

Introduced \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

## County Council Of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 8

### Bill No. 47 -2011

Introduced by: The Chairperson at the request of the County Executive

AN ACT, pursuant to the Stormwater Management Act of 2007, amending certain stormwater management regulations in the Howard County Code, amending certain definitions, defining certain term, referring to various stages instead of plans, removing certain alternative compliance, clarifying certain waiver provisions and allowing alternative measures instead of alternative compliance, providing that the Howard County Design Manual shall contain certain provisions, making certain technical corrections, and generally relating to stormwater management requirements in Howard County.

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Introduced and read first time \_\_\_\_\_, 2011. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2011.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

This Bill was read the third time on \_\_\_\_\_, 2011 and Passed \_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_ day of \_\_\_\_\_, 2011 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2011

\_\_\_\_\_  
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the  
2 Howard County Code is amended as follows:

3

4 *By amending:*

5 *Title 18 – Public Works*

6 *Section 18.901 “Definitions”*

7

8 *By amending:*

9 *Title 18 – Public Works*

10 *Section 18.902 “Applicability”*

11

12 *By amending:*

13 *Title 18 – Public Works*

14 *Section 18.902A “Requirement to provide stormwater management measures,*  
15 *exemptions”*

16

17 *By amending:*

18 *Title 18 – Public Works*

19 *Section 18.903 “Design criteria; Minimum control requirements; alternatives”*

20

21 *By amending subsections (a) and (g) of*

22 *Title 18 – Public Works*

23 *Section 18.904 “Stormwater Management Measures”*

24

25 *By amending:*

26 *Title 18 – Public Works*

27 *Section 18.905 “Stormwater Management Plans”*

28

29 *By amending:*

30 *Title 18 – Public Works*

31 *Section 18.906 “Grading or Building Permits”*

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*By repealing:*  
*Title 18 – Public Works*  
*Section 18.907 “Stormwater Management Alternative Compliance”*

*By amending:*  
*Title 18 – Public Works*  
*Section 18.908 “Stormwater Management Waivers; Watershed Management Plans”*

*By amending:*  
*Title 18 – Public Works*  
*Section 18.910 “Redevelopment”*

*By amending subsection (d) of:*  
*Title 18 – Public Works*  
*Section 18.911 “Performance Bond”*

*By amending:*  
*Title 18 – Public Works*  
*Section 18.912 “Inspection”*

*By amending:*  
*Title 18 – Public Works*  
*Section 18.914 “Maintenance”*

*By repealing and reenacting:*  
*Title 18 – Public Works*  
*Section 18.915 “Appeals”*

*By amending:*

1            *Title 18 – Public Works*  
2            *Section 18.916 “Penalties”*

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**Title 18. Public Works.**  
**Subtitle 9. Stormwater management.**

7    **Section 18.901. Definitions.**

8    The following terms have the meanings indicated:

9    (a) *Administration* means the Maryland Department of the Environment (MDE) Water  
10    Management Administration (WMA).

11    (b) *Adverse impact* means any deleterious effect on waters or wetlands, including their  
12    quality, quantity, surface area, species composition, aesthetics or usefulness for human or  
13    natural uses which are or may potentially be harmful or injurious to human health,  
14    welfare, safety or property, to biological productivity, diversity or stability, or which  
15    unreasonably interfere with the enjoyment of life or property, including outdoor  
16    recreation.

17    (c) *Agricultural land management practices* means those methods and procedures used in  
18    the cultivation of land in order to further crop and livestock production and conservation  
19    of related soil and water resources.

20    (d) *Applicant* means a person, firm, or governmental agency who executes the necessary  
21    documentation to procure official approval of a project to carry out construction activities  
22    involving stormwater management systems.

23    (e) *Approving agency* means the entity responsible for the review and approval of  
24    stormwater management plans. As set forth in the Howard County Design Manual and  
25    depending on the nature of the project, the approving agency is the Department of  
26    Planning and Zoning or the Department of Public Works.

27    (f) *Best management practice (BMP)* means any structural device or nonstructural  
28    practice designed to temporarily store or treat stormwater runoff in order to mitigate  
29    flooding, reduce pollution, or provide other amenities.

1 (g) *Channel protection storage volume (cPv)* means the volume used to design structural  
2 management practices to control stream channel erosion. Methods for calculating the  
3 channel protection storage volume are specified in the 2000 Maryland Stormwater  
4 Design Manual.

5 (h) *Clearing* means the removal of trees and brush from the land, but shall not include the  
6 ordinary moving of grass.

7 [[(i) *Concept plan* means the first of three required plan approvals that includes the  
8 information necessary to allow an initial evaluation of a proposed project.]]

9 (I) *CONCEPT STAGE* MEANS THE FIRST STAGE OF THE STORMWATER MANAGEMENT DESIGN  
10 PROCESS. APPROVAL OF THE ENVIRONMENTAL CONCEPT PLAN CONSTITUTES THE  
11 APPROVAL OF THE CONCEPT STAGE.

12 (j) *County* means Howard County, Maryland.

13 (k) *Design manual* means the 2000 Maryland Stormwater Design Manual, and all  
14 subsequent revisions, that serves as the official guide for stormwater management  
15 principles, methods, and practices. The 2000 Maryland Stormwater Design Manual may  
16 be supplemented by the Howard County Design Manual.

17 (l) *Develop land* means to change the runoff characteristics of a parcel of land or lot in  
18 conjunction with residential, commercial, industrial, or institutional construction or  
19 alteration.

20 (m) *Drainage area* means an area contributing runoff to a single point measured in a  
21 horizontal plane, which is enclosed by a ridge line.

22 (n) *Easement* means a grant or reservation by the owner of land for the use of such land  
23 by others for a specific purpose, and which shall be recorded in the land records of  
24 Howard County.

25 (O) *ENVIRONMENTAL CONCEPT PLAN* MEANS THE FIRST OF THREE REQUIRED PLAN  
26 APPROVALS THAT INCLUDES THE INFORMATION NECESSARY TO ALLOW AN INITIAL  
27 EVALUATION OF A PROPOSED PROJECT.

28 ([[o]]P) *Environmental site design (ESD)* means using small-scale stormwater  
29 management practices, nonstructural techniques, and better site planning to mimic natural

1 hydrologic runoff characteristics and minimize the impact of land development on water  
2 resources. Methods for designing ESD practices are specified in the design manual.

3 ([[p]]Q) *Exemption* means those land development activities that are not subject to the  
4 stormwater management requirements of this subtitle.

5 ([[q]]R) *Extended detention* means a stormwater design feature that provides gradual  
6 release of a volume of water in order to increase settling of pollutants and protect  
7 downstream channels from frequent storm events. Methods for designing extended  
8 detention BMPs are specified in the design manual.

9 ([[r]]S) *Extreme flood volume ( $Q_f$ )* means the storage volume required to control those  
10 infrequent but large storm events in which the overbank flows reach or exceed the  
11 boundaries of the 100-year floodplain.

12 (T) *FINAL STAGE* MEANS THE THIRD STAGE OF THE STORMWATER MANAGEMENT DESIGN  
13 PROCESS. APPROVAL OF THE GRADING PLAN CONSTITUTES THE APPROVAL OF THE FINAL  
14 STAGE.

15 [[(s) *Final stormwater management plan* means the last of a multi-step plan-approval  
16 process that includes the information necessary to allow all approvals and permits to be  
17 issued by the approving agency.]]

18 ([[t]]U) *Flow attenuation* means prolonging the flow time of runoff to reduce the peak  
19 discharge.

20 ([[u]]V) *Grading* means any act by which soil is cleared, stripped, stockpiled, excavated,  
21 scarified, filled, or any combination thereof.

22 (W) *GRADING PLAN* MEANS THE LAST OF A MULTI-STEP PLAN-APPROVAL PROCESS THAT  
23 INCLUDES THE INFORMATION NECESSARY TO ALLOW ALL APPROVALS AND PERMITS TO BE  
24 ISSUED BY THE APPROVING AGENCY.

25 ([[v]]X) *Impervious area* means any surface that does not allow stormwater to infiltrate  
26 into the ground.

27 ([[w]]Y) *Infiltration* means the passage or movement of water into the soil surface.

28 ([[x]]Z) *Maximum extent practicable (MEP)* means designing stormwater management  
29 systems so that all reasonable opportunities for using ESD planning techniques and

1 treatment practices are exhausted and, only where absolutely necessary, implementing a  
2 structural BMP.

3 ([[y]]AA) *Off-site stormwater management* means the design and construction of a facility  
4 necessary to control stormwater from one or more properties other than the one on which  
5 the stormwater management facility lies.

6 ([[z]]BB) *On-site stormwater management* means the design and construction of a facility  
7 necessary to control stormwater from one property within the boundary of the subject  
8 property.

9 ([[aa]]CC) *Overbank flood protection volume ( $Q_p$ )* means the volume controlled by  
10 structural practices to prevent an increase in the frequency of the out of bank flooding by  
11 development. Methods for calculating the overbank flood protection volume are specified  
12 in the design manual.

13 ([[bb]]DD) *Person* means the Federal Government, the State, any County, Municipal  
14 Corporation, or other political subdivision of the State, or any of their units; an  
15 individual, receiver, trustee, guardian, executor, administrator, fiduciary, or  
16 representative of any kind; or any partnership, firm, association, public or private  
17 corporation, or any other entity.

18 ([[cc]]EE) *Planning techniques* means a combination of strategies employed early in  
19 project design to reduce the impact from development and to incorporate natural features  
20 into a stormwater management plan.

21 ([[dd]]FF) *Private stormwater management facility* means any best management practice  
22 which is not to be owned and maintained by the County.

23 ([[ee]]GG) *Recharge volume ( $RE_v$ )* means that portion of the water quality volume used to  
24 maintain groundwater recharge rates at development sites. Methods for calculating the  
25 recharge volume are specified in the design manual.

26 ([[ff]]HH) *Redevelopment* means any construction, alteration, or improvement performed  
27 on sites where existing site impervious area exceeds 40 percent and where existing land  
28 use is commercial, industrial, institutional, or multifamily.

29 ([[gg]]II) *Retrofitting* means the implementation of ESD practices, the construction of a  
30 structural BMP in a previously developed area, the modification of an existing structural

1 BMP, or the implementation of a nonstructural practice to improve water quality over  
2 current conditions.

3 ([[hh]]JJ) *Sediment* means soil or other surficial materials transported or deposited by the  
4 action of wind, water, ice, or gravity as a product of erosion.

5 ([[ii]]KK) *Site* means a tract of land, lot or parcel of land or combination of tracts, lots, or  
6 parcels of land, which are in one ownership, or are contiguous and in diverse ownership  
7 where development is to be performed as part of a unit, subdivision or project.

8 (LL) *SITE DEVELOPMENT STAGE* MEANS THE SECOND STAGE OF THE STORMWATER  
9 MANAGEMENT DESIGN PROCESS. APPROVAL OF ONE OF THE FOLLOWING PLANS  
10 CONSTITUTES THE APPROVAL OF THE SITE DEVELOPMENT STAGE: SKETCH PLAN,  
11 PRELIMINARY PLAN, PRELIMINARY EQUIVALENT SKETCH PLAN, FINAL PLAN, OR SITE  
12 DEVELOPMENT PLAN AS DEFINED IN SECTION 16.108 OF THE HOWARD COUNTY  
13 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. THE APPLICABLE PLAN WILL ACT  
14 AS THE SECOND OF THREE REQUIRED PLAN APPROVALS THAT INCLUDE THE INFORMATION  
15 NECESSARY TO ALLOW A DETAILED EVALUATION OF A PROPOSED PROJECT.

16 ([[jj]]MM) *Stabilization* means the prevention of soil movement by any of various  
17 vegetative or structural means.

18 [[(kk) *Stormwater management alternative compliance* means the modification of the  
19 minimum design requirements for specific circumstances such that strict adherence to the  
20 requirements would result in an unnecessary hardship and not fulfill the intent of this  
21 subtitle. ]]

22 (NN) *STORMWATER MANAGEMENT DESIGN PROCESS* MEANS THE THREE STAGE PROCESS  
23 REQUIRED BY MDE FOR THE REVIEW OF STORMWATER MANAGEMENT. THE THREE STAGES  
24 INCLUDE CONCEPT, SITE DEVELOPMENT AND FINAL STAGES AS DEFINED HEREIN.

25 ([[ll]]OO) *Stormwater management system* means natural areas, ESD practices,  
26 stormwater management measures, and any other structure through which stormwater  
27 flows, infiltrates, or discharges from a site.

28 [[(mm) *Stormwater management plan* means a set of drawings or other documents  
29 included as part of a proposal submitted under the subdivision and land development  
30 regulations as a prerequisite to obtaining a stormwater management approval and which

1 contain all of the information and specification required by the Department of Public  
2 Works and the Department of Planning and Zoning. These drawings or documents may  
3 be a part of the roads, storm drain and sediment control documents and/or drawings,  
4 including final road construction plans and site development plans. ]]

5 [[(nn) *Stormwater management waiver* means the reduction of stormwater management  
6 requirements for a specific development on a case-by-case basis.]]

7 ([[oo]]PP) *Stripping* means any activity which removes the vegetative cover including  
8 tree removal, clearing, grubbing, and storage or removal of topsoil.

9 (QQ) *WAIVER* MEANS THE REDUCTION OF STORMWATER MANAGEMENT REQUIREMENTS FOR  
10 A SPECIFIC DEVELOPMENT ON A CASE-BY-CASE BASIS.

11 ([[pp]]RR) *Watershed* means the total drainage area contributing runoff to a single point.

12 ([[qq]]SS) *Watershed management plan* means a plan developed by the County for the  
13 purpose of implementing different stormwater management policies for waivers and  
14 redevelopment. A watershed management plan shall contain the items set forth in Section  
15 18.908 of this subtitle.

16 ([[rr]]TT) *Water quality volume (WQv)* means the storage needed to capture and treat the  
17 runoff from 90 percent of the average annual rainfall at a development site. Methods for  
18 calculating the water quality volume are specified in the design manual.

19

20 **Section 18.902. Applicability.**

21 (a) *Definitions.* For purposes of this section only, the following terms have the meanings  
22 indicated:

23 (1) *Approval* shall mean a documented action by the County following review  
24 to determine and acknowledge the sufficiency of submitted materials to  
25 meet the requirements of a specified stage in the development process.

26 *Approval* shall not mean an acknowledgement by the County that  
27 submitted materials have been received for review.

28 (2) *Final project approval* shall mean that the County has approved:

- 1 (i) The [[final stormwater management plan]] GRADING PLAN WHICH
- 2 INCLUDES FINAL STORMWATER AND EROSION AND SEDIMENT
- 3 CONTROL DESIGN; AND
- 4 (ii) [[The final erosion and sediment control plan for the project's
- 5 stormwater facilities; and
- 6 (iii)]] If applicable, bond or financing, or both, has been secured based
- 7 on the final plans for the development.

8 (3) Preliminary project approval shall mean projects for which [[the

9 following plans that have been reviewed by the subdivision review

10 committee and determined by]] the Department of Planning and Zoning

11 HAS REVIEWED AND DETERMINED THE PROJECT to be technically

12 complete[[:

- 13 (i) For projects that are subject to the subdivision process:
- 14 a. For major subdivisions, a sketch or preliminary equivalent
- 15 sketch plan; or
- 16 b. For minor subdivisions, a final plan; or
- 17 (ii) For projects that are not subject to the subdivision process, a site
- 18 development plan]].

19

20 A plan that has received preliminary project approval shall include the

21 following information:

- 22 (i) Number of planned dwelling units or lots and proposed density;
- 23 (ii) Proposed size and location of all land uses in the project;
- 24 (iii) A plan that identifies:
- 25 a. The proposed drainage patterns;
- 26 b. Locations of all points of discharge from the site; and
- 27 c. The type, location, and size of all stormwater management
- 28 controls based upon site-specific computations of
- 29 stormwater management requirements;

- 1 (iv) The proposed alignment, location, and construction type and  
2 standard for all proposed roads, access ways, and areas of  
3 vehicular travel;
- 4 (v) The general location, size, type, and adequacy of all infrastructure  
5 proposed for water and wastewater systems; and
- 6 (vi) Any other information deemed necessary by the County to  
7 adequately review the proposal.

8 (b) *APPLICABILITY*. [[Applicability]] this subtitle shall apply to all development projects,  
9 except projects that received preliminary project approval prior to May 4, 2010 are  
10 subject to stormwater management regulations in effect at the time of approval provided  
11 that:

- 12 (1) Final project approval is received prior to May 4, 2013; and
- 13 (2) Construction is complete prior to May 4, 2017.

14  
15 **Section 18.902A. Requirement to provide stormwater management measures,**  
16 **exemptions.**

17 (a) *Requirement to Provide*. A person shall not develop any land for residential,  
18 commercial, industrial, or institutional uses without providing stormwater management  
19 measures that control or manage runoff from such developments, except as provided  
20 within this subtitle. Stormwater management measures must be designed consistent with  
21 the design manual and constructed according to an approved plan for new development  
22 or redevelopment.

23 (b) *Exemptions*. [[A stormwater]] STORMWATER management [[plan]] is not required for:

- 24 (1) Additions or modifications to existing single-family detached residential  
25 structures that do not disturb over 5,000 square feet of land area;
- 26 (2) Developments that disturb less than 5,000 square feet of land area;
- 27 (3) Land development activities which are regulated under specific State laws  
28 regarding the management of stormwater; or
- 29 (4) Agricultural land management [[activities]] PRACTICES.

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1  
2 **Section 18.903. Design criteria; Minimum control requirements; alternatives.**

3 (a)The minimum control requirements established in this section and the design manual  
4 are as follows:

5 (1) The County shall require that the planning techniques, nonstructural  
6 practices, and design methods specified in the design manual be used to  
7 implement ESD to the MEP. The use of ESD planning techniques and  
8 treatment practices must be exhausted before any structural BMP is  
9 implemented. Stormwater management [[plans]] for development projects  
10 subject to this subtitle shall be designed using ESD sizing criteria,  
11 recharge volume, water quality volume, and channel protection storage  
12 volume criteria according to the design manual. The MEP standard is met  
13 when channel stability is maintained, predevelopment groundwater  
14 recharge is replicated, nonpoint source pollution is minimized, and  
15 structural stormwater management practices are used only if determined to  
16 be absolutely necessary.

17 (2) Control of the two-year and ten-year frequency storm event is required  
18 according to the design manual and all subsequent revisions if the County  
19 determines that additional stormwater management is necessary because  
20 historical flooding problems exist and downstream floodplain  
21 development and conveyance system design cannot be controlled.

22 (3) The County may require more than the minimum control requirements if:  
23 (i) Hydrologic or topographic conditions warrant; or  
24 (ii) Flooding, stream channel erosion, or water quality problems exist  
25 downstream from a proposed project.

26 (b)Stormwater management [[plans]] where applicable, shall be consistent with adopted  
27 and approved watershed management plans or flood management plans as approved by  
28 the Maryland Department of the Environment in accordance with the Flood Hazard  
29 Management Act of 1976.

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31

1 **Section 18.904. Stormwater Management Measures.**

2 (a) *Required.* The ESD planning techniques and treatment practices and structural  
3 stormwater management measures established in this subtitle and the design manual shall  
4 be used, either alone or in combination, in a stormwater management [[plan]] DESIGN. A  
5 developer shall demonstrate that ESD has been implemented to the MEP before the use  
6 of a structural BMP is considered in developing the stormwater management [[plan]]  
7 DESIGN.

8 (g) *Alternatives.* Alternative ESD planning techniques and treatment practices and  
9 structural stormwater measures may be used for new development runoff control if they  
10 meet the performance criteria established in the design manual and all subsequent  
11 revisions. Practices used for redevelopment projects shall be approved by the County.

12 ALL ALTERNATIVE ESD PRACTICES SHALL BE APPROVED BY THE ADMINISTRATION.

13

14 **Section 18.905. Stormwater Management [[Plans]] DESIGN PROCESS.**

15 [[(a) *Submission of Stormwater Management Plans.* Except as provided in subsection (c)  
16 of this section, for any proposed development, the owner or developer shall submit multi-  
17 step stormwater management plans to the County for review and approval as follows:

18 (1) Each plan submittal shall include the minimum content specified in  
19 subsection (d) of this section; and

20 (2) The following plans shall be submitted for:

21 (i) Projects subject to the subdivision process:

22 a. Environmental concept plan;

23 b. Sketch plan (if applicable);

24 c. Preliminary plan (if applicable);

25 d. Preliminary equivalent sketch (if applicable);

26 e. Final plan;

27 f. Site development plan (if applicable); and

28 g. Grading plan; and

- 1 (ii) Projects subject to the site development plan process without the  
2 subdivision process:
- 3 a. Environmental concept plan;
  - 4 b. Site development plan; and
  - 5 c. Grading plan.]]

6 [[(b)]] (A) *Review and Approval of Stormwater Management [[Plans]]*. The County shall  
7 perform a comprehensive review of the stormwater management [[plans]] for each step of  
8 plan review. THE COUNTY SHALL REMOVE DESIGN IMPEDIMENTS FROM THE REVIEW  
9 PROCESS THAT PROHIBIT THE IMPLEMENTATION OF ESD TO THE MEP UNLESS  
10 INCONSISTENT WITH PUBLIC SAFETY, HEALTH, AND THE PUBLIC WELFARE. Coordinated  
11 comments will be provided by the department of planning and zoning for each [[plan  
12 step]] DESIGN STAGE that reflects input from all appropriate agencies including, but not  
13 limited to, the Soil Conservation District (SCD), the Department of Public Works, and  
14 specific divisions within the Department of Planning and Zoning. All comments from the  
15 County and other appropriate agencies shall be addressed and approval received at each  
16 [[step]] STAGE of the project design before subsequent submissions.

17 [[(c) *Exceptions*. The following plan types are exempt from the submission of the  
18 environmental concept plan:

- 19 (1) Building permits with stormwater management plans previously reviewed  
20 and approved through another review process (i.e., subdivision or site  
21 development plans); and
- 22 (2) Redline revisions that do not require changes to stormwater  
23 management.]]

24 [[(d)]] (B) *Contents and Submission of Stormwater Management [[Plans]]*. Stormwater  
25 management [[plans]] DESIGN shall contain the following:

- 26 (1) [[For sites subject to the subdivision process or site development plan  
27 process, the owner or developer shall submit an environmental concept  
28 plan]] A CONCEPT STAGE that provides sufficient information for an initial  
29 assessment of the proposed project and whether stormwater management

1 can be provided according to this subtitle. Plans submitted for concept  
2 STAGE approval shall include, but are not limited to:

- 3 (i) A map at a scale specified by the Department of Planning and  
4 Zoning showing site location, existing natural features, water and  
5 other sensitive resources, topography, and natural drainage  
6 patterns;
- 7 (ii) The anticipated location of all proposed impervious areas,  
8 buildings, roadways, parking, sidewalks, utilities, and other site  
9 improvements;
- 10 (iii) The location of the proposed limit of disturbance, erodible soils,  
11 steep slopes, and areas to be protected during construction;
- 12 (iv) Preliminary estimates of stormwater management requirements,  
13 the selection and location of ESD practices to be used, and the  
14 location of all points of discharge from the site;
- 15 (v) A narrative that supports the concept design and describes how  
16 ESD will be implemented to the MEP; and
- 17 (vi) Any other information required by the County.

18 (2) Following [[environmental]] concept [[plan]] STAGE approval by the  
19 County, the owner or developer [[for projects subject to the subdivision  
20 plan process shall submit the following]] SHALL SUBMIT PLANS MEETING  
21 REQUIREMENTS FOR THE SITE DEVELOPMENT STAGE.

22 [[(i) Sketch, preliminary, or preliminary equivalent plans that reflect  
23 comments received during any previous review phase including  
24 review of the environmental concept plan.]] Plans submitted for  
25 SITE DEVELOPMENT STAGE approval shall be of sufficient detail to  
26 allow the plan to be reviewed and shall include, without limitation,  
27 the following items:

28 [[a.]] (i) All information provided during the [[environmental  
29 concept plan review phase]] CONCEPT STAGE;

1                   [[b.]](II) [[Subdivision]] SITE layout, exact impervious area  
2                   locations and acreages, proposed topography, delineated  
3                   drainage areas at all points of discharge from the site, and  
4                   stormwater volume computations for ESD practices and  
5                   quantity control structures;

6                   [[c.]] (III) A proposed erosion and sediment control plan that  
7                   contains the construction sequence, any phasing necessary  
8                   to limit earth disturbances and impacts to natural resources,  
9                   and an overlay plan showing the types and locations of  
10                  ESD and erosion and sediment control practices to be used;

11                  [[d.]] (IV) A narrative that supports the [[subdivision]] SITE design,  
12                  describes how ESD will be used to meet the minimum  
13                  control requirements, and justifies any proposed structural  
14                  stormwater management measure; and

15                  [[e.]] (V) Any other information required by the County.

16                  [[ii) Except for a minor subdivision which is subject to either the site  
17                  development plan process or a grading plan, if final road  
18                  construction plans are required, final road construction plans shall  
19                  include final erosion and sediment control and stormwater  
20                  management plans that reflect the comments received during any  
21                  previous review phases, including review of the environmental  
22                  concept plan. Plans submitted for final approval shall be of  
23                  sufficient detail to allow all approvals and permits to be issued  
24                  according to the following:

- 25                  a.       Final erosion and sediment control plans shall be  
26                  submitted according to COMAR 26.17.01.05; and
- 27                  b.       Final stormwater management plans shall be submitted for  
28                  approval in the form of construction drawings and shall be  
29                  accompanied by a report that includes sufficient

1 information to evaluate the effectiveness of the proposed  
2 runoff control design.

3 Inside the planned service area for water and sewer  
4 service, with approval of the final road construction plans  
5 the owner or developer shall submit the final site  
6 development plans for approval by the County. ]]

7 (3) Following [[environmental concept plan]] SITE DEVELOPMENT STAGE  
8 approval by the County, the owner or developer [[for projects subject to  
9 the site development plan process]] shall submit PLANS MEETING  
10 REQUIREMENTS FOR FINAL STAGE. [[a site development plan that reflects  
11 comments received during any previous review phase including review of  
12 the environmental concept plan.]] Plans submitted for FINAL STAGE  
13 approval [[shall be of sufficient detail to allow site development to be  
14 reviewed and shall include, without limitation, the following items:

- 15 (i) All information provided during the environmental concept plan  
16 review phase;
- 17 (ii) Site layout, exact impervious area locations and acreages, proposed  
18 topography, delineated drainage areas at all points of discharge  
19 from the site, and stormwater volume computations for ESD  
20 practices and quantity control structures;
- 21 (iii) A proposed erosion and sediment control plan that contains the  
22 construction sequence, any phasing necessary to limit earth  
23 disturbances and impacts to natural resources, and an overlay plan  
24 showing the types and locations of ESD and erosion and sediment  
25 control practices to be used;
- 26 (iv) A narrative that supports the site design, describes how ESD will  
27 be used to meet the minimum control requirements, and justifies  
28 any proposed structural stormwater management measure; and
- 29 (v) Any other information required by the approving agency.

1 (4) A grading plan is required following the approval of the final plan or site  
2 development plan. The grading plan shall include final erosion and  
3 sediment control and stormwater management plans that reflect the  
4 comments received during any previous review phase including review of  
5 the environmental concept plan. Plans submitted for final approval]] shall  
6 be of sufficient detail to allow all approvals and permits to be issued  
7 according to the following:

- 8 (i) Final erosion and sediment control plans shall be submitted  
9 according to COMAR 26.17.01.05; and
- 10 (ii) Final stormwater management [[plans]] DESIGN shall be submitted  
11 for approval in the form of construction drawings and shall be  
12 accompanied by a report that includes sufficient information to  
13 evaluate the effectiveness of the proposed runoff control design.

14 [[(5)]] (4) Reports submitted for final stormwater management [[plan approval]]  
15 DESIGN shall include, but are not limited to:

- 16 (i) Geotechnical investigations including soil maps, borings, site  
17 specific recommendations, and any additional information  
18 necessary for the final stormwater management design;
- 19 (ii) Drainage area maps depicting post development runoff flow path  
20 and land use;
- 21 (iii) Hydrologic computations of the applicable ESD and unified sizing  
22 criteria according to the design manual for all points of discharge  
23 from the site;
- 24 (iv) Hydraulic and structural computations for all ESD practices and  
25 structural stormwater management measures to be used;
- 26 (v) A narrative that supports the final stormwater management design;  
27 and
- 28 (vi) Any other information required by the County.

29 [[(6)]] (5) Construction drawings submitted for final stormwater management  
30 [[plan]] DESIGN approval shall include, but are not limited to:

- 1 (i) A vicinity map;
- 2 (ii) Existing and proposed topography and proposed drainage areas,  
3 including areas necessary to determine downstream analysis for  
4 proposed stormwater management facilities;
- 5 (iii) Any proposed improvements including location of buildings or  
6 other structures, impervious surfaces, storm drainage facilities, and  
7 all grading;
- 8 (iv) The location of existing and proposed structures and utilities;
- 9 (v) Any easements and rights-of-way;
- 10 (vi) The delineation, if applicable, of the 100-year floodplain and any  
11 on-site wetlands;
- 12 (vii) Structural and construction details including representative cross  
13 sections for all components of the proposed drainage system or  
14 systems, and stormwater management facilities;
- 15 (viii) All necessary construction specifications;
- 16 (ix) A sequence of construction;
- 17 (x) Data for total site area, disturbed area, new impervious area, and  
18 total impervious area;
- 19 (xi) A table showing the ESD and unified sizing criteria volumes  
20 required in the design manual;
- 21 (xii) A table of materials to be used for stormwater management facility  
22 planting;
- 23 (xiii) All soil boring logs and locations;
- 24 (xiv) An inspection and maintenance schedule;
- 25 (xv) Certification by the owner/developer that all stormwater  
26 management construction will be done according to this plan;
- 27 (xvi) An as-built certification signature block to be executed after  
28 project completion; and
- 29 (xvii) Any other information required by the County.

1           [[ (7)]] (6) If a stormwater management plan involves direction of some or all  
2           runoff off of the site, the developer shall obtain from adjacent property  
3           owners any easements or other necessary property interests concerning  
4           flowage of water.

5           (e) *Preparation of [[Stormwater Management]] Plans AND REPORTS.* The design of  
6           stormwater management [[plans]] shall be prepared by any individual whose  
7           qualifications are acceptable to the County as follows:

8           (1)     The County shall require that the design be prepared by either a  
9           professional engineer, professional land surveyor, or landscape architect  
10          licensed in the State, as necessary to protect the public or the environment;  
11          and

12          (2)     If a stormwater BMP requires either a dam safety permit from the  
13          Maryland Department of the Environment or small pond approval from  
14          the Howard Soil Conservation District, the County shall require that the  
15          design be prepared by a professional engineer licensed in the State.

16

17           **Section 18.906. Grading or Building Permits.**

18          (a) *Permit Requirement.* A grading or building permit may not be issued for any parcel or  
19          lot unless final erosion and sediment control and stormwater management [[plans have]]  
20          DESIGN HAS been approved by the County as meeting all the requirements of the design  
21          manual and this Code. Where appropriate, a building permit may not be issued without:

22          (1)     Recorded easements for the stormwater management facility and  
23          easements to provide adequate access for inspection and maintenance  
24          from a public right-of-way;

25          (2)     A recorded stormwater management maintenance agreement as described  
26          in this subtitle; and

27          (3)     A performance bond as described in this subtitle.

28          (b) *Permit Suspension and Revocation.* Any grading or building permit issued by the  
29          County may be suspended or revoked after written notice is given to the permittee for any  
30          of the following reasons:

- 1           ([[i]]1) Any violation of the conditions of the stormwater management [[plan]]  
2                   DESIGN approval;
- 3           ([[ii]]2) Changes in site runoff characteristics upon which an approval or waiver  
4                   was granted;
- 5           ([[iii]]3) Construction is not in accordance with the approved plan;
- 6           ([[iv]]4) Noncompliance with any correction notice or stop work order issued for  
7                   the construction of any stormwater management practice; and
- 8           ([[v]]5) In the opinion of the County, an immediate danger exists in a downstream  
9                   area.

10 (c) *Permit Conditions.* In granting an approval for any phase of site development, the  
11 County may impose such conditions that may be deemed necessary to ensure compliance  
12 with the provisions of this subtitle and the preservation of public health, safety, and  
13 welfare.

14

15 **Section 18.908. [[Stormwater Management]] Waivers; Watershed Management**  
16 **Plans.**

17 (a) *[[Stormwater Management]] Waiver Requests.* A request for a waiver under this  
18 section shall:

- 19           (1) Be in writing; and
- 20           (2) Contain sufficient descriptions, drawings, and any other information that  
21                   is necessary to demonstrate that ESD has been implemented to the MEP.

22 (b) *Criteria to Grant Waivers.* The approving agency may grant a waiver when it has  
23 been demonstrated that ESD has been implemented to the MEP and any grant shall:

- 24           (1) Be on a case-by-case basis;
- 25           (2) Consider the cumulative effects waivers; and
- 26           (3) Reasonably ensure the development will not adversely impact stream  
27                   quality[.] AND ONE OF THE FOLLOWING REQUIREMENTS ARE SATISFIED:
  - 28                   (i) OFF-SITE ESD IMPLEMENTATION FOR A DRAINAGE AREA  
29                           COMPARABLE IN SIZE AND PERCENT OF INCREASED IMPERVIOUSNESS  
30                           TO THAT OF THE PROJECT;

- 1 (II) WATERSHED STREAM RESTORATION AS APPROVED BY THE
- 2 APPROVING AGENCY;
- 3 (III) RETROFITTING OF AN EXISTING STORMWATER MANAGEMENT
- 4 SYSTEM TO MEET OR EXCEED THE CURRENT DESIGN CRITERIA;
- 5 (IV) A FEE IN LIEU, AS ESTABLISHED IN SECTION 18.909 OF THIS
- 6 SUBTITLE, WHERE PHYSICAL CONSTRAINTS DO NOT ALLOW
- 7 IMPLEMENTATION OF A MDE APPROVED STORMWATER
- 8 MANAGEMENT SYSTEM; OR
- 9 (V) OTHER PRACTICES APPROVED BY MDE AND THE COUNTY.

10 (c) *Quantitative Control Waivers—Requirement to have Watershed Management Plan.*

11 Except as provided in subsection (e) of this section, the County shall grant stormwater  
12 management quantitative control waivers only to those projects within areas where  
13 watershed management plans have been developed consistent with this section.

14 (d) *Watershed Management Plan.* A watershed management plan shall:

- 15 (1) Include detailed hydrologic and hydraulic analyses to determine
- 16 hydrograph timing;
- 17 (2) Evaluate both quantity and quality management and opportunities for ESD
- 18 implementation;
- 19 (3) Include a cumulative impact assessment of current and proposed
- 20 watershed development;
- 21 (4) Identify existing flooding and receiving stream channel conditions;
- 22 (5) Be conducted at a reasonable scale;
- 23 (6) Specify where on-site or off-site quantitative and qualitative stormwater
- 24 management practices are to be implemented;
- 25 (7) Be consistent with the general performance standards for stormwater
- 26 management in Maryland found in the design manual; and
- 27 (8) Be approved by the administration.

28 (e) *Quantitative Control Waivers Without Watershed Management Plans.* If a watershed  
29 management plan consistent with this section has not been developed, a stormwater  
30 management quantitative control waiver may be granted provided that it has been

1 demonstrated that ESD has been implemented to the MEP when the approving agency  
2 determines that circumstances exist that prevent the reasonable implementation of  
3 quantity control practices.

4 (f) *Quantitative Control Waiver—Additions, Extensions, or Modifications.* If there are  
5 subsequent additions, extensions, or modifications to a development that has received a  
6 quantitative control waiver, a separate written waiver request is required that shall  
7 comply with subsection (b) of this section.

8 (g) *Qualitative Control Waiver.* A stormwater management qualitative control waiver  
9 applies only to:

- 10 (1) In-fill development projects where ESD has been implemented to the MEP  
11 and it has been demonstrated that other BMPs are not feasible;
- 12 (2) Redevelopment projects if the approving agency determines that the  
13 requirements of this subtitle are satisfied; or
- 14 (3) Sites where the approving agency determines that circumstances exist that  
15 prevent the reasonable implementation of ESD to the MEP.

16 (h) [[New development in phased projects with less than 40 percent existing  
17 imperviousness, for new development projects with less than 40 percent existing  
18 imperviousness, the County may grant a waiver of the requirements of this subtitle for  
19 phased projects that have already constructed stormwater management facilities that are  
20 designed to meet 2000 regulatory requirements. Reasonable efforts to incorporate ESD  
21 shall be demonstrated. ]] STORMWATER MANAGEMENT QUANTITATIVE AND QUALITATIVE  
22 CONTROL WAIVERS MAY BE GRANTED FOR PHASED DEVELOPMENT PROJECTS IF A SYSTEM  
23 DESIGNED TO MEET THE ADMINISTRATION’S 2000 REGULATORY REQUIREMENTS AND  
24 HOWARD COUNTY CODE REQUIREMENTS FOR MULTIPLE PHASES, AS SET FORTH IN THIS  
25 SUBTITLE, HAS BEEN CONSTRUCTED BY MAY 4, 2010. IF THE 2009 REGULATORY  
26 REQUIREMENTS CANNOT BE MET FOR FUTURE PHASES CONSTRUCTED AFTER MAY 4, 2010,  
27 ALL REASONABLE EFFORTS TO INCORPORATE ESD IN FUTURE PHASES MUST BE  
28 DEMONSTRATED.

29  
30 **Section 18.910. Redevelopment.**

1 (a) Stormwater management [[plans]] DESIGN for redevelopment shall be consistent with  
2 the design manual.

3 (b) All redevelopment projects shall reduce existing impervious area within the limit of  
4 disturbance by at least 50 percent. Where site conditions prevent the reduction of  
5 impervious area, then ESD practices shall be implemented to provide qualitative control  
6 for at least 50 percent of the site's impervious area. When a combination of impervious  
7 area reduction and stormwater management practice implementation is used, the  
8 combined reduction shall equal or exceed 50 percent of the existing impervious area  
9 within the limit of disturbance.

10 [[(c) If the County determines that water quality treatment requirements of this section  
11 for redevelopment projects cannot be met, the County may approve other options  
12 including, without limitation:

- 13 (1) On-site structural BMPs;
- 14 (2) Off-site BMP implementation for a drainage area comparable in size and  
15 percent imperviousness to that of the project;
- 16 (3) Watershed or stream restoration;
- 17 (4) Retrofitting;
- 18 (5) Pollution trading with another entity;
- 19 (6) Watershed management plans;
- 20 (7) Payment of a fee-in-lieu;
- 21 (8) A partial waiver of the treatment requirement to the extent that ESD is not  
22 practicable; or
- 23 (9) Other practices approved by the County.]]

24 (C) ALTERNATIVE STORMWATER MANAGEMENT MEASURES MAY BE USED TO MEET THE  
25 REQUIREMENTS IN SUBSECTION (B) OF THIS SECTION IF THE OWNER OR DEVELOPER  
26 SATISFACTORILY DEMONSTRATES TO THE COUNTY THAT IMPERVIOUS AREA REDUCTION  
27 HAS BEEN MAXIMIZED AND ESD HAS BEEN IMPLEMENTED TO THE MEP. ALTERNATIVE  
28 STORMWATER MANAGEMENT MEASURES INCLUDE, BUT ARE NOT LIMITED TO:

- 29 (1) AN ON-SITE STRUCTURAL BMP;

1 (2) AN OFF-SITE STRUCTURAL BMP TO PROVIDE WATER QUALITY TREATMENT  
2 FOR AN AREA EQUAL TO OR GREATER THAN 50 PERCENT OF THE EXISTING  
3 IMPERVIOUS AREA; OR

4 (3) A COMBINATION OF IMPERVIOUS AREA REDUCTION, ESD IMPLEMENTATION,  
5 AND AN ON-SITE OR OFF-SITE STRUCTURAL BMP FOR AN AREA EQUAL TO OR  
6 GREATER THAN 50 PERCENT OF THE EXISTING SITE IMPERVIOUS AREA  
7 WITHIN THE LIMIT OF DISTURBANCE.

8 (D) THE COUNTY MAY DEVELOP SEPARATE POLICIES FOR PROVIDING WATER QUALITY  
9 TREATMENT FOR REDEVELOPMENT PROJECTS IF THE REQUIREMENTS OF SUBSECTIONS (B)  
10 AND (C) OF THIS SECTION CANNOT BE MET. ANY SEPARATE REDEVELOPMENT POLICY SHALL  
11 BE REVIEWED AND APPROVED BY THE ADMINISTRATION AND MAY INCLUDE, BUT NOT BE  
12 LIMITED TO:

- 13 (1) A COMBINATION OF ESD AND AN ON-SITE OR OFF-SITE STRUCTURAL BMP;
- 14 (2) RETROFITTING INCLUDING EXISTING BMP UPGRADES, FILTERING  
15 PRACTICES, AND OFF-SITE ESD IMPLEMENTATION;
- 16 (3) PARTICIPATION IN A STREAM RESTORATION PROJECT;
- 17 (4) POLLUTION TRADING WITH ANOTHER ENTITY;
- 18 (5) PAYMENT OF A FEE-IN-LIEU; OR
- 19 (6) A PARTIAL WAIVER OF THE TREATMENT REQUIREMENTS IF ESD IS NOT  
20 PRACTICABLE

21

22 **Section 18.911. Performance Bond.**

23 (d) *Release.* The bond shall not be fully released without a final inspection of the  
24 completed work by the County, submission of "as-built" plans, and certification of  
25 completion by the County that all stormwater management facilities comply with the  
26 approved plan and the provisions of this Code. At the County's discretion, a procedure  
27 may be used to release parts of the bond held by the County after various stages of  
28 construction have been completed and accepted by the County. The procedures used for  
29 partially releasing performance bonds must be specified by the county in writing prior to  
30 stormwater management [[plan]] DESIGN approval.

31

1 **18.912. Inspection.**

2 (a) *Inspection During Construction.* The County shall make regular inspections at various  
3 stages of construction as provided in Chapter 5, stormwater management, of Volume I  
4 (Storm Drainage) of the Howard County Design Manual. Inspections shall be  
5 documented in writing by the County.

6 [(b) *Periodic Inspection.* The Department of Public Works shall ensure that preventative  
7 maintenance is performed by inspecting all ESD and best management practices in  
8 accordance with the maintenance agreement.

9 (c) *Inspection Access.* The property owner or developer shall construct and maintain all  
10 best management practices in a manner such as not to hinder, impede, or restrict the  
11 Department of Public Works from making necessary inspections, visual observations,  
12 measurements, or from performing tests.

13 (d) *Enforcement.* When a deficiency is discovered during an inspection, construction, or  
14 periodic maintenance inspection, the County may:

- 15 (1) Issue a notice of violation specifying the deficiency, the corrective action  
16 needed, and the time by which the corrective action must be completed;
- 17 (2) Issue a stop work order for all site work;
- 18 (3) Withhold bonds or securities;
- 19 (4) Impose civil or criminal penalties pursuant to section 18.916 of this  
20 subtitle; or
- 21 (5) Take any of the actions set forth in this section at any time.]]

22

23 **Section 18.914. Maintenance.**

24 THE COUNTY OR PROPERTY OWNER OR BOTH, THE COUNTY AND THE PROPERTY OWNER,  
25 SHALL PERFORM PERIODIC MAINTENANCE AS REQUIRED IN CHAPTER 5, STORMWATER  
26 MANAGEMENT, OF VOLUME I (STORM DRAINAGE) OF THE HOWARD COUNTY DESIGN  
27 MANUAL.

28 [(a) *Responsibility for Maintenance.* The owners of property containing private, public,  
29 or both public and private stormwater management facilities shall be responsible for  
30 maintenance of those facilities. In cases where there is joint maintenance provided by the

1 County and the property owner or home owners association, the County shall be  
2 responsible for structural maintenance only as specified on the plans and in the developer  
3 agreement for the specific facilities.

4 (b) *Enforcement of Maintenance Requirement.*

5 (1) When the County determines that deficiencies exist in a private  
6 stormwater management system, the County shall notify the property  
7 owner in writing of the deficiencies, describe the required corrective  
8 action, and the time period to have the deficiencies corrected.

9 (2) If the property owner fails to correct the deficiencies within the specified  
10 time frame, the County may apply to the appropriate court for an order  
11 allowing the County to enter the property and to make, at the property  
12 owner's expense, the necessary repairs or corrections to the system.

13 (3) Following entry of the order and completion of corrective action, the  
14 County shall send to the property owner a bill for the costs to correct the  
15 deficiencies. If the bill is not paid within 30 days, the County may file  
16 with the court a verified statement of costs, for the purpose of entering a  
17 civil judgment in the County's favor against the property owner.

18 (c) *Maintenance Agreement.* Whenever a stormwater management plan is required for  
19 property pursuant to this subtitle, no grading or building permit shall be issued until the  
20 owner of the private stormwater management system executes a maintenance agreement  
21 to be recorded in the land records of Howard County and binding upon all subsequent  
22 owners of the property, providing that:

23 (1) The property owner shall maintain all stormwater management systems in  
24 accordance with the operation and maintenance schedule.

25 (2) The property owner shall permit the County to inspect the stormwater  
26 management systems at any time.

27 (3) The property owner shall correct any deficiencies in the system.

28 (4) If the property owner fails to correct deficiencies within 30 days of  
29 notification or fails to provide proof of intent to make corrections, the  
30 property owner will permit the Department of Public Works upon the

1 property to correct the deficiencies and, within 30 days of the billing, will  
2 pay the costs of correction and any administrative costs.]]  
3

4 **SECTION 18.915. APPEALS.**

5 ANY PERSON AGGRIEVED BY ANY FINAL DECISION MADE BY THE OFFICIAL CHARGED WITH THE  
6 ENFORCEMENT OF THIS SUBTITLE MAY APPEAL THE ACTION TO THE BOARD OF APPEALS. THE  
7 APPEAL SHALL BE FILED IN WRITING WITHIN 30 DAYS OF THE DATE OF OFFICIAL TRANSMITTAL OF  
8 THE FINAL DECISION OR DETERMINATION TO THE APPLICANT, STATE CLEARLY THE GROUNDS ON  
9 WHICH THE APPEAL IS BASED, AND BE PROCESSED IN THE MANNER PRESCRIBED FOR HEARING  
10 ADMINISTRATIVE APPEALS IN HOWARD COUNTY.  
11

12 **SECTION 18.916. PENALTIES.**

13 (a) *Criminal Penalties.* Any person convicted of violating a provision of this subtitle is guilty  
14 of a misdemeanor and upon conviction is subject to a fine [[not exceeding \$900.00 or  
15 imprisonment not exceeding five months or both]] OF NOT MORE THAN FIVE THOUSAND  
16 DOLLARS (\$5,000.00) OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH FOR EACH  
17 VIOLATION WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT AND NOT TO EXCEED FIFTY  
18 THOUSAND DOLLARS (\$50,000.00). Each day that the violation continues is a separate  
19 offense.

20 (b) *Civil Penalties.* Alternatively or in addition to and concurrent with other remedies at law  
21 or equity, the Department of Public Works may enforce the provisions of this subtitle with  
22 civil penalties pursuant to the provisions of title 24, "Civil Penalties," of the Howard County  
23 Code. A violation of this subtitle is a Class A offense. Each day that a violation continues is a  
24 separate offense.

25 (c) *Injunctive and Other Relief.* In addition, [[Howard]] THE County may institute injunctive,  
26 mandamus or other appropriate legal action or proceedings for the enforcement of OR TO  
27 CORRECTION VIOLATIONS OF this subtitle. Any court of competent jurisdiction may issue  
28 TEMPORARY OR PERMANENT restraining orders, [[temporary or permanent injunctions or  
29 mandamus or other appropriate forms of remedy or relief]] INJUNCTIONS OR MANDAMUS, OR  
30 OTHER APPROPRIATE FORMS OF RELIEF.  
31

- 1 **Section 2. *And Be It Further Enacted*** by the County Council of Howard County,
- 2 *Maryland, that this Act shall become effective 61 days after its enactment.*