

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No. 35

Bill No. 91-18

Introduced by Mr. Peroutka, Chairman
(by request of the County Executive)

By the County Council, September 4, 2018

Introduced and first read on September 4, 2018
Public Hearing set for and held on October 15, 2018
Bill Expires November 1, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development and Construction Code –
2 Fees

3
4 FOR the purpose of exempting Anne Arundel Community College from certain permit
5 fees, review fees, and impact fees; and generally relating to subdivision and
6 development and construction code.

7
8 BY adding: § 17-11-103
9 Anne Arundel County Code (2005, as amended)

10
11 BY repealing and reenacting, with amendments: § 17-11-203(c)
12 Anne Arundel County Code (2005, as amended)

13
14 BY repealing and reenacting, with amendments: Construction Code, Chapter 1, § 108.2.1.2
15 Anne Arundel County Construction and Property Maintenance Codes Supplement
16 October 1, 2005 (as amended)

17
18 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
19 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

20
21 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

22
23 **TITLE 11. FEES AND SECURITY**

24
25 **17-11-103. Exemption.**

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 ANNE ARUNDEL COMMUNITY COLLEGE SHALL BE EXEMPT FROM FEES FOR
2 PRELIMINARY PLANS, SITE DEVELOPMENT PLANS, AND MODIFICATIONS.

3
4 **17-11-203. Who must pay fees.**

5
6 **(c) Exemptions.**

7
8 (1) Subject to the conditions set forth in paragraphs (2) and (3) of this subsection,
9 the following shall be exempt from impact fees:

10
11 (i) facilities for assisted living programs, as defined in the Health-General
12 Article, § 19-1801, of the State Code;

13
14 (ii) hospice facilities, as defined in the Health-General Article, § 19-901(c), of
15 the State Code;

16
17 (iii) hospitals, as defined in the Health-General Article, § 19-301(f), of the State
18 Code;

19
20 (iv) nursing homes, as defined in the Health-General Article, § 19-1401(e), of
21 the State Code;

22
23 (v) residential dwelling units, provided that the sale or rental of the units is
24 restricted to persons having a household income not exceeding 120 percent of the area
25 median income, adjusted by household size, as defined by the United States Department of
26 Housing and Urban Development, or that the units were constructed under a program that
27 requires the homebuyers to participate in the initial construction or rehabilitation of the
28 units; [and]

29
30 (vi) a fire station on property owned by a volunteer fire company formed
31 pursuant to § 12-1-201 of this Code[.]; AND

32
33 (VII) FACILITIES FOR ANNE ARUNDEL COMMUNITY COLLEGE ON PROPERTY
34 OWNED BY OR LEASED TO ANNE ARUNDEL COMMUNITY COLLEGE.

35
36 (2) To be eligible for exemption under paragraph (1)(I) THROUGH (VI):

37
38 (i) a facility for an assisted living program, hospice facility, hospital, nursing
39 home, or a fire station on property owned by a volunteer fire company formed pursuant to
40 § 12-1-201 of this Code shall be owned and operated by an entity exempt from taxation
41 under § 501(c) of the Internal Revenue Code that has been in existence for at least three
42 years preceding the date of application for the exemption under paragraph (3); or

43
44 (ii) a residential dwelling unit was constructed by or under a program sponsored
45 by an entity exempt from taxation under § 501(c) of the Internal Revenue Code that has
46 been in existence for at least three years preceding the date of application for the exemption
47 under paragraph (3).

1 (3) A person seeking exemption under this subsection shall, upon submission of an
2 initial application for subdivision or submission of a site development plan for review,
3 complete an application for exemption supplied by the Office of Planning and Zoning and
4 provide any additional information the Planning and Zoning Officer believes to be
5 necessary to determine eligibility for the exemption. The Office of Planning and Zoning
6 shall notify the person of a determination of eligibility in the letter approving a sketch plan
7 for a subdivision, a final plan for a minor subdivision, or recommending approval of a
8 building or grading permit for a site development plan.
9

10 SECTION 2. *And be it further enacted*, That the Anne Arundel County Construction
11 and Property Maintenance Codes Supplement, October 1, 2005 (as amended) read as
12 follows:
13

14 **CONSTRUCTION AND PROPERTY MAINTENANCE CODES**
15 **SUPPLEMENT October 1, 2005**

16
17 **CONSTRUCTION CODE**

18
19 **Chapter 1**

20 **Construction Code Administrative Provisions**

21
22 **Section 108**

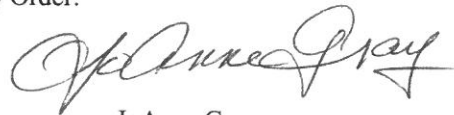
23 **Fees**
24

25 **108.2.1.2 Government agencies and Anne Arundel Community College.** A
26 government agency will be issued permits without charge if construction inspection
27 and enforcement is provided by a government agency other than the County. All
28 permits will be issued to Anne Arundel County AND ANNE ARUNDEL COMMUNITY
29 COLLEGE without charge.
30

31 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
32 from the date it becomes law.

READ AND PASSED this 15th day of October, 2018

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 16th day of October, 2018



JoAnne Gray
Administrative Officer

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APPROVED AND ENACTED this 22nd day of October, 2018



Steven R. Schuh
County Executive

EFFECTIVE DATE:

DEC 6 2018

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
91-18 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer