



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

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: April 12, 2023
Subject: Auditor's Review of Legislation for the April 17, 2023 Council Meeting

**Bill 13-23:
Licenses and Registrations
– Special Events –
Permitting (As Amended)**

Summary of Legislation

This bill establishes a uniform permitting process for special events, defines certain terms, requires certain persons to obtain a permit to hold special events, requires the permit application to contain certain information, establishes the basis for granting or denying the permit application, establishes fees and fee waivers for special event permit applications, requires reimbursement of costs incurred by the County and allows for the waiver of such reimbursement, requires certain inspections to be performed, and allows for the termination of permits in certain circumstances.

We commented on this bill in our letters dated March 15, 2023 and March 29, 2023. At the April 3, 2023 Council meeting, this bill was amended. These amendments include: exclude certain agritourism events from the definition of special events; alter the definition of public assembly to mean a group of 500 or more persons collected together in one place for the same purpose; define vigil and exempt vigils and spontaneous responses to a current event from the definition of a special event; change application deadlines; clarify that certain misrepresentations must be intentional or willful to consider not granting the permit; strike certain reasons for not issuing a permit; clarify that intentional or willful misrepresentation by the sponsor that causes an immediate risk may be grounds for revocation of a permit and emergency termination of a special event; require the County provide notice to a sponsor prior to denying, modifying, or cancelling a permit and to provide the sponsor an opportunity to take corrective action; provide a non-exhaustive list of special events that may be considered for application fee or special service charge waivers; and exclude a renaissance festival allowed as a special exception use from the definition of a special event and require a renaissance festival to pay a special service charge. We have no further comments on this bill.

**Bill 19-23:
Public Safety – Ban the
Bag Act of Anne Arundel
County (As Amended)**

Summary of Legislation

This bill prohibits the retail distribution of plastic bags in Anne Arundel County, defines certain terms, establishes the duties of retail establishments, makes a violation a Class C civil offense, provides for the enforcement of the prohibition on plastic bags, and provides for a delayed effective date. A Class C civil offense is \$500 for the first violation and \$1,000 for each subsequent violation.

We commented on this bill in our letter dated March 29, 2023. At the April 3, 2023 Council meeting, this bill was amended to exempt school cafeterias; exclude a bag used to contain, package, or wrap hanging garments or dry-cleaned clothes; and exclude a bag used to contain, package, or wrap live fish, insects, mollusks, or crustaceans. We have no further comments on this bill.

**Bill 20-23:
Pedestrian and Bicycle
Master Plan – Walk &
Roll Anne Arundel! –
Adoption**

Summary of Legislation

This bill repeals the 2003 Pedestrian and Bicycle Master Plan and the 2013 update to that Plan and adopts the County’s 2023 Pedestrian and Bicycle Master Plan entitled “Walk & Roll Anne Arundel!”

Review of Fiscal Impact

We agree with the Administration’s fiscal note that there is no direct fiscal impact associated with this bill, but there could be a fiscal impact from future actions to implement this Plan, and these will be considered as a part of future budget deliberations.

**Bill 21-23:
Zoning – Requirements
for Conditional Uses –
Housing for the Elderly of
Moderate Means**

Summary of Legislation

This bill requires a covenant enforceable by the County for housing for the elderly of moderate means and adds certain government-funded developments with at least one resident that is 62 years of age or older as a type of housing for the elderly of moderate means.

Review of Fiscal Impact

We agree with the Administration’s fiscal note that there is no direct fiscal impact of this bill. This bill will ensure that properties within the County are eligible for certain government funding opportunities. As noted in the Legislative Summary for Bill 21-23, this bill allows the properties to meet the federal definition of elderly family, which will allow projects that receive certain federal and state funding to restrict the age of residents in line with the criteria in federal law.

**Resolution 5-23:
Approving the
Determination of Certain
Improved County-Owned
Property, Known as 100
Summit Avenue in Glen
Burnie, as Surplus
Property**

Summary of Legislation

This resolution approves the determination of certain improved County-owned property, known as 100 Summit Avenue in Glen Burnie, as surplus property. According to the State Department of Assessments and Taxation, the property is approximately 0.34 acres (14,614 square feet) and has an assessed value of \$500,900 as of July 1, 2022.

Review of Fiscal Impact

We reviewed this resolution and the support provided by the Administration and agree with the information presented. This resolution approves the determination of this property as surplus and has no fiscal impact. Pursuant to Code § 8-3-204(f), if the County Council approves this determination as surplus property and the purchase price is less than 90% of its appraised value or the appraised value is \$50,000 or more, County Council approval will be required for the disposition of the property.

**Resolution 8-23:
Approving the Nomination
of Tonii Gedin as Acting
Health Officer**

Summary of Legislation

This resolution approves the nomination of Tonii Gedin as the Acting Health Officer, effective March 23, 2023.

If approved, this nomination will go to the Secretary of the Maryland Department of Health for appointment.

Review of Fiscal Impact

This resolution will have no direct fiscal impact.
