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# By: Prince George's County Delegation and Montgomery County Delegation

Introduced and read first time: February 9, 2006 Assigned to: Environmental Matters

### A BILL ENTITLED

1 AN ACT concerning

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### Washington Suburban Sanitary District - System Development Charge -Exemptions PG/MC 115-06

5 FOR the purpose of authorizing the County Councils of Montgomery County and

- 6 Prince George's County to grant an exemption from a system development
- 7 charge imposed by the Washington Suburban Sanitary District for certain
- 8 properties owned by certain entities that are exempt from federal taxation and
- 9 for certain projects that include a commitment to preserve certain open space
- 10 under the definitions, conditions, and requirements that the County Councils
- 11 set; and generally relating to the Washington Suburban Sanitary District and
- 12 the system development charge.

13 BY repealing and reenacting, without amendments,

- 14 Article 29 Washington Suburban Sanitary District
- 15 Section 6-113(b)
- 16 Annotated Code of Maryland
- 17 (2003 Replacement Volume and 2005 Supplement)
- 18 BY repealing and reenacting, with amendments,
- 19 Article 29 Washington Suburban Sanitary District
- 20 Section 6-113(c)
- 21 Annotated Code of Maryland
- 22 (2003 Replacement Volume and 2005 Supplement)
- 23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 24 MARYLAND, That the Laws of Maryland read as follows:

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1			Article	29 - Washington Suburban Sanitary District		
2	6-113.					
	3 (b) (1) Subject to the provisions of this section, in addition to any other 4 charges authorized under this article, the WSSC may impose a system development 5 charge that shall be paid by an applicant for new service.					
6	(2)	The syst	em deve	lopment charge shall be paid as follows:		
7		(i)	For resid	dential properties:		
8			1.	50% at the time the application is filed; and		
	permit application is f whichever occurs first		2. h the Con	50% within 12 months after the date on which a plumbing nmission or on transfer of title to the property,		
12 13	application is filed.	(ii)	For othe	er properties, 100% at the time the plumbing permit		
16	4 (3) At the time of the filing of the plumbing permit application, the 5 applicant shall deposit with the WSSC security in the form of an irrevocable letter of 6 credit or a financial guaranty bond or in a form established and approved by the 7 WSSC under its rules and regulations.					
<ul> <li>18 (c) (1) (i) The Montgomery Council and the Prince George's</li> <li>19 County Council shall meet annually to discuss and approve the amount of the system</li> <li>20 development charge.</li> </ul>						
21		(ii)	The amo	ount of the charge for a particular property:		
	<ol> <li>Shall be based on the number of plumbing fixtures and the</li> <li>assigned values for those fixtures as set forth in the WSSC plumbing and gas fitting</li> <li>regulations;</li> </ol>					
25 26	after July 1, 1998, ma	y not exc	2. ceed \$20	Except as provided in item 3 of this subparagraph, on or 0 per fixture unit;		
<ul> <li>27 3. For residential properties with five or fewer toilets, shall</li> <li>28 be based on the number of toilets per dwelling unit and:</li> </ul>						
29			A.	For each apartment unit, may not exceed \$2,000;		
30 31	\$3,000;		B.	For dwellings with one or two toilets, may not exceed		
32 33	\$5,000; or		C.	For dwellings with three to four toilets, may not exceed		
34			D.	For dwellings with five toilets, may not exceed \$7,000; and		

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1 2 calculated on a fixture unit ba	4. sis.	For dwellings with more than five toilets, shall be				
3 (iii) 4 Councils shall identify and co		establishing the charge under this section, the County e actual cost of construction of WSSC facilities.				
5 (iv) 6 established jointly and agreed		establishing the charge under this section, under criteria County Councils, the County Councils:				
<ul><li>7</li><li>8 public sponsored or affordable</li><li>9 County Councils;</li></ul>	1. e housing	Shall grant a full or partial exemption from the charge for as jointly defined and agreed upon by the				
10	2.	May grant a full or partial exemption from the charge for:				
11	A.	[revitalization] REVITALIZATION projects; [and]				
12B.PROPERTY OWNED BY AN ORGANIZATION, INSTITUTION,13ASSOCIATION, SOCIETY, OR CORPORATION THAT IS EXEMPT FROM TAXATION UNDER14§ 501(C)(3) OF THE INTERNAL REVENUE CODE; OR						
		PROJECTS THAT INCLUDE A COMMITMENT FOR THE , UNDER THE DEFINITIONS, CONDITIONS, AND REED ON BY THE COUNTY COUNCILS; AND				
<ol> <li>18</li> <li>19 under conditions prescribed b</li> </ol>	3. by the Co	May grant a full or partial exemption from the charge, unty Councils, for:				
<ul><li>20</li><li>21 development as defined in the</li></ul>	A. e zoning o	Residential property located in a mixed retirement ordinance of Prince George's County;				
B. Residential property located in a planned retirement community as defined in the zoning ordinance of Montgomery County;						
24	C.	Other elderly housing; or				
<ul><li>25</li><li>26 development, or manufacturin</li></ul>	D. ng.	Properties used for biotechnology research and				
<ul><li>29 changed by an amount equal</li><li>30 index published by the Burea</li></ul>	hed in sub to the pri u of Labo and cler	7 1, 1999, and July 1 of each succeeding year, the oparagraph (ii) of this paragraph, may be or calendar year's change in the consumer price or Statistics of the United States Department of ical workers for all items for the Washington, or index.				

33 (2) If the charge established by the County Councils is less than the 34 amount necessary to recover the full cost of constructing growth related facilities, the 35 WSSC shall identify the portion of the cost of that growth that will be paid by current 36 ratepayers as:

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#### **UNOFFICIAL COPY OF HOUSE BILL 1088** 4 1 (i) A percentage of any rate increase; and 2 (ii) The annual monetary amount on a typical residential 3 customer's annual water and sewer bill. 4 (3) If the County Councils do not agree on the amount of the charge, the 5 charge imposed during the previous year shall continue in effect for the following 6 fiscal year. 7 (4)If the County Councils have not previously agreed on any system 8 development charge, a system development charge may not be imposed during that 9 fiscal year. 10 (5) Before July 1, 1994, the WSSC may not impose a system (i) 11 development charge in an amount greater than 50% of the charge established by the 12 County Councils under this subsection. Before July 1, 1995, the WSSC may not impose a system 13 (ii) 14 development charge greater than 75% of the charge established by the County 15 Councils under this subsection.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 17 July 1, 2006.