

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 10

Bill No. 40-13

Introduced by Mr. Ladd, Mr. Walker, Mr. Smith, Mr. Fink, and Mr. Grasso

By the County Council, May 1, 2013

Introduced and first read on May 1, 2013
Public Hearing set for and held on May 20, 2013
Bill Expires August 4, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Stormwater Management – Watershed
2 Protection and Restoration Special Revenue Fund and Program

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4 FOR the purpose of changing the stormwater remediation fee cap for certain nonresidential
5 properties; amending the phase-in implementation of the fee to apply to residential and
6 non-residential properties; making this Ordinance an emergency measure; and generally
7 relating to the Watershed Protection and Restoration Fund and Program.

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9 BY repealing and reenacting, with amendments: § 13-7-103 (d) and (i), (as amended by
10 Bill No. 2-13)
11 Anne Arundel County Code (2005, as amended)

12
13 BY renumbering: §13-7-103(o) to be § 13-7-103(p) (as amended by Bill No. 2-13)
14 Anne Arundel County Code (2005, as amended)

15
16 BY adding: § 13-7-103(o)
17 Anne Arundel County Code (2005, as amended)

18
19 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
20 *That § 13-7-103(o) of the Anne Arundel County Code (2005, as amended) (and as amended*
21 *by Bill No. 2-13) is hereby renumbered to be § 13-7-103(p).*

22
23 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
24 Code (2005, as amended) (and as amended by Bill No. 2-13), read as follows:
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EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law

ARTICLE 13. PUBLIC WORKS

TITLE 7. WATERSHED PROTECTION AND RESTORATION PROGRAM

13-7-103. Stormwater remediation fee.

(d) **Multifamily residential and nonresidential properties fee.** Except as provided in subsections (e), (f), (g), (h), (i) (j), (k), (l), (m), and [(o)] (N) the stormwater remediation fee for a multifamily residential property or a nonresidential property shall be determined in accordance with the following procedure:

(1) the Director determines the number of equivalent residential units assigned to the property by dividing the total impervious surface of the property by the value of one equivalent residential unit; AND

(2) the Director computes the stormwater remediation fee by multiplying the base rate by the number of equivalent residential units assigned to the property; and

(3) if the stormwater remediation fee calculated under this subsection is \$500 or greater, it shall be charged in the following manner:

(i) 60% of the fee beginning in fiscal year 2014; and

(ii) 100% of the fee beginning in fiscal year 2015 and each fiscal year thereafter].

(i) **Nonresidential properties – cap on fee.** The stormwater remediation fee for a nonresidential property may not exceed [35%] 25% of the State and County real property tax that would be levied based on the assessment of the property prior to any tax credits, deferrals, or exemptions that are applicable in accordance with the tax-property article of the State Code or Article 4, Title 2 of this Code.

(O) Implementation of fee.

(1) FOR RESIDENTIAL PROPERTIES, THE STORMWATER REMEDIATION FEE SHALL BE CHARGED IN THE FOLLOWING MANNER:

(I) 60% OF THE FEE BEGINNING IN FISCAL YEAR 2014;

(II) 80% OF THE FEE BEGINNING IN FISCAL YEAR 2015; AND

(III) 100% OF THE FEE BEGINNING IN FISCAL YEAR 2016 AND EACH FISCAL YEAR THEREAFTER.

(2) FOR MULTIFAMILY RESIDENTIAL AND NON-RESIDENTIAL PROPERTIES, IF THE STORMWATER REMEDIATION FEE CALCULATED UNDER SUBSECTION (D) IS \$500 OR GREATER, IT SHALL BE CHARGED IN THE FOLLOWING MANNER:

(I) 60% OF THE FEE BEGINNING IN FISCAL YEAR 2014;

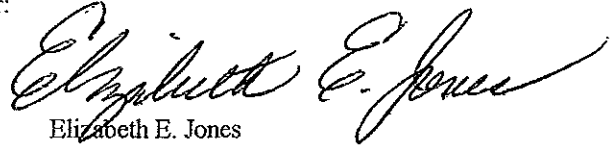
(II) 80% OF THE FEE BEGINNING IN FISCAL YEAR 2015; AND

1 (III) 100% OF THE FEE BEGINNING IN FISCAL YEAR 2016 AND EACH FISCAL YEAR
2 THEREAFTER.
3

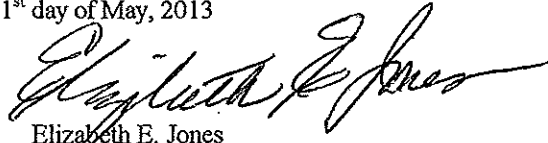
4 SECTION 3. *And be it further enacted*, That this Ordinance is hereby declared to be an
5 emergency ordinance and necessary for the immediate preservation of the public peace,
6 health, safety, welfare, and property and being passed by the affirmative vote of five members
7 of the County Council, shall take effect from the date it becomes law.

READ AND PASSED this 20th day of May, 2013

By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for her approval this 21st day of May, 2013


Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this * day of May, 2013

* Returned unsigned by the County Executive May 31, 2013
Enacted May 31, 2013

Laura Neuman
County Executive

EFFECTIVE DATE: May 31, 2013

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
40-13. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Elizabeth E. Jones
Administrative Officer