

HOUSE BILL 1139

M3

4lr2646

By: **Delegates Olszewski and Kach**

Introduced and read first time: February 7, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Stormwater Remediation Fees – Reduction of Fees**

3 FOR the purpose of requiring certain counties and municipalities to establish certain
4 policies and procedures to reduce a stormwater remediation fee for both
5 residential and nonresidential property owners; requiring certain policies and
6 procedures to include certain fee reductions; and generally relating to
7 stormwater remediation fees.

8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 4–202.1(f)
11 Annotated Code of Maryland
12 (2013 Replacement Volume)

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

15 **Article – Environment**

16 4–202.1.

17 (f) (1) A county or municipality shall establish policies and procedures,
18 approved by the Department, to reduce [any portion of] a stormwater remediation fee
19 established under subsection (e) of this section **FOR BOTH RESIDENTIAL AND**
20 **NONRESIDENTIAL PROPERTY OWNERS** to account for on–site and off–site systems,
21 facilities, services, or activities that reduce the quantity or improve the quality of
22 stormwater discharged from the property.

23 (2) The policies and procedures established by a county or
24 municipality under paragraph (1) of this subsection shall include:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Guidelines for determining which on-site systems, facilities,
2 services, or activities may be the basis for a fee reduction, including guidelines:

3 1. Relating to properties with existing advanced
4 stormwater best management practices;

5 2. Relating to agricultural activities or facilities that are
6 otherwise exempted from stormwater management requirements by the county or
7 municipality; and

8 3. That account for the costs of, and the level of
9 treatment provided by, stormwater management facilities that are funded and
10 maintained by a property owner;

11 (II) **FEE REDUCTIONS OF 25%, 50%, 75%, AND 100%;**

12 [(ii)] (III) The method for calculating the amount of a fee
13 reduction; and

14 [(iii)] (IV) Procedures for monitoring and verifying the
15 effectiveness of the on-site systems, facilities, services, or activities in reducing the
16 quantity or improving the quality of stormwater discharged from the property.

17 (3) For the purpose of monitoring and verifying the effectiveness of
18 on-site systems, facilities, services, or activities under paragraph (2)(iii) of this
19 subsection, a county or municipality may:

20 (i) Conduct on-site inspections;

21 (ii) Authorize a third party, certified by the Department, to
22 conduct on-site inspections on behalf of the county or municipality; or

23 (iii) Require a property owner to hire a third party, certified by
24 the Department, to conduct an on-site inspection and provide to the county or
25 municipality the results of the inspection and any other information required by the
26 county or municipality.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2014.