

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 10/29/96

Reference No.: CB-60-1996

Proposer: Scott, Del Giudice, Estepp

Draft No.: 2

Sponsors: Scott, Del Giudice, Estepp

Item Title: An act to establish a limit on residential refuse system fees, to provide for the establishment of a refuse system fee for commercial properties, & to clarify the procedures for the establishment of fees and special assessment taxes for refuse and recycling fees

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Personnel: Cheye M. Calvo
Council Aide

LEGISLATIVE HISTORY:

Date Presented: 7/2/96

Executive Action: 12/18/96 S

Committee Referral:(1) 7/2/96 PSFM

Effective Date: 2/3/97

Committee Action:(1) 7/16/96 HELD

Committee Action:(2) 9/18/96 HELD

Committee Action:(3) 10/3/96 HELD

Committee Action:(4) 10/24/96 FAV (A)

Date Introduced: 10/29/96

Pub. Hearing Date: (1) 11/26/96 11:00 AM

Council Action: (1) 11/26/96 Enacted

Council Votes: SD:A, DB:A, JE:A, IG:A, AMc:A, WM:A, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE REPORT Date: 10/24/96

Committee Vote: Favorable as amended, 3-0-1. (In favor: Council Members Estepp, Bailey and Scott. Abstained: Maloney).

This bill will establish a limit on residential refuse system fees, provide for a refuse system fee for commercial properties; establish clarifying procedures for implementing fees and special assessment taxes for refuse and recycling fees and an appeal process.

A proposed Draft 2 was discussed and amended during the work session.

A worksession was held on 9/19/96. Committee Member Del Giudice submitted a letter requesting that this legislation be held in committee. He also requested that the County Executive share the results of the consultant study and the framework for the new commercial fee with the PSFM Committee prior to including the fees in the FY98 budget.

The Director of the Department of Environmental Resources stated that this legislation should be held in committee and adopted after the consultant has submitted his report and the appropriate fees included in the FY98 budget.

A proposed amendment to address an inequity in the County's trash collection was submitted by Committee Member Maloney. Gary Allen, Mayor of Bowie, submitted a letter stating that CB-60 was a fair bill which would provide relief for residential property owners who have paid for the past two years for the entire burden of providing for the basic cost of the solid waste system.

This legislation was held in committee on 7/16/96 to allow DER adequate time to provide the committee with some concrete suggestions.

The Office of Management and Budget stated that the new commercial fees would have to be sufficient to replace the level of lost revenue in the Solid Waste Fund. OMB is unable to estimate the revenue yield from commercial fees at this time, but noted that it would be difficult to levy and collect commercial fees in time to offset the FY97 loss of revenue included in CB-60-1996.

There will be negative fiscal impact on the County as a result of the reduction of the residential refuse system fees but the negative impact would be offset by the establishment of an equivalent amount in commercial refuse system fees.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The proposed legislation provides a limit of \$30.00 per year for the refuse system (landfill access) fee for residential properties and requires that non-residential properties be assessed a fee based upon the use classification of the property and the gross interior square footage. The legislation clarifies the procedure to be used to establish fees and makes minor technical clarifications to existing law.

CODE INDEX TOPICS:

Urban Areas

Tax levy

Municipal functions 2-375

Urban Areas for Recyclables, Garbage, and Trash

[Method of] Procedure for establishing urban area; levying special assessments .. 2-384.04