

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 2

Bill No. 6-15

Introduced by Mr. Grasso

By the County Council, January 20, 2015

Introduced and first read on January 20, 2015
Public Hearing set for February 17, 2015
Bill Expires April 25, 2015

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works – Right of Entry – Stream Restoration

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3 FOR the purpose of authorizing contractors assigned by the Department of Public Works
4 to enter on private land in the County; authorizing employees and contractors from
5 the Department of Public Works right of entry on private land at a reasonable hour to
6 conduct stream restoration activities under certain circumstances; and generally
7 relating to Public Works.

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9 BY repealing and reenacting: § 13-1-104
10 Anne Arundel County Code (2005, as amended)

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12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
13 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
14 follows:

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16 **ARTICLE 13. PUBLIC WORKS**

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18 **TITLE 1. DEFINITIONS; GENERAL PROVISIONS**

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20 **13-1-104. Right of entry.**

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22 (a) **Generally.** An employee of the Department OR A CONTRACTOR ASSIGNED BY

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

1 THE DEPARTMENT who is engaged in official duties, after presentation of proper
2 credentials, may enter on private land in the County at a reasonable hour for the purpose
3 of:
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5 (1) making surveys, investigations, engineering studies, reading a meter, or
6 disconnecting, connecting, turning on, or shutting off or repairing a water or wastewater
7 line; OR
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9 (2) CONDUCTING STREAM RESTORATION ACTIVITIES IF:

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11 (I) A COURT ORDER AUTHORIZES THE COUNTY TO CONDUCT STREAM
12 RESTORATION ACTIVITIES ON THE PROPERTY;

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14 (II) THE OWNER OF THE PROPERTY GRANTS PERMISSION TO THE COUNTY TO
15 CONDUCT STREAM RESTORATION ACTIVITIES ON THE PROPERTY; OR
16

17 (III) THE COUNTY HAS ACQUIRED, THROUGH EMINENT DOMAIN, THE LEGAL
18 INTEREST REQUIRED TO CONDUCT STREAM RESTORATION ACTIVITIES ON THE
19 PROPERTY.
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21 (b) **Prohibition.** A person may not hinder, obstruct, or refuse entry to the employee
22 OR CONTRACTOR IF THE EMPLOYEE OR CONTRACTOR ENTERS THE PRIVATE LAND
23 PURSUANT TO SUBSECTION (A).
24

25 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
26 from the date it becomes law.