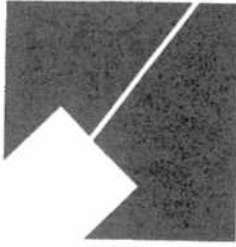


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

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MEMORANDUM

TO: Montgomery County Planning Board

FROM: Christina Sorrento, Associate General Counsel

A handwritten signature in black ink, appearing to be 'CS'.

DATE: June 15, 2010

RE: Revised Enforcement Rules

On April 8, 2010, the Planning Board transmitted revised Enforcement Rules to the County Council for action under Method 2. Since that transmittal, County Council Staff has made a series of edits to the Rules. On June 14, 2010, the PHED Committee reviewed an edited version of the Rules and voted for the Rules to go to the full County Council on June 22, 2010 for action to meet the 60 day requirement under Method 2. The PHED Committee was aware at that time that the Council Staff had further edits to make. The attached redlined Enforcement Rules are being transmitted to the Board at such a late date because the final edits from Council Staff were received earlier today.

The edits recommended by the Council Staff are stylistic in nature. There are only two substantive changes. One change clarified under Section 4.1 that only Parties can file an exception to the Hearing Officer's recommended decision. The other change requires requests for reconsideration to be made with the Chair's office rather than the Planning Director's office to make it consistent with all other filings. Both of these changes are acceptable to the Legal Department.

Once the Planning Board acts on the edited version of the revised Enforcement Rules, the County Council will take action on the Rules at the June 22, 2010 hearing. This is the final step needed for the legislative Enforcement Package. After the rules are adopted, the package will be ready for use by a Hearing Examiner. We recommend that the Planning Board adopt the revised Enforcement Rules with the Council's Staff edits and transmit them to the County Council for final action.

Attachment One- Redlined version of revised Enforcement Rules

Attachment Two- Clean version of revised Enforcement Rules