

APPENDIX B. RULES OF PRACTICE AND PROCEDURE OF THE BOARD OF APPEALS

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3. PREHEARING PROCEDURE
4. HEARINGS
5. APPEALS

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Editor's note – Bill No. 150-80, § 7 approved the Rules of Practice and Procedure of the Board of Appeals adopted by the Board June 12, 1980. Pursuant to instructions of the County, the text of the rules has been set out as Appendix B. Any amendments to the rules will be identified by a history note following the amended rule. The absence of a history note indicates that the rule is derived from Bill No. 150-80. The appendix was subsequently amended by Bill No. 188-81, repealed and reenacted by Bill No. 53-86, § 1, and further amended by Bill No. 12-88, Bill No. 22-90, Bill No. 43-92, Bill No. 99-93, Bill No. 32-97, Bill No. 14-01, Bill No. 5-10, Bill No. 19-13, Bill No. 80-17, and Bill No. 13-21.

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TITLE 1. IN GENERAL

Rule 1-101. Scope.

The rules of practice and procedure set forth in this appendix are generally applicable to proceedings before the County Board of Appeals.

(Bill No. 53-86)

Rule 1-102. Officers.

(a) **Generally.** The County Board of Appeals shall elect one of its members as Chair and one as Vice Chair at the pleasure of the Board. The Chair shall preside at all meetings of the Board, and in the Chair's absence the Vice Chair shall preside. In the absence of the Chair and the Vice Chair, a member designated by the remaining members of the Board shall act as Chair and shall preside with all the powers of the Chair.

(b) **Staff members.** All staff members shall report directly to the Chair of the Board. The Chair shall assign to various staff members their functions and duties.

(Bill No. 53-86)

Rule 1-103. Meetings.

(a) **Frequency.** Meetings of the County Board of Appeals shall be held at the call of the Chair and at such other times as the Board may determine, but in no event shall it be less than once a month.

(b) **Quorum.** Four members of the Board shall constitute a quorum for the conduct of business; except that three members shall constitute a quorum for hearings on special exceptions, variances, and administrative appeals. Site visits pursuant to Rule 4-101(g) are not governed by this rule.

(c) **Minutes.** The Board shall keep minutes of its proceedings, showing the vote, failure to vote, or absence of each member on each question, all of which shall be filed promptly in the office of the Board as a public record after approval by all Board members.

(d) **Participation in decision.** Only those members who have actually heard all the evidence and testimony in an appeal shall participate in the decision unless all parties to the appeal shall agree otherwise, except that the Chair of the hearing shall have the ability to permit a member to listen to the official stenographer's recording for any missed hearing or any missed portion of a hearing, as applicable, and participate in the decision. In no event shall a member be permitted to participate in a decision if that member misses the first hearing on any appeal.

(Bill No. 53-86; Bill No. 22-90; Bill No. 99-93; Bill No. 32-97; Bill No. 5-10; Bill No. 80-17; Bill No. 13-21)

Rule 1-104. Administrative matters.

(a) **Duties of the Clerk.** The Clerk shall handle all correspondence of the Board, send out all notices required by these rules, keep the dockets and minutes of the Board's proceedings, compile all required records, maintain the necessary files and indexes, and perform such other duties as directed.

(b) **Docket and minute book.** The Clerk shall keep a docket and minute book which shall be kept posted to date. The Clerk shall docket the case in the name of the original applicant, note the name of the appellant, and include a short description of the subject matter of the appeal and the number assigned to the appeal. In cases involving real property, a brief description of the property shall also be included.

(Bill No. 53-86)

Rule 1-105. Computation of time.

(a) **Generally.** Time must be computed as follows:

(1) Do not count the day of the event that begins a time period (e.g. the day of a decision).

(2) Include the last day of a time period unless it falls on a Saturday, Sunday, or County holiday, or day on which the County is not open during its regular hours. In that case the time period ends on the next business day.

(3) If the required time period is more than seven days, count Saturdays, Sundays, and County holidays as days and days on which the County is not open during its regular hours. If the time period is seven days or less, do not count Saturdays, Sundays, or County holidays, or days on which the County is not open during its regular hours.

(b) **Computation of latest day.** In determining the latest day for performance of an act which is required by these rules, by order of the County Board of Appeals, or otherwise, to be performed a prescribed number of days before a certain day, act, or event, all days prior thereto, including intervening Saturdays, Sundays, and legal holidays, are counted in the number of days so prescribed. The latest day is included in the determination unless it is a Saturday, Sunday, or legal holiday, in which event the latest day is the next day which is not a Saturday, Sunday, or legal holiday.

(Bill No. 53-86; Bill No. 99-93; Bill No. 5-10)

TITLE 2. COMMENCEMENT OF ACTION

Rule 2-101. Appeals.

(a) **Time limit.** All appeals from orders or decisions from which an appeal is authorized by law shall be taken within 30 days of the date of such order or decision, except where a different period is prescribed by law or rule, by the filing of a notice of appeal with the County Board of Appeals.

(b) **Notice of appeal from Administrative Hearing Officer decision.** In appeals from the decisions of the Administrative Hearing Officer, the notice of appeal shall include the following information:

(1) the title of the proceedings;

(2) the name of the applicant;

(3) the application or case number;

(4) the date of the public hearing before the Administrative Hearing Officer;

(5) the date of the decision;

(6) a copy of the decision; and

(7) a general statement of the basis for the appeal.

(c) **Notice of appeal from decisions involving real property.** In appeals from administrative decisions of County offices involving real property, the notice of appeal shall include the following information:

- (1) location of the subject property;
- (2) number of the councilmanic district in which the subject property is located;
- (3) names and mailing addresses of owners of real property within 175 feet of the subject property;
- (4) the name of the applicant;
- (5) a copy of the decision from which the appeal is taken; and
- (6) a general statement of the basis for the appeal.

(d) **Notice for all other appeals.** In all other appeals, the notice shall include the following information:

- (1) the name of the applicant;
- (2) a copy of the order or decision from which the appeal is taken;
- (3) the name of the officer making that order or decision and the date thereof; and
- (4) a general statement of the basis for the appeal.

(e) **Information to be provided to Board.** The information shall be provided in writing to the Board's office within 30 days of the date an appeal is filed. In cases where the information is not so submitted, the Board may dismiss the appeal.

(Bill No. 53-86; Bill No. 12-88; Bill No. 22-90; Bill No. 99-93; Bill No. 32-97; Bill No. 14-01; Bill No. 5-10)

Rule 2-102. Docket and calendar.

(a) **Generally.** Each appeal, when filed in proper form, shall be numbered serially, docketed and placed upon the calendar of the Board by the Clerk.

(b) **Order of hearing appeals.** Appeals shall be heard in the order in which they are filed with the Board, except that cases to be heard on any given day maybe arranged in any convenient sequence for that day by the Clerk. The Board may advance a given case on the docket and hear the case out of order:

- (1) on its own motion;
- (2) upon showing of good cause and after notice to all parties or attorneys of record; or
- (3) pursuant to County law.

(Bill No. 53-86; Bill No. 12-88)

Rule 2-103. Fees.

(a) **Generally.** A notice of appeal may be accepted by the County Board of Appeals only when accompanied by the relevant fee listed below:

- (1) Appeals from decisions of the Administrative Hearing Officer relating to reclassifications and special exceptions and appeals from decisions of the Department of Inspections and Permits relating to grading permits, \$400.
- (2) All other appeals, \$250.

(b) **Limitation.** Notwithstanding the provisions of subsection (a), the total of fees for consolidated, multiple appeals from decisions of the Administrative Hearing Officer shall not exceed \$1,000.

(c) **Refund of fees.** No fees paid as required by this rule shall be returned to the appealing party, except by order of the Board upon good cause shown.

(Bill No. 53-86; Bill No. 12-88; Bill No. 22-90; Bill No. 43-92; Bill No. 99-93; Bill No. 14-01)

Rule 2-104. Notice of hearing.

(a) **Generally.** Notice of the hearing of an appeal, excluding an appeal relating to a grading permit, shall be given by mailing a notice, at least 30 days before the date of the hearing. Notice of the hearing of an appeal relating to a grading permit shall be given in as timely a manner as practicable, either orally or in writing. Notice shall be given to:

- (1) the appellant or the appellant's attorney if the appellant is represented by an attorney, at the address stated in the notice of appeal;
- (2) the Administrative Hearing Officer or other official whose order or decision is being appealed;
- (3) the County Attorney;
- (4) the original applicant or the original applicant's attorney; and
- (5) other interested parties as the Board may deem appropriate.

(b) **Publication.** Notice of the hearing of any appeal shall be published once a week for not less than two consecutive weeks, in two newspapers of general circulation published in the County. Such notice shall specify the time, date, place, and subject of the hearing. The hearing shall be not less than six days following the final newspaper publication. The Clerk shall post the notice on the County's website when the hearing date is set.

(Bill No. 53-86; Bill No. 12-88; Bill No. 22-90; Bill No. 99-93; Bill No. 5-10)

Rule 2-105. Appearance and practice.

(a) **Persons who may appear.** An individual may appear in the individual's own behalf; a member of a partnership may represent the partnership; a bona fide officer or representative of a corporation, trust or association may represent same; and an officer or employee of a political subdivision or body or department may represent same in any proceeding.

(b) **Attorneys.** A person, firm, or corporation may be represented in any proceeding by an attorney admitted to practice before the Court of Appeals of Maryland.

(c) **Limitation on who may appear.** A person, firm, or corporation shall not be represented in any hearing except as provided above.

(d) **Formal notice of appearance.** An attorney who wishes to appear in any proceeding in a representative capacity which involves a hearing or an opportunity for a hearing shall file with the County Board of Appeals a written notice of appearance which includes the attorney's name, business address, telephone number, and the names and addresses of the persons represented by the attorney. No formal notice of appearance is necessary if the notice of appeal contains the required information.

(Bill No. 53-86)

TITLE 3. PREHEARING PROCEDURE

Rule 3-101. Other pleadings.

No other pleadings shall be required from the appellant or other parties; but if filed, copies thereof shall be served on the parties or their attorney of record before the Board, and a certificate of service shall be affixed thereto.

(Bill No. 53-86)

Rule 3-102. Withdrawal.

An appellant may withdraw an appeal. A request for withdrawal shall be in writing and the Board shall serve a copy on:

- (1) the official whose decision is being appealed;
- (2) the County Attorney; and
- (3) all parties of record to the proceedings and their attorneys.

(Bill No. 53-86; Bill No. 12-88; Bill No. 22-90; Bill No. 99-93; Bill No. 19-13; Bill No. 13-21)

Rule 3-103. Request for postponement.

(a) **Generally.** Any party to an appeal may, in writing, request a postponement of a scheduled hearing. A request for postponement may not be granted except for good cause shown.

(b) **Form of request; decision.** A request for postponement shall be in writing, stating in detail the reasons the postponement is desired. The request shall include a statement by the party making the request, agreeing to pay any additional expenses incurred if the postponement is granted, including readvertising, costs of the official stenographer, and other reasonable administrative costs as assessed by the Board. Copies of all requests shall be mailed to all parties and attorneys of record and to the County Attorney. The request for postponement shall be decided by a majority vote of a quorum of the Board.

(c) **Six month limit.** The Board shall hear an appeal within six months from the date of the filing thereof, unless the Board waives this requirement upon good cause shown.

(Bill No. 53-86; Bill No. 12-88; Bill No. 99-93; Bill No. 14-01; Bill No. 13-21)

Rule 3-104. Prehearing procedure.

(a) **Generally.** There shall be no prehearing procedure before the County Board of Appeals except as follows:

- (1) motion to determine standing;
- (2) motion to dismiss for lack of jurisdiction;
- (3) request for postponement pursuant to Rule 3-103 or for advancement pursuant to Rule 2-102;
- (4) request for waiver of six-month hearing requirement pursuant to Rule 3-103; or
- (5) request for withdrawal of an appeal pursuant to Rule 3-102.

(b) **Ex parte communications.** In accordance with § 3-1-106 of the Anne Arundel County Code, a party, attorney, spokesperson, or representative of any party or any other person may not communicate ex parte or confer privately with any member of the County Board of Appeals concerning any appeal. Any information sought by an interested party shall be directed to the Clerk of the Board or to the Attorney to the Board. A member of the Board may not communicate with any party, attorney, spokesperson or representative of any party, or other person outside of the hearing room concerning any appeal until after the Board is divested of jurisdiction in the case.

(c) **Penalties.** Any person who violates a provision of subsection (b) shall be subject to the penalties set forth in § 9-1-101 of the Anne Arundel County Code.

(Bill No. 53-86; Bill No. 99-93; Bill No. 14-01)

Rule 3-105. Depositions and discovery.

There shall be no depositions or discovery.

(Bill No. 53-86)

TITLE 4. HEARINGS

Rule 4-101. Conduct of hearings.

(a) **Generally.** All hearings before the County Board of Appeals shall be public. No hearing shall be private even though all parties agree. All witnesses shall testify under oath, administered by the Chair, the Clerk or the Assistant Clerk. All persons attending the meeting who decline to testify may sign the witness list and thereby be provided with notice of all future proceedings involving the appeal.

(b) **Stenographer and transcripts.** The Board shall furnish an official stenographer for taking testimony of the hearing in all appeals. Anyone desiring a transcript of the testimony may obtain a copy from the official stenographer and shall bear the full cost. The Board is not required to furnish a stenographer during an on-site inspection conducted pursuant to subsection (g).

(c) **Continuance.** A continuance, if requested by any party, may be granted by majority vote of the Board for good cause shown. If a case is continued for more than 30 days, the case shall be readvertised at the sole expense of the party requesting the continuance.

(d) **Presentation of evidence.** Evidence at the public hearing shall be presented first by the applicants, then by persons in opposition, and lastly by the County agency involved, unless otherwise designated by the Board.

(e) **Hearing procedures.** The Chair shall regulate the course of the hearing and shall rule upon procedural matters and objections made during the course of the hearing. Counsel to the Board shall be present at all hearings to advise the Board on legal and procedural issues.

(f) **Recess.** A hearing may be recessed from time to time for good cause shown and if the time and place of the recessed hearing is announced publicly. No further notice of the recessed hearing shall be required.

(g) **Site visits.** Upon request of any party or upon its own motion, Board members may visit the site which is the subject of the appeal. Parties and their representatives may be present to observe, but no testimony may be taken. The parties or their representatives are prohibited from engaging in any discussion with Board members at the site visit. Board members are prohibited from engaging in any discussion with the parties or their representatives at the site visit. A member who has not participated in the site visit prior to the Board's vote on the appeal may not participate in the decision.

(h) **Appeals from decisions where applicant did not appear.** If a case is appealed to the Board from a decision of the Administrative Hearing Officer, and the Board determines that the Administrative Hearing Officer's decision was based on the failure of the applicant to appear either in person or by representation, the Board first shall determine if the decision of the Administrative Hearing Officer to dismiss the application was proper. If the Board determines that the decision of the Administrative Hearing Officer to dismiss the application was not proper, the Board shall proceed to hear the appeal on its merits.

(Bill No. 53-86; Bill No. 22-90; Bill No. 99-93; Bill No. 32-97; Bill No. 14-01; Bill No. 5-10)

Rule 4-102. Disqualification and discipline of Board members.

(a) **Disqualification.** A member of the Board may not participate in any matter or proceeding before the Board, except in the exercise of an administrative or ministerial duty which does not affect the disposition or decision with respect to that matter, if, to the member's knowledge, the member or the member's spouse, or any relative of the member or the member's spouse within the third degree of consanguinity, or the spouse of any such relative, has an interest therein as that term is defined in § 7-1-101 of the Anne Arundel County Code or if any of the following is a party thereto:

(1) any business entity in which the member has a direct financial interest as that term is defined in § 7-1-101 of the Anne Arundel County Code of which the member may reasonably be expected to know;

(2) any business entity of which the member is an officer, director, trustee, partner, or employee, or in which the member knows any of the above-listed relatives has such interest;

(3) any business entity with which the member or, to the member's knowledge, any of the above-listed relatives is negotiating or has any arrangement concerning prospective employment;

(4) any business entity which is a party to an existing contract with the member or which the member knows is a party to a contract with any of the above-named relatives, if the contract could reasonably be expected to result in a conflict between the private interests of the member and the member's official County duties;

(5) any entity, either engaged in a transaction with the County or doing business with the County, in which a direct financial interest is owned by another entity in which the member has a direct financial interest if the member may reasonably be expected to know of both financial interests;

(6) any business entity which the member knows is the member's creditor or obligee, or that any of the above-named relatives, with respect to a thing of economic value and which, by reason thereof, is in a position to affect directly and substantially the interest of the member or any of the above-named relatives.

(b) **Disclosure of ex parte communications or special knowledge.** A member of the Board shall reveal on the record any ex parte communications or special knowledge concerning a matter before the Board.

(c) **Disqualification.** A member of the Board may choose to determine his or her disqualification for bias, conflict of interest, or for other good cause. Upon doing so, that member shall be prohibited from participating in any further proceedings relating to the case. If a Board member's participation in the case is challenged by a party to the appeal for alleged bias, conflict of interest, or other good cause, and if the member declines to disqualify himself or herself, the remaining Board members participating in the appeal shall decide by majority vote whether or not the member shall be disqualified.

(d) **Complaints.** Whenever a complaint against a member of the Board is filed pursuant to § 3-1-103 of the Anne Arundel County Code, the following procedures shall apply:

(1) The Clerk shall notify all members of the Board that an affidavit has been filed charging a member of the Board with a violation of the Anne Arundel County Code or of these rules. No information about the allegations, the contents of the affidavit, or the fact that it has been filed may be released to any person other than the individual filing the affidavit, the Board members, and the attorney to the Board. After a hearing has been scheduled before the County Council, the Clerk may release the contents of the affidavit and the fact that it has been filed. No other information may be released.

(2) During the confidential meeting of the Board to discuss the allegation, only the complainant, Board members, Clerk to the Board, and attorney to the Board may be present. The Board shall hear from the complainant and from the member or members against whom the allegation was made. The meeting may be conducted in an informal manner, in the discretion of the Board member chairing the meeting.

(3) If at least four Board members determine that there is a reasonable belief that there has been a violation as alleged, the Board shall transmit the affidavit, any pertinent documents relating to the allegation, and the minutes of the confidential meeting to the County Council for a public hearing on the merits of the complaint. If the Board does not determine that there is a reasonable belief that there has been a violation, the matter shall be considered closed and no information regarding the allegation may be released to the public.

(Bill No. 53-86; Bill No. 99-93)

Rule 4-103. Subpoenas.

(a) **Powers of the Board.** The County Board of Appeals shall have the power to issue subpoenas to compel the appearance of witnesses, and to require the production of documentary or other tangible evidence.

(b) **Issuance.** The Board may cause subpoenas and subpoenas duces tecum to be issued upon its own motion, or upon the application of any party to any hearing; but any such application shall be in writing and shall set

forth the persons, books, papers or other documents to be produced and a general statement as to the purpose of the subpoena.

(c) **Procedures.** Subpoena procedures shall be in accordance with § 1-2-101 of the Anne Arundel County Code. If a party requesting a subpoena elects to have the subpoena served by the Sheriff, the party requesting the subpoena shall be responsible for paying any fee for service imposed by the Sheriff. Affidavits of service shall be filed with the Clerk to the Board prior to the commencement of the hearing.

(Bill No. 53-86; Bill No. 99-93; Bill No. 19-13)

Rule 4-104. Evidence.

(a) **Generally.** The Chair may admit evidence which possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs. The Chair shall give effect to the rules of privilege recognized by law. The Chair may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.

(b) **Documentary evidence.** Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. Exhibits and plats admitted into evidence may not be mounted and shall be folded to a maximum size of nine inches by 14 inches. An exact duplicate of the exhibit may be mounted and used for presentation.

(c) **Cross-examination.** The parties shall have the opportunity to cross-examine witnesses. The Chair shall permit a representative or representatives of persons in opposition the opportunity to conduct cross-examination.

(d) **Authority to testify.** The Chair may question witnesses testifying as representatives of associations as to their authorization to testify on behalf of the association, and may permit cross-examination as to the authorization by those representing parties to the appeal.

(e) **Expert witnesses.** The Chairman may qualify expert witnesses on the basis that their testimony, in the form of an opinion or otherwise, will assist the Board in understanding evidence or determining a fact at issue. In making the qualification, the Chairman shall consider (1) whether the witness is qualified as an expert by knowledge, skill, experience, training or education; (2) the appropriateness of the testimony for the particular case; and (3) whether sufficient facts exist to support the testimony.

(Bill No. 53-86; Bill No. 22-90; Bill No. 99-93; Bill No. 5-10)

Rule 4-105. Findings and conclusions.

(a) **Generally.** Within 60 days after the termination of the hearing, the County Board of Appeals shall prepare and file in the proceedings a written succinct memorandum of opinion, including its findings and conclusions. If the Board determines that more than 60 days are required, the Clerk shall so notify the parties. For purposes of this subsection, a hearing shall be considered terminated upon the closing of testimony, the conducting of an on-site inspection, or the submission of any final items of evidence or written arguments pursuant to an order of the Board, whichever shall occur last. The Board's decision shall rest entirely upon the pleadings and the evidence.

(b) **Revisions and corrections.** At any time within 30 days after the filing of the memorandum and in the absence of an appeal to the Circuit Court for Anne Arundel County, the Board may revise and submit a written memorandum to correct clerical or other errors of form, providing such corrections make no change of substance in the memorandum. The revised memorandum shall be furnished to all parties and attorneys of record.

(c) **Copies of decisions.** The Board shall furnish copies of all orders and opinions to all parties to the proceedings or their attorneys of record. Any opinions rendered by the Board shall include a summary of pleadings, a summary of the evidence, findings of fact, and the basis for the conclusion reached by the Board. Any orders rendered by the Board shall be approved as to form by the attorney to the Board.

(Bill No. 53-86; Bill No. 22-90; Bill No. 99-93)

Rule 4-106. Virtual or remote hearings; meetings; calculation of time.

(a) **Generally.** When the Chair of the Board determines that emergency or extenuating circumstances exist, the Board shall be permitted to conduct hearings in a virtual or remote format.

(b) **Notice.** The notice of the hearing or the Board's website, or both, shall state that the hearing will be held virtually and shall state the time, date, virtual location, and registration information.

(c) **Public access.** The Board shall ensure that the public has the ability to listen to the proceeding through remote electronic means.

(d) **Hearing participants.** All interested participants, parties, and proposed witnesses shall register with the Board prior to the hearing using the options for registration set forth in the notice of the hearing or on the Board's website. All persons must be shown using their full name or name on record while in the virtual or remote hearing. Each witness shall enable and use both video and audio at all times during their testimony. All viewable participants in the hearing shall wear appropriate attire and present themselves as they would if they were appearing in a physical hearing room. All participants shall ensure that there will be no interruptions or distractions for the duration of their appearance at the hearing.

(e) **Right to object to virtual or remote hearings.**

(1) **Generally.** Any party to an appeal may object in writing to a hearing being conducted in a virtual or remote format. An objection to a virtual or remote hearing may not be granted except for good cause shown.

(2) **Form of request; decision.** An objection to a virtual or remote hearing format shall be in writing, stating in detail the reasons for the objection. The objection shall include a statement by the party objecting that the party agrees to pay any additional expenses incurred if the objection is granted, including readvertising, costs of the official stenographer, and other reasonable administrative costs as assessed by the Board. Copies of the objection shall be mailed or emailed by the Clerk to all parties and attorneys of record and to the County Attorney. The objection to a virtual or remote hearing format shall be decided by a majority vote of a quorum of the Board.

(f) **Exhibits.** All participants shall pre-file proposed exhibits at least seven (7) calendar days in advance of the virtual or remote hearing through the options for filing set forth in the notice of the hearing or on the Board's website. The Chair may allow exhibits not submitted prior to the hearing to be used at the hearing, such as documents used to impeach a witness or for rebuttal. At the Chair's discretion, the Chair may permit a party to transmit an exhibit to the Board during the hearing by email or other method approved by the Chair. Upon the conclusion of the hearing, the Clerk of the Board may not be obligated to maintain any proposed exhibits that were not made part of the record and may delete them from an e-mail inbox, virtual drop box, or other virtual storage folder at the Clerk's convenience.

(g) **Calculation of dates during state of emergency.** If the office of the Board is closed to the public due to a state of emergency, appeals and evidence shall be delivered through the options for filing set forth on the Board's website. If the delivery date of any items received by the Board cannot be immediately determined, the delivery date shall be presumed to be the next business day after the Clerk last received deliveries.

(Bill No. 13-21)

TITLE 5. APPEALS

Rule 5-101. Appeals from decisions of the Board.

(a) **Generally.** All appeals from decisions of the County Board of Appeals shall be in accordance with the provisions of § 604 of the Charter of Anne Arundel County and the Maryland Rules of Procedure.

(b) **Notice.** Upon receipt of the copy of the first petition for judicial review filed with the Court and unless otherwise ordered by the Court, the Clerk to the Board shall give written notice promptly by ordinary mail to all parties to the Board's proceedings that a petition for judicial review has been filed, the date of the filing, the

name of the Court, and the civil action number and that a party wishing to oppose the petition must file a response within 30 days after the date the notice was mailed unless the Court shortens or extends the time. The Clerk shall file with the Court a certificate of compliance with this requirement, pursuant to Maryland Rule 7-202(e).

(c) **Transmittal of Record to the Court.** Within 60 days after the agency receives the first petition for judicial review, unless the time is extended or shortened by the Court, the Clerk shall file with the Circuit Court the record as required by Maryland Rule 7-206.

(Bill No. 53-86; Bill No. 14-01; Bill No. 19-13)

REFERENCE TABLE

This table shows the location of State Law references and Bills contained in the Rules of Practice and Procedure of the County Board of Appeals.

<i>State Law Cite</i>	<i>Location</i>
Maryland Rule 7-202(e)	Rule 5-101

<i>Bill Number</i>	<i>Disposition</i>
<i>Bill Number</i>	<i>Disposition</i>
53-86	1-101 to 1-105, 2-101 to 2-105, 3-101 to 3-105, 4-101 to 4-105, 5-101
12-88	2-101 to 2-104, 3-102, 3-103
22-90	1-103, 2-101, 2-103, 2-104, 3-102, 4-101, 4-104, 4-105
43-92	2-103
99-93	1-103, 1-105, 2-101, 2-103, 2-104, 3-102 to 3-104, 4-101 to 4-105
32-97	1-103, 2-101, 4-101
14-01	2-101, 2-103, 3-103, 3-104, 4-101, 5-101
5-10	1-103, 1-105, 2-101, 2-104, 4-101, 4-104
19-13	3-102, 4-103, 5-101
80-17	1-103, 3-102, 3-103, 4-106