

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2022, Legislative Day No. 10

Bill No. 41-22

Mr. Julian E. Jones, Jr., Chairman
By Request of County Executive

By the County Council, May 2, 2022

A BILL
ENTITLED

AN ACT concerning

County Code – Notification of Development Fee Waiver for Government-Funded
Qualifying Projects

FOR the purpose of providing a process for notifying the County Council of requests ~~of~~ for
waiver of development fees; providing for the definition of “fee waiver;” providing certain
criteria for consideration of a request for fee waiver; and generally relating to ~~notifications~~
~~to the County Council~~ development fees.

BY ~~adding~~ repealing and re-enacting, with amendments

Section 32-4-111
Article 32 – Planning, Zoning, and Subdivision Control
Title 4 – Development
Subtitle 1 – In General
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 32. – PLANNING, ZONING, AND SUBDIVISION CONTROL

5 Title 4 – Development

6 Subtitle 1 – In General

7
8 § 32-4-111. Fees; WAIVER FOR QUALIFYING PROJECTS.

9 (a) The County Administrative Officer may establish the fees to be charged for any
10 function of a county agency under the provisions of this title.

11 (b) A county volunteer fire, ambulance, and rescue company that is a member of the
12 county Volunteer Firemen's Association, Incorporated is exempt from the payment of any fees
13 established under this section.

14 (C) ~~(1) FOR THE PURPOSES OF THIS SECTION, “FEE WAIVER” MEANS THE~~
15 ~~FULL OR PARTIAL RELEASE FROM THE REQUIREMENT OF PAYMENT OF A~~
16 ~~DEVELOPMENT FEE.~~

17 ~~(2) “FEE WAIVER” DOES NOT INCLUDE THE CHANGING OF A FEE~~
18 ~~PURSUANT TO § 3-1-202(C) OF THE CODE.~~ FEE WAIVER. FOR THE PURPOSES OF
19 THIS TITLE, “FEE WAIVER” MEANS THE FULL OR PARTIAL RELEASE FROM THE
20 REQUIREMENT OF PAYMENT OF A DEVELOPMENT FEE AND DOES NOT INCLUDE
21 THE CHANGING OF A FEE PURSUANT TO § 3-1-202(C) OF THE CODE.

22 (D) THE FOLLOWING CRITERIA SHALL APPLY IN CONSIDERING REQUESTS
23 FOR A FEE WAIVER:

1 (1) WHETHER THE DEVELOPER IS A NON-PROFIT OR FOR-PROFIT
2 ENTITY AND THE DEVELOPMENT PROJECT WILL BE FUNDED WHOLLY OR IN
3 PART BY FEDERAL, STATE, AND/OR LOCAL GOVERNMENT RESOURCES
4 INCLUDING GRANTS, LOANS, OR OTHER ECONOMIC INCENTIVES; AND

5 (2) (I) WHETHER THE DEVELOPMENT PROJECT WILL BE LOCATED
6 IN AN ECONOMICALLY DISADVANTAGED COMMUNITY, A BLIGHTED AREA, OR
7 AN AREA TARGETED TO BENEFIT FROM COMMUNITY DEVELOPMENT BLOCK
8 GRANT FUNDS; OR

9 (II) WHETHER THE DEVELOPMENT PROJECT WILL POSITIVELY
10 IMPACT THE COMMUNITY’S HEALTH, WELL-BEING, QUALITY OF LIFE,
11 ENVIRONMENT OR OVERALL SUSTAINABILITY.

12 ~~(D)~~(E) (1) FOLLOWING RECEIPT OF A WRITTEN REQUEST FOR A FEE
13 WAIVER ~~UNDER THIS TITLE~~, OTHER THAN DEVELOPMENT IMPACT FEES, THE
14 COUNTY ADMINISTRATIVE OFFICER SHALL REVIEW THE REQUEST AND, PRIOR
15 TO GRANTING APPROVAL OF SUCH REQUEST, SHALL FORWARD TO THE
16 MEMBERS OF THE COUNTY COUNCIL, THE COUNCIL SECRETARY, AND THE
17 COUNTY AUDITOR NOTICE OF THE FEE WAIVER REQUEST ALONG WITH A COPY
18 OF THE FEE WAIVER REQUEST.

19 (2) (I) THE NOTICE SHALL SET FORTH THE AMOUNT OF THE FEE
20 WAIVER REQUEST AND SHALL INCLUDE ALL DOCUMENTATION SUBMITTED IN
21 SUPPORT OF THE REQUEST.

22 (II) AT THE TIME IT IS FORWARDED TO THE COUNTY
23 COUNCIL, THE NOTICE AND SUPPORTING DOCUMENTATION SHALL ALSO BE

1 POSTED FOR 45 DAYS ON THE COUNTY’S WEBSITE.

2 ~~(2)(3) THE COUNTY ADMINISTRATIVE OFFICER MAY APPROVE THE~~
3 ~~FEE WAIVER REQUEST UNLESS, WITHIN 14 DAYS AFTER RECEIPT OF THE NOTICE~~
4 ~~OF THE FEE WAIVER REQUEST, A MEMBER OF THE COUNTY COUNCIL REQUESTS~~
5 ~~IN WRITING THAT THE FEE WAIVER REQUEST BE SCHEDULED FOR~~
6 ~~CONSIDERATION AT A LEGISLATIVE MEETING. AFTER RECEIVING NOTICE OF A~~
7 ~~FEE WAIVER REQUEST, THE COUNTY COUNCIL MAY, WITHIN 45 DAYS,~~
8 ~~SCHEDULE THE FEE WAIVER REQUEST FOR CONSIDERATION AT A LEGISLATIVE~~
9 ~~MEETING AND PROVIDE NOTICE OF SAME TO THE COUNTY ADMINISTRATIVE~~
10 ~~OFFICER. IF NO SUCH SCHEDULING OCCURS, THE COUNTY ADMINISTRATIVE~~
11 ~~OFFICER MAY APPROVE THE FEE WAIVER REQUEST.~~

12
13 SECTION 2. AND BE IT FURTHER ENACTED, that this Act,~~having been passed by~~
14 ~~the affirmative vote of five members of the County Council, shall take effect on July 1, 2022~~
15 shall take effect 45 days after its enactment.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

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