

## **Project Plan:**

### Comprehensive Review and Re-Write of the Chevy Chase Village Building Code

**Concern:** The Board of Managers and Village staff have discovered inadequacies, confusing provisions, illogical order and discrepancies within the Village Code. These have led to a process that can be challenging for residents to understand and follow, and difficult for Village staff to administer and enforce. Additionally, there are substantive provisions in need of review.

**Objective:** A complete and thorough Building Code that is easy to understand, administer and enforce which will in turn yield regulatory compliance. Ordinances contained in the Village Building Code should:

1. Protect the public health, safety, welfare and preservation, improvement, and protection of land, water and improvements; (*Maryland Code Article 28, Section 8-115.1*)
2. Assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality; (*Maryland Code Article 23A, Section 2(a)*)
3. Preserve peace and good order and secure persons and property from violence, danger and destruction, and the suppression and abatement of all nuisances. (*Section 77-14 of the Village Charter*)

**Proposal:** To address the above-stated concerns and meet the above-stated objective, I recommend the following:

- Convene an ad hoc committee comprised of no more than five residents, plus the Village's Permitting & Code Enforcement Coordinator
  - A former member of the Board of Managers
  - A member of the community who has served as an applicant for a major building project
  - A resident-architect/contractor/design-builder
  - One to two other interested residents
- The Board would appoint one of the committee members to serve as Chair
- The ad hoc committee would be tasked with reviewing each aspect of the Building Code seeking to:
  - simplify provisions
  - re-word confusing language and references
  - re-orient the sections so they are in a more logical layout
  - eliminate discrepancies, contradictions or inconsistencies as discovered in the current Code
  - address complaints of bureaucracy and "heavy-handed" provisions that are no longer useful

- make recommendations for substantive changes
- The ad hoc committee would gather input from:
  - residents' opinions and concerns
  - the Maryland Municipal League
  - neighboring municipal jurisdictions
  - the Code Enforcement and Zoning Officials Association
  - past records of the Village, including previous Resolutions (the preambles of which typically outline the concerns/problems that led the Board of Managers to approve a new Ordinance)

**Recommended Timeline:**

**June 2012**—Board appointment of the ad hoc Building Code Review Committee

**October through November 2012**—Interim report from the ad hoc committee (depending on the length of the report, the Board may choose to convene a work session with the members of the ad hoc committee to review the interim findings)

**January 2013**—Final committee report/Public Hearing on recommended revisions to the Building Code

**March 2013**—Adoption of the revised Ordinance<sup>1</sup>.

Depending on the committee's comfort level, the comprehensive review should be completed within six months, with bi-monthly updates provided to the Board of Managers detailing the committee's progress, and seeking Board input on any areas requiring Board guidance.

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<sup>1</sup> Substantive amendments to the Building Code require a 30-day review and comment period by the Montgomery County Council. Sufficient time should be permitted for this review.