

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2017 Legislative Session

Resolution No. CR-73-2017

Proposed by Council Member Davis

Introduced by Council Members Davis and Turner

Co-Sponsors _____

Date of Introduction September 19, 2017

RESOLUTION

1 A RESOLUTION concerning

2 The Washington Suburban Sanitary Commission

3 System Development Charge - Youth Exemption

4 Corrective Resolution

5 For the purpose of repealing the termination provision of the System Development Charge
6 (SDC) youth exemption, consistent with State law; providing for corrective language; and
7 generally regarding the System Development Charge.

8 WHEREAS, Section 25-402 of the Public Utilities Article of the Annotated Code of Maryland
9 authorizes the imposition of a System Development Charge, and Section 25-403 of the Public
10 Utilities Article of the Annotated Code of Maryland provides that Montgomery and Prince George's
11 County Councils shall meet annually to discuss and approve the System Development Charge.

12 WHEREAS, the County Councils of Prince George's County and Montgomery County met
13 and approved the modifications to the System Development Charge and approved exemptions to
14 the System Development Charge on May 11, 2017.

15 WHEREAS, Section 25-403 of the Public Utilities Article of the Annotated Code of Maryland,
16 authorizes the County Councils of Prince George's County and Montgomery County to grant a full or
17 partial exemptions from the System Development Charge including the youth exemption.

18 WHEREAS, the System Development Charge is a component of the Commission's Fiscal
19 Year 2018 Capital and Operating budgets prepared pursuant to Section 17-202, Public Utilities
20 Article, of the Annotated Code of Maryland; and

21 WHEREAS, the Maryland General Assembly enacted House Bill 636, Chapter 124, 2013
22 Laws of Maryland, System Development Charge Exemptions legislation during its 2013 Session,
23 a bill which allows an exemption of up to \$80,000 to certain properties used primarily for

1 recreational and educational programs and services to youth effective July 1, 2013; and this
2 authorization terminated pursuant to State law on June 30, 2016.

3 WHEREAS, the Maryland General Assembly enacted House Bill 335, Chapter 563, 2017
4 Laws of Maryland, System Development Charge Exemptions legislation during its 2017 Session,
5 a bill which allows an exemption of up to \$80,000 to certain properties used primarily for
6 recreational and educational programs and services to youth effective July 1, 2017; and this
7 authorization did not terminate; and the youth exemption authorization remains in full effect.

8 WHEREAS, at the May 11, 2017 meeting both Councils approved the following language
9 regarding the youth exemption:

10 “(11) Property Used Primarily for Recreational and Educational Programs and Services to
11 Youth means real property, owned in fee simple, by a Community Based Organization as jointly
12 defined and approved by the Montgomery and Prince George’s County Councils as eligible for a
13 System Development Charge exemption, more particularly described in Schedule F, attached.”

14 WHEREAS, in Prince George’s County the youth exemption was designated as follows:
15 the “System Development Charge may be reduced up to \$80,000 for Property used Primarily for
16 Recreational and Educational Programs and Services to Youth as defined in Schedule F, and
17 shall sunset on June 30, 2016;” and

18 WHEREAS, the text in the Prince George’s County Council’s CR-43-2017 “, and shall
19 sunset on June 30, 2016” was added in error; and

20 WHEREAS, the text of the Montgomery County Council’s System Development Charge
21 legislation was correct and omitted the termination language;

22 WHEREAS, Schedule F of CR-43-2017 regarding the youth exemption provides:

23 **SCHEDULE F**

24 1 “Property Used Primarily for Recreational and Educational Programs and Services to
25 Youth” means:

26 Real property, owned in fee simple, by a Community Based Organization, located within
27 the Washington Suburban Sanitary District, which is used to advance the mission and
28 purpose of providing program and services to youth in Prince George’s and/or
29 Montgomery County.

30 2. “Community Based Organization” means:

31 A not-for-profit entity duly incorporated in or authorized to do business by the State of

Maryland and in good standing under the laws of the State of Maryland, which has as its primary mission and purpose to provide recreational and educational programs and services to youth in Prince George’s and/or Montgomery County.

3. “Exempt from Taxation” means:

A not-for-profit, charitable or educational organization as determined by the Internal Revenue Service, under Section 501 (c) (3) of the Internal Revenue Code.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the County Council hereby corrects the text of CR-43-2017 to remove the termination provision for the youth exemption, consistent with State law.

Adopted this 19th day of September, 2017.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council