COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1998 Legislative Session

Bill No.	CB-50-1998
Chapter No.	48
Proposed and Presented by	Council Member Russell
Introduced by	Council Member Russell
Co-Sponsors	
Date of Introduction	June 9, 1998

BILL

1 AN ACT concerning

2 School Facility Surcharge

3 For the purpose of amending the amount of the School Facilities Surcharge in accordance with

4 State law.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 4. BUILDING.

7 Section 4-352,

8 The Prince George's County Code

9 (1995 Edition, 1997 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,

11 Maryland, that Section 4-352 of the Prince George's County Code be and the same is hereby

12 repealed and reenacted with the following amendments:

13 **SUBTITLE 4. BUILDING.**

14 **DIVISION 5. ADMINISTRATIVE PROVISIONS.**

15 **Sec. 4-352. Fee Schedule.**

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

17 follows:

18 *   *   *   *   *   *   *   *

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

20 residential construction for which a building permit application has been made on or after July 1,

21 1996, [with the exception of a permit that is issued pursuant to a valid preliminary plat of

1 subdivision originally approved prior to October 1, 1995, and] with the exception of a permit for

2 the construction of dwellings for the elderly which are operated in accordance with State and

3 Federal fair housing laws within an apartment house for the elderly, an assisted living facility, a

4 congregate living facility, a mixed residential development, or planned retirement community,

5 the applicant shall pay a school facilities surcharge. The amount of the surcharge shall be $2,500

6 for a one-family detached dwelling, a townhouse and for each dwelling unit in [; $1,200 for] a

7 semidetached dwelling, a triple-attached dwelling, a three-family dwelling, a two-family

8 dwelling, [or a townhouse; and $700 for] or a multifamily dwelling [unit]. Any adequate public

9 facilities fees for schools imposed herein shall be offset against any school facility surcharge

10 upon the same project. Whenever an adequate public facilities fee for schools is charged, the

11 full amount of the said fee shall be credited to the school area for whose benefit the said fee is

12 charged.

13   (b) Fees collected for earnest payment pursuant to Section 27-548.08 of the County Code

14 shall be credited toward the total amount of building permit fees required by Subsection (a),

15 above. Any earnest payment fees in excess of the total amount of the building permit fees shall

16 be refunded to the applicant at the time of building permit issuance. Any fee-in-lieu for

17 moderately priced dwelling units for property located within an infrastructure finance district

18 approved prior to December 18, 1997 shall be offset against any school facility surcharge upon

19 the same property.

20   SECTION 2. BE IT FURTHER ENACTED that notwithstanding the provisions of Section

21 4-352(a), the surcharge fee shall be $700.00 per unit for any multi-family development of more

22 than 140 units within a Comprehensive Design Zone upon which the District Council has placed

23 a condition precluding the granting of building permits until required road improvements have

24 been completed; provided, however, that permits for such a development are granted within one

25 year of the effective date of this Act.

26   SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)

27 calendar days from the date it becomes law..

Adopted this <u>7th</u> day of <u>July</u>, 1998.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

_____
Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____   BY: _____
Wayne K. Curry
County Executive

KEY:
<u>Underscoring</u> indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.