



ORDINANCE NO.	<u>2020-01</u>
INTRODUCED	<u>01/13/2020</u>
PUBLIC HEARING	<u>07/13/2020</u>
ENACTED	<u>07/13/2020</u>
EFFECTIVE	<u>12/01/2020</u>

ORDINANCE TO AMEND ARTICLE XIII, “APPLICATION OF COUNTY LEGISLATION”, SECTION 1, “EXEMPTION FROM COUNTY LEGISLATION” TO ADD CHAPTER 33B “PESTICIDES” AS A COUNTY LAW APPLICABLE IN THE TOWN

WHEREAS, §5-201 et seq. of the Local Government Article, Annotated Code of Maryland, authorizes the Town Council to adopt such ordinances as it deems necessary to assure the good government of the Town of Washington Grove; to protect and preserve the rights, property and privileges of the Town; to preserve peace and good order; to secure persons and property from danger and destruction; and to protect the health, comfort and convenience of Town residents; and

WHEREAS, Article XIII of the Town Code incorporates by reference into the Code various portions of the Montgomery County Code; and

WHEREAS, the Town Council has determined that it is in the public interest to add County Code Chapter 33B “Pesticides” to the list of County legislation that is applicable in the Town.

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Town, Article XIII, “Application of County Legislation”, Section 1, “Exemption from County Legislation” be and is hereby repealed, re-enacted and amended to read as follows:

ARTICLE XIII APPLICATION OF COUNTY LEGISLATION

Section 1. Exemption from County Legislation

Pursuant to the authority granted by the Charter of the Town of Washington Grove and by the laws of the State of Maryland and Montgomery County, Maryland, the Town of Washington Grove is exempt from all Montgomery County legislation except the following chapters of the Montgomery County Code:

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| 3A. Alarms | 22. Fire Safety Code |
| 5. Animal Control | 24. Health and Sanitation |
| 7. Bicycles | 26. Housing and Building Maintenance Standards |
| 8. Buildings (*) | 27. Human Rights and Civil Liberties |
| 8A. Cable Communications | 29. Landlord-Tenant Relations |
| 11. Consumer Protection | 31B. Noise Control (***) |
| 17. Electricity | 31C. New Home Warranty and Builder Licensing |
| 18. Elm Disease | 33B. Pesticides |
| 19. Erosion, Sediment Control, and Storm Water Management (**) | 40. Real Property |
| 21. Fire and Rescue Services | 57. Weapons |

and any other provisions of the laws of Montgomery County necessary to enforce the aforesaid chapters.

(*) With the exception of §8-26(n) and (o)

(**) With the exception of §19-71

(***) For purposes of Chapter 31B, the Town's RR-1, RR-2, RR-3 and FR Zones are Residential Zones and the Town's C-L Zone is a Commercial Zone.

Section 2. – Section 5. * * * * (original language unchanged)

EFFECTIVE DATE: This Ordinance shall become effective on December 1, 2020 in the absence of a petition by qualified voters as set forth in Section 15 of the Charter of the Town.

ENACTED THIS 13th DAY OF JULY, 2020.

TOWN OF WASHINGTON GROVE

John Compton, Mayor

ATTEST:

Kathy Lehman, Clerk

Date