

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2003 Legislative Session

Bill No. CB-31-2003

Chapter No. 26

Proposed and Presented by Council Member Shapiro

Introduced by Council Members Shapiro, Dean, Knotts and Harrington

Co-Sponsors _____

Date of Introduction May 6, 2003

BILL

1 AN ACT concerning

2 School Facility Surcharge

3 For the purpose of increasing the amount of the School Facility Surcharge, deleting obsolete
4 language relating to certain credits, and making other amendments concerning the School
5 Facility Surcharge in accordance with State law.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 4. BUILDING.

8 Section 4-352,

9 The Prince George's County Code

10 (1999 Edition, 2002 Supplement).

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13 repealed and reenacted with the following amendments:

14 SUBTITLE 4. BUILDING.

15 DIVISION 5. ADMINISTRATIVE PROVISIONS.

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

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

19 * * * * *

20 (32) School Facilities Surcharge: Upon the issuance of a building permit for new
21 residential construction for which a building permit application has been made on or after July 1,

1 1996, the applicant shall pay a school facilities surcharge, with the exception of a permit for the
 2 construction of:

3 (A) Dwellings for the elderly which are operated in accordance with State and
 4 Federal fair housing laws within an apartment house for the elderly, an assisted living facility, a
 5 congregate living facility, a mixed residential development, or planned retirement community;

6 (B) A single-family detached dwelling to be built or subcontracted by an
 7 individual owner in a minor subdivision and intended as the owner's personal residence; or

8 (C) Improvements on property in an infrastructure finance district approved
 9 before January 1, 2000.

10 [For applications filed before July 1, 2000, the amount of the surcharge shall be \$2,500 for
 11 a one-family detached dwelling or a townhouse and for each dwelling unit in a semidetached
 12 dwelling, a triple-attached dwelling, a three-family dwelling, a two-family dwelling, or a
 13 multifamily dwelling. For applications filed on or after July 1, 2000, for the same residential
 14 units, the amount of the surcharge shall be \$5,000. Any adequate public facilities fees for
 15 schools imposed herein shall be offset against any school facility surcharge upon the same
 16 project. Whenever an adequate public facilities fee for schools is charged, the full amount of the
 17 said fee shall be credited to the school area for whose benefit the said fee is charged.]

18 (33) The amount of the school facilities surcharge for a building permit issued on or
 19 after July 1, 2003 shall be:

20 (i) \$7,000 if the building is located between interstate highway 495 and
 21 the District of Columbia;

22 (ii) \$7,000 if the building is included within a basic plan or conceptual site
 23 plan that abuts an existing or planned mass transit rail station site operated by the Washington
 24 Metropolitan Area Transit Authority; or

25 (iii) \$12,000 for all other buildings.

26 (34) School Facility Surcharge in Municipal Corporations: Prior to the issuance of a
 27 building permit for new residential construction in a municipality with zoning authority and the
 28 authority to issue building permits, the applicant shall pay to the County a school facilities
 29 surcharge in the amount of:

30 (A) \$7,000 if the building is located between interstate highway 495 and the
 31 District of Columbia;

1 (B) \$7,000 if the building is included within a basic plan or conceptual site plan
2 that abuts an existing or planned mass transit rail station site operated by the Washington
3 Metropolitan Area Transit Authority; or

4 (C) \$12,000 for all other buildings.

5 (b) Fees collected for earnest payment pursuant to Section 27-548.08 of the County Code
6 shall be credited toward the total amount of building permit fees required by Subsection (a),
7 above. Any earnest payment fees in excess of the total amount of the building permit fees shall
8 be refunded to the applicant at the time of building permit issuance.

9 SECTION 2. BE IT FURTHER ENACTED that the school facilities surcharge established
10 in this Act shall be in effect for Fiscal Year 2004 and that, beginning in Fiscal Year 2005, the
11 County Council, by resolution, shall adjust the surcharge each year by the percentage change in
12 the Consumer Price Index for All Urban Consumers published by the United States Department
13 of Labor from the previous fiscal year.

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SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law and shall be effective retroactively to July 1, 2003.

Adopted this 17th day of June, 2003.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
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.

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