

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2017, Legislative Day No. \_\_\_\_

Bill No. \_\_\_\_-17

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Mr. David Marks, Councilman

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By the County Council, \_\_\_\_\_, 2017

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A BILL  
ENTITLED

AN ACT concerning

County Charter – Administrative Services – Departments

FOR the purpose of amending the County Charter to rename the Department of Public Works to be the Department of Transportation and Infrastructure, altering the qualifications of the Director of the Department, and modifying the functions of the Department.

BY repealing and re-enacting, with amendments

Sections 504(1), 525, 526, and 527  
Article V – The Administrative Services  
Baltimore County Charter

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike-out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that under the authority granted by Article XII - Manner of  
3 Terminating This Charter and Making Amendments Thereto, Section 1202 of the Baltimore  
4 County Charter, that Sections 504(1), 525, 526, and 527 of the Baltimore County Charter are  
5 hereby repealed and re-enacted, and proposed to read as follows:

6 Article V. The Administrative Services.

7 Division 1. Outline of the Organization.

8 § 504. Departments.

9 There shall be the following departments in the administrative services:

10 (1) Department of [public works] TRANSPORTATION AND INFRASTRUCTURE.

11 Division 3. Departments in the Administrative Services.

12 Subdivision 1. Department of [Public Works] TRANSPORTATION AND  
13 INFRASTRUCTURE.

14 § 525. Director of [public works] TRANSPORTATION AND INFRASTRUCTURE.

15 The department of [public works] TRANSPORTATION AND INFRASTRUCTURE  
16 shall be administered by the director of [public works] TRANSPORTATION AND  
17 INFRASTRUCTURE who shall be a professional engineer registered under the laws of this state,  
18 and shall have had responsible charge of engineering works over a period of at least ten years,  
19 INCLUDING THE PLANNING AND IMPLEMENTATION OF PEDESTRIAN AND  
20 BICYCLE MOBILITY AND TRAFFIC CALMING, prior to his appointment. He shall have  
21 such other qualifications as may be provided by law. He shall be appointed solely with regard to

1 his qualifications for the duties of his office and shall be responsible directly to the county  
2 administrative officer.

3 § 526. Functions of department of [public works] TRANSPORTATION AND  
4 INFRASTRUCTURE.

5 The department of [public works] TRANSPORTATION AND INFRASTRUCTURE  
6 shall have and perform such functions and duties as may be provided from time to time in the  
7 public local laws of Baltimore County, with the exception, however, of all functions of the  
8 zoning commissioner and those relating to building permits and building and zoning laws and  
9 regulations. The department shall have such other functions as may be provided by directive of  
10 the county administrative officer or by legislative act of the county council not inconsistent with  
11 this Charter or the provisions of applicable law.

12 In addition thereto, the department of [public works] TRANSPORTATION AND  
13 INFRASTRUCTURE shall be responsible for MOBILITY, traffic safety, and engineering  
14 USING A VARIETY OF TRANSPORTATION OPTIONS INCLUDING HIGHWAYS, BIKE  
15 LANES, PEDESTRIAN IMPROVEMENTS, AND TRANSIT WHERE APPROPRIATE, and is  
16 hereby granted full power and authority and directed to promulgate and adopt such rules and  
17 regulations relating to the standing or parking of motor vehicles and movement of vehicular and  
18 pedestrian traffic as may be necessary or desirable to create and maintain the safe and expeditious  
19 movement of traffic throughout Baltimore County: provided, however, that no rule or regulation  
20 promulgated by the director under such power and authority shall be deemed valid or effective  
21 until the expiration of forty-five days written notice of the promulgation of the same to the  
22 county council. The county council shall at all times have the power to repeal, amend, or modify  
23 any rules and regulations promulgated in accordance with this provision and to enact, amend, or

1 repeal laws relating to such matters on its own initiative.

2 § 527. The Metropolitan District.

3 As provided in Article III, Section 307 of this Charter, the Metropolitan District shall  
4 continue as heretofore to be administered as a division of the department of [public works]  
5 TRANSPORTATION AND INFRASTRUCTURE. Nothing in this Charter contained, however,  
6 shall be held or construed as preventing the county administrative officer, by directive, or the  
7 county council, by legislative act, from recognizing the Metropolitan District as a separate  
8 department or from transferring its duties and functions, in whole or in part, to other offices and  
9 departments in the administrative services of the county to the extent permitted by law.

10 SECTION 2. AND BE IT FURTHER ENACTED, that pursuant to Section 1202 of the  
11 Baltimore County Charter, the question whether or not the Charter is to be amended as proposed  
12 by this Act shall be submitted to the voters of Baltimore County at the general election on  
13 November 6, 2018, and that this Act shall be published in at least two newspapers of general  
14 circulation in the County for five successive weeks prior to the election.

15 SECTION 3. AND BE IT FURTHER ENACTED, that upon ratification by the voters of  
16 Baltimore County, this Act shall become effective from and after the thirtieth day following said  
17 election.

18 SECTION 4. AND BE IT FURTHER ENACTED, that except as expressly provided to  
19 the contrary in this Act, any transaction or property interest affected by or flowing from any  
20 change of nomenclature or any provision of the Charter or statute amended, repealed, or  
21 transferred by this Act and validly entered into or existing before the effective date of this Act  
22 and every right, duty, or interest flowing from the statute, remains valid after the effective date of  
23 this Act and may be terminated, completed, consummated, or enforced as required or allowed by

1 any provision of the Charter or statute amended, repealed, or transferred by this Act as though the  
2 repeal, amendment, or transfer had not occurred. If the change in nomenclature involves a change  
3 in name or designation of any County unit, the successor unit shall be considered in all respects  
4 as having the powers and obligations granted the former unit.

5 SECTION 5. AND BE IT FURTHER ENACTED, that except as expressly provided in  
6 this Act, the continuity of every commission, office, department, agency, bureau, or other unit in  
7 existence on the effective date of this Act is retained. The personnel, records, files, furniture,  
8 fixtures, and other properties and all appropriations, credits, assets, liabilities, and obligations of  
9 each retained unit are continued as the personnel, records, files, furniture, fixtures, properties,  
10 appropriations, credits, assets, liabilities, and obligations of the unit under the laws enacted by  
11 this Act.

12 SECTION 6. AND BE IT FURTHER ENACTED, that except as expressly provided to  
13 the contrary in this Act, any person licensed, registered, certified, or issued a permit or certificate  
14 by any commission, office, department, agency, bureau, or other unit established or continued by  
15 any provision of the Charter or statute amended, repealed, or transferred by this Act is considered  
16 for all purposes to be licensed, registered, certified, or issued a permit or certificate by the  
17 appropriate unit continued under this Act for the duration of the term for which the license,  
18 registration, certification, or permit was issued, and may renew that authorization in accordance  
19 with the appropriate renewal provisions.

20 SECTION 7. AND BE IT FURTHER ENACTED, that notwithstanding any references in  
21 any other Codes, Regulations, Policies, Laws, Ordinances, or the County Code, the name of the  
22 Department that will replace the Department of Public Works shall be the “Department of  
23 Transportation and Infrastructure” and the publishers of the Baltimore County Code, 2015 and

1 the Baltimore County Zoning Regulations shall hereafter publish every new reference to the  
2 Department or Director of Public Works as the Department or Director of Transportation and  
3 Infrastructure.

Proposed Bill - Charter Change - DPW to Trans&Infstrctr (Marks).wpd