

COUNTY LOCAL LAWS

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND, That Section 2-87, Chapter 2, title "Administration", of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

2-87. Created; composition; interview; appointment and term of members - Disclosure of interests.

a. There is hereby created and established a County Board of Appeals which shall consist of five members who shall be appointed by the County Council for three year terms; except that in appointing the first County Board of Appeals, one member shall be appointed for a term of one year, one for a term of two years and the third for a term of three years. Thereafter, all appointments or reappointments shall be for three year terms; except, that an appointment to fill a vacancy occurring before the expiration of a term shall be for the remainder of the unexpired term. Prior to any appointment hereunder the Council shall request the recommendation of the County Executive as to any person or persons qualified for such appointment; any such recommendation shall be made within thirty days of Council request.

b. Interview.

(1) All applicants for appointment or reappointment as members of the County Board of Appeals shall be interviewed by the County Council or its designated agent in private as to any possible or potential conflict of interests. The applicant shall be questioned under oath specifically on, but not limited to, all sources of income, property holdings, business interests and financial interests, as well as the similar interest of the applicant's spouse, father, mother, brother, sister or child. The County Council may require the production of any document it wishes the applicant to produce. The interview shall be conducted in a question and answer fashion, and a written transcript shall be made of all such questions and answers.

(2) When the testimony is fully transcribed, the transcript shall be submitted to the applicant for examination and shall be read to or by him, unless such examination and reading are waived by him. Any changes which the applicant desires to make shall be entered upon the transcript by the officer