
By: **Prince George's County Delegation**
 Introduced and read first time: February 11, 2005
 Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Residential Development Surcharge - Public**
 3 **Safety**
 4 **PG 319-05**

5 FOR the purpose of requiring the County Council of Prince George's County to impose
 6 by ordinance a certain public safety surcharge on certain new residential
 7 construction for which a building permit is sought after a certain date; providing
 8 that payment of the surcharge does not eliminate any authority to apply certain
 9 tests concerning the adequacy of public facilities; requiring certain distributions
 10 from the surcharge revenue to certain police and fire departments to be used for
 11 certain purposes; providing that the surcharge may not supplant certain other
 12 funding; requiring the County Executive of Prince George's County to prepare a
 13 certain annual report; and generally relating to a public safety surcharge on
 14 residential construction in Prince George's County.

15 BY adding to
 16 The Public Local Laws of Prince George's County
 17 Section 10-192.11
 18 Article 17 - Public Local Laws of Maryland
 19 (1999 Edition and 2002 Supplement, as amended)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article 17 - Prince George's County**

23 10-192.11.

24 (A) THE COUNTY COUNCIL, BY ORDINANCE, SHALL IMPOSE A PUBLIC SAFETY
 25 SURCHARGE ON NEW RESIDENTIAL CONSTRUCTION FOR WHICH A BUILDING PERMIT
 26 IS APPLIED FOR ON OR AFTER JULY 1, 2005.

27 (B) (1) A PUBLIC SAFETY SURCHARGE IMPOSED ON A SINGLE-FAMILY
 28 DETACHED DWELLING, TOWN HOUSE, OR DWELLING UNIT FOR ANY OTHER

1 BUILDING CONTAINING MORE THAN A SINGLE DWELLING UNIT SHALL BE IN THE
2 AMOUNT OF \$8,000.

3 (2) THE PUBLIC SAFETY SURCHARGE DOES NOT APPLY TO A
4 SINGLE-FAMILY DETACHED DWELLING THAT IS TO BE BUILT OR SUBCONTRACTED
5 BY AN INDIVIDUAL OWNER IN A MINOR SUBDIVISION AND THAT IS INTENDED TO BE
6 USED AS THE OWNER'S PERSONAL RESIDENCE.

7 (C) THE PUBLIC SAFETY SURCHARGE SHALL BE PAID BY THE SELLER AT THE
8 TIME A BUILDING PERMIT IS ISSUED FOR THE DWELLING UNIT. THE PUBLIC SAFETY
9 SURCHARGE MAY NOT BE CONSTRUED TO BE A SETTLEMENT COST.

10 (D) PAYMENT OF THE PUBLIC SAFETY SURCHARGE DOES NOT ELIMINATE ANY
11 AUTHORITY TO APPLY ANY TEST CONCERNING THE ADEQUACY OF PUBLIC SAFETY
12 FACILITIES UNDER THE COUNTY'S ADEQUATE PUBLIC FACILITY ORDINANCE.

13 (E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, REVENUE
14 COLLECTED UNDER THE PUBLIC SAFETY SURCHARGE SHALL BE DISTRIBUTED AS
15 FOLLOWS:

16 (A) 75% TO THE PRINCE GEORGE'S COUNTY POLICE DEPARTMENT;
17 AND

18 (B) 25% TO THE PRINCE GEORGE'S COUNTY DEPARTMENT OF
19 FIRE/EMERGENCY MEDICAL SERVICES.

20 (2) REVENUE COLLECTED UNDER THE PUBLIC SAFETY SURCHARGE
21 MAY ONLY BE USED TO PAY FOR:

22 (A) THE PURCHASE OR REHABILITATION OF EQUIPMENT USED IN
23 CONNECTION WITH LAW ENFORCEMENT, FIRE FIGHTING, OR EMERGENCY SERVICES
24 ACTIVITIES;

25 (B) TRAINING OF POLICE OFFICERS, FIREFIGHTERS, OR
26 EMERGENCY SERVICES PERSONNEL; AND

27 (C) SALARIES AND OVERTIME FOR POLICE OFFICERS,
28 FIREFIGHTERS, OR EMERGENCY SERVICES PERSONNEL.

29 (F) REVENUE COLLECTED UNDER THE PUBLIC SAFETY SURCHARGE IS
30 INTENDED TO SUPPLEMENT FUNDING FOR PUBLIC SAFETY AND MAY NOT SUPPLANT
31 OTHER COUNTY OR STATE FUNDING FOR PUBLIC SAFETY.

32 (G) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY SHALL PREPARE
33 AN ANNUAL REPORT ON THE PUBLIC SAFETY SURCHARGE ON OR BEFORE AUGUST 31
34 OF EACH YEAR FOR THE COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, THE
35 PRINCE GEORGE'S COUNTY SENATE DELEGATION, AND THE PRINCE GEORGE'S
36 COUNTY HOUSE DELEGATION, TO INCLUDE:

37 (1) A DETAILED DESCRIPTION OF HOW THE FEES WERE EXPENDED; AND

1 (2) THE AMOUNT OF FEES COLLECTED.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 July 1, 2005.