



Legislation Text

File #: CA-6-19, Version: 1

Department of the Environment - For the purpose of establishing a department known as the Department of the Environment; and generally relating to the Department of the Environment.

**CITY COUNCIL OF THE
City of Annapolis**

Charter Amendment 6-19

Introduced by: Alderman Savidge

**Referred to
Rules and City Government Committee
Environmental Matters Committee**

A CHARTER AMENDMENT Resolution concerning

Department of the Environment

FOR the purpose of establishing a department known as the Department of the Environment; and generally relating to the Department of the Environment.

BY repealing and reenacting the following portions of the City Charter:
Art. VI, Sec. 7

Art. VI, Sec. 10

BY adding the following portion to the City Charter:
Art. VI, Sec. 12

SECTION I: BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Charter of the City of Annapolis shall be amended to read as follows:

**THE CHARTER
Article VI - OPERATIONS**

Sec. 7. - Planning and zoning department.

- (a) The planning and zoning department shall be administered by the planning and zoning director. The planning and zoning director shall be appointed on the basis of his OR HER knowledge and experience in the fields of comprehensive planning and of zoning regulations, of which at least ~~three~~ (3) years shall have been in an executive or supervisory position. The director shall have an advanced degree in planning.
- (b) The planning and zoning department shall have the following powers and duties:
- (1) To plan for the physical development, redevelopment, and growth of the city.
 - (2) To supervise the adoption or revision of a plan of general development.
 - (3) To prepare and administer a zoning map and zoning rules and regulations governing the use of land in the city.
 - (4) To regulate the occupancy and use of property.
 - (5) To administer programs of community development, economic development and housing rehabilitation.
 - (6) To regulate the building and rebuilding of structures and other improvements.
 - (7) To regulate the use of certain structures for housing.
 - (8) To ADMINISTER AND enforce activities impacting upon ~~the environment, urban forestry and~~ critical areas.
 - (9) To enforce building and housing rules and regulations governing the improvement and use of land and structures in the eCity.
 - (10) To enforce rules and regulations governing the use of land in the eCity.
 - ~~(11) To enforce rules and regulations governing environmental protection in the city.~~
 - ~~(12) To enforce rules and regulations governing the licensing and operation of certain contractors doing business in the city.~~
 - ~~(13) To exercise all other duties and powers delegable to a municipal planning staff under the laws of Maryland, except those planning powers as may be assigned to other departments by the city council.~~

Sec. 10. - Department of public works.

- (a) The department of public works shall be administered by the director of public works. The director of public works shall be appointed on the basis of his OR HER knowledge and experience in civil and sanitary engineering works, of which at least ~~five~~ (5) years shall have been in an executive or supervisory capacity. The director shall have a degree in civil, mechanical, or sanitary engineering and shall be a registered professional engineer in the State of Maryland or shall, at the time of appointment, be a registered professional engineer in another state of the United States and, within ~~eighteen~~ (18) months of the date of appointment, becomeS a registered professional engineer in the State of Maryland.
- (b) The department of public works shall have the following powers and duties:
- (1) To be responsible for surveys, reports, maps, drawings, specifications, and estimates related to public works and utilities.
 - (2) To be the custodian of maps, plans, and plats of public improvements.

- (3) To construct or to administer contracts for the construction of capital projects.
- (4) To construct and maintain roadways, bridges, storm drains, and other public improvements.
- (5) To construct, maintain, and operate a water production and distribution system.
- (6) To construct, maintain, and operate a sanitary sewerage collection and disposal system.
- (7) To operate a refuse collection and disposal system.
- (8) To administer maintenance and oversight of all city offices, governmental buildings, and city-owned or leased properties.
- (9) To administer space management and planning.
- (10) To maintain inventory records for real property, fixtures, and furniture.
- (11) To enforce rules and regulations governing sewer pretreatment ~~and stormwater management in the city.~~

Sec. 12. DEPARTMENT OF THE ENVIRONMENT.

- (A) THE DEPARTMENT OF THE ENVIRONMENT SHALL BE ADMINISTERED BY THE DIRECTOR OF THE DEPARTMENT OF THE ENVIRONMENT. THE DIRECTOR SHALL BE APPOINTED ON THE BASIS OF HIS OR HER KNOWLEDGE AND EXPERIENCE, OF WHICH AT LEAST FIVE YEARS SHALL HAVE BEEN IN AN EXECUTIVE OR SUPERVISORY CAPACITY. THE DIRECTOR SHALL HAVE A DEGREE IN PLANNING, EARTH SCIENCES, NATURAL RESOURCES, ENVIRONMENTAL SCIENCE/STUDIES, LAW (ACCOMPANIED BY AT LEAST TWO YEARS PRACTICE IN ENVIRONMENTAL LAW), PUBLIC ADMINISTRATION, OR IN A RELATED AREA.
- (B) THE DEPARTMENT OF THE ENVIRONMENT SHALL HAVE THE FOLLOWING POWERS AND DUTIES:
 - (1) TO ENFORCE, IDENTIFY, AND ASSIST IN DEVELOPING RULES AND REGULATIONS GOVERNING WATER QUALITY, URBAN FORESTRY, FOREST CONSERVATION, CRITICAL AREAS, WETLANDS, FLOODPLAINS, SEDIMENT AND EROSION CONTROL, STORMWATER MANAGEMENT, ENERGY SOURCES AND ENERGY CONSUMPTION, RESTORATION OF NATURAL RESOURCES AND FEATURES, LAND CONSERVATION, ANIMAL HABITAT, SUSTAINABILITY, AND LITTER REDUCTION;
 - (2) TO COORDINATE NPDES/MS4/TMDL COMPLIANCE;
 - (3) TO EDUCATE AND INFORM THE PUBLIC ABOUT WATER QUALITY, URBAN FORESTRY, FOREST CONSERVATION, CRITICAL AREAS, WETLANDS, FLOODPLAINS, SEDIMENT AND EROSION CONTROL, STORMWATER MANAGEMENT, ENERGY SOURCES AND ENERGY CONSUMPTION, RESTORATION OF NATURAL RESOURCES AND FEATURES, LAND CONSERVATION, ANIMAL HABITAT, SUSTAINABILITY, AND LITTER REDUCTION;
 - (4) TO PERFORM OTHER DUTIES AND RESPONSIBILITIES, AS SET FORTH IN THE CITY CODE.

SECTION II: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that a notice of public hearing was published on the proposed charter amendment, at least 21 days in advance of the public hearing that was held on .

SECTION III: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the date of adoption of this Resolution is ____, 20__, and the amendments of the Charter of the City of Annapolis, hereby enacted shall become effective on ____, 20__, unless a proper petition for referendum hereon shall be filed as permitted by law within 40 days of adoption, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the City Hall until ____, 20__, and provided further that a copy of the title of this Resolution shall be published in "The Capital," a newspaper of general circulation in the City of Annapolis, or in any other newspaper of such general circulation, once in each of the weeks on, ____, 20__, ____, 20__, ____, 20__, and ____, 20__.

SECTION IV: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the Mayor is hereby specifically commanded to carry out the provisions of Section II hereof, and, as evidence of such compliance, the Mayor shall cause to be maintained appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and if a favorable referendum is held on the Charter change, shall declare the Charter change hereby enacted to be effective on ____, 20__, by affixing his signature hereto in the space provided on the effective date of change.

SECTION V: AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the Mayor shall send to the Maryland Department of Legislative Services a copy of this Resolution showing the number of Aldermen and Alderwomen voting for and against it and a report on the votes cast for or against the amendment hereby enacted at any referendum thereon and the date of such referendum.

The above Charter Amendment was enacted by the foregoing Resolution which was passed at a Meeting of the Annapolis City Council on ____, 20__; ____ voting in the affirmative, ____ voting in the negative, ____ abstaining and ____ absent and the said Resolution becomes effective in accordance with law on the __ day of ____ 20__.

EXPLANATION

UPPERCASE indicates matter added to existing law.

~~[Strikethrough]~~ indicates matter stricken from existing law.

Underlining indicates amendments.