Unofficial Copy L5 1998 Regular Session 8lr0440

By: Prince George's County and Montgomery County Delegations

Introduced and read first time: February 12, 1998 Assigned to: Commerce and Government Matters

A BILL ENTITLED

1	AN ACT concerning		

- Washington Suburban Sanitary Commission Water and Sewer Subdivision
 Lines and System Development Charge
 PG/MC 27-98
- $5\,$ FOR the purpose of requiring certain water and sewer pipelines, facilities, and
- 6 connections to be constructed by certain owners and developers; requiring
- 7 certain owners and developers to enter into certain agreements with the
- 8 Washington Suburban Sanitary Commission (WSSC); requiring dedication of
- 9 certain facilities to the WSSC; exempting certain authorizations for service from
- the requirements of this Act; altering the payment procedure for the system
- development charge; altering the payment schedule for the system development
- 12 charge for certain persons; allowing the system development charge to be
- increased in a certain manner; defining certain terms; providing for the effective
- date of this Act; and generally relating to water and sewer pipelines and the
- system development charge by the WSSC.
- 16 BY adding to
- 17 Article 29 Washington Suburban Sanitary District
- 18 Section 3-101.1
- 19 Annotated Code of Maryland
- 20 (1997 Replacement Volume and 1997 Supplement)
- 21 BY repealing and reenacting, with amendments,
- 22 Article 29 Washington Suburban Sanitary District
- 23 Section 6-113
- 24 Annotated Code of Maryland
- 25 (1997 Replacement Volume and 1997 Supplement)
- 26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 27 MARYLAND, That the Laws of Maryland read as follows:

(C)

29

(1)

(3)

31 SUBDIVISION LINES;

,			HOUSE BILL 827
1			Article 29 - Washington Suburban Sanitary District
2	3-101.1.		
3	(A) (1) INDICATED.	IN THIS	SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
5	(2)	"DEVEI	LOPMENT" MEANS ANY PROJECT FOR THE CONSTRUCTION OF:
6		(I)	TWO OR MORE RESIDENTIAL DWELLING UNITS; OR
7		(II)	ANY COMMERCIAL OR INDUSTRIAL STRUCTURE.
8 9	(3) PIPELINES OR FAC	` '	"SUBDIVISION LINES" MEANS ALL WATER AND SEWER NECESSARY TO PROVIDE SERVICE TO A DEVELOPMENT.
10 11		(II) S OR PRO	"SUBDIVISION LINES" INCLUDES SERVICE CONNECTIONS TO OPERTIES IN A DEVELOPMENT.
		(III) CONSTI	"SUBDIVISION LINES" DOES NOT INCLUDE PIPELINES OR TUTE "MAJOR PROJECTS" AS DEFINED IN § 7-101 OF THIS
	` ,	A FAILIN	TH HAZARD" MEANS AN OWNER-OCCUPIED RESIDENTIAL IG WELL OR SEPTIC SYSTEM AS CERTIFIED BY THE STATE PARTMENT.
	PROPERTY OWNE	R OR DE	ORIZATION FOR SERVICE" MEANS AN APPLICATION BY A VELOPER TO THE WSSC FOR WATER OR SEWER SERVICE ISTRUCTION OF SUBDIVISION LINES.
	PROVIDED IN SUB	SECTIO	NDING ANY OTHER PROVISION OF LAW AND EXCEPT AS NS (D) AND (E) OF THIS SECTION, ALL SUBDIVISION LINES IN SHALL BE CONSTRUCTED BY THE OWNER OR DEVELOPER

24 OF THE PROPERTY AT THE EXPENSE OF THE OWNER OR DEVELOPER.

BEFORE CONSTRUCTING SUBDIVISION LINES, THE OWNER OR

26 DEVELOPER OF THE PROPERTY SHALL ENTER INTO AN AGREEMENT WITH THE WSSC:

28 UNDER PLANS AND SPECIFICATIONS SUBMITTED TO AND APPROVED BY THE WSSC;

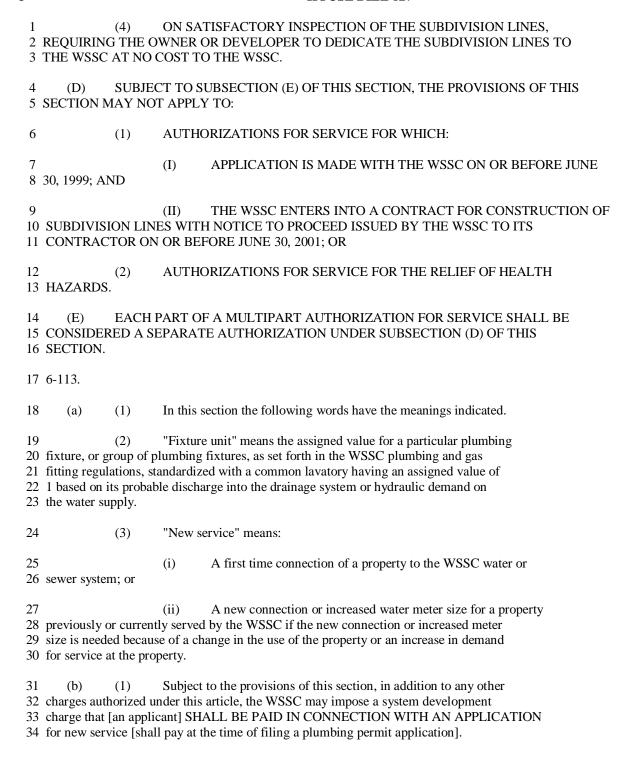
30 APPLICABLE LAWS AND REQUIREMENTS FOR THE CONSTRUCTION OF THE

33 THE WSSC BEFORE THE LINES ARE PLACED IN SERVICE; AND

REQUIRING THAT THE SUBDIVISION LINES BE CONSTRUCTED

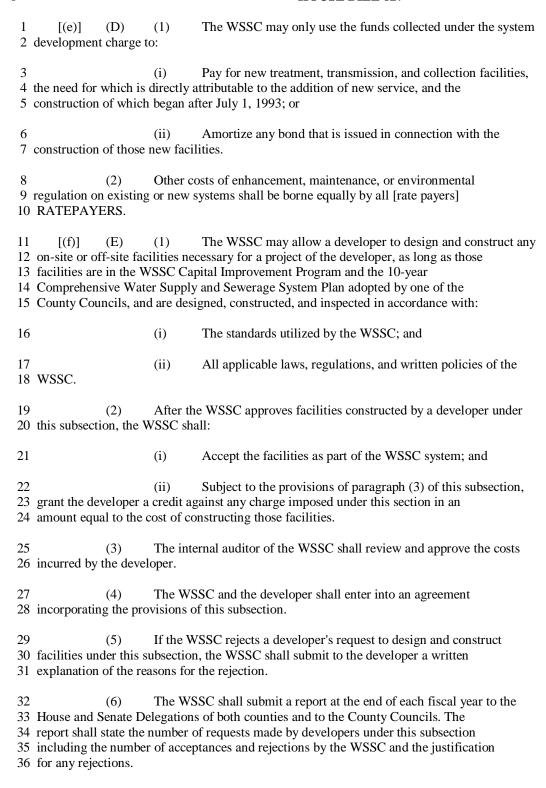
REQUIRING THAT THE OWNER OR DEVELOPER COMPLY WITH ALL

PROVIDING FOR THE INSPECTION OF THE SUBDIVISION LINES BY



		CHARGE	NMENT-OWNED OR COMMERCIAL PROPERTY, THE E SHALL BE PAID IN ITS ENTIRETY AT THE TIME THE IS FILED.
6	CHARGE MAY BE PAID IN BY THE MONTGOMERY A	I INSTAL AND PRIN	NTIAL PROPERTY, THE SYSTEM DEVELOPMENT LEMENTS IN THE TIME AND MANNER ESTABLISHED NCE GEORGE'S COUNTY COUNCILS AND REGULATION, PROVIDED THAT:
10		WITHIN R BEFOR	PPLICANT SHALL PAY A PORTION OF THE SYSTEM 12 MONTHS AFTER FILING OF THE PLUMBING E TRANSFER OF TITLE TO THE PROPERTY,
12 13	(II) THE SYSTEM DEVELOPM		WNER OF THE PROPERTY SHALL PAY THE REMAINDER OF ARGE; AND
14 15	(III) INCLUDED AS AN ITEM T		RTION OF THE SYSTEM DEVELOPMENT CHARGE MAY BE AID ON A:
16		1.	COUNTY PROPERTY TAX BILL; OR
17 18	OR § 6-104 OF THIS ARTIC	2. CLE.	WSSC BILL FOR WATER OR SEWER SERVICE UNDER § 4-110
19 20			PORTION OF A SYSTEM DEVELOPMENT CHARGE IS A NTIL PAID AND EXTINGUISHED.
			ontgomery County Council and the Prince George's discuss and approve the amount of the system
	()	bing fixtu	ount of the charge for a particular property shall be ares and the assigned values for those fixtures I gas fitting regulations.
27 28	` '		stablishing the charge under this section, the County e actual cost of construction of WSSC facilities.
29 30	` /		stablishing the charge under this section, under criteria e County Councils, the County Councils:
	public sponsored or affordable County Councils; and	1. le housing	Shall grant a full or partial exemption from the charge for g as jointly defined and agreed upon by the
34 35	revitalization projects.	2.	May grant a full or partial exemption from the charge for
36	(v)	The cha	arge may not exceed [\$160] \$254 per fixture unit.

3 4 5 6	PARAGRAPH MAY A AMOUNT EQUAL TO PRICE INDEX PUBLI STATES DEPARTME	ANNUAI O THE P SHED B NT OF I ITEMS	THE MAXIMUM CHARGE IN SUBPARAGRAPH (V) OF THIS LLY CHANGE, ON JULY 1 OF SUCCEEDING YEARS, BY AN RIOR CALENDAR YEAR'S CHANGE IN THE CONSUMER BY THE BUREAU OF LABOR STATISTICS OF THE UNITED LABOR FOR URBAN WAGE EARNERS AND CLERICAL FOR THE WASHINGTON, D.C. METROPOLITAN AREA, OR
10	amount necessary to rec	cover the	arge established by the County Councils is less than the full cost of constructing growth related facilities, the n of the cost of that growth that will be paid by current
12	((i) .	A percentage of any rate increase; and
13 14	customer's annual water		The annual monetary amount on a typical residential wer bill.
			unty Councils do not agree on the amount of the charge, the vious year shall continue in effect for the following
			unty Councils have not previously agreed on any system development charge may not be imposed during that
	` /	an amou	Before July 1, 1994, the WSSC may not impose a system ant greater than 50% of the charge established by the section.
	'	reater tha	Before July 1, 1995, the WSSC may not impose a system in 75% of the charge established by the County
		than 15 p	bsection, "small builder" means a builder who applies for plumbing permits for residential properties from the year.
30 31			the provisions of paragraph (3) of this subsection, a small relopment charge in two payments as follows:
32 33	and	(i)	One-half at the time of filing the plumbing permit application;
34 35	`		The remaining one-half within 12 months after the first of title to the property, whichever occurs first.
	builder shall deposit w	ith the W	ne of the first payment under this subsection, the small /SSC security for the second payment in an amount wed by the WSSC under its rules and regulations.]



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 July 1, 1998.