

Bill No. 31-18  
Concerning: New Home Warranty and  
Builder Licensing - Amendments  
Revised: 1/18/2019 Draft No. 9  
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Enacted: February 5, 2019  
Executive: February 14, 2019  
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Sunset Date: None  
Ch. 1, Laws of Mont. Co. 2019

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Councilmember Rice

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**AN ACT** to:

- (1) require new home builders and new home sellers to register with the Office of Consumer Protection;
- (2) require new home builders and new home sellers to provide buyers with a new home warranty;
- (3) require the Office of Consumer Protection to administer and enforce County law related to new home builders and new home sellers; and
- (4) generally amend County law related to new home builders and new home sellers.

By amending

Montgomery County Code  
Chapter 2A, Administrative Procedures Act  
Section 2A-2

By repealing

Chapter 31C, New Home Warranty and Builder Licensing  
Sections 31C-1, 31C-2, 31C-3, 31C-4, 31C-5, 31C-6, 31C-7, 31C-8, 31C-9, 31C-10,  
31C-11, 31C-12, 31C-13, and 31C-14

By adding

Chapter 31C, New Home Builder and Seller Registration and Warranty  
Sections 31C-1, 31C-2, 31C-3, 31C-4, 31C-5, 31C-6, 31C-7, 31C-8, 31C-9, 31C-10, and  
31C-11

<b>Boldface</b>	<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:*

386

387 **Chapter 31C. New Home Builder and Seller Registration and Warranty.**

388 **31C-1. Definitions.**

389

390

391 In this Chapter, the following words have the meanings indicated:

392 *Board* means the Board for Registration of Building Contractors.

393 *Consumer* means a consumer as defined in Chapter 11 or a contract purchaser  
394 of a new home for use as a personal family residence or rental.

395 *Contract purchaser* means a person [[or legal entity]] who has entered into a  
396 contract with a new home builder or a new home seller to purchase a new home,  
397 but who has not yet settled on the purchase of the new home.

398 Director means the Director of the Office of Consumer Protection or the  
 399 Director's designee.

400 Homeowner or owner means:

- 401 (1) any person for whom a new home is built or to whom a new home is sold  
 402 for residential occupation; and
- 403 (2) the successors of that person in title to the home or mortgage in  
 404 possession;

405 Homeowner does not mean:

- 406 (1) any development company, association, or subsidiary company of the  
 407 builder; or
- 408 (2) a person [[or organization]] to whom the home may be conveyed by the  
 409 builder for any purpose other than use by that person [[or organization]].

410 Load-bearing portions of the home means:

- 411 (1) foundation system and footings;
- 412 (2) beams;
- 413 (3) girders;
- 414 (4) lintels;
- 415 (5) columns;
- 416 (6) walls and partitions;
- 417 (7) floor systems; and
- 418 (8) roof framing systems.

419 Major structural defect means any actual damage to load-bearing portions of  
 420 the home that:

- 421 (1) affects its load-bearing function; and
- 422 (2) vitally affects or is immediately likely to vitally affect use of the home  
 423 for residential purposes.

424 Major structural defect includes damage due to subsidence, expansion, or lateral  
 425 movement of the soil. Major structural defect does not include damage caused  
 426 by movement of the soil caused by flood or earthquake.

427 Maryland Home Builder Guaranty Fund means the Home Builder Guaranty  
 428 Fund in Title 4.5 of the Business Regulation Article of the Maryland Code.

429 New home means a newly constructed residential dwelling unit and the fixtures  
 430 and structure that are made a part of a newly constructed private dwelling unit  
 431 at the time of construction. New home includes any detached house, custom  
 432 home as defined in Section 10-501 of the Real Property Article of the Maryland  
 433 Code, townhouse, modular home, condominium unit, or cooperative apartment.

434 New home builder or builder means any person[[, sole proprietor, business  
 435 organization, or legal entity, including but not limited to, a corporation, limited  
 436 liability corporation, or trust]]:

- 437 (1) that is engaged in the business of erecting, constructing, or otherwise  
 438 creating a new home;
- 439 (2) to whom a completed new home is conveyed for resale in the course of  
 440 the business of the person [[or business organization]];
- 441 (3) that undertakes to sell a new home in Montgomery County;
- 442 (4) that applies for a building permit to construct a new home in Montgomery  
 443 County;
- 444 (5) that is engaged as a general contractor in the business of erecting,  
 445 constructing, or otherwise creating a new home; or
- 446 (6) that enters into a contract with a contract purchaser under which the seller  
 447 agrees to provide the contract purchaser with a new home.

448 New home builder does not include:

- 449 (1) a subcontractor or other vendor hired by a new home builder or a  
 450 consumer to perform services or supply materials for the construction of

- 451           a new home if the subcontractor or vendor does not otherwise meet the  
 452           requirements of this Chapter;
- 453           (2) the manufacturer of a residential mobile home, unless the manufacturer  
 454           also installs the mobile home;
- 455           (3) a real estate developer who does not construct or enter into contracts with  
 456           a consumer to sell or construct new homes;
- 457           (4) a financial institution that lends funds for the construction or purchase of  
 458           residential dwellings in Montgomery County;
- 459           (5) a buyer’s agent when representing a prospective buyer in the purchase of  
 460           a new home; or
- 461           (6) a person who is conducting a foreclosure sale.

462           New home seller or seller means a person[[, sole proprietor, or legal entity]] that:

- 463           (1) has legal title to the property on which the new home is constructed; and  
 464           (2) is the person [[or legal entity]] listed on the sales contract with the  
 465           contract purchaser to whom the property and new home are being sold  
 466           and conveyed.

467           New home seller includes a corporation, limited liability [[corporation]]  
 468           company, or trust.

469           Office means the Office of Consumer Protection.

470           Person has the same meaning as in Section 1-302.

471           Warranty date means the first day that the homeowner occupies or settles on the  
 472           new home, whichever first occurs.

473           **31C-2. Applicability of Chapter.**

- 474           (a) This Chapter applies only to construction work under the building code  
 475           and laws of the County and [[state]] State.
- 476           (b) This Chapter does not apply to a person who constructs a building that is  
 477           to be occupied as a personal residence for use of that person, if the person:

- 478           (1) receives a waiver from the Office to apply for and obtain any  
 479           permits from the Montgomery County Department of Permitting  
 480           Services to construct a new home without being registered as a new  
 481           home builder or a new home seller;
- 482           (2) signs a statement affirming that any permits issued by the  
 483           Department of Permitting Services are issued solely for the  
 484           purpose of that person performing work on that person's own  
 485           property; and
- 486           (3) signs a statement that the work for which the permit is issued is for  
 487           that person.

488 **31C-3. Compliance with building code generally; building permits.**

- 489           (a) Compliance with building code. This Chapter does not exempt any  
 490           construction work in the County from the requirement that it comply with  
 491           the building code.
- 492           (b) Building permits. The Department of Permitting Services must not issue  
 493           any building permit for a residence to any new home builder or new home  
 494           seller who is not registered with the Office under this Chapter.
- 495           (c) Certificate of inspection. A new home builder and new home seller must  
 496           provide to a contract purchaser at the time of occupancy or settlement,  
 497           whichever first occurs, a statement signed by the builder and seller, that  
 498           all County-required inspections have been performed.

499 **31C-4. Board of Registration.**

- 500           (a) Appointment of Board.
- 501           (1) There is a Board of Registration.
- 502           (2) The Board consists of 5 members appointed by the County  
 503           Executive and confirmed by the County Council.

- 504                   (3)   No more than 2 members of the Board may be active in the  
 505                                 residential construction field at the time of their appointment.
- 506           (b)   Term. The term for each member is 3 years. A vacancy is filled for the  
 507                                 remainder of the unexpired term. Unless a member is removed for good  
 508                                 cause, each member holds office until the term of the member expires or  
 509                                 a successor is appointed and confirmed.
- 510           (c)   The Director may designate up to 2 Office employees as ex officio,  
 511                                 nonvoting members to promote coordination with the Office’s activities.
- 512           (d)   Operation of the Board; powers and duties of the Board.
- 513                   (1)   The Board must elect from its members a chairperson,  
 514                                 vice-chairperson, and any other officers it deems necessary.
- 515                   (2)   The Board must:
- 516                                 (A)   make recommendations to the Director whether a  
 517   registration applicant, including a renewal applicant, should  
 518   be registered with the Office;
- 519                                 (B)   put its recommendations in writing; and
- 520                                 (C)   by July 1 each year, submit an annual report of its  
 521   proceedings to the Director.
- 522           (e)   The County Attorney or the County Attorney’s designee serves as  
 523                                 counsel to the Board.
- 524           (f)   Board members do not receive compensation for serving on the Board.

525   **31C-5. Registration process; fees.**

- 526           (a)   Registration required. A new home builder or a new home seller must  
 527                                 not engage, or offer to engage, in the business of constructing, selling, or  
 528                                 advertising a new home for sale or act in the capacity of a building  
 529                                 contractor in the County unless the builder or seller are first registered by  
 530                                 the Office.

- 531           **(b) Application.** Each application for registration must be on a form the  
532                                   Director requires and:
- 533                           (1) provide information as to character, references, experience,  
534                                   education, and training in or related to erecting, constructing, or  
535                                   otherwise creating a new home or selling a new home;
- 536                           (2) [[disclose that the applicant agrees that any service of process from  
537                                   the Office to the applicant will be satisfied by mailing via regular  
538                                   mail and certified mail, to the applicant at the most current address  
539                                   listed on the application form]] require that the applicant agree to  
540                                   provide the warranty required in Section 31C-8; and
- 541                           (3) include any additional information required by regulation.
- 542           **(c) Fees.**
- 543                           (1) Each application must be accompanied by an application fee.
- 544                           (2) Any application fee paid is not refundable.
- 545           **(d) Board recommendation.** Within 60 days after receiving a completed  
546                                   registration application, the Board must recommend to the Director  
547                                   whether:
- 548                           (1) the applicant is qualified to comply with the building code and  
549                                   laws of the County and State, and to fully perform new home  
550                                   building and new home sales contracts; and
- 551                           (2) the applicant should be registered or receive a conditional  
552                                   registration that stipulates specific requirements to which the  
553                                   applicant must comply before the applicant's registration can be  
554                                   fully recommended to the Director.
- 555           **(e) Director decision.**
- 556                           (1) Within 75 days after receiving a completed application, the  
557                                   Director must notify the applicant of the [[of the]] Board's



558 recommendation and the Director's final action regarding  
 559 registration, conditional registration, or denial of registration. If the  
 560 Director fails to notify the applicant within 75 days of submission,  
 561 the application is deemed approved.

562 (2) If the applicant is denied registration approval, the Director must[[:  
 563 (A) notify]] send the applicant [[in writing]] written notification  
 564 of the denial and the reasons for the denial[[; and  
 565 (B) mail the denial by certified mail to the address on the  
 566 application]].

567 (3) The Director must not approve a registration for a builder or seller  
 568 who has or had any legal interest in a previously licensed firm who  
 569 has or had a license or registration revoked or suspended for any  
 570 reason listed in Section [[31C-10]] 31C-9.

571 (f) Expiration of license. Unless renewed under the procedures in 31C-6, a  
 572 registration expires on the second anniversary of its effective date. Once  
 573 a registration expires, it cannot be renewed. The former registrant must  
 574 submit a new application for registration.

575 (g) Amendment. A new home builder or a new home seller must amend the  
 576 registration within 30 days of any material change in the information  
 577 provided in the most recent application or amendment.

### 578 **31C-6. Registration Renewal.**

579 (a) A registered new home builder or new home seller may apply to renew  
 580 their registration before the current registration expires by:

- 581 (1) submitting a completed renewal application;  
 582 (2) paying the required renewal fee; and  
 583 (3) making a payment to the Maryland Home Builder Guaranty Fund  
 584 as required under State law.

- 585           (b) At least 60 days before a new home builder or new home seller  
586           registration is set to expire, the Office must ~~[[provide notice to the~~  
587           registrant by electronic mail or regular mail sent to the last known address  
588           of]] send written notification to the registrant. This notice must contain:
- 589           (1) a renewal application form or online link to the renewal form;
  - 590           (2) the date on which the current registration expires;
  - 591           (3) the date by which the Office must receive the renewal application;
  - 592           and
  - 593           (4) information regarding the required fees associated with the  
594           renewal.
- 595           (c) A registrant must submit a completed renewal application to the Office  
596           no later than 30 days before the registration is set to expire.
- 597           (d) The Director may request that the Board review any renewal application  
598           to ensure the applicant continues to meet the criteria in Section 31C-5.
- 599           (e) By the date on which a registration is set to expire, the Director must  
600           ~~[[notify]]~~ send the applicant written notification of the of the Board's  
601           recommendation, if any, and the Director's final action regarding renewal  
602           of a registration. If the Director fails to notify the applicant by this date,  
603           the renewal application is deemed approved.
- 604           (f) If the applicant is denied registration approval, the Director must ~~[[:~~  
605           (1) notify]] send the applicant ~~[[in writing]]~~ written notification of the  
606           denial and the reasons for the denial ~~[[; and~~  
607           (2) mail the denial by certified mail to the address on the application]].
- 608           (g) A renewal registration is valid for 2 years.

609 **31C-7. Enforceability of contracts.**

610 A contract for the performance of any act for which a home builder registration  
 611 is required is [[not enforceable]] void unless the home builder was registered at the  
 612 time that the contract was signed by the contract purchaser.

613 **31C-8. New home warranty.**

614 (a) Warranty required. [[A]] As a condition to being registered under this  
 615 Chapter, a new home builder [[or]] and a new home seller must give a  
 616 consumer a written warranty that provides the warranty coverage  
 617 required by this Chapter [[before entering into a contract to sell or build  
 618 a new home]] no later than the execution of the contract to sell the home.

619 (b) Liability. The new home builder and new home seller [[are jointly and  
 620 severally liable for honoring]] must honor the terms of the warranty and  
 621 cannot discharge this warranty obligation by providing a third-party new  
 622 home warranty plan to the homeowner.

623 (c) Performance standards.

624 (1) The warranty must include minimum performance standards for  
 625 the construction and quality of the components of a new home.

626 (2) If specific minimum performance standards are not provided,  
 627 industry standards for good building practice determine  
 628 compliance with the new home warranty.

629 (d) Duration of warranty. The new home builder and the new home seller  
 630 [[are jointly and severally liable and]] must warrant to the homeowner,  
 631 and all subsequent homeowners during the warranty period, [[the new  
 632 home]] that:

633 (1) For 1 year, starting on the warranty date, the new home must be  
 634 free from any defect in materials or workmanship as defined in the  
 635 minimum performance standards.

- 636                   (2)    For 2 years, starting on the warranty date, the new home must be  
637                               free from any defect in the electrical, plumbing, heating, cooling,  
638                               ventilating, and mechanical systems.
- 639                   (3)    For 5 years, starting on the warranty date, the new home must be  
640                               free from any major structural defect.
- 641           (e)    Exclusions. The written warranty may exclude:
- 642                   (1)    damage to real property which is not part of the home covered by  
643                               the warranty and which is not included in the purchase price of the  
644                               home;
- 645                   (2)    bodily injury or damage to personal property;
- 646                   (3)    any defect in, or caused by, materials or work supplied by anyone  
647                               other than the builder, or its employees, agents, or subcontractors;
- 648                   (4)    any loss or damage which the homeowner has not taken timely  
649                               action to minimize; and
- 650                   (5)    any additional exclusions permitted by Regulation.
- 651           (f)    Statutory warranties. The statutory warranties required by this Chapter  
652                               are in addition to all other implied or express warranties imposed by law  
653                               or agreement. Each new home builder or new home seller must disclose  
654                               the information required by, and otherwise comply with, Sections 10-601  
655                               through 10-610 of the Real Property Article of the Maryland Code.
- 656           (g)    Financial security.
- 657                   (1)    Before entering into a contract to sell or build a new home, a new  
658                               home builder or a new home seller must:
- 659                               (A)   inform the consumer in writing whether any bond,  
660   insurance, or other financial security is responsible for or  
661   guarantees the builder's performance under the warranty  
662   required by this Chapter;

663 (B) provide proof of any such bond, insurance, or security to any  
 664 buyer on request; and

665 (C) include the following notice in the sales contract  
 666 immediately before the disclosure required by subparagraph

667 (A):

668 NOTICE TO BUYER

669 Montgomery County law does not require this builder to furnish any bond,  
 670 insurance, or other financial security to guarantee the builder's performance of its  
 671 warranty obligations. If a builder has promised you any other bond, insurance, or  
 672 security to guarantee the performance of its warranty obligations, that bond,

673 insurance, or security must be listed here:

674 (2) The buyer must acknowledge in writing that the buyer has read and  
 675 understands the notice required under paragraph (1)(C).

676 (3) A new home builder or new home seller may be required to post a  
 677 bond if the Director determines that the builder constructed and  
 678 sold a home without being registered.

679 **[[31C-9. Liability of builder and seller.**

680 (a) A new home builder and new home seller are jointly liable to the  
 681 homeowner during the period when the new home warranty is in effect.

682 (b) The builder and seller are jointly liable for any defect in the home which  
 683 is covered by the warranty.

684 (c) The liability of a builder and seller under the new home warranty is  
 685 limited to the purchase price of the home in the first good faith sale.

686 (d) The homeowner may recover any damages due from a builder or seller  
 687 under this Section by filing a civil action in any court with jurisdiction.]]

688 **[[31C-10]] 31C-9. Complaints, investigations, and administrative hearings.**

689 (a) Complaint. A consumer or homeowner may file a written complaint with  
 690 the Director. A complaint should state the name and address of the builder  
 691 or seller alleged to have committed a violation of this Chapter, describe  
 692 the violation, and provide any other information that the Office requires.  
 693 The Director may act on a complaint that is not complete.

694 (b) Investigation. The Office may:

695 (1) investigate any complaint made against any person [[or legal  
 696 entity]] who is operating as a new home builder or new home seller  
 697 and who is or should be [[required to be]] registered under this  
 698 Chapter;

699 (2) investigate any potential violation of and enforce this Chapter  
 700 without receiving a complaint;

701 (3) hold hearings or refer any matter to a hearing officer designated by  
 702 the Chief Administrative Officer for an administrative hearing;

703 (4) subpoena the attendance of witnesses and documents;

704 (5) administer oaths;

705 (6) require the production of evidence relating to any matter under  
 706 investigation;

707 (7) inspect relevant books, papers, records, or documents of the  
 708 builder or seller at the place of business of the builder and seller  
 709 during business hours; and

710 (8) conduct inspections of new home construction sites and models.

711 (c) Hearing.

712 (1) Before denying, suspending, refusing to renew, or revoking any  
 713 registration, the Director must afford the builder or seller an

- 714 opportunity for a hearing before a hearing officer designated by the  
715 Chief Administrative Officer for an administrative hearing.
- 716 (2) After giving a builder or seller the opportunity for a hearing, the  
717 Director may deny, suspend, refuse to renew, or revoke the  
718 registration of a new home builder or new home seller if the  
719 Director finds that the builder or seller:
- 720 (A) made a misstatement of material fact in the application for  
721 registration or renewal;
- 722 (B) committed fraud or misrepresentation in connection with  
723 any building activity conducted under the requirements of  
724 this Chapter;
- 725 (C) committed gross negligence in connection with any  
726 building activity conducted under the requirements of this  
727 Chapter;
- 728 (D) violated the building code or laws of the County or State;
- 729 (E) did not provide the new home warranty required by this  
730 Chapter;
- 731 (F) did not correct or settle a claim arising out of a defect that is  
732 covered by the warranty required by this Chapter;
- 733 (G) did not file an amendment to a registration application  
734 within 30 days of any material change in the information  
735 provided in the most recent application or amendment;
- 736 (H) aided, abetted, or knowingly combined or conspired with an  
737 unregistered person [[or legal entity]] to evade this Chapter;
- 738 (I) abandoned or willfully failed to perform, without  
739 justification, a contract for construction of a building that is  
740 to be used as a residence;

- 741                    (J)    willfully deviated from or disregarded plans or  
 742    specifications in any material way without consent of the  
 743    consumer or homeowner;
- 744                    (K)    did not comply with this Chapter in any material way;
- 745                    (L)    diverted funds or property that were received for the  
 746    completion of a construction project, and used the funds or  
 747    property for another project, operation, obligation, or  
 748    purpose, with intent to defraud or deceive creditors or the  
 749    contract purchaser;
- 750                    (M)    served as an officer, Director, owner, member, principal, or  
 751    stockholder for a builder or seller whose registration was  
 752    revoked or suspended under this Chapter;
- 753                    (N)    engaged in a pattern of unfair or deceptive trade practices in  
 754    violation of Chapter 11;
- 755                    (O)    obtained or attempted to obtain a residential home  
 756    construction permit by falsely representing that the  
 757    applicant was seeking a permit to construct a home to be  
 758    occupied by the applicant as a personal residence;
- 759                    (P)    ~~[[failure]]~~ failed to satisfy final judgments or liens in favor  
 760    of a contract purchaser, homeowner, subcontractor, or  
 761    government;
- 762                    (Q)    engaged in fraud, deception, misrepresentation, or knowing  
 763    omissions of material facts related to new home building  
 764    contracts;
- 765                    (R)    engaged in a pattern of poor workmanship as evidenced by  
 766    unresolved building code violations or unsatisfied  
 767    arbitration awards or judgments in favor of a consumer; or



- 768                   (S)    violated a term or condition of a conditional registration.
- 769                   (3)    The Director may refer a complaint or a violation to a hearing  
 770                   officer designated by the Chief Administrative Officer for an  
 771                   administrative hearing.
- 772                   [[(4) Service of process must be by regular and certified mail to the new  
 773                   home builder, new home seller, or the applicant's most current  
 774                   address provided on their application form.]]
- 775                   (d)    Hearings, generally. Any hearing held under this Section must be  
 776                   conducted under the Administrative Procedures Act.
- 777                   (e)    Appeals. A person aggrieved by a decision of the hearing examiner or  
 778                   Director to deny, suspend, refuse to renew, or revoke a registration may  
 779                   seek judicial review of the decision in the Circuit Court under the  
 780                   applicable Maryland Rules of Procedure governing judicial review of  
 781                   administrative agency decisions. A party aggrieved by the decision of the  
 782                   Circuit Court may appeal that decision to the Court of Special Appeals.

783    **[[31C-11]] 31C-10. Violations and penalties.**

784                   Any violation of this Chapter is a Class A violation.

785    **[[31C-12]] 31C-11. Administration; regulations.**

- 786                   (a)    The Director administers and enforces this Chapter.
- 787                   (b)    The Executive must adopt Method (2) regulations to implement this  
 788                   Chapter. The regulations must:
- 789                   (1)    set one or more fees appropriate to cover the cost of  
 790                   administering this Chapter;
- 791                   (2)    provide for the form and content of the warranty required by  
 792                   Section 31C-8;
- 793                   (3)    set forth the terms of the warranty required by Section 31C-8;

- 794                   (4)   describe other allowable warranty exclusions the Executive
- 795                               deems necessary;
- 796                   (5)   include standards under which a person may receive a waiver
- 797                               under Section 31C-2; and
- 798                   (6)   includes standards by which a person may be deemed qualified to
- 799                               comply with County and State law, as required in Section 31C-5.

800   **Sec. 2. Section 2A-2 is amended as follows:**

801   **2A-2. Applicability.**

802               This Chapter governs the following administrative appeals and proceedings and  
803   applies whether a hearing is conducted by a hearing examiner or another designated  
804   official.

805   \*       \*       \*

806           (g)   Complaints and actions filed with or by the Office of Consumer  
807                       Protection under Chapter [[31C-10]] 31C-9 when a hearing is required or  
808                       provided.

809           (h)   Such other hearings as hereinafter provided for by law or executive  
810                       regulations which are specifically designated as being governed hereby.  
811                       In this regard, the County Executive is hereby authorized to add or delete  
812                       additional quasi-judicial authorities from time to time by executive  
813                       regulation adopted under method (2) of section 2A-15 of this Code.

*Approved:*

  
\_\_\_\_\_  
Nancy Navarro, President, County Council

2/7/19  
\_\_\_\_\_  
Date

*Approved:*

  
\_\_\_\_\_  
Marc Elrich, County Executive

2/14/19  
\_\_\_\_\_  
Date

*This is a correct copy of Council action.*

  
\_\_\_\_\_  
Megan Davey Limarzi, Esq., Clerk of the Council

2/21/19  
\_\_\_\_\_  
Date