

**Department of Legislative Services**

Maryland General Assembly

2002 Session

**FISCAL NOTE**

House Bill 765

(Prince George's County Delegation and Montgomery  
County Delegation)

Economic Matters

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**Maryland-National Capital Park and Planning Commission - Permit Process  
PG/MC 114-02**

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This bill requires a building permit in Montgomery and Prince George's counties to be issued within 14 days after its submission unless the construction project is opposed. If a portion of a construction project is opposed, a building permit must be issued within 14 days after its submission for the portion of the project not opposed.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Expenditures in Montgomery and Prince George's counties could significantly increase due to the need for additional employees to expedite the building permit process. Revenues would not be directly affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Minimal. Expediting the building permit process could benefit small businesses seeking to construct or improve facilities. However, small businesses could be negatively affected if building permit fees are increased to cover the costs of additional county personnel.

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**Analysis**

**Current Law:** Montgomery and Prince George's counties are not required to issue a building permit within a set time period.

**Background:** Prior to the issuance of a building permit, construction projects in Montgomery and Prince George's counties must be reviewed by the Maryland-National Capital Park and Planning Commission (M-NCPPC) to determine if the projects conform to existing zoning requirements. In addition, the county permit agency must review the building plans for compliance with building codes and standards. The permit agency is also responsible for inspecting the project to ensure compliance with the building codes and issuing a use and occupancy permit once the project is completed and has met all code requirements. The issuance of building permits is handled by the Department of Permitting Services in Montgomery County and by the Department of Environmental Resources in Prince George's County.

Prince George's County has taken several steps in recent years to improve the building permit process, including establishing an expedited plans review program which allows permittees to obtain independent review and certification of compliance with certain building codes. A building-only review process for new commercial buildings was implemented resulting in a six to eight week head start in the permitting process for the development community.

**Local Fiscal Effect:** The requirements under this bill can be met with existing resources for many building projects in Montgomery and Prince George's counties. For major residential and commercial projects, however, the county permit agency may not be able to issue the building permits within 14 days due to the substantial review work involved in ensuring that all zoning and building code requirements are met. The review process in both counties involves several agencies, such as the permit agency and the M-NCPPC. In Montgomery County, the Washington Suburban Sanitary Commission (WSSC) must complete a review of new construction to determine the impact on the county's water and sewer infrastructure.

According to the Prince George's County fiscal 2002 budget, the average number of days needed to issue a building permit is 120 for single-family dwellings and 125 for commercial buildings. These averages include major projects such as new housing developments that have not gone through the site plan approval process. The county's Department of Environmental Resources advises that the average time needed to issue a building permit for a single-family dwelling that has already gone through the site plan process is much less, with some projects receiving a building permit in one day. Prince George's County advises that if additional personnel are required to meet the 14-day time limit, building permit fees in the county could be increased to cover the additional costs.

According to the Montgomery County Department of Permitting Services, 14 days would not be enough time to review most new construction projects. The M-NCPPC advises

that a significant increase in staff would be required to ensure a 14-day turn around. A 30% increase in staff could cost approximately \$5 million.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery County, Prince George's County, Maryland-National Capital Park and Planning Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - March 5, 2002  
ncs/jr

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