

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 7/9/96

**Reference No.:** CB-52-1996

**Proposer:** Council Member Del Giudice

**Draft No.:** 1

**Sponsors:** Council Members Del Giudice and Bailey

**Item Title:** An Ordinance to amend a procedure of the Board of Appeals to allow the Board to incorporate the text of its decisions in office records other than minutes

**Drafter:** Anne Carter  
Board of Appeals

**Resource Personnel:**

**LEGISLATIVE HISTORY:**

**Date Presented:** 6/11/96

**Executive Action:** \_\_/\_\_/\_\_ \_\_

**Committee Referral:**(1) 6/11/96 PZED

**Effective Date:** \_\_/\_\_/\_\_

**Committee Action:**(1) 7/1/96 FAV

**Date Introduced:** 7/9/96

**Pub. Hearing Date:** (1) 7/30/96 1:30 PM

**Council Action:** (1) 7/30/96 Enacted

**Council Votes:** SD:A, DB:A, JE:A, IG:A, AMc:A, WM:A, RVR:-, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

**DATE:** 7/1/96

Committee Vote: Favorable, 5-0 (In favor; Council Members Wilson, Estepp, MacKinnon, Maloney and Russell).

This legislation eliminates the requirement in the Zoning Ordinance that the entire resolution adopted by the Board of Appeals when taking an action be incorporated into the Board's meeting minutes. The Regional District Act already provides for this, by allowing the Board's actions to be included in "other records of the Board". This bill simply amends the Zoning Ordinance to mirror the Regional District Act.

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The Planning Board supports the legislation, and the Office of Law finds it to be in proper legislative form. Anne Carter, Administrator of the Board of Appeals, was available to respond to questions regarding this proposal.

**BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

The Regional District Act, Art. 28, Section 8-111(e) of the Maryland Annotated Code states that Board actions shall be by resolution, which shall contain findings of fact and conclusions of law, which shall form a part of the Board's minutes or other records of the Board. In contrast, Section 27-231(e)(4) of the Zoning Ordinance states that Board actions shall be by resolution, containing the grounds and findings, and "[t]he text of the resolution and record of the members' votes shall be incorporated into the minutes of the Board." The language of Section 27-231(e)(4) has existed since at least 1949. Acknowledging that office procedures and technology have been modernized over the years, the proposed legislation would remove the requirement that the Board incorporate the entire text of every decision into its minutes, but rather allow the Board to permanently incorporate their decisions into "other records of the Board". The language of the Zoning Ordinance would then conform to the language of the Regional District Act.

**CODE INDEX TOPICS:**