

**Executive Regulation
of
Town of Chevy Chase**

December 5, 2007

Subject: Final Regulation 2007-1; establishing designation, citation, definitions and rules of construction for the Code of Chevy Chase Regulations (“CCCR”).

Effective Date: This final regulation shall become effective on December 20, 2007.

Authority: Article IV of Chapter 2 of the Municipal Code (“Code”) of the Town of Chevy Chase (the “Town”) generally authorizes the Town to adopt regulations.

Legal Sufficiency: The Town Attorney has reviewed the final regulation for legal sufficiency on the 3rd day of December 2007.

TOWN OF CHEVY CHASE

David Podolsky, Town Attorney
Town of Chevy Chase

Summary: The final regulation would adopt new regulations to establish designation, citation, general definitions and rules of construction for the CCCR.

Notice: On December 5, 2007, this final regulation was published in the Chevy Chase Register, and the Town Manager posted notice of this final regulation at the Town Hall in a conspicuous place and on the Town Website. The Town Manager has also provided that notice be published in the December edition of *The Forecast*. The notice at the Town Hall, on the Town Website, and in *The Forecast* state where a copy of the final regulation may be reviewed, indicate the topic of the regulation, and the effective date of the regulation.

Consideration of Comments: The proposed regulation was published in the Chevy Chase Register on September 5, 2007. Notice was provided as set forth in Sections 2-403 and 2-404 of the Code and the deadline for submitting comments to the proposed regulation was October 22, 2007. The comment is available for review at the Town Hall.

One comment was received for the proposed regulation, which indicated support for it. As a result, there are no modifications to text of the Executive Regulation below.

Approval. The Mayor has reviewed and approved publication of the following final regulation on the ____ day of December 2007.

TOWN OF CHEVY CHASE

Linna Barnes, Mayor
Town of Chevy Chase

Final Regulation. Under the authority set forth above, the Town promulgates the following executive regulations:

Chapter 1	General Provisions	
	Section 1.1	How Executive Regulations Designated and Cited
	Section 1.2	Definitions and Rules of Construction

* * *

Section 1.1 How Executive Regulations Are Designated and Cited.

The executive regulations embraced in this and the following chapters and sections, as promulgated in accordance with article IV of chapter 2 of the Town of Chevy Chase Code and any other provision of the Code, shall constitute and be designated as "Town of Chevy Chase Code of Regulations" and may be so cited. The executive regulations may also be cited as "Code of Chevy Chase Regulations" or "CCCR".

Section 1.2 Definitions and Rules of Construction.

.01 In the construction of this CCCR, and of all regulations, the provisions of this section shall be observed, unless such construction would be inconsistent with the manifest intent of the mayor and town manager. The provisions of this section shall not be applied to any section of this CCCR which shall contain any express provisions excluding such construction, or where the subject matter or context of such section may be repugnant thereto.

.02 In the interpretation and application of any provisions of this CCCR, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of this CCCR imposes greater restrictions upon the subject matter than the general provision imposed by this chapter, the provisions contained in the subject matter chapter shall be deemed to be controlling.

.03 All general provisions, terms, phrases and expressions contained in this CCCR shall be liberally construed in order that the true intent and meaning of the mayor and town manager may be fully carried out.

CCCR. The word “CCCR” means the Code of Chevy Chase Regulations as designated in section 1.1 of this Town of Chevy Chase Code of Regulations.

Code. The word "Code" means the Town of Chevy Chase Municipal Code as designated in chapter 1 of the Town of Chevy Chase Municipal Code.

Document Submission. The phrase “document submission” shall mean any document submitted to the town, in written or electronic format, for purposes of any application, permit, plan, proposal, variance, or appeal request, required by the town for consideration of town approval, including, but not limited to a building permit, water drainage plan, sign permit, fence application, or tree removal permit.

Executive regulation. The phrase “executive regulation” shall have the same meaning as the term “regulation” as defined herein.

May. The word "may" is to be construed as being permissive.

May not. The phrase "may not" or phrases of like import have a mandatory negative effect and establish a prohibition.

Must. The word "must" is to be construed as being mandatory.

Nontechnical and technical words. Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Number. Words used in the singular include the plural and the plural includes the singular number.

Person. The word "person" includes a corporation, company, firm, partnership, association or other entity as well as a natural person.

Preceding, following. The words "preceding" and "following" mean next before and next after, respectively.

Register. The word “register” shall mean the Chevy Chase Register, which shall be the publication for promulgating proposed and final regulations as provided under Article IV of Chapter 2 of the Code.

Regulation. The word “regulation” shall mean any rule or requirement that the town manager and mayor may issue pursuant to a delegation of authority in the Code.

Shall. The word "shall" is to be construed as being mandatory.

State. The word "state" means the State of Maryland.

Tense. Words used in the past or present tense include the future as well as the past and present.

Town. The word "town" means the Town of Chevy Chase, Maryland.

Town council. The phrase "town council" or the word "council" means the town council of the Town of Chevy Chase, Maryland.

Year. The word "year" means a calendar year.

* * *

