

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2002 Legislative Session

Bill No. CB-50-2002
 Chapter No. 42
 Proposed and Presented by The Chairman (by request – County Executive)
 Introduced by Council Members Shapiro, Wilson and Bailey
 Co-Sponsors _____
 Date of Introduction July 11, 2002

BILL

1 AN ACT concerning

2 Special Assessment for Commercial and Non-Residential Properties

3 For the purpose of clarifying the definition of improved area for calculation of the special
 4 assessment for commercial and non-residential properties.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 2. ADMINISTRATION.

7 Section 2-375,

8 The Prince George's County Code

9 (1999 Edition, 2001 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 11 Maryland, that Section 2-375 of the Prince George's County Code be and the same is hereby
 12 repealed and reenacted with the following amendments:

13 SUBTITLE 2. ADMINISTRATION.

14 DIVISION 22. URBAN AREAS.

15 Subdivision 1. General.

16 **Sec. 2-375. Tax levy for municipal functions.**

17 * * * * *

18 (b) The special assessment taxes levied by the Council for the costs of garbage and trash
 19 collection, removal and disposition, including site acquisition and operation shall be by and ad
 20 valorem tax against all of the improved properties assessed for County tax purposes within the
 21 area receiving trash and garbage removal and disposition service. The Council may in its

discretion prescribe the method of payment and the rate of tax for the costs of the collection, removal and disposition of trash and garbage as follows: the basis of the tax to be the total costs of said service divided by the number of units served. The Council may vary the tax rate as between individual residential units and commercial establishments. Such decision as to any variance for such serve by the Council shall be conclusive.

* * * * *

(3) The special assessment tax rate for residential and commercial properties and commercial uses shall be established at rates that are designed to generate the same total revenue previously generated by the residential rate alone, provided, however, that the rates shall be adjusted to ensure sufficient revenue to cover the increase in the cost of providing services. For Fiscal Year 2002 and each fiscal year thereafter, the rate for residential properties shall not exceed Thirty Dollars (\$30.00) per fiscal year per residential unit for the portion of the residential property refuse fee known as the Base Benefit Fee. For Fiscal Year 2002 and each fiscal year thereafter, the special assessment tax rate for commercial properties and commercial uses shall be calculated by assigning each business type to a waste generation classification system of low, medium, and high, with a corresponding waste generation as follows:

(A) 0 to 3.99 pounds per improved square foot per fiscal year – low;

(B) 4.00 to 5.99 pounds per improved square foot per fiscal year – medium; and

(C) 6.00 & above pounds per improved square foot per fiscal year – high.

For Fiscal Year 2002, the initial unit dollar charge shall be \$4.40 for low generators; \$11.00 for medium generators; and \$15.40 for high generators for each 100 square feet of improved area.

For purposes of this Section, “improved area” for commercial and non-residential properties

shall mean the total area in square feet of the building or buildings situated on the property

excluding parking structures and out-buildings. The actual special assessment tax rate for

commercial properties and commercial uses charged is the product of the unit dollar charge and

the improved square footage of each establishment divided by 100. In subsequent fiscal years,

the special assessment tax rate charged for each classification may be adjusted to generate

sufficient revenue required to offset the \$20.00 per residential unit reduction in the Base Benefit

Fee portion of the Residential Solid Waste Special Assessment Tax Rate. In addition, beginning

July 1, 2003, the Commercial and Residential Solid Waste Special Assessment Tax Rate may

also be adjusted each year to reflect increased County Recycling and Disposal System costs not

1 to exceed the Consumer Price Index – all urban consumers for the Washington-Baltimore
2 Metropolitan area using the January base index for the ensuing fiscal year.

3 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
4 calendar days after it becomes law; and be retroactively effective to July 1, 2002.

Adopted this 2nd day of July, 2002.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Acting 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.