

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2021 Legislative Session

Reference No.: CR-084-2021

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 10/21/2021

Action: FAV(A)

REPORT:

Committee Vote: Favorable as amended, 8-0 (In favor: Council Members Hawkins, Davis, Dernoga, Franklin, Glaros, Harrison, Taveras and Turner)

The Committee of the Whole convened on October 21, 2021 to consider CR-84-2021. This legislation was transmitted by the County Executive for the Council's consideration. As introduced on September 14, 2021, Draft-1 of the legislation approves a fee table established by the Director of the Department of Permitting, Inspections and Enforcement (DPIE) to implement a fee for the issuance of a Zoning Compliance Letter. The Planning, Housing and Economic Development (PHED) Committee Director explained that this Resolution is companion to legislation, CB-63-2021 Draft-2, reviewed by the Committee of the Whole on September 30, 2021 and October 14, 2021, and subsequently introduced on October 19, 2021. CB-63-2021 amends the Building Code to provide property owners with a certification regarding zoning compliance.

The PHED Committee Director further explained that in accordance with Committee recommended amendments in CB-63-2021 (Draft-2), the following revisions were incorporated in a Proposed Draft-2 (DR-2) of CR-84-2021:

A RESOLUTION concerning

Implementation of **Use and Occupancy Verification Letter** ~~Zoning Compliance Letter~~ Fee
For the purpose of approving a fee table established by the Director of the Department of Permitting, Inspections and Enforcement to implement a fee for the issuance of a **Use and Occupancy Verification Letter** ~~Zoning Compliance Letter~~.

WHEREAS, Subtitle 4 codified in the Prince George's County Code created a **Use and Occupancy Verification Letter** ~~Zoning Compliance Letter~~ issuance fee that must be paid prior to the issue of the **Use and Occupancy Verification Letter** ~~Zoning Compliance Letter~~; and

WHEREAS, the Director of the Department of Permitting, Inspections and Enforcement

has established the following fees for issuance of the **Use and Occupancy Verification Letter**
~~Zoning Compliance Letter~~:

**ATTACHMENT A
 TABLE OF FEES**

Fees	Minimum Fee	Industry Fee Calculation (if higher than minimum)
Use and Occupancy Verification Letter Zoning Compliance Letter	\$250	-

WHEREAS, the County Executive has reviewed and approves the proposed changes to the fee table; and

WHEREAS, this Resolution will complete the process required for implementing the change in fees established by the Director of Permitting, Inspections and Enforcement.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the proposed changes to the fee schedule table detailing the fee for the issuance of the **Use and Occupancy Verification Letter** ~~Zoning Compliance Letter~~ required in CB-63-2021 are hereby approved.

DPIE Director Melinda Bolling stated that the fee is to cover staff time for research and site visits that are necessary to complete verification letters requested by individuals who are seeking confirmation that a use is permitted on a site prior to investing in the property. Lori Parris, DPIE Senior Advisor added that the agency also receives 20-25 requests per month from existing businesses for certification letters and the fee will cover the cost of the ongoing work that is necessary to complete the letters.

The Office of Law reviewed CR-84-2021 and found it to be in proper legislative form with no legal impediments to its adoption. In response to Council Member Turner's question, Associate County Attorney Amanda Denison stated that the new fee is not subject to referendum as contained in Section 813 of the County Charter as it is an excepted fee from this requirement.

On a motion by Council Member Glaros and second by Council Member Dernoga, the Committee voted favorable, 8-0, on CR-84-2021 Proposed DR-2.