

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1997 Legislative Session

Bill No. CB-49-1997

Chapter No. 24

Proposed and Presented by Council Member Russell

Introduced by Council Members Russell, Maloney, Gourdine, Scott, MacKinnon,
Wilson, Estep and Bailey

Co-Sponsors

Date of Introduction May 13, 1997

EMERGENCY BILL

AN EMERGENCY ACT concerning

School Facilities Surcharge

For the purpose of increasing the School Facilities Surcharge and exempting certain types of residential development from the payment of the surcharge.

BY repealing and reenacting with amendments:

SUBTITLE 4. BUILDING.

Section 4-352,

The Prince George's County Code

(1995 Edition, 1996 Supplement).

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of Prince George's County, Maryland, that Section 4-352 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 4. BUILDING.

DIVISION 5. ADMINISTRATIVE PROVISIONS.

Sec. 4-352. Fee Schedule.

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

* * * * *

(32) School Facilities Surcharge: Upon the issuance of a building permit for new

residential construction for which a building permit application has been made on or after July 1, 1996, with the exception of a permit that is issued pursuant to a valid preliminary plat of subdivision originally approved prior to October 1, 1995, and with the exception of a permit for the construction of 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, the applicant shall pay a school facilities surcharge. The amount of the surcharge shall be \$[1,500]2,500 for a one-family detached dwelling, \$[800]1,200 for a semidetached dwelling, a triple-attached dwelling, a three-family dwelling, a two-family dwelling, or a townhouse, and \$[400]700 for a multifamily dwelling unit. 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.

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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 revenues for the County by imposing the increases to the school facilities surcharge as authorized by State law.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on the date it becomes law.

Adopted this 3rd day of June, 1997, 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.