

Ordinance are intended as mere catchwords to indicate the contents of said Section, and shall not be deemed or taken to be titles of such Sections, nor as any part of said Section.

SECTION 3. *And be it further enacted*, That this Ordinance shall take effect forty-five (45) days from the date it becomes law.

APPROVED AND ENACTED: (Returned to the County Council Office unsigned on July 23, 1971. Effective September 1, 1971 in accordance with Section 307(j) of the Anne Arundel County Charter).

Bill No. 50-71

AN ORDINANCE to repeal and re-enact, with amendments, Section 13-122 of the Anne Arundel County Code (1967 Edition and Supplements), Title 13, "Planning and Zoning", Subtitle 1, "Subdivisions", Article IV, "Required Improvements", changing the requirements for guaranteeing performance of Public Works Agreements by developers, and matters generally related thereto.

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland*, That Section 13-122 of the Anne Arundel County Code (1967 Edition and Supplements), Title 13, "Planning and Zoning", Subtitle 1, "Subdivisions", Article IV, "Required Improvements" be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Section 13-122.

(A) In all cases the subdivider shall be responsible for the installation of all required improvements under the inspection of the Public Works Department at his expense without reimbursement by the County. The final determination as to the need of the physical improvement shall be the prerogative of the Planning and Zoning Office. Within two (2) years of final approval of the subdivision, the developer shall execute a Public Works Agreement, that is, a contract between the developer and Anne Arundel County to complete the necessary improvements in accordance with approved plans and specifications by a given date []; such contract to be guaranteed by a surety bond, or performance bond, certified check, cash, certificate of deposit, an irrevocable letter of credit from a local bank or other accredited institution or such other security as required by law, such bond and amount to be approved by the Public Works Department].

(B) *The performance of such Public Works Agreement by the developer shall be guaranteed by a performance bond executed in such amount and by such sureties as shall be approved by the Department of Public Works. In lieu of a performance bond, the developer, at developer's option, may provide a certified check, cash, certificate of deposit or an irrevocable letter of credit from a local bank or other accredited institution in such amount as shall be approved by the Department of Public Works. In no event, however, shall*