

**FOR INTERNAL USE ONLY**

**INTERGOVERNMENTAL AFFAIRS DIVISION**

**COUNTY AGENCY LEGISLATIVE COMMENT REQUEST FORM**

**Reviewing Agency:** Department of Permitting, Inspections and Enforcement

**Bill/Resolution Number:** CB-017-2026

**Brief Summary of the Bill/Resolution:** Use and Occupancy Permit Fees. The Bill establishes specific use and occupancy permit fees for certain uses, creates renewal fees for such uses, and establishes a non-lapsing Quality of Life Improvement Fund.

**Agency Impact:**

*Will this bill impact your Agency financially or operationally, or your Agency's mission?*

Yes     No     Undeterminable at this time

*If yes, please select the appropriate impact:*     Positive Impact     Negative Impact     No Impact

**Discussion of Impact:**

DPIE understands the intent of the Bill and the Councilmembers goals; however, DPIE suggests that Prince Georg'es Economic Development Corporation review the Bill and provide the impact on commercial business activity. This Bill could force business owners to leave the County or not open a business in the County because of the high cost of the annual fee. If there is a reduction of this type of commercial activity there will be a negative impact in tax revenue collected in the County. DPIE suggest that the Office of Finance review this Bill to determine what negative impacts may occur.

DPIE also has the following questions regarding the Bill.

1. If one of these business classes changes ownership after the U&O renewal fee has been paid, does the new owner have to repay the fee or pay the following year?
2. If the former, would the previous owner receive a refund of the remaining months and the new owner only pay for the remaining months?
3. If refunds/credits are involved, would this be managed by Finance as the administrator of the Fund?

**Operational Concerns:**

**Revocation of the Use & Occupancy Permit (U&O) - Appeal Process required.**

This Bill provides for the authority to revoke a U&O Permit. The Bill should clarify the appeal process for the revocation. DPIE suggests that the Office of Law provide additional guidance to codify the appeal process.

**Late Fee – 90-day grace period.**

Page 4 Line 8 -12 – This provision requires DPIE to send a courtesy notice to the business that are subject to the renewal fee. DPIE can provide this notice. However, DPIE would like to Bill to provide additional language that the notice shall be done in a manner determined by DPIE . This allows DPIE the flexibility to determine how to provide this notice. Also, DPIE suggests that language be added to include “failure to provide the renewal notice is not a legal basis to challenge the revocation of the U&O or any other enforcement action taken pursuant to this Subtitle.”

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**Late Fee**

The proposed Bill does not provide for a specific Late Fee. DPIE recommends that the Fee be codified and added to the Table of Fees as a Late Fee. Additionally, since DPIE is collecting the fee, we are proposing that a \$69.00 Administrative Fee and 10% Technology Fee be authorized.

**Quality of Life Improvement Fund**

DPIE takes no position on the creation of the fund. DPIE would have to create a new General Ledger line to collect the funds. DPIE suggests that the Office of Finance review this provision to ensure a process is put in place for the collection of the fees and transmittal to the Office of Finance.

**Fiscal Impact:**

*Please provide an estimate of the financial impact. For example, will this bill require you to hire more staff, create a computer system, etc?*

Yes. DPIE would have to change the Momentum system to allow for the automatic expiration of a Use & Occupancy permit for the qualifying businesses as well as increase the fee. The modifications to Momentum would be approximately 75K.

**Agency Position Recommendation:**

- Support       Oppose       Support with Amendments       No position

*Please specify any suggested amendments in the space below?*

**Additional Information:**

*Has your agency been contacted by the State Department of Legislative Services staff regarding this proposal?*

- Yes     No

*If yes, please provide comments about the discussion.*

**Contact:** Lori S. Parris, Esq.

**Date:** March 23, 2026