

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 13

Bill No. 64-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, June 21, 2022

Introduced and first read on June 21, 2022
Public Hearing set for and held on July 18, 2022
Bill Expires September 24, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works – Heritage Harbour Condominium Phases 1
2 through 10 Water and Wastewater Petition – Assessment Correction
3

4 FOR the purpose of repealing Bill No. 23-19 and the special “per-unit” front foot benefit
5 assessment rate for the County’s takeover of the Heritage Harbour Condominium,
6 Phases 1 through 10 Water and Wastewater Systems; and providing for an assessment
7 rate for the County’s takeover of the Heritage Harbour Condominium, Phases 1 through
8 10 Water and Wastewater Systems.
9

10 BY repealing: Bill No. 23-19, Laws of Anne Arundel County 2019
11

12 WHEREAS, the “Heritage Harbour Water Takeover”, Capital Project Number
13 W805700 and the “Heritage Harbour Sewer Takeover”, Capital Project Number
14 S807500, are petition projects under Article 13, Title 5, Subtitle 3 of the Anne
15 Arundel County Code (collectively, the “Project”), for the real property consisting
16 of a total of 106 residential dwelling units which are further identified as “Phase 1
17 Heritage Harbour Condominium”, as set forth in Plat number E-776 through
18 E-779, recorded in the Plat Records at Plat Book E-16, pages 26 through 49; “Phase
19 2 Heritage Harbour Condominium”, as set forth in Plat number E-1067 through E-
20 1072, recorded in the Plat Records at Plat Book E-22, pages 17 through 22; “Phases
21 3, 7 and 8 Heritage Harbour Condominium”, as set forth in Plat number E-1185
22 through E-1196, recorded in the Plat Records at Plat Book E-24, pages 35 through
23 46; “Phases 4 and 6 Heritage Harbour Condominium”, as set forth in Plat number
24 E-1114 through E-1120, recorded in the Plat Records at Plat Book E-23, pages 14
25 through 20; “Phases 5 and 10 Heritage Harbour Condominium”, as set forth in Plat
26 number E-1103 through E-1107, recorded in the Plat Records at Plat Book E-23,
27 pages 3 through 7; and “Phase 9 Heritage Harbour Condominium”, as set forth in
28 Plat number E-1275 through E-1279, recorded in the Plat Records at Plat Book E-

26, pages 25 through 29 (collectively referred to as “Heritage Harbour Condominium, Phases 1 through 10”); and

WHEREAS, the Council passed Bill No. 23-19, as amended, on May 20, 2019, which approved the rate of front foot benefit assessments separately for the water and wastewater portions of the Project on a “per-unit” basis, per year, such approval being required in accordance with the Anne Arundel County Code provisions in effect at the time; and

WHEREAS, a majority of the property owners within Heritage Harbour Condominium, Phases 1 through 10 voted to approve the rate of assessment that was approved in Bill No. 23-19 prior to the introduction of the Bill, or April 1, 2019; and

WHEREAS, based on bids for the Project received by the Department of Public Works (“DPW”), it has been determined that the “per-unit”, per year cost would be lower than the specific rate approved for the water portion of the Project and higher than the specific rate approved for the wastewater portion by Bill No. 23-19, as amended, but that the total per unit, per year assessment will be less than the total amount of the assessment approved by a majority of the residents and approved by Bill No. 23-19, as amended; and

WHEREAS, § 13-5-303 of the County Code, as amended by Bill No. 79-20, authorizes the assessment rates for both water and wastewater projects to be combined, and no longer requires County Council approval of the rate of assessment for petition projects; and

WHEREAS, the Director of DPW has requested that the County Council repeal Bill No. 23-19, as amended, and the specific assessment limits for the water and wastewater portions of the Project therein, so that the Project can proceed with a total combined assessment for the water and wastewater portions of the Project in the amount not exceeding the total approved by a majority of the property owners within Heritage Harbour Condominium, Phases 1 through 10; now therefore

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That the Laws of Anne Arundel County, 2019, Bill No. 23-19 is hereby repealed.

SECTION 2. *And be it further enacted,* That the properties to be serviced by the Project within Heritage Harbour Condominium, Phases 1 through 10, shall be assessed on a “per-unit” basis, with the identification of a “unit” for purposes of the front foot benefit assessment to be each dwelling unit as shown on the plat of Heritage Harbour Condominium, Phases 1 through 10 that has a separate tax identification number according to the Property Account Identification Numbers assigned by the Maryland Department of Assessments and Taxation.

SECTION 3. *And be it further enacted,* That there shall be imposed on each unit to be served by the Project as shown on the plats of Heritage Harbour Condominium, Phases 1 through 10, a single assessment that includes the water and wastewater portions of the Project based on the actual costs of the Project, to be assessed in accordance with the

1 County Code, in an amount not to exceed the total approved by a majority of the property
2 owners within Heritage Harbour Condominium, Phases 1 through 10.

3
4 SECTION 4. *And be it further enacted*, That this Ordinance shall take effect 45 days
5 from the date it becomes law.

READ AND PASSED this 18th day of July, 2022

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 20th day of July, 2022

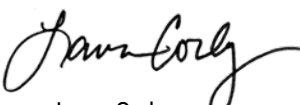

Laura Corby
Administrative Officer

APPROVED AND ENACTED this 23rd day of July, 2022


Steuart Pittman
County Executive

EFFECTIVE DATE: September 6, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 64-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Laura Corby
Administrative Officer