

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1995 Legislative Session

Bill No. CB-83-1995
Chapter No. 66
Proposed and Presented by Council Member Russell
Introduced by Council Members Russell and Del Giudice
Co-Sponsors _____
Date of Introduction October 24, 1995

BILL

AN ACT concerning

School Facilities Surcharge

For the purpose of establishing the School Facilities Surcharge and related administrative provisions.

BY repealing and reenacting with amendments:

SUBTITLE 4. BUILDING.

Section 4-352,

The Prince George's County Code

(1991 Edition, 1994 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 4-352 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 4. BUILDING.

DIVISION 5. ADMINISTRATIVE PROVISIONS.

Sec. 4-352. Fee Schedule.

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(a) The fee schedule for work performed in connection with the Building Code shall be as follows:

* * * * *

(31) Reforestation Fee-in-Lieu:

(A) In cases where on-site or off-site reforestation for forest cover removed from a site above the Conservation Threshold is not feasible, a fee-in-lieu of woodland

replacement may be assessed. This fee shall be assessed at a rate of thirty cents (\$0.30) per square foot multiplied by the area in square feet of forest removal, down to the Conservation Threshold, and that product multiplied by one-quarter (0.25). The fee system, instead of on-site or off-site reforestation, will be at the discretion of the approving authority. These funds shall be used only for the costs associated with afforestation/reforestation, woodland site acquisition, and site preparation on public or private lands for establishing woodlands. Fees will be collected by the Department of Environmental Resources prior to the issuance of a permit.

(32) School Facilities Surcharge: Upon the issuance of a building permit for new residential construction for which a building permit application has been made on or after July 1, 1996, with the exception of a permit that is issued pursuant to a valid preliminary plat of subdivision originally approved prior to October 1, 1995, the applicant shall pay a school facilities surcharge. The amount of the surcharge shall be \$1,500 for a one-family detached dwelling, \$800 for a semidetached dwelling, a triple- attached dwelling, a three-family dwelling, a two-family dwelling, or a townhouse, and \$400 for a multifamily dwelling.

(b) Fees collected for earnest payment pursuant to Section 27-548.08 of the County Code shall be credited toward the total amount of building permit fees required by Subsection (a), above. Any earnest payment fees in excess of the total amount of the building permit fees shall be refunded to the applicant at the time of building permit issuance. SECTION 2. BE IT FURTHER ENACTED that the revenue collected shall be deposited in a separate account and may only be used to pay for the construction of new or expanded school facilities, which shall include the debt service on bonds issued for such facilities and may not supplant other County or State funding for school construction.

SECTION 3. BE IT FURTHER ENACTED that an impact study in consideration of APF shall be done within six (6) months with recommendations for County Council or General Assembly action.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 21st day of November, 1995.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:

Anne T. MacKinnon
Chairwoman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____

BY:

Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.