

COUNTY ORDINANCE NO. 04-46

**A BILL ENTITLED**

AN ACT CONCERNING revisions to Section 18:1-90 of Chapter 18 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.).

FOR THE PURPOSE of revising Section 18:1-90. Private and other public roads created prior to November, 1987 to address public roads and to restrict to five (5) the number of lots accessing a private road and providing that Section 18:1-90 apply to all properties that do not have approved preliminary site plan or approved preliminary subdivision plan as of the effective date of this Ordinance.

BY AMENDING Section 18:1-90 of the Code of Public Local Laws of Queen Anne's County, Maryland.

**SECTION I**

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Section 18:1-90 of Chapter 18 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.) be amended to read as follows:

'18:1-90. Private and other public roads created prior to November 1987.

Subdivision of lands may not occur on private or other public roads that existed or were created prior to November 1987 unless:

A. The road is improved to appropriate public road standards in accordance with Chapter 23 of the County Code and the right-of-way is deeded to the County; or

B. The Department of Public Works finds the existing ~~private or other~~ public road to be acceptable with:

(1) Reasonable developer improvements for the amount of traffic proposed; and

(2) Direct frontage or access to 10 or fewer lots and existing parcels of land; and

(3) Suitable long-term arrangements have been agreed upon for maintenance of the road; or

C. The Department of Public Works finds the existing private road to be acceptable with:

(1) reasonable developer improvements for the amount of traffic proposed; and

(2) direct frontage or access to five or fewer lots and existing parcels of land; and

(3) suitable long-term arrangements have been agreed upon for maintenance of the road.

D. Notwithstanding any other provision in the Queen Anne's County Code, the provisions of Section 18:1-90 upon adoption shall be effective and binding upon all properties that do not have a required approved preliminary site plan pursuant to Queen Anne's County Code. Chapter 18, Section 18:1-144 and a required approved preliminary subdivision plan (including the plat and engineering plans) pursuant to Queen Anne's County Code, Chapter 18, Section 18:1-184.

## SECTION II

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth day following its passage.

INTRODUCED BY: Commissioner Ransom

DATED: 12-7-04\_\_\_\_\_

PUBLIC HEARING HELD: 1-04-05\_\_\_\_\_

VOTE: \_\_\_\_\_YEA \_\_\_\_\_NAY

DATE: \_\_\_\_\_