A BILL ENTITLED

AN ORDINANCE concerning: Public Works – Utilities – Subsidies for Wastewater Extension Project Costs

FOR the purpose of defining certain terms; allowing subsidies for wastewater extension projects in specified areas of the County; providing the maximum percentage of the project cost that may be subsidized; adding criteria for eligibility; and generally relating to public works.

BY adding: § 13-5-815.2
Anne Arundel County Code (2005, as amended)

SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland, That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 13. PUBLIC WORKS

TITLE 5. UTILITIES

13-5-815.2. Subsidies for wastewater extension projects.

(A) Definitions. In this section, the following words have the meanings indicated.

(1) “COMBINED GROSS INCOME” has the meaning stated in § 13-5-815.

EXPLANATION: CAPITALS indicate new matter added to existing law. [][Brackets][] indicate matter deleted from existing law. Captions and taglines in bold in this bill are catchwords and are not law. Underlining indicates matter added to bill by amendment. Strikeovers indicates matter removed from bill by amendment.
(1) "CRITICAL AREA" HAS THE MEANING STATED IN § 18-1-101 OF THIS CODE.

(2) "ELIGIBLE AREA" MEANS PROPERTY THAT IS LOCATED IN:

(i) THE CRITICAL AREA;

(ii) AN ON-SITE WASTEWATER MANAGEMENT PROBLEM AREA;

(iii) AN AREA DESIGNATED IN THE COUNTY'S MASTER PLAN FOR WATER SUPPLY AND SEWERAGE SYSTEMS AS A SEPTIC TO SEWER CONVERSION AREA; OR

(iv) AN AREA THAT IS ADJACENT TO ONE OF THE AREAS LISTED IN (i) THROUGH (iii) AND THAT IS ALSO WITHIN THE BOUNDARIES OF A WASTEWATER EXTENSION PROJECT THAT INCLUDES ONE OF THE AREAS LISTED IN (i) THROUGH (iii).

(4) "GROSS INCOME" HAS THE MEANING STATED IN § 13-5-815.

(3) "ON-SITE WASTEWATER MANAGEMENT PROBLEM AREA" MEANS AN AREA DETERMINED TO BE A WASTEWATER MANAGEMENT PROBLEM AREA IN THE COUNTY'S MASTER PLAN FOR WATER SUPPLY AND SEWERAGE SYSTEMS, AS ADOPTED BY THE COUNTY COUNCIL.

(6) "PROPERTIES WITH EXISTING IMPROVEMENTS" HAS THE MEANING STATED IN § 13-5-813.

(B) Subsidy allowed. AT THE DISCRETION OF THE DIRECTOR AND UPON APPLICATION OF THE PROPERTY OWNER, THE COUNTY MAY SUBSIDIZE THE PER-PROPERTY PROJECT COST FOR RESIDENTIAL PROPERTIES WITH EXISTING IMPROVEMENTS LOCATED IN A WASTEWATER EXTENSION PROJECT LOCATED IN AN ELIGIBLE AREA, NOT TO EXCEED 25% OF THE TOTAL PROJECT COST. THE SUBSIDY MAY BE:

(1) UP TO 25% OF THE PER-PROPERTY PROJECT COST FOR A PROPERTY OWNED BY AN INDIVIDUAL OR TRUSTEE IF THE COMBINED GROSS INCOME IS EQUAL TO OR LESS THAN THE LEVEL SET FORTH IN COMAR 26.03.13.04.D(1); OR

(2) UP TO 12.5% OF THE PER-PROPERTY PROJECT COST FOR A PROPERTY OWNED BY AN INDIVIDUAL OR TRUSTEE IF THE COMBINED GROSS INCOME IS GREATER THAN THE LEVEL SET FORTH IN COMAR 26.03.13.04.D, OR FOR PROPERTY OWNERS OTHER THAN AN INDIVIDUAL OR TRUSTEE.

(6) FEDERAL OR STATE AID.

(C) Criteria. IN DETERMINING WHETHER TO SUBSIDIZE A WASTEWATER EXTENSION PROJECT IN AN ELIGIBLE AREA, THE DIRECTOR SHALL CONSIDER:

(1) THE PROXIMITY OF THE WASTEWATER EXTENSION PROJECT TO EXISTING WASTEWATER INFRASTRUCTURE;

(2) THE ENVIRONMENTAL AND HEALTH BENEFITS OF THE WASTEWATER EXTENSION PROJECT;

(3) ENGINEERING CONSIDERATIONS;

(4) THE AVAILABILITY OF FUNDS FOR A SUBSIDY;

(5) THE FINANCIAL VIABILITY OF THE WASTEWATER EXTENSION PROJECT; AND

(6) FEDERAL OR STATE AID.
SECTION 2. And be it further enacted, That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENTS ADOPTED: January 21, 2020

READ AND PASSED this 3rd day of February, 2020

By Order:

[Signature]
JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 4th day of February, 2020

[Signature]
JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 10th day of February, 2020

[Signature]
Stuart Pittman
County Executive

EFFECTIVE DATE:
MAR 2 6 2020