

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2000 Legislative Session

Bill No. CB-48-2000

Chapter No. 33

Proposed and Presented by Council Member Bailey

Introduced by Council Member Bailey

Co-Sponsors _____

Date of Introduction June 6, 2000

EMERGENCY BILL

1 AN EMERGENCY ACT concerning

2 School Facilities Surcharge

3 For the purpose of modifying the amount of the School Facilities Surcharge, adding certain
4 exemptions, eliminating the credit against the surcharge for moderately priced dwelling units,
5 and making other amendments concerning the surcharge, in accordance with State law.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 4. BUILDING.

8 Section 4-352,

9 The Prince George's County Code

10 (1999 Edition).

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13 repealed and reenacted with the following amendments:

14 SUBTITLE 4. BUILDING.

15 DIVISION 5. ADMINISTRATIVE PROVISIONS.

16 **Sec. 4-352. Fee Schedule.**

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

19 * * * * *

20 (32) School Facilities Surcharge: Upon the issuance of a building permit for new
21 residential construction for which a building permit application has been made on or after July 1,

1996, the applicant shall pay a school facilities surcharge, with the exception of a permit for the construction of: (1) dwellings for the elderly which are operated in accordance with State and Federal fair housing laws within an apartment house for the elderly, an assisted living facility, a congregate living facility, a mixed residential development, or planned retirement community[.]; (2) a single-family detached dwelling to be built or subcontracted by an individual owner in a minor subdivision and intended as the owner's personal residence; or (3) improvements on property in an infrastructure finance district approved before January 1, 2000 [the applicant shall pay a school facilities surcharge]. For applications filed before July 1, 2000, t[T]he amount of the surcharge shall be \$2,500 for a one-family detached dwelling[,], or a townhouse[,], and for each dwelling unit in a semidetached dwelling, a triple-attached dwelling, a three-family dwelling, a two-family dwelling, or a multifamily dwelling. For applications filed on or after July 1, 2000, for the same residential units, the amount of the surcharge shall be \$5,000. Any adequate public facilities fees for schools imposed herein shall be offset against any school facility surcharge upon the same project. Whenever an adequate public facilities fee for schools is charged, the full amount of the said fee shall be credited to the school area for whose benefit the said fee is charged.

(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. [Any fee-in-lieu for moderately priced dwelling units for property located within an infrastructure finance district approved prior to December 18, 1997, shall be offset against any school facility surcharge upon the same property.]

SECTION 2. BE IT FURTHER ENACTED that in accordance with the provisions of Section 317 of the Charter, the County Council hereby declares that a public emergency exists affecting the public health, safety, and welfare; said emergency being the need to secure revenue for the County by imposing the increases to the school facilities surcharge as required by State law.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on July 1, 2000.

Adopted this 27th day of June, 2000, by an affirmative vote of two-thirds of the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dorothy F. Bailey
Chair

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.