

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2025, Legislative Day No. 13

Bill No. 62-25

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

By the County Council, June 16, 2025

Introduced and first read on June 16, 2025
Public Hearing set for and held on July 21, 2025
Public Hearing on AMENDED bill set for and held on September 2, 2025
Bill Expires September 19, 2025

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works – Watershed Protection and Restoration
2 Program

3
4 FOR the purpose of modifying the definitions of “attached dwelling”, “condominium”,
5 “detached single-family dwelling”, “dwelling unit”, “multifamily residential property”,
6 and “residential property, tier three”; defining “common elements”; modifying how
7 stormwater remediation fees are calculated under certain circumstances; removing a
8 deadline to file an administrative appeal in order to receive stormwater remediation fee
9 correction for the current billing cycle; adding a deadline for a written decision by the
10 Director; modifying certain qualifications for exemptions from the stormwater
11 remediation fee due to substantial financial hardship; allowing for certain reductions of
12 the stormwater remediation fee for certain properties with stormwater management
13 practices approved after a certain date; making certain stylistic changes; providing for
14 the application of this Ordinance; and generally relating to public works.

15
16 BY renumbering: § 13-7-101(6) through (9), (12), (16), and (17) to be § 13-7-101(7)
17 through (10), (13), (17), and (18), respectively
18 Anne Arundel County Code (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.
Underlining indicates matter added to bill by amendment.
~~Strikeover~~ indicates matter removed from bill by amendment.

BY repealing, reenacting, and renumbering, with amendments: § 13-7-101(3) through (5), (10), (11), and (13) through (15) to be § 13-7-101(4) through (6), (11), (12), and (14) through (16), respectively
Anne Arundel County Code (2005, as amended)

BY adding: § 13-7-101(3)
Anne Arundel County Code (2005, as amended)

BY repealing and reenacting, with amendments: §§ 13-7-101(1); 13-7-103(e), (f), (h), and (k); 13-7-104(b) and (e); ~~and 13-7-106(b)~~ and 13-7-107
Anne Arundel County Code (2005, as amended)

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That § 13-7-101(6) through (9), (12), (16), and (17) of the Anne Arundel County Code (2005, as amended) are hereby renumbered to be § 13-7-101(7) through (10), (13), (17), and (18), respectively.

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

ARTICLE 13. PUBLIC WORKS

TITLE 7. WATERSHED PROTECTION AND RESTORATION PROGRAM

13-7-101. Definitions.

In this title, the following words have the meanings indicated.

(1) “Attached dwelling” means a duplex, TRIPLEX, FOURPLEX, MULTIPLEX, [[semi-detached, or]] STACKED TOWNHOUSE, OR townhouse[[, dwelling]] as THESE DWELLING TYPES ARE defined in [[§ 18-1-101(47)]] § 18-1-101 of this Code.

(3) “COMMON ELEMENTS” HAS THE MEANING STATED IN §11-101 OF THE REAL PROPERTY ARTICLE OF THE STATE CODE.

[[(3)] (4) “Condominium” has the meaning stated in [[§ 17-1-101(17)]] § 17-1-101 of this Code.

[[(4)] (5) “Detached single-family dwelling” has the meaning stated for “dwelling, single-family detached” in [[§ 18-1-101(47)]] § 18-1-101 of this Code.

[[(5)] (6) “Dwelling unit” has the meaning stated in [[§ 18-1-101(47)]] § 18-1-101 of this Code.

1 ~~[(10)]~~ (11) “Multifamily residential property” means real property ~~[[located in any~~
2 zoning district that is]] improved by a “dwelling, multifamily”, as that term is defined in
3 ~~[[§ 18-1-101(47)]]~~ § 18-1-101 of this Code.

4
5 ~~[(11)]~~ (12) “Nonresidential property” means real property SHOWN ON THE ANNE
6 ARUNDEL COUNTY DIGITAL ZONING LAYER ADOPTED IN ACCORDANCE WITH § 18-2-106 OF
7 THIS CODE AS located in:

8
9 (I) a commercial, industrial, maritime, mixed use, Odenton Town Center, Open
10 Space, Town Center, or Small Business zoning district ~~[[as shown on the Anne Arundel~~
11 County Digital Zoning Layer adopted in accordance with § 18-2-106 of this Code]], and
12 includes real property in those zoning districts improved by an attached dwelling or a
13 detached single family dwelling~~[[.]]~~;

14
15 (II) ~~[[“Nonresidential property” also includes real property located in]]~~ a residential
16 zoning district ~~[[as shown on the Anne Arundel County Digital Zoning Layer adopted in~~
17 accordance with § 18-2-106 of this Code]] with a use other than a dwelling;

18
19 (III) ANY ZONING DISTRICT AND ~~[[real property]]~~:

20
21 A. owned by not-for-profit entities such as Homeowners Associations, fraternal
22 organizations, religious groups or organizations, OR healthcare facilities~~[[, and]]~~;

23
24 B. ~~[[other real property]]~~ devoted to non-governmental charitable, or
25 institutional uses; ~~[[and]]~~ OR

26
27 C. A PRIVATE ROAD; OR

28
29 (IV) ~~[[real property located partially in]]~~ AT LEAST TWO ZONING DISTRICTS, ONE OF
30 WHICH IS a residential ZONING district ~~[[and partially in any district other than a residential~~
31 zoning district as shown on the Anne Arundel County Digital Zoning Layer adopted in
32 accordance with § 18-2-106 of this Code]].

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34 ***

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36 ~~[(13)]~~ (14) “Residential property, tier one” means real property SHOWN ON THE ANNE
37 ARUNDEL COUNTY DIGITAL ZONING LAYER ADOPTED IN ACCORDANCE WITH § 18-2-106 OF
38 THIS CODE AS located in AN RA OR RLD Zoning District ~~[[RA or RLD as shown on the~~
39 Anne Arundel County Digital Zoning Layer adopted in accordance with § 18-2-106 of this
40 Code,]] and improved with a detached single-family dwelling.

41
42 ~~[(14)]~~ (15) “Residential property, tier two” means real property SHOWN ON THE ANNE
43 ARUNDEL COUNTY DIGITAL ZONING LAYER ADOPTED IN ACCORDANCE WITH § 18-2-106 OF
44 THIS CODE AS located in AN R1, R2, or R5 Zoning District ~~[[R1, R2, or R5 as shown on the~~
45 Anne Arundel County Digital Zoning Layer adopted in accordance with § 18-2-106 of this
46 Code,]] and improved with a detached single-family dwelling.

1 [[(15)]] (16) “Residential property, tier three” means real property SHOWN ON THE
2 ANNE ARUNDEL COUNTY DIGITAL ZONING LAYER ADOPTED IN ACCORDANCE WITH § 18-
3 2-106 OF THIS CODE AS located in:

4
5 (I) AN R10, R15, OR R22 Zoning District [[R10, R15, or R22 as shown on the Anne
6 Arundel County Digital Zoning Layer adopted in accordance with § 18-2-106 of this
7 Code,]] and improved with an attached dwelling or a detached single-family dwelling[.];
8 OR

9
10 (II) [“Residential property, tier three” also includes real property in Residential]]
11 AN RA, RLD, R1, R2, OR R5 Zoning District [[RA, RLD, R1, R2, or R5 that is]] THAT:

12
13 A. IS improved [[by]] WITH an attached dwelling, OR A MOBILE HOME; or

14
15 B. is a mobile home space AS DEFINED IN §11-9-101 OF THIS CODE AND LICENSED
16 [[under a license issued]] pursuant to SUBTITLE 9 OF Article 11[, Subtitle 9]] of this Code.

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18 ***

19
20 **13-7-103. Stormwater remediation fee.**

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22 ***

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24 (e) **Condominiums fee.** If a multifamily residential property is a condominium, the
25 stormwater remediation fee determined for buildings containing dwelling units AND THE
26 COMMON ELEMENTS in accordance with subsection (d) shall be divided by the number of
27 dwelling units and that amount shall be billed separately to each condominium dwelling
28 unit owner.

29
30 (f) **Private roads – fee.** EXCEPT FOR NONRESIDENTIAL PROPERTY THAT IS A PRIVATE
31 ROAD OWNED BY A HOMEOWNERS ASSOCIATION OR THAT IS A PART OF A MULTIFAMILY
32 RESIDENTIAL PROPERTY, [[If]] a nonresidential property THAT is a private road with a
33 separate tax account number and is [[not owned by a Homeowners Association]] PART OF
34 A SUBDIVISION OR OTHER DEVELOPMENT WITH 15 OR LESS LOTS OR DWELLING UNITS, the
35 stormwater remediation fee shall be the base rate.

36
37 ***

38
39 (h) **Nonresidential properties – cap on fee.** EXCEPT FOR A NONRESIDENTIAL
40 PROPERTY WITH AN ASSESSMENT VALUE OF ZERO DOLLARS, THE [[The]] stormwater
41 remediation fee for a nonresidential property may not exceed 25% of the State and County
42 real property tax that would be levied based on the assessment of the property prior to any
43 tax credits, deferrals, or exemptions that are applicable in accordance with the Tax-
44 Property Article of the State Code or TITLE 2 OF Article 4[, Title 2]] of this Code.

45
46 ***

47
48 (k) **Farms – fee.** The stormwater remediation fee for a farm shall be 40% of the base
49 rate for each property tax account associated with the farm that has impervious surface. IF
50 A PROPERTY IS A FARM AND IS A “RESIDENTIAL PROPERTY, TIER ONE” OR “RESIDENTIAL

1 PROPERTY, TIER TWO”, THE STORMWATER REMEDIATION FEE IN THIS SUBSECTION SHALL
2 PREVAIL.

3
4 ***

5 **13-7-104. Appeals.**

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7 ***

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9 (b) **Administrative appeal.** A property owner may appeal a stormwater remediation
10 fee to the Department. [[An appeal shall be submitted on or before September 30 in order
11 to receive a correction of the stormwater remediation fee for the current billing year.]]

12
13 ***

14
15 (e) **Written decision.** The Director shall issue a written decision WITHIN 45 DAYS OF
16 THE FILING OF THE APPEAL indicating whether the appeal is granted or denied and a copy
17 shall be provided to the property owner, the Controller, and any counsel of record. The
18 written decision of the Director shall set forth all reasons for the decision and shall set
19 forth any change in the amount of the stormwater remediation fee. [[For fiscal year 2014,
20 the Director shall issue the written decision within 90 days of the filing of the appeal. For
21 any year after fiscal year 2014, the Director shall issue the written decision within 45
22 days.]]

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24 ***

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26 **13-7-106. Exemptions – Substantial financial hardship.**

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28 ***

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30 (b) **Qualifications for exemption.** To qualify for a substantial financial hardship
31 exemption:

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33 (1) the real property for which the exemption is requested shall contain a detached
34 single family dwelling or a dwelling unit in an attached dwelling or multifamily residential
35 property;

36
37 (2) at least one of the property owners shall be an occupant of the property; and

38
39 (3) at least two of the following four criteria shall be met to demonstrate substantial
40 financial hardship:

41
42 (i) the combined gross income, as defined in § 9-104 OF the Tax-Property
43 Article[[, § 9-104,]] of the State Code, does not exceed the [[poverty guidelines updated
44 periodically in the Federal Register by the United States Department of Health and Human
45 Services under the authority of 42 U.S.C. § 9902(2)]] INCOME GUIDELINES ESTABLISHED
46 BY THE MARYLAND OFFICE OF HOME ENERGY PROGRAMS FOR ANY ONE OF THE FUEL AND
47 UTILITY ASSISTANCE PROGRAMS IN ACCORDANCE WITH § 5-5A-07 OF THE HUMAN
48 SERVICES ARTICLE OF THE STATE CODE;

(ii) at least one of the property owners who resides at the property receives an energy assistance subsidy in accordance with a Fuel and Utility Assistance Program established under § 5-5A-07 OF the Human Services Article[[, § 5-5A-07,]] of the State Code;

(iii) at least one of the property owners who resides at the property receives supplemental Security Income under 42 U.S.C. § 1381, et seq. or food stamps under 42 U.S.C. § 2011, et seq.; or

(iv) at least one of the property owners who resides at the property receives veterans or Social Security disability benefits under the Social Security Act, the Railroad Retirement Act, any federal act for members of the United States Armed Forces, or any federal retirement system.

13-7-107. Reduction of fee.

The Director shall adopt rules and regulations in accordance with the Environment Article, § 4-202.1(f)(1), of the State Code to reduce, in an amount not to exceed 50%, the stormwater remediation fee for a real property that has a National Pollutant Discharge Elimination System permit that includes stormwater management controls, or to account for existing on site systems, facilities, services, or activities that reduce the quantity or improve the quality of stormwater discharged from a property. REAL PROPERTY CONTAINING A STORMWATER MANAGEMENT PRACTICE INSTALLED IN ASSOCIATION WITH A DEVELOPMENT COMPLETED AFTER JULY 1, 2026, SHALL BE ENTITLED TO A 50% REDUCTION OF THE STORMWATER REMEDIATION FEE, TO BE APPLIED AFTER SATISFACTORY FINAL INSPECTION OF THE STORMWATER MANAGEMENT PRACTICE BY THE DEPARTMENT OF INSPECTIONS AND PERMITS. Marinas covered under a current National Pollutant Discharge Elimination System permit with stormwater management controls for marinas shall be entitled to a 25% reduction of the stormwater remediation fee for the marina. Marinas in good standing with the Maryland Department of Natural Resources Clean Marina Initiative shall be entitled to a total reduction not to exceed 50% of the stormwater remediation fee for the marina. The Director may enter into an agreement for a fee reduction conditioned upon the successful implementation of an approved stormwater remediation project.

SECTION 3. *And be it further enacted*, That this Ordinance shall be construed to apply to the stormwater remediation fee assessed beginning with the taxable year starting on July 1, 2026.

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

READ AND PASSED this 2nd day of September, 2025

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

PRESENTED to the County Executive for his approval this 3rd day of September, 2025

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

Kaley Schultze
Administrative Officer

APPROVED AND ENACTED this 4th _____ day of September, 2025

A handwritten signature in blue ink, appearing to be 'Steuart Pittman', with a long horizontal line extending to the right.

Steuart Pittman
County Executive

EFFECTIVE DATE: October 19, 2025

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**I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 62-25 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.**

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

**Kaley Schultze
Administrative Officer**