

Bill No. 30-23
Concerning: Rustic Roads Program –
Rustic Roads Advisory Committee
Revised: 7/26/2023 Draft No. 4
Introduced: June 20, 2023
Enacted: July 25, 2023
Executive: August 7, 2023
Effective: November 6, 2023
Sunset Date: None
Ch. 29 , Laws of Mont. Co. 2023

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President Glass at the request of the Planning Board

AN ACT to:

- (1) amend Chapter 49 to revise the composition of the Rustic Roads Advisory Committee;
- (2) specify additional duties of the Rustic Roads Advisory Committee; and
- (3) generally amend Chapter 49 regarding the Rustic Roads Advisory Committee.

By amending

Montgomery County Code
Chapter 49, Streets and Road
Sections 49-77 and 49-80

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 49-77 and 49-80 are amended as follows:**

2 **ARTICLE 8. RUSTIC ROADS PROGRAM**

3 * * *

4 **49-77. Definitions.**

5 In this Article, the following terms have the meanings indicated:

6 *Committee* means the Rustic Roads Advisory Committee.

7 *Commodity farmer* means a person engaged in the production of at least 100 acres of
8 field crops such as corn, soybeans, barley, and wheat, or forage crops such as hay,
9 requiring the use of large commercial equipment for planting, nutrient application, pest
10 management, and harvesting.

11 *Exceptional rustic road* means an existing public road or road segment which is so
12 classified under Section 49-78.

13 *Public utility* means any private company or public agency that is regulated as a public
14 utility under state law, or otherwise provides water, sewer, electric, gas, telephone, or
15 cable service (as defined in Chapter 8A) in the County.

16 *Rustic road* means an existing public road or road segment which is so classified under
17 Section 49-78.

18 [[*Table crop farmer* means a person who grows crops or raises animals for the purpose
19 of producing food items that are customarily consumed directly by humans, including
20 but not limited to fruits, vegetables, meat, seafood, dairy, eggs, honey, pulses, and
21 grains.]]

22 * * *

23 **49-80. Rustic Roads Advisory Committee.**

24 (a) *Membership.* The County Executive must appoint, subject to
25 confirmation by the County Council, a Rustic Roads Advisory
26 Committee. In making appointments, the Executive [[should]] must
27 strive to achieve diversity on the Committee in support of racial equity

28 and social justice. The Committee has [7] 9 voting members. Each
 29 member must be a resident of the County. The Executive should appoint:
 30 (1) [3] three members who [are owner-operators of] operate
 31 commercial farmland earning 50 percent or more of their income
 32 from direct involvement in commodity farming[,];
 33 (2) one [of whom] member who is a representative of the Agricultural
 34 Advisory Committee and has been recommended to the Executive
 35 by the AAC;
 36 [(2)](3) one member who knows rural preservation techniques
 37 through practical experience and training;
 38 [(3)](4) one member who knows roadway engineering through
 39 practical experience and training; and
 40 [(4) one member who represents civic associations located in the
 41 Agricultural Reserve; and
 42 (5) one member who represents civic associations in areas located
 43 outside the Agricultural Reserve where there are rustic roads.]
 44 (5) three at-large members who do not satisfy the requirements of
 45 subsections (a)(1) through (a)(4) above, to be drawn from [[other]]
 46 frequent users of rustic roads. [[The Executive should strive to
 47 include a table crop farmer or an operator of an agritourism
 48 business.]] [[Examples of the at-large members include: a table
 49 crop farmer who does not earn more than 50 percent of their
 50 income from farming; an expert in tourism or historic sites along
 51 the roads; a member of a religious institution on a rustic road; an
 52 operator of an agritourism business, such as a winery, brewery,
 53 farm stand, or recreation or entertainment venue on a rustic road;
 54 or a person who regularly uses the roads to engage in or reach

55 places for outdoor recreation, such as to bike, boat, kayak, hike,
56 fish, ride horses, or go birding.]]

57 * * *

58 (e) *Duties.* The Committee must:

59 (1) promote public awareness and knowledge of the County rustic
60 roads program;

61 (2) review and comment on classification of rustic roads and
62 exceptional rustic roads;

63 (3) review and provide comments on subdivision applications when
64 the requirements of the Subdivision Regulations conflict with this
65 Article or Executive Regulations;

66 ~~[(4) review and provide comments on proposed improvements to rustic~~
67 ~~roads;~~

68 (5) review and provide comments on proposed signs within the right-
69 of-way of a rustic road;]]

70 (4) other duties as required by Executive Regulations;

71 ~~[(3)]~~~~[(6)]~~(5) review and comment on Executive Regulations and
72 other County policies and programs that may affect the rustic roads
73 program; and

74 ~~[(4)]~~~~[(7)]~~(6) report on June 1 of each even numbered year to the
75 Executive, the Council, and the Planning Board on the status of the
76 rustic roads program.

