



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations


September 28, 2021

MEMORANDUM

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Senior Legislative Budget and Policy Analyst

FROM: Warren E. Burris, Sr. 
Senior Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-063-2021 – Building Code of Prince George's County – Zoning Compliance
Letter

CB-063-2021 (*Proposed by the Chair by request of the County Executive*)
Assigned to Committee of the Whole (COW)

AN ACT CONCERNING BUILDING CODE OF PRINCE GEORGE'S COUNTY FOR THE PURPOSE of creating a Zoning Compliance Letter, adopting an additional fee for the investigation and issuance of the Zoning Compliance Letter, and clarifying the different Site Development Concept Plan fees.

Fiscal Summary

Direct Impact:

Expenditures: Additional staff time will be required, but the cost will be offset by fee.

Revenues: Positive, but additional revenue will offset cost of additional staff time.

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Indirect Impact:

None likely.

Legislative Summary:

CB-063-2021, proposed by the Chair at the request of the County Executive was presented on is to create a Zoning Compliance Letter process for the Specific site plan modifications and changes and adopts a \$250 fee associated with acquiring the Zoning Compliance Letter. The Zoning Compliance Letter shall ensure that use permits for buildings that change uses are compliant with the applicable law.

The Bill will:

- ✓ Add language regarding Zoning Compliance Letter in Section 4-118(c)(2) - Certificate of Occupancy (see page 3, lines 3-7);
 - ✓ Provide for a \$250 fee for the issuance of a Zoning Compliance Letter (see page 5, line 16).
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Background/Current Law:

The Department of Permitting, Inspection and Enforcement (DPIE) will amend the Building Code of Prince George’s County to create process of issuing a Zoning Compliance Letter to investigate buildings that change uses when attempting to acquire Certificate of Occupancy. Under the Bill a Zoning Compliance Letter “shall certify to owner of any building or structure that the current use of building is compliant with applicable parts of this Subtitle, Subtitle 27, and other applicable State or local laws, ordinances, and regulations.” CB-63-2021 has a companion resolution, CR-084-2021 that adopts the \$250 fee in the issuance of the Zoning Compliance Letter. The enactment of CB-063-2021 will establish a fee of \$250 to acquire Zoning Compliance letter.

Discussion/Policy Analysis:

- *Potential Benefits of Enacting CB-063-2021*

Enacting CB-063-2021 would potentially ensure more compliance with the Prince George’s Building Code for buildings that change uses when obtaining Certificate of Occupancy and ensures those buildings meet the requisite requirements for the intended use. The increased compliance should enhance the benefits to the community by building more compliant structures and adhering to the permitting standards set by the Department.

- *Potential Costs of Enacting CB-063-2021*

Enactment of CB-063-2021 should require no additional costs to the Department.

Fiscal Impact:

Direct Impact

Enactment of CB-063-2021 should require no new expenditures. Revenue should increase as the Bill provides for a \$250 fee associated with the issuance of the Zoning Compliance Letter. DPIE would best be able to provide the aggregate amount anticipated to be generated annually as they may have a firmer understanding of how many Zoning Compliance Letters would be issued. This proposed fee is intended to cover the cost of staff time to research the use of the property to determine if it is in compliance with applicable laws, ordinances, and regulations.

Indirect Impact

None likely.

Appropriated in the Current Fiscal Year Budget

No.

Effective Date of Proposed Legislation:

The proposed legislation shall take effect forty-five (45) calendar days after it becomes law.

Resource Personnel:

Council Administration
DPIE Staff

If you require additional information, or have questions about this fiscal impact statement, please call me.