

DEPARTMENT OF PUBLIC WORKS RULES AND REGULATIONS
RELOCATION AND CLOSING OF COUNTY ROADS IN HARFORD COUNTY

(All applications for relocation and closing of County roads shall be by petition to the Department of Public Works in accordance with the provisions set forth herein.)

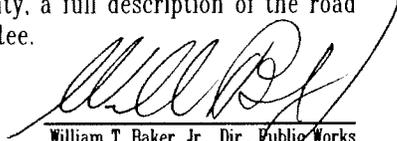
RELOCATION OF COUNTY ROADS:

1. Upon receipt of a petition for the major relocation of an existing County roadway, the Department of Public Works, in conjunction with the Department of Planning and Zoning, will review and study the impact of the proposed relocation. Upon completion of the review, the Department of Public Works, with concurrence of Planning & Zoning, will render a final decision on approval or disapproval of the proposed relocation.
2. The Director of Public Works upon rendering a final decision shall identify the party responsible for all costs associated with the relocation of the road.
3. Should the petition for the relocation of the County road be denied, no duplicate petition shall be considered by the Department of Public Works or the Department of Planning and Zoning during a period of five (5) years from the date of the prior petition. If, in the opinion of the Department of Public Works and the Department of Planning and Zoning, elements contributing to the outcome of a prior hearing are substantially changed or additional information has been discovered, the Departments reserve the right to lessen the time period.

CLOSING OF COUNTY ROADS:

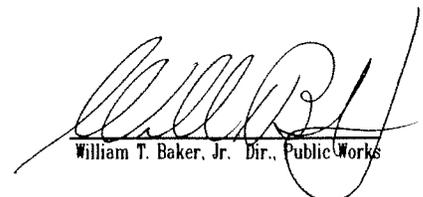
1. Upon receipt of a petition for closing a County road, the Department of Public Works will forward the petition to the Road Closing Committee. The Road Closing Committee will be comprised of the Director of Public Works (chairman of the Road Closing Committee), the Director of Planning and Zoning, a County Council person (at-large), the County Attorney, and the Director of Administration or their designees. Each committee member or their designee, shall be afforded one (1) vote in matters relating to the favorable or unfavorable recommendation of any such petitions to be forwarded to the County Council for final road closing authority.
2. Any person may petition the Department of Public Works to close a County road in accordance with Bill 80-23. In addition, thereto, the Committee may, on its own initiative, recommend to the County Council that an existing County road be closed provided it shall first comply with the provisions of these rules and regulations relating to public notice and public hearing.
3. The petition shall describe in detail the road to be closed; including, but not limited to width, length, and existing conditions. The petition shall be accompanied by a plan particularly describing the road to be closed.
4. In addition to the advertising cost, Harford County shall pay all costs of notification to property owners required by this section.
5. The Chairman of the Road Closing Committee, upon receipt of a petition to close a public road, shall schedule a public hearing upon the petition to be held not less than sixty (60) days after the filing of the petition.
6. The Chairman of the Road Closing Committee shall cause to be published, by three (3) separate insertions at weekly intervals in two (2) newspapers of general circulation in the County, a full description of the road closing giving the date for the public hearing by the Road Closing Committee.

Effective Date:
March 21, 1996


William T. Baker, Jr. Dir., Public Works

7. The road which is the subject of the petition shall be posted, as directed by the Chairman, for a period of thirty (30) days prior to the public hearing.
8. Notice of prospective closing shall be served by certified mail, return receipt requested, upon all persons, whose property is contiguous and adjacent with the road as it presently exists at the addresses for such persons as they appear in the Office of the Supervisor of Assessments.
9. Upon the filing of a petition to close a County road, the Chairman of the Road Closing Committee shall request from the Department of Public Works and the Department of Planning and Zoning, reports on said closing. The reports shall be completed and forwarded to the Committee five (5) days prior to the hearing. The reports shall be announced before the Committee at the public hearing. The report of the Department of Public Works shall include findings on public safety and convenience resulting from the proposed road closing and shall recommend denial or approval of the petition. The report shall also include methods of closure, an estimate of associated costs and shall recommend the party responsible for all costs associated with the closure of the road. The report from the Department of Planning and Zoning shall include proposals for the subject area that had been previously included with approved preliminary plans, as well as, the Department's opinion of the closure.
10. No filing for record of any plan or subdivision, final plat of record, nor any approval thereof, nor other decision, action nor resolution of any board or agency, other than compliance with the provisions of this section, shall affect the closing of any road, nor be shall considered as requiring the approval by the committee of petition closing any road.
11. Subsequent to the advertised Public Hearing, upon consideration of the reports and recommendation by the Department of Public Works and the Department of Planning and Zoning and upon consideration of the comments from the public, the Road Closing Committee will forward a final recommendation by majority vote, to the Harford County Council as to whether the petitioned road should remain open or become officially closed.
12. The Road Closing Committee's recommendation to the Harford County Council shall identify the party responsible for all costs associated with the closure of the road.
13. The Harford County Council shall, by resolution, make the final road closing determination. All persons, whose property is contiguous or adjacent to the road, will be notified by certified mail, return receipt requested, of the findings and final decision of the County Council. Further the findings and final decision of the County Council and effective closing date, if applicable, shall be published, by two (2) separate insertions at weekly intervals in two (2) newspapers of general circulation in the County.
14. Should the petition for closure of the County road be denied, no duplicate petition shall be considered by the Committee during a period of five (5) years from the date of the prior petition. If, in the opinion of the Road Closing Committee, elements contributing to the outcome of a prior hearing are substantially changed or additional information has been discovered, the Road Closing Committee reserves the right to lessen the time period.

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