

**COUNCIL OF THE TOWN OF LEONARDTOWN**  
**Ordinance No. 122**

---

**Date Introduced on First Reading:**                      **December 12, 2005**

**Amendments Adopted:**

**Date Adopted on Second Reading:**    *January 9, 2006*

**Date Effective:**    *January 30, 2006*

---

1    **AN ORDINANCE** concerning  
2

3                      **Road Construction – Maintenance Guarantee and Bond**  
4

5    **FOR** the purpose of requiring certain persons to provide maintenance guarantees  
6                      and bonds to the Town prior to the Town accepting a newly constructed road  
7                      improvement for perpetual maintenance; and all matters generally relating to  
8                      the construction of public roads in the Town of Leonardtown.  
9

10    **BY** adding  
11                      Code of the Town of Leonardtown  
12                      Chapter 128, Streets and Sidewalks  
13                      Sections 128-24.D.  
14

15    **SECTION I. BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF**  
16    **LEONARDTOWN** that new Section 128-24.D. be and it hereby is added to the Code  
17    of the Town of Leonardtown, Chapter 128, Streets and Sidewalks, to follow  
18    immediately after Section 128-24.C. thereof and to read as follows:.  
19

20                      Chapter 128-STREETS AND SIDEWALKS  
21

22    **§ 128-24. Approval and acceptance.**  
23

24    D.    AFTER THE ENGINEER PROVIDES FINAL APPROVAL AS REQUIRED BY  
25                      SUBSECTION A. OF THIS SECTION, AND AS A PRECONDITION TO THE  
26                      TOWN ACCEPTING ANY ROAD IMPROVEMENTS INTO THE  
27                      LEONARDTOWN MAINTENANCE SYSTEM FOR PERPETUAL  
28                      MAINTENANCE, THE DEVELOPER OR OTHER PARTY CONSTRUCTING  
29                      THE ROAD IMPROVEMENTS UNDER A PERMIT SHALL PROVIDE THE  
30                      TOWN WITH A GUARANTEE OF ALL WORK AND MATERIALS INSTALLED  
31                      UNDER THE PERMIT FOR A PERIOD OF TWO YEARS, AND SHALL  
32                      PROVIDE FOR A MAINTENANCE BOND FOR A PERIOD OF TWO YEARS  
33                      AFTER THE TOWN'S ACCEPTANCE OF THE ROAD IMPROVEMENTS.  
34                      THE GUARANTEE AND MAINTENANCE BOND SHALL BE FOR THE  
35                      PURPOSE OF:  
36

37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77

- (1) GUARANTEEING AND SECURING THE CORRECTION OF ANY DEFECT IN MATERIAL OR WORKMANSHIP FURNISHED FOR SUCH IMPROVEMENTS LATENT IN CHARACTER AND NOT DISCERNABLE AT THE TIME OF FINAL INSPECTION OR ACCEPTANCE BY THE TOWN.
- (2) GUARANTEEING AGAINST ANY DAMAGE TO SUCH IMPROVEMENTS BY REASON OF THE SETTLING OF THE GROUND, BASE OR FOUNDATION THEREOF.

THE GUARANTEE ALSO SHALL PROVIDE THAT THE SECURITY MAY BE APPLIED BY THE TOWN FOR ANY AMOUNTS INCURRED CORRECTING SUCH DEFECTS.

**SECTION II: AND BE IT FURTHER ORDAINED**, that this Ordinance shall become effective twenty (20) days following approval by the Mayor or passage by the affirmative vote of four-fifths of the whole Council after veto by the Mayor.

**SEAL:**

**COMMISSIONERS OF THE TOWN  
OF LEONARDTOWN**

Walter Wise  
**Walter Wise, Vice President**

Charles R. Faunce  
**Charles R. Faunce, Councilmember**

Leslie E. Roberts  
**Leslie E. Roberts, Councilmember**

J. Maguire Mattingly, III  
**J. Maguire Mattingly, III, Councilmember**

Bernard Delahay  
**Bernard Delahay, Councilmember**



78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114

**ATTEST:**

Laschelle E Miller  
**Laschelle E. Miller, Town Administrator**

Date 1/9/06

\*\*\*\*\*

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 9<sup>th</sup> day of January, 2006.

Laschelle E Miller  
Laschelle E. Miller, Town Administrator

In accordance with Section 210 of the Charter of the City of Town of Leonardtown, I hereby [(Approve) or (Disapprove)] approve this Ordinance this 9<sup>th</sup> day of January, 2006.

J. Harry Norris, III  
J. Harry Norris, III, Mayor

**Key:**

- CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
- ((Double Parenthesis)) indicate matter deleted from existing law.
- Underlining indicates amendments to bill.
- ~~Strike-Out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.