

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2024, Legislative Day No. 9

Bill No. 44-24

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

By the County Council, May 1, 2024

Introduced and first read on May 1, 2024
Public Hearings set for and held on May 15 and May 22, 2024
Bill AMENDED on June 10, 2024
Bill VOTED on June 14, 2024

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Construction Code – Department of Inspections and
2 Permits – Fees

3
4 FOR the purpose of modifying certain permit, investigation, application, inspection,
5 reinspection, and renewal fees collected by the Department of Inspections and Permits;
6 modifying the limit on refunds related to certain unissued permits; modifying the
7 penalty for occupancy without a certificate of occupancy; ~~providing for automatic~~
8 ~~adjustment of certain fees under the Construction Code and of grading permit fees;~~
9 making certain technical and stylistic changes; providing for the effective date; and
10 generally relating to fees collected by the Department of Inspections and Permits.
11

12 ~~BY adding: Construction Code, Chapter 1, § 108.1.1~~
13 ~~Anne Arundel County Construction and Property Maintenance Codes Supplement,~~
14 ~~October 1, 2005 (as amended)~~
15

16 BY repealing and reenacting, with amendments: Construction Code, Chapter 1, §§ 105.5.4,
17 105.5.5, 108.2, 108.2.1, 108.2.1.4, 108.2.2.1, 108.2.3, 108.2.4, 108.2.5, 108.2.6,
18 108.2.7, 108.2.8, 108.4.1, 108.5.1, 109.15, and 110.5
19 Anne Arundel County Construction and Property Maintenance Codes Supplement,
20 October 1, 2005 (as amended)

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.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

BY adding: § 16-5-102(e)

Anne Arundel County Code (2005, as amended)

BY repealing and reenacting with amendments: §§ 16-3-207 and 17-11-101

Anne Arundel County Code (2005, as amended)

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
That the Anne Arundel County Construction and Property Maintenance Codes
Supplement, October 1, 2005 (as amended) read as follows:

ANNE ARUNDEL COUNTY
CONSTRUCTION AND PROPERTY MAINTENANCE CODES SUPPLEMENT
October 1, 2005

CONSTRUCTION CODE

Chapter 1
Construction Code Administrative Provisions

Section 105

Permits

105.5.4 Permit extension. Upon written request filed with the Department prior to permit expiration, and if the Department finds that a hardship exists, the times set forth in section 105.5 may be extended for up to one additional year from the date of expiration. A permit that is extended is subject to a ~~[[\$25.00]]~~ \$50 fee. A renewed permit may not be extended.

105.5.5 Permit renewal. Upon written request filed with the Department no later than six months after permit expiration, and if the Department finds that a hardship exists, an expired permit may be renewed for up to one additional year from the date of expiration. A permit that is renewed is subject to a ~~[[\$25.00]]~~ \$50 fee. A permit that has been extended must comply with the Construction Codes adopted in Article 15 of the County Code at the time of the extension.

Section 108

Fees

~~**108.1.1 Automatic adjustment of fees.**~~

~~108.1.1.1 BEGINNING ON JULY 1, 2025, AND ON EACH JULY 1 THEREAFTER, ALL FEES IN THIS CONSTRUCTION CODE SHALL BE AUTOMATICALLY ADJUSTED BASED ON THE METHODOLOGY SET FORTH IN THIS SUBSECTION, AND THE ADJUSTED FEES SHALL BE POSTED ON THE COUNTY'S WEBSITE.~~

~~108.1.1.2 THE BASE FOR COMPUTING AN ADJUSTMENT IS THE EMPLOYMENT COST INDEX FOR TOTAL COMPENSATION, FOR STATE AND LOCAL GOVERNMENT WORKERS (NOT SEASONALLY ADJUSTED, FOR 12 MONTHS ENDING MARCH OF THAT YEAR) PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS (THE "INDEX"). ALL FEES SHALL BE ADJUSTED BY THE PERCENTAGE OF INCREASE IN THE INDEX~~

~~ROUNDED TO THE NEAREST DOLLAR. FEES SHALL NOT BE ADJUSTED IF THE CHANGE IN THE INDEX IS ZERO OR IS NEGATIVE.~~

~~108.1.1.3 IF THE BASE YEAR FOR THE INDEX IS CHANGED, ADJUSTMENTS SHALL BE MADE IN ACCORDANCE WITH THE CONVERSION FACTOR PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS. IF THE INDEX IS DISCONTINUED OR REVISED, ADJUSTMENTS SHALL BE BASED ON THE INDEX OR COMPUTATION WITH WHICH IT IS REPLACED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.~~

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. A ~~[[\$25.00 dollar]]~~ \$43 nonrefundable permit application fee will be assessed for all permits.

108.2.1 Building Permit Fees

Estimated Value	Fee
\$0 - \$3,000	[[\$50]] \$86
3,001 - 5,000	[[\$60]] \$103
5,001 - 10,000	[[\$85]] \$147
10,001 - 15,000	[[\$95]] \$164
15,001 - 20,000	[[\$115]] \$198
20,001 - 25,000	[[\$140*]] \$242*
*Plus [[.007]] .010 times the estimated value above \$25,000	

108.2.1.4 Investigation fees. Whenever work for which a permit or application for inspection is required under the Construction Code has been commenced without issuance of a permit or request for inspection, an investigation shall be made before a permit or request for inspection may be issued for the work. In addition to the regular permit fee, an investigation fee of ~~[[\$40]]~~ \$150 shall be collected. The payment of the investigation fee may not exempt a person from compliance with the provisions of the Construction Code or from any penalty prescribed by law.

108.2.2.1 Application Fee. A ~~[[\$25.00]]~~ \$43 nonrefundable application fee shall be assessed for all soil percolation tests.

108.2.3 Electrical permit fees. The fees set forth in section 108.2.3 shall be paid to the County for an electrical permit and for the specified inspection services, except that if the total permit fee calculated for additions, alterations, or repairs to existing structures or services exceeds the comparable fee for new construction, the fee calculated for new construction shall be paid.

108.2.3.1 NEW CONSTRUCTION: RESIDENTIAL	FEE
Single-family detached and single-family attached, including 2-family unit:	
(1) For service equipment of no more than 200 amperes	[[\$85]] \$147

(2) For service equipment of more than 200 amperes and no more than 300 amperes	[[\$120]] \$207
(3) For service equipment of more than 300 amperes and no more than 400 amperes	[[\$150]] \$259
(4) For service equipment of more than 400 amperes	[[\$150]] \$259 plus [[\$40]] \$69 per additional 100 amperes or fraction of 100 amperes

1

108.2.3.2 APARTMENTS AND 5-FAMILY DWELLINGS:	FEE
(1) For service equipment of no more than 200 amperes	[[\$68]] \$117
(2) For service equipment of more than 200 amperes and no more than 300 amperes	[[\$96]] \$166
(3) For service equipment of more than 300 amperes and no more than 400 amperes	[[\$120]] \$207
(4) For service equipment of more than 400 amperes	[[\$120]] \$207 plus [[\$32]] \$55 per additional 100 amperes or fraction of 100 amperes

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108.2.3.3 NEW CONSTRUCTION: NEW BUILDINGS, INCLUDING COMMERCIAL SHELL BUILDINGS AND WHITE BOX PERMITS:	FEE
(1) For service equipment of no more than 200 amperes	[[\$125]] \$216
(2) For service equipment of more than 200 amperes and no more than 300 amperes	[[\$160]] \$276
(3) For service equipment of more than 300 amperes and no more than 400 amperes	[[\$190]] \$328
(4) For service equipment of more than 400 amperes	[[\$190]] \$328 plus [[\$60]] \$103 per additional 100 amperes or fraction of 100 amperes

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108.2.3.4 ADDITIONS, ALTERATIONS, REMODELING (DOES NOT INCLUDE SERVICE CHANGE OR SUBPANEL): RESIDENTIAL	FEE
Any number of electrical outlets and fixtures	[[\$55]] \$95

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108.2.3.5 ADDITIONS, ALTERATIONS, REMODELING (INCLUDING SERVICE CHANGE OF SUBPANEL): RESIDENTIAL	FEE
(1) Any number of electrical outlets and fixtures totaling less than 200 amperes	[[\$85]] \$147

(2) Any number of electrical outlets and fixtures totaling 200 or more amperes and less than 300 amperes	[[\$120]] \$207
(3) Any number of electrical outlets and fixtures totaling 300 or more amperes and less than 400 amperes	[[\$150]] \$259
(4) Any number of electrical outlets and fixtures totaling 400 or more amperes	[[\$150]] \$259 plus [[\$40]] \$69 per each additional 100 amperes or fraction [[over]] OF 100 amperes

1

108.2.3.6 ADDITIONS, ALTERATION, TENANT FIX-UP, FINISHING (DOES NOT INCLUDE SERVICE CHANGE): COMMERCIAL	FEE
(1) 1 to 10 electrical outlets and fixtures	[[\$20]] \$34
(2) 11 to 40 electrical outlets and fixtures	[[\$40]] \$69
(3) 41 to 75 electrical outlets and fixtures	[[\$60]] \$103
(4) More than 75 electrical outlets and fixtures	[[\$60]] \$103 plus [[\$10]] \$17 per additional 25 outlets and fixtures or fraction of 25 outlets and fixtures

2

108.2.3.7 ADDITION, ALTERATION, TENANT FIX-UP, FINISHING (INCLUDES SERVICE CHANGE): COMMERCIAL	FEE
(1) For service equipment of no more than 200 amperes	[[\$125]] \$216
(2) For service equipment of more than 200 amperes and no more than 300 amperes	[[\$160]] \$276
(3) For service equipment of more than 300 amperes and no more than 400 amperes	[[\$190]] \$328
(4) For service equipment of more than 400 amperes	[[\$190]] \$328 plus [[\$60]] \$103 per additional 100 amperes or fraction of 100 amperes

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108.2.3.8 OTHER WORK	FEE
(1) Electrical appliance or motor, repair or replacement	
1 electrical appliance or motor	[[\$15]] \$25
More than 1 electrical appliance or motor	[[\$25]] \$43
(2) Fire alarm systems	
New fire alarm system	[[\$200]] \$346 flat rate
Fire alarm system and other low voltage devices (any number)	[[\$40]] \$69 flat rate
(3) Radio and television receiving installation	[[\$40]] \$69
(4) Signs	[[\$40]] \$69

(5) Swimming pool, residential	[[\$40]] \$69
(6) Temporary service or pole service	[[\$40]] \$69

108.2.4 Fuel gas permit fees. A gasfitting permit fee for gas fuel-burning equipment shall be paid to the County according to the pipe size as follows:

Pipe Diameter (Inches)	Fee
2 1/2 or less	[[\$40]] \$69
3	[[\$45]] \$77
4	[[\$65]] \$112
6	[[\$100]] \$173
8	[[\$200]] \$346
10	[[\$300]] \$519
12 or larger	[[\$425]] \$735

A gasfitting permit fee is based on the size of the gas pipe leading from the gas meter in the building, the service gas pipe entering a building, or the gas pipe leading from an existing gas service pipe inside of a building. The gasfitting permit fee based on the size of the pipe supplying the system shall cover, without additional cost, one or more gas burning appliances supplied with gas from the pipe. An inspection fee of [[\$100]] \$173 or [[\$20]] \$34 per unit, whichever is greater, shall be paid to the County for onsite gas installations.

108.2.5 Mechanical permit fees. A permit fee for residential uses including one- and two-family and multifamily dwellings shall be paid to the County as follows:

108.2.5.1 New residential installations:

Heating and air conditioning system	[[\$70]] \$121
Heating system only	[[\$55]] \$95
Air conditioning system only	[[\$55]] \$95
Ductwork only	[[\$55]] \$95
Minimum fee for permit in the Residential Class	[[\$30]] \$51
Replacement systems	[[\$30]] \$51

108.2.5.2 Nonresidential installations: Except as provided in section 108.2.5.3, the permit fee for the installation, repair, or replacement of mechanical equipment requiring a permit under the Construction Code shall be calculated from the following table based on the estimated cost of the work, including equipment, labor, and material. The Department may require verification of the costs.

Estimated Cost	Permit Fee
\$0 to \$2,000	[[\$30]] \$51
\$2,001 to \$5,000	[[\$40]] \$69
\$5,001 to \$7,000	[[\$50]] \$86
\$7,001 to \$9,000	[[\$65]] \$112
\$9,001 to \$11,000	[[\$75]] \$129

1 For estimated costs in excess of \$11,000, the fee is ~~[[\$75]]~~ \$129 plus ~~[[.0055]]~~ .008 times
2 the amount in excess of \$11,000.

3
4 **108.2.5.3 Nonresidential fire suppression systems.** For all nonresidential fire
5 suppression systems, the permit fee is ~~[[\$30]]~~ \$51.

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7 **108.2.6 Plumbing permit fees.** The following plumbing permit fees shall be paid to
8 the County:

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10 **108.2.6.1** For new detached single-family dwellings only, for fixtures and
11 appurtenances, ~~[[\$100]]~~ \$173;

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13 **108.2.6.2.** For townhouses and two-family dwellings only, for fixtures and
14 appurtenances, ~~[[\$75]]~~ \$129;

15
16 **108.2.6.3** For new multifamily units only, for fixtures and appurtenances, ~~[[\$50]]~~
17 \$86;

18
19 ***

20
21 **108.2.6.10** For commercial onsite sewage disposal systems with a flow rate in
22 excess of 2,000 gallons/day: for installation, ~~[[\$1,500]]~~ \$2,595; for each additional 2,000
23 gallons/day of flow, ~~[[\$1,500]]~~ \$2,595; and for installation or reconstruction of a
24 commercial grease trap only, ~~[[\$1,000]]~~ \$1,730;

25
26 ***

27
28 **108.2.6.14** For reconstruction or addition to existing plumbing: for the first
29 plumbing fixture, ~~[[\$30]]~~ \$51; for each additional plumbing fixture, ~~[[\$5]]~~ \$8; and each
30 fixture left out of original permit application, ~~[[\$15]]~~ \$25; and

31
32 **108.2.6.15** For commercial shell building groundwork, ~~[[\$30]]~~ ~~\$51~~ \$51 flat fee.

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34 **108.2.7 Onsite water and sewer fees.** For onsite water, an inspection fee of ~~[[\$15]]~~
35 \$25, and for onsite sewer, an inspection fee of ~~[[\$15]]~~ \$25, for each equivalent dwelling unit,
36 as defined in § 13-5-803 of the County Code, in multifamily residential, commercial, and
37 industrial construction. The minimum fee for onsite water only is ~~[[\$95]]~~ \$164, for onsite
38 sewer only is ~~[[\$95]]~~ \$164, and for both onsite water and sewer is ~~[[\$190]]~~ \$328.

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40 **108.2.8 Public water and sewer connection fees.** For public water connection,
41 ~~[[\$30.00]]~~ \$51, and for public sewer connection, ~~[[\$30.00]]~~ \$51. Applicants shall pay any
42 user or capital connection charges associated with water and sewer permits required by
43 Article 13 of the County Code prior to the issuance of permits.

44
45 **108.4.1 Refund for unissued permit.** Prior to building permit issuance, a 50% refund
46 may be issued. ~~[[The maximum amount retained by the County may not exceed \$1,000.]]~~
47 PERMIT APPLICATION FEES ARE NOT REFUNDABLE.

108.5.1 Transfer of electrical, plumbing, mechanical, and fuel gas permits. A fee of ~~[[\$25]]~~ \$43 shall be paid to the County for transfer of a trade electrical, plumbing, mechanical, or fuel gas permit. A person licensed under Article 11 of the County Code may not apply for an electrical, plumbing, mechanical, or fuel gas permit or commence work for which another person licensed under Article 11 was issued a permit unless the original licensee has withdrawn or been removed from the work and has notified the Department in writing. Letters of explanation from the person for whom the work is to be performed or from either or both licensees shall be sent to the Code Official explaining the circumstances. If an electrical, plumbing, mechanical, or fuel gas contractor who signed an application for an electrical, plumbing, mechanical, or fuel gas permit dies, the permit shall be held in abeyance from the date of death. The extent of the work satisfactorily completed by the deceased shall be recorded on the Inspector's record and on the permit. If the owner decides to have the remainder of the work done, the original permit shall be reactivated on written request of the owner. The electrical, plumbing, mechanical, or fuel gas contractor who is to complete the work shall sign the original electrical, plumbing, mechanical, or fuel gas application on file at the Department and shall be held responsible for the work completed.

Section 109 Inspections

109.15 Re-inspection fee.

109.15.1 THERE IS A FEE OF \$150 FOR RE-INSPECTION FOR EACH REQUESTED INSPECTION THAT IS NOT CANCELED AT LEAST 24 HOURS PRIOR TO THE SCHEDULED INSPECTION OR WHICH IS NOT ACCESSIBLE TO THE INSPECTOR.

109.15.2 There is a fee of ~~[[\$40]]~~ \$150 for re-inspection for each requested inspection which is not ready for inspection.

Section 110 Certificate of Occupancy

110.5 Fee for certificate of occupancy. If a permittee or property owner allows occupancy prior to the issuance of a certificate of occupancy, a penalty of ~~[[\$500]]~~ \$1,000 shall be paid to the County prior to a final inspection and the issuance of the certificate of occupancy.

SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 16. FLOODPLAIN MANAGEMENT, EROSION AND SEDIMENT CONTROL, AND STORMWATER MANAGEMENT

TITLE 3. EROSION AND SEDIMENT CONTROL

16-3-207. Fees; refunds.

(a) **Fees.** The fees set forth in the chart in this subsection apply to all grading permits other than those issued for work on property owned or leased and developed by the County or the Board of Education.

Grading Permit Category	Fee
Application	[[\$25]] \$43
Single family dwelling on lot of 20,000 square feet or less	[[\$400]] \$692
Single family dwelling on a lot over 20,000 square feet	[[\$650]] \$1,124
Churches, parsonages, incorporated nonprofit eleemosynary and community associations, and fire stations on properties owned by a volunteer fire company formed pursuant to § 12-1-201 of this Code	[[\$65]] \$112
Forest harvest operation	[[\$100]] \$173
Grading permit, other than for a single family dwelling, a church or nonprofit agency, or standard logging plan, is based on approved cost estimate, as follows: \$0 to \$500 \$500.01 to \$1,250 Over \$1,250	[[\$40]] \$69 [[\$80]] \$138 [[\$80]] \$138 plus [[4%]] 7% of costs over \$1,250
Additional work	Difference between the fee for the original permit and the fee required for the entire grading and sediment control project
Renewal of expired permit	[[\$25]] \$50

~~(B) Review and automatic adjustment of fees.~~

~~_____ (1) BEGINNING ON JULY 1, 2025, AND ON EACH JULY 1 THEREAFTER, ALL FEES SET FORTH IN THIS SECTION SHALL BE AUTOMATICALLY ADJUSTED BASED ON THE METHODOLOGY SET FORTH IN THIS SUBSECTION.~~

~~_____ (2) THE BASE FOR COMPUTING AN ADJUSTMENT IS THE EMPLOYMENT COST INDEX FOR TOTAL COMPENSATION, FOR STATE AND LOCAL GOVERNMENT WORKERS (NOT SEASONALLY ADJUSTED, PERCENT CHANGE FOR 12 MONTHS ENDED MARCH OF THAT YEAR) PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS (THE "INDEX"). ALL FEES SHALL BE ADJUSTED BY THE PERCENTAGE CHANGE IN THE INDEX ROUNDED TO THE NEAREST DOLLAR.~~

~~_____ (3) IF THE BASE YEAR FOR THE INDEX IS CHANGED, ADJUSTMENTS SHALL BE MADE IN ACCORDANCE WITH THE CONVERSION FACTOR PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS. IF THE INDEX IS DISCONTINUED OR REVISED, ADJUSTMENTS SHALL BE BASED ON THE INDEX OR COMPUTATION WITH WHICH IT IS REPLACED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.~~

~~[(b)](c)~~ **Refunds.** On request of the applicant, the Department may refund 50% of a permit fee if for any reason the permit is not issued. ~~[[The maximum amount retained by the County may not exceed \$1,000.]]~~ Application fees are nonrefundable.

~~[(c)](d)~~ **Site improvements covered by a Public Works Agreement (PWA).** Site improvements covered by a PWA are not included in grading and erosion control costs and fee calculations.

TITLE 5. VIOLATIONS, ENFORCEMENT, AND PENALTIES

16-5-102. Enforcement.

(E) **Investigation fee.** THERE IS A FEE OF \$150 FOR EACH INVESTIGATION BY THE DEPARTMENT THAT REVEALS A VIOLATION OF ANY PROVISION OF THIS ARTICLE.

ARTICLE 17. SUBDIVISION AND DEVELOPMENT

TITLE. 11 FEES AND SECURITY

17-11-101. Fees and security.

The following fees shall be paid and security given as provided in the following chart, except that fees paid on an application governed by the law as it existed prior to May 12, 2005, shall be credited against the fees in the following chart if the application is withdrawn and a new application is filed under this article:

Category	Fee or Security

Inspection fees	Public works agreement: [[7%]] 10% of the cost of the improvements Forestation agreement: [[7%]] 10% of the cost of the installed plant materials

SECTION 3. And be it further enacted, That, by January 1, 2026, and each January 1 every two years thereafter, the Department of Inspections and Permits shall provide a report to the County Council calculating the fees set forth in the Construction Code and § 16-3-207 of the Code (rounded to the nearest dollar) if those fees were adjusted by the Employee Cost Index for Total Compensation, for State and Local Government Workers (not seasonally adjusted, percent change for 12 months ended March of that year) published by the United States Department of Labor, Bureau of Labor Statistics.

~~SECTION 3.~~ 4. And be it further enacted, That this Ordinance shall take effect October 1, 2024.

AMENDMENTS ADOPTED: June 10, 2024

READ AND PASSED this 14th day of June, 2024

By Order:

A handwritten signature in black ink, appearing to be 'K. Schultze', with a long horizontal line extending to the right.

Kaley Schultze
Administrative Officer

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 44-24 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to be 'K. Schultze', with a long horizontal line extending to the right.

Kaley Schultze
Administrative Officer