

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2025-24**

BILL NO. 2025-11

Title of Bill: Amendment – Cecil County Code – Chapter 110 – Taxing Districts, Special – Stormwater Management Facility Maintenance Districts.

Synopsis: An Act to amend the Cecil County Code, Chapter 110, Taxing Districts, Special, by creating and adding a new Article V for the establishment of Special Taxing Districts to fix and levy a special tax to fund the County's repair and perpetual maintenance of privately owned stormwater management facilities within a designated district with the special tax to be paid annually in the same manner as all other county taxes by the owners of properties served by those stormwater management facilities for the period of time established by the Cecil County Council.

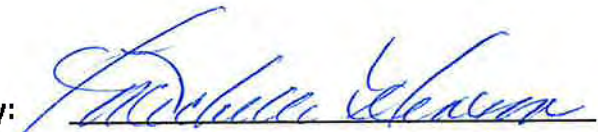
Introduced by: Council President at the request of the County Executive

Introduced and ordered posted on: December 16, 2025

Public Hearing Scheduled on: January 06, 2026 at 7:00 p.m.

Scheduled for Consideration on: January 20, 2026

By:


Council Manager

Notice of time and place of public hearing and title of Bill having been posted by December 16, 2025, at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on December 17, 2025 and December 26, 2025, a public hearing was held on January 06, 2026 and concluded on January 06, 2026.

By:


Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.
~~Strike through~~ indicate matter deleted from existing ordinance.
Underlining indicates language added by amendment.
~~Double Strike through~~ indicates language deleted by amendment.

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Stormwater Management Facility Maintenance Districts**

WHEREAS, Cecil County (“County”) is subject to the National Pollutant Discharge Elimination System General Permit for Discharges From Small Municipal Separate Storm Sewer Systems (“MS4 Permit”) issued by the Maryland Department of the Environment; and

WHEREAS, the MS4 Permit requires the County to, among other things, inspect and ensure the proper functioning of privately owned stormwater management facilities and best management practices serving residential developments and other private properties; and

WHEREAS, failure to comply with the provisions of the MS4 Permit constitutes a violation of the federal Clean Water Act; and

WHEREAS, violations of the Clean Water Act could subject the County to enforcement action which could include both civil and criminal penalties; and

WHEREAS, it is the responsibility of homeowners’ associations and other responsible parties to maintain privately owned stormwater management facilities serving their properties; and

WHEREAS, it is oftentimes the case that a homeowners’ association or other responsible party is unwilling or unable to repair and maintain those privately owned stormwater management facilities in accordance with applicable standards; and

WHEREAS, Article IX, Maintenance, of Chapter 325, Stormwater Management, of the Code of Cecil County, provides that if satisfactory corrections are not made by the owner of such facilities within 30 days of receiving notice, the Department of Public Works (Department) may perform all necessary work to place the facility in proper working condition and then recover the cost of the work and any penalties from the owner of the facility; and

WHEREAS, Article IX further provides that the County may recover the cost of the work by placing a lien on the property of the owner which may be placed on the tax bill and collected as ordinary taxes by the County; and

WHEREAS, the entire amount owed under any such lien becomes immediately due and payable in full upon the sale or transfer of the property; and

WHEREAS, the use of property liens to recover costs can create financial hardship for property owners, encumber title to the property, and complicate or delay real estate transactions; and

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WHEREAS, recovering the cost of the work through a special tax is more favorable to the property owner since it allows the County to recover the costs over time through the regular tax billing process; and

WHEREAS, the use of a special tax preserves property marketability, minimizes administrative costs associated with lien enforcement, and promotes voluntary participation by property owners in the repair and long-term maintenance of their stormwater management facilities; and

WHEREAS, the County Executive desires to be able to offer the special taxing district option to property owners as an alternative to having the County recover the cost of the work by placing a lien on the property.

NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND, that Chapter 110, Taxing Districts, Special, is amended by adding the following:

Article V

Stormwater Management Facility Maintenance Districts

§110-23. Establishment.

A. If at least 2/3 of property owners of a residential development or area concur in writing to the creation of a special taxing district for the repair and maintenance of privately owned stormwater management facilities, the Cecil County Council may, by ordinance, establish a Stormwater Management Facility Maintenance District.

B. When more than one (1) person holds an interest in any property, the vote for such property shall be exercised as they determine, but in no event shall more than one (1) vote be cast for each property.

§110-24. Purpose.

The purpose of the Stormwater Management Facility Maintenance District is to pay the cost of repairing and maintaining in perpetuity stormwater management facilities serving the properties within the district to ensure they meet current standards as defined by the Maryland Department of the Environment and the Code of Cecil County.

§110-25. Boundaries.

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54 The district will be comprised of those properties that are served by the stormwater management
55 facilities as determined by the Cecil County Department of Public Works and as approved by the Cecil
56 County Council.

57 §110-26. Apportionment of Costs.

58 A. Repair and maintenance costs to bring existing facilities up to current standards shall be apportioned
59 equally among the properties served by those facilities.

60 B. In cases where the County opts to retrofit stormwater management facilities to achieve restoration
61 credits or obtain other co-benefits such as flood control or mitigation, property owners shall only be
62 responsible for the cost to bring the facilities up to current standards, while the County shall bear the
63 additional cost created by retrofitting rather than just repairing the facility.

64 §110-27. Procedure for Establishment.

65 A. In cases where the Cecil County Department of Public Works has inspected the stormwater
66 management facilities and determined that they fail to meet applicable standards, and where the
67 homeowner's association or other responsible party is unable or unwilling to voluntarily make the
68 repairs necessary to bring the facilities into compliance, the Department will send written notices to
69 the owners of properties served by the facilities requesting their written assent to the creation of a
70 Stormwater Management Facility Maintenance District.

71 B. The Department will tally the responses. Failure of a property owner to submit a response by the
72 specified deadline shall constitute a vote against the establishment of the Stormwater Management
73 Facility Maintenance District.

74 C. If at least 2/3 of property owners in the proposed district assent to the creation of such a district, the
75 Cecil County Council shall conduct a public hearing to consider the matter.

76 D. Notice of the time and location of the public hearing shall be provided by:

77 (1) First-class mail to each owner of property within the proposed district, at the mailing
78 address listed on the assessment records; and

79 (2) Notice in a newspaper of general circulation in the County for two consecutive weeks.

80 E. At the public hearing conducted under this section:

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(1) The Department will provide a list of all the properties served by the facilities and a map showing the proposed boundaries of the district; and

(2) The Department will describe the scope of the required repairs, the estimated total cost, and the estimated individual levies; and

(3) The Council shall receive public comment regarding the establishment of the proposed district and set a date for a final hearing that may only be changed pursuant to notice as provided above.

F. At a final hearing conducted under this section, the Cecil County Council may:

(1) Establish the district; and

(2) Designate the area within the district; and

(3) Establish the project scope and estimated cost; and

(4) Determine if interest is to be charged and, if so, the rate of interest; and

(5) Establish individual levies and the time period for property owners to reimburse the County for its costs.

§110-28. Source of Funds.

To provide funds for the design and construction of repairs and/or the maintenance of stormwater management facilities in the district, the County shall use immediately available funds. Bond funds will not be used.

§110-29. Administration.

The Department of Public Works shall engage the services of qualified engineers, contractors, or other service providers to complete the necessary work, inspect the work to ensure it is satisfactory, and pay the invoices for services rendered.

§110-30. Right of Entry.

A. Any employee or agent of the County has the right of entry on to the stormwater management facilities in the district while in pursuit of his or her official duties. Any restraint or hindrance offered to such entry by any owner, tenant, agent of the owner, or other person is prohibited.

B. Any person who violates the provisions of this section is guilty of a misdemeanor and is subject to a fine of \$100 for each occurrence.

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109 §110-31. Levy of Tax.

110 Cecil County shall levy annually upon the properties in the Stormwater Management Facility
111 Maintenance District those levies approved by the County Council which will be used to pay the costs
112 of the repair and perpetual maintenance of the stormwater management facilities in the district. This
113 levy shall be collected as all other taxes in the County are collected and shall be paid over to the
114 Director of Finance for the sole purpose of funding the repair and maintenance of the stormwater
115 management facilities in the district.

116 **AND, BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
117 this Act shall take effect in 60 calendar days from the date it becomes law.

CERTIFICATION

I HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time, and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and a copy was made available on the Cecil County website.

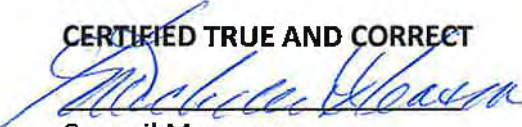


BY: Council Manager

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Title of Bill:

CERTIFIED TRUE AND CORRECT

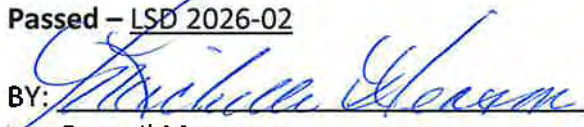

Council Manager

Date: January 20, 2026

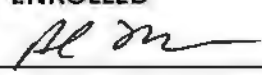
BY THE COUNCIL

Read the third time.

Passed – LSD 2026-02

BY: 
Council Manager

ENROLLED


Council President

Date: January 20, 2026

Failed of Passage – LSD _____

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this

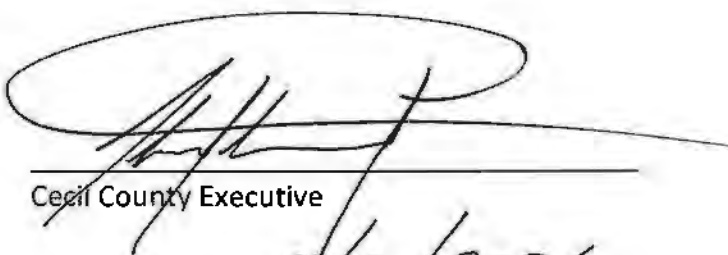
21st day of Jan, 2026 at 8:48 am/pm.

(10 business days from adoption per Charter 306)

BY: 
Council Manager

BY THE EXECUTIVE:




Cecil County Executive

APPROVED Date: 01/21/2026

VETOED Date: _____

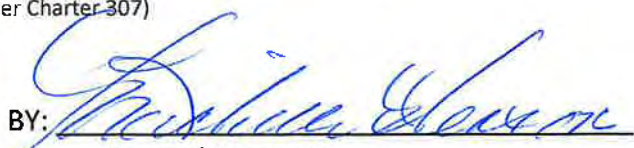
(10 business days from presentation per Charter 306)

BY THE COUNCIL

Bill No. 2025-11 having been approved by the Executive and returned to the Council becomes law on

January 20, 2026 with an effective date of March 21, 2026

(60 calendar days after enactment unless otherwise specified per Charter 307)

BY: 
Council Manager