

# FINAL

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 36

Bill No. 75-19

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

By the County Council, September 16, 2019

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Introduced and first read on September 16, 2019  
Public Hearing set for and held on October 21, 2019  
Bill Expires December 20, 2019

By Order: JoAnne Gray, Administrative Officer

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### A BILL ENTITLED

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

2  
3 FOR the purpose of exempting leases of three years or more for small cell systems from  
4 the requirement of approval by ordinance of the County Council; amending the zoning  
5 definition of “commercial telecommunication facility” to exclude small cell systems;  
6 adding a zoning definition of “small cell system”; and generally relating to purchasing  
7 and zoning.

8  
9 BY repealing and reenacting, with amendments: §§ 8-3-301; and 18-1-101(30)  
10 Anne Arundel County Code (2005, as amended)

11  
12 BY renumbering: § 18-1-101(121) through (154) to be § 18-1-101(122) through (155)  
13 Anne Arundel County Code (2005, as amended)

14  
15 BY adding: § 18-1-101(121)  
16 Anne Arundel County Code (2005, as amended)

17  
18 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
19 *That § 18-1-101(121) through (154), respectively, of the Anne Arundel County Code*  
20 *(2005, as amended) is hereby renumbered to be § 18-1-101(122) through (155),*  
21 *respectively.*

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

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter deleted from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.  
Asterisks \*\*\* indicate existing Code provisions in a list or chart that remain unchanged.

**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, ON COUNTY-OWNED REAL PROPERTY, INCLUDING RIGHTS-OF-WAY, OR EXISTING COUNTY STRUCTURES; AND~~

~~[[5]]~~ (6) leases for commercial telecommunication facilities, as defined in Article 18 of this Code, 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:

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(30) “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.

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1 (121) "SMALL CELL SYSTEM" MEANS ANY SHORT RANGE EQUIPMENT INSTALLED  
2 FOR THE PURPOSE OF SUPPLEMENTING OR EXTENDING WIRELESS COMMUNICATIONS  
3 COVERAGE IN A LOCALIZED AREA. "SMALL CELL SYSTEM" INCLUDES:

4  
5 (I) ANY POLE, STRAND, OR OTHER STRUCTURE USED TO SUPPORT A SYSTEM OR  
6 TO WHICH A SYSTEM IS ATTACHED;

7  
8 (II) ANY RADIO TRANSCEIVER, ANTENNA, COAXIAL OR FIBER-OPTIC CABLE,  
9 REGULAR OR BACK-UP POWER SUPPLY, AND COMPARABLE EQUIPMENT, REGARDLESS OF  
10 TECHNOLOGICAL CONFIGURATION; AND

11  
12 (III) ANY ANCILLARY OR ACCESSORY STRUCTURE OR EQUIPMENT TO HOUSE  
13 ANY PART OF THE SYSTEM.

14  
15 \*\*\*

16  
17 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days  
18 from the date it becomes law.

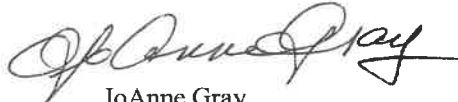
READ AND PASSED this 21<sup>st</sup> day of October 2019

By Order:



JoAnne Gray  
Administrative Officer

PRESENTED to the County Executive for his approval this 22<sup>nd</sup> day of October, 2019



JoAnne Gray  
Administrative Officer

APPROVED AND ENACTED this 29<sup>th</sup> day of October, 2019



Steuart Pittman  
County Executive

EFFECTIVE DATE: DEC 13 2019

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
75-19. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.



JoAnne Gray  
Administrative Officer