

include regulations concerning only the internal management of the agency and not directly affecting the rights of or procedures available to the public.

(d) "*Contested Case*" means a proceeding before an agency in which the legal rights, duties or privileges of specific parties are required by law or constitutional right to be determined after an agency hearing.

(e) "*Order*" means the whole or any part of the final disposition, whether affirmative, negative, injunctive or declaratory in form, of any agency in any matter other than rule making but including licensing.

(f) "*Adjudication*" means agency process for the formulation of an order.

(g) "*Agency Proceeding*" means any agency process as defined in **this subtitle**.

(h) "*Agency Action*" includes the whole or part of every agency, rule, order, license, sanction, relief or the equivalent or denial thereof, or **failure to act**.

#### 22.202—Adoption of Rules

In addition to other rule making requirements imposed by law :

(a) Each agency shall adopt rules governing the formal and informal procedures prescribed or authorized by this subtitle or by other requirement of law. Such rules shall include the rules of practice before the agency together with forms and instructions; provided, however, that such rules shall not be construed or implemented so as to interfere with the right of any lawyer to practice before any agency, or so as to grant the right to practice law to anyone not authorized so to do. No person shall in any manner be required to resort to organization or procedure not so published in the agency's rules.

(b) Prior to the adoption of any rule authorized by law, or the amendment or repeal thereof, the adopting agency shall publish or otherwise circulate notice of its intended action, and afford interested persons opportunity to submit data or views orally or in writing.

(c) Each agency shall file with the secretary of the County Council certified copies of all rules now in effect or adopted or amended by it. The secretary to the County Council shall keep a permanent register of such rules open to public inspection. Each rule hereafter adopted shall become effective upon filing, unless a later date is required by statute or specified in the rule.

(d) Any interested person may petition an agency requesting the promulgation, amendment or repeal of any rule. Each agency shall prescribe by rule the form for such petitions and the procedure for their submission, consideration and disposition.

(e) The validity of any rule may be determined upon petition for a declaratory judgment thereon addressed to the Circuit Court of Howard County when it appears that the rule, or its threatened application, interferes with or impairs, or threatens to interfere with or impair, the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment may be rendered whether or not the petitioner has first requested the agency to pass upon the validity of the rule in question. The Court shall declare the rule invalid if it finds