COUNTY COUNCIL

OF

TALBOT COUNTY, MARYLAND

2021 Legislative Session, Legislative Day No. : March 9, 2021

Bill No.: 1472

Expiration Date: May 13, 2021

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Lesher, Mr. Pack, Ms. Price

A BILL TO AMEND CHAPTER 134 OF THE TALBOT COUNTY CODE (ROADS ORDINANCE) TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF A ROADS REPURPOSING FACILITY

By the Council: March 9, 2021

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, April 13, 2021 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order Susan W. Moran

Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 134 OF THE TALBOT COUNTY CODE (ROADS ORDINANCE) TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF A ROADS REPURPOSING FACILITY

BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, as follows:

SECTION ONE: Chapter 134 of the Talbot County Code is hereby amended as follows:

KEY

Boldface.....Heading or defined term

Underlining .....Added by Bill

~~Strikethrough~~.....Deleted from law by Bill

* * * ..... Existing law unaffected

* * *

§ 134-8. Maintenance and services.

A. County roadways. The Roads Department, under the direction of the Superintendent, shall be responsible for maintenance and upkeep and for clearing debris, hazards and other obstructions for all County roadways, bridges, and all associated drainage and other easements and structures. Services by the Roads Department are restricted to County roadways and bridges, outfalls, or other areas affecting a County roadway or bridge, as determined by the Superintendent.

B. Private property. Services by the Roads Department shall be prohibited on private property, private roadways, and roadways owned by the state or a municipality unless such work is specifically required 1) to properly maintain a County roadway or bridge, 2) to address an emergency, or 3) is otherwise authorized by the County Council. Services performed on private property shall be at the property owner's expense.

C. Tree and brush removal. The Superintendent shall have authority to order or perform any tree, brush, or vegetation clearance, control, or removal as necessary to preserve the safe and adequate passage of traffic, maintain drainage, or to maintain proper visibility and sight lines for any County roadway or bridge. The criteria utilized for establishing sight lines shall not exceed those designated in the FHWA Manual on Uniform Traffic Control Devices for signage clearance.

~~C.~~D. Repurposing facility. The Roads Department, under the direction of the Superintendent, shall have the authority to establish a repurposing facility to aid in the construction and maintenance of County roadways. The facility may accept, store, and repurpose raw materials into repurposed product that is usable for the construction and maintenance of County roadways and other County public works. Surplus raw materials and repurposed product may be disposed of by donation or by sale. The facility shall be operated as an enterprise fund. Subject to approval by the County Council, the Superintendent may adopt rules and regulations governing the acceptance, storage, and repurposing of raw materials, the distribution of repurposed product, and, the disposal of surplus raw materials and repurposed product by donation or sale; establish fees for accepting raw materials; and, set prices for the disposal of surplus raw materials and repurposed product.

* * *

SECTION TWO: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

SECTION THREE: The Publishers of the Talbot County Code, the Talbot County Office of Law, or the Talbot County Department of Planning and Zoning, in consultation with and subject to the approval of the County Manager, shall be authorized to make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation to the Code that is incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION FOUR: This Ordinance shall take effect sixty (60) days from the date of its passage.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. _____ having been published, a public hearing was held on _____ at_____ p.m. in the Bradley Meeting Room, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: _____

By Order _____
Susan W. Moran, Secretary

Callahan -

Divilio -

Lesher -

Price -

Pack -

EFFECTIVE DATE: _____