$250 for the first violation and \$500 for each subsequent violation for potentially dangerous, dangerous, and vicious animals, and fines in Anne Arundel County Code § 9-2-101 for other violations. While this is removed from the section on hearings, § 12-4-1001 is still in place. Fines for the failure to provide food, water, or veterinary care were updated in another section of the bill.
- Makes the following changes regarding redemptions:
 - If an animal is impounded as a danger to persons or property, the Agency may deny redemption for the lesser of 14 days or the duration of an active investigation.
 - If a dog or cat that is not spayed or neutered is impounded two times within a 12-month period, the owner is required to have the animal spayed or neutered at the owner's expense prior to redemption unless the owner appeals to the Commission in writing within five days of the conditions being imposed and, following a recommendation from the Commission, the Police Chief waives the requirement or orders other action. The Commission is required to provide the owner the date, time, and location of a hearing on the matter at least five days prior to the hearing.
 - Grants the Police Chief the authority to allow redemption of the animal by the owner while the appeal is pending without complying with the appealed condition, but if the decision is upheld, the owner is required to present satisfactory proof of compliance with redemption conditions within 30 days of the final decision being issued.
 - Allows the Commission to recommend the redemption requirements be upheld, amended, waived, or added.

- Requires an animal impounded to be microchipped at the owner's expense prior to redemption if, within 24 months prior to the impoundment, the owner was found guilty, placed on probation before judgment, or paid a civil citation for a violation for animals that pose a threat to public safety, are or cause a public nuisance condition, disturb the peace of a person or neighborhood, are domesticated and running at large, or unrestrained on school grounds when school is in session or public recreation areas where an organized activity is being conducted without permission. Microchipping allows the Agency officer to use a microchip scanner to determine information on the owner when they seize the animal. According to the Police Department this will allow the Agency officers to return animals to owners immediately in certain circumstances (e.g., animal running at large) and reduce the redemption fees paid by the owner.
- Prohibits an owner of an animal to unnecessarily fail to provide an animal with necessary veterinary care. This bill also makes the failure to provide food, water, or veterinary care a class D civil offense which has a civil fine of \$125 for the first violation, \$500 for the second violation, and \$1,000 for the third or any subsequent violation.
- Changes the fine for failure to comply with animals outdoor requirements (including providing food and water) during a severe weather emergency declared by the County Executive from a class D offense to a class C offense, which has a civil fine of \$500 for the first violation and \$1,000 for the second or any subsequent violation.
- Eliminates the exemption for animals found to be potentially dangerous prior to October 1, 2017 from the \$100 annual fee. Bill No. 59-17 created a registry for animals determined to be dangerous or potentially dangerous animals, prior to the effective date of the bill, and determined to be dangerous but not potentially dangerous, on or after the effective date of the bill. There was already a special license fee for a dangerous animal of \$250 annually and a potentially dangerous animal of \$100, however, this bill added that the license fee for a potentially dangerous animal is only for animals found to be dangerous prior to October 1, 2017. Bill No. 90-18 eliminated the date reference from the registry requirements but did not eliminate the date reference for the license fee. This bill would require all potentially dangerous animals, even those designated prior to October 1, 2017 to pay the annual fee as was required prior to Bill No. 59-17. According to the Police Department, there are 172 potentially dangerous order animals (and 3 pending), but they cannot readily determine those animals that were found to be potentially dangerous prior to October 1, 2017.
- Changed the redemption fees by increasing the impoundment fees for multiple occurrences and for animals that are not spayed or neutered. The impoundment fee is being increased from \$25 for all violations, to \$25 for the first impoundment, \$50 for the second impoundment, and \$100 for the third and subsequent impoundment within a 12-month period, and these fees are doubled if the animal is not spayed or neutered. The part of the redemption fee for shelter and reimbursement of veterinary services will not change.

Fiscal Impact: The Police Department anticipates there will be more cases heard for appeals of administrative decisions, but they expect issues to be addressed sooner due to enforcement at this level motivating owners to change their methods and resolve the situation resulting in fewer citations being written. The Police Department also expects there will be more appeals relating to spaying and neutering an animal, but they expect most owners will comply without appealing. Thus, the Police Department does not expect a significant change in workload.

Adding the more expedited civil process for cruelty/neglect of animals should result in a reduction of maintenance costs for animals. Animals are often held for over a year in a criminal case

waiting for the hearing, whereas a hearing in a civil case should begin within 2 months if the case is not elevated to court. If the owner is found guilty, maintenance costs are covered by redemption fees and fines. There is a higher burden of proof under a criminal case.

While this bill may increase revenue for fees and fines, it is expected to be minimal. During FY20, impoundment fee revenue totaled \$15,150 for 606 reclaimed animals. There will be an increase in impoundment fees for both multiple impoundments of the same animal within a year and for animals that are not spayed or neutered. The Police Department stated that there have been less than 50 animals impounded for multiple times during a year, and that during FY20 there were 337 unaltered dogs reclaimed and 27 unaltered cats reclaimed. This bill will also most likely result in an increase in impoundments due to the new provisions such as the reckless owner designation that requires all of the owner's animals to be immediately impounded. However, the Police Department does not anticipate a significant increase since they anticipate that the owners' behavior will change. There will be some increase in revenue due to the increase in the civil fines for failure to provide requirements for animals outdoors during a severe weather emergency, however the Police Department anticipates that the additional fines will result in a minimal increase in revenue since they anticipate owners' behavior will change. During FY19 and FY20, the Police Department issued 14 citations and 12 citations for violations during a severe weather alert, respectively.

Bill No. 90-20: Zoning – Data Storage Centers

This bill defines and provides zoning requirements regarding data storage centers. This bill sets the parking requirements for data storage centers at one space per 1,000 square feet of floor area for the first 5,000 square feet, and one space for each additional 5,000 square feet of floor area. This bill allows data centers as a permitted use in industrial districts, as a permitted use in Mixed-Use Districts MXD-E, and allows data centers in the BWI/Fort Meade Growth Area as a conditional use in Commercial Districts C2 and C3. The conditional use requirements require the data storage in the BWI/Fort Meade Growth Area to be located on a lot or contiguous lots that total at least 25 acres and does not include residential dwelling units, the outside storage permitted as an accessory use may not be more than 15% of the total allowed lot coverage, requires minimum setbacks for principal structures ranging from 30 to 100 feet as specified in the bill, does not allow a variance for the minimum setbacks, and requires compliance with other bulk requirements for the zoning district.

According to the Office of Planning and Zoning, data centers are generally large secured warehouses for computer equipment with a small number of employees that are generally not appropriate for commercial districts. This bill locates data centers where warehousing is allowed with the exception of C4. The BWI/Fort Meade Growth area allows warehousing in the C2 and C3 district as a conditional use, with identical conditions as in this bill for data centers in this area. There are four possible data centers that currently have a development application or have had preliminary discussions with the Office of Planning and Zoning.

Bill No. 91-20: Snug Harbor Special Community Benefit District (SCBD) – Modifying Purposes

This bill amends the purposes of Snug Harbor SCBD to add dredging to maintain access to and use of the community marina, including dredging from the Chesapeake Bay into the community marina, and dredging in the community marina.

We have reviewed the supporting documents and determined the petition meets the requirements for amending the purposes of an SCBD. There were 54 qualified "Yes" votes out of 99 eligible properties (54.5%), which satisfies the requirement that a majority of the property owners approve the changes.

There were also 14 qualified “No” votes and 3 votes that did not meet the requirements for qualifying. This bill has no fiscal impact.

Bill No. 92-20: Current Expense Budget – Supplementary Appropriation – North Beach Park Special Community Benefit District (SCBD)

This bill authorizes additional appropriations of \$18,020 for the North Beach Park SCBD. The Holland Point Citizens Association (Association) administers the North Beach Park SCBD. The Association’s FY21 budget request had a budget request of \$0, so the County’s FY21 budget does not include an appropriation for the North Beach Park SCBD.

We have confirmed the availability of the funds. The North Beach Park SCBD had funds at the community and at the County as of July 1, 2020 totaling \$23,572 that is available for this appropriation. We also reviewed the Administration’s fiscal note and agree with the information presented.

Bill No. 93-20: Public Ethics – Definitions

This bill defines “usual and customary constituent services” for citizens and businesses. Anne Arundel County Code § 7-5-104 prohibits an employee from assisting or representing a person, other than in the course of the employee’s official duties, before any governmental unit or employee of the County or in which the County has an interest, except in specified circumstances. One of the specified exceptions is the performance of usual and customary constituent services without additional compensation. Anne Arundel County Code § 7-5-107(a) prohibits an employee, except in the performance of usual and customary constituent services without additional compensation, from (1) intentionally using the prestige of office or public position for that employee’s private gain or the gain of another, or except as part of the official duties of the employee, to influence the award of a State or local government contract to a specified person; (2) directly or indirectly initiating a solicitation for a person to retain the services of a particular lobbyist or lobbying firm; or (3) using public resources to solicit a political contribution that is regulated in accordance with the Election Law Article of the State Code.

The legislative summary provides the background and sources for each part of the definition in this bill. As it relates to citizens, this bill would define “usual and customary constituent services” as actions made on behalf of an Anne Arundel County citizen by County Councilmembers, or their designees, with or without the presence of the citizen, including advocacy, communications, inquiry, and oversight, so long as the Councilmembers, or their designees do not, directly or indirectly, threaten reprisal or promise favoritism for the performance or nonperformance of another person’s duties or request another person to abuse or exceed the discretion available to that person under the law. The proposed definition is based on the District of Columbia ethics law.

As it relates to businesses, this bill defines “usual or customary constituent services as activities on behalf of a business entity that is located in the County or that contributes to the economic well-being of the County so long as the activities do not violate the restrictions on participation contained in Anne Arundel County Code § 7-5-101, a conflicts of interest law providing specific restrictions on participation. The proposed definition as it relates to constituent services for business entities is based on the City of Westminster’s ethics code which was approved by the State Ethics Commission in August 2020.

The Anne Arundel County Ethics Commission has reviewed this legislation, and adamantly opposes this bill and definition. The Ethics Commission has stated that the definition is too broad, would

eliminate oversight by the Commission, and substantially negate past advisory opinions. The Ethics Commission advisory opinion A0-20-36 found that it would be a violation of the Public Ethics Law for a Councilmember to attend a meeting between a constituent and the Office of Planning and Zoning (OPZ), at the constituent's request, regarding OPZ's denial of a zoning change request made by the constituent.

This change will be submitted by the Commission to the Maryland State Ethics Commission for approval, as required by law, with a letter from the Commission requesting the approval be denied.

This bill has no direct fiscal impact to the County.

Bill No. 94-20: Public Safety – Public Nuisances – Prohibition

This bill defines “public nuisance”, prohibits a property owner to allow a property to be a public nuisance, and provides for enforcement and fines regardless of whether the owner had any knowledge of the public nuisance.

Under this bill, a public nuisance is any property where on five or more separate occasions within any 30-day period, arrests have been made for:

- (1) Assignment, lewdness, prostitution (Anne Arundel County Code § 9-1-704) or human trafficking (Md. Ann. Code Criminal Law Article § 3-1102);
- (2) Illegally administering a controlled dangerous substance prohibited under Md. Ann. Code Criminal Law Article § 5-601;
- (3) Distribution of a controlled dangerous substance prohibited under Md. Ann. Code Criminal Law Article § 5-602;
- (4) Illegal storage or concealment of a controlled dangerous substance or controlled paraphernalia in sufficient quantity to reasonably indicate an intent to manufacture, distribute, or dispense a controlled dangerous substance or controlled paraphernalia;
- (5) Illegal gambling;
- (6) The storage or possession of stolen property valued at \$1,500 or more;
- (7) Wearing, carrying, or transporting a handgun prohibited under Md. Ann. Code Criminal Law Article § 4-203 or use of a handgun in the commission of a violent crime as prohibited under Md. Ann. Code Criminal Law Article § 4-204;
- (8) A crime of violence as defined under Md. Ann. Code Criminal Law Article § 14-1010 on or near the premises; and
- (9) Offenses prohibited under Article 9 Subtitle 8 (Criminal Organizations) of the Md. Ann. Code Criminal Law Article

This bill allows the County to enforce through appropriate court proceedings and seek appropriate forms of relief to restraining or correct a violation, including abatement and injunctive proceedings. A violation would be a Class A Civil Offense which has a fine of \$10,000 for the first and subsequent violations.

Items to Note: The Council should consider how this bill will treat owners that rent to multiple tenants that might have separate violations, or owners that have a tenant with multiple violations. The owner may have rules prohibiting illegal activities, and may have taken steps to prevent illegal activities but may not be able to legally take recourse against its tenants timely enough to prohibit the property from becoming a public nuisance. According to the Police Department, they have only had a few problematic properties over the years. They try to work with the owners and management in solving problems first

and they have been very successful in the educational component. They stated that they would only seek a Class A Offense as a last resort if all other methods fail. This would provide the Police Department with additional enforcement when owners are not cooperating. The sponsor intends to introduce amendments to address concerns regarding owners.

Fiscal Impact: The Police Department stated that the additional revenue from the Class A Civil Fine would be minimal as they have only had a few problematic properties over the years. The Police Department does not anticipate an increase in workload since they would still have to deal with the problems on these properties.

Resolution No. 46-20: Anne Arundel County Board of Education's Fiscal Year 2022 Public School Construction Capital Improvement Program Request

This resolution approves the letter of support for the Board of Education (BOE)'s fiscal year 2022 School Construction Capital Improvement Program written by the County Executive to the Maryland State Department of Education Interagency Committee on School Construction. We have reviewed the letter and the BOE's fiscal year 2022 capital request. The request and the letter are consistent with the Fiscal Year 2021 Capital Budget and Improvement Program (CIP) adopted by the County Council. Any fiscal impact would be considered and determined in future budget deliberations.

The resolution page 1, line 33 has the incorrect name for the President of the Anne Arundel County Board of Education. An amendment will be introduced to correct this error.

Resolution No. 47-20: Support of Law Enforcement Agencies and Disapproving Efforts to Delegitimize Law Enforcement

This resolution expresses support and appreciation for our law enforcement agencies, their leaders, and the men and women who honorably service communities of Anne Arundel County. This resolution also disapproves of efforts to delegitimize the honorable profession of law enforcement through harassment, insults, and threats of violence.

While civil unrest can be costly, the support in this resolution has no direct fiscal impact to the County.



Susan L. Smith, CPA, CFE
County Auditor