

Bill No. 16-04

Concerning: Revisions to Public School and Library
Development Impact Fees and Annual Adjustments

Revised: March 1, 2016 Draft No. _____

Introduced: January 19, 2016

Expires: _____

Enacted: _____

Executive: _____

Effective: _____

Frederick County Code, Chapter 1-22, Section(s) 12, 13, 22 & 23

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Bud Otis on behalf of County Executive Jan Gardner

AN ACT to:

Revise the Public School and Library Development Impact Fees and provide for an annual adjustment to these fees.

By amending:

Frederick County Code, Chapter 1-22, Section(s) 12, 13, 22 & 23

Other:

Boldface

Heading or defined term.

Underlining

Added to existing law by original bill.

[Single boldface brackets]

Deleted from existing law by original bill.

Double underlining

Added by amendment.

[[Double boldface brackets]]

Deleted from existing law or the bill by amendment.

* * *

Existing law unaffected by bill.

Bill No. 16-04

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-22 (Development Impact Fee) of the Frederick County Code to revise the required payments for public school and library development impact fees, and to provide for an annual adjustment of these fees.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

Harold F. (Bud) Otis, President
County Council of Frederick County,
Maryland

ARTICLE II: PUBLIC SCHOOL DEVELOPMENT IMPACT FEE

§ 1-22-11. SERVICE AREA.

The applicable service area (the “service area”) for imposition of a public school development impact fee is the entire county, including all municipalities.

§ 1-22-12. AMOUNT OF IMPACT FEE.

All new residential development in the service area shall be subject to the payment of a public school development impact fee payable at the time of issuance of a building permit/zoning certificate by the county or a municipality, as applicable, pursuant to this Chapter 1-22, as follows:

<i>Residential Development</i>	<i>Impact Fee Per Dwelling Unit (As of 7/1/16)</i>	<i>Impact Fee Per Dwelling Unit (As Of 7/1/17)</i>
Single-Family Detached	\$[13,478.00][[14,747.00]]14,112.50	<u>\$14,747.00</u>
Townhouse/Duplex	\$[13,412.00][[15,002.00]]14,207.00	<u>\$15,002.00</u>
All Other Residential	\$[5,595.00][[6,291.00]]5,942	<u>\$6,291.00</u>

§1-22-13. [Reserved] ANNUAL ADJUSTMENT

[[On July 1, 2017, and on July 1 of each year thereafter in which the public school development impact fee is in effect, the amount of the public school development impact fee, per dwelling unit, shall be adjusted as follows:]]

Boldface Heading or defined term.

Underlining Added to existing law by original bill.

[Single boldface brackets] Deleted from existing law by original bill.

Double underlining Added by amendment

[[Double boldface brackets]] and strikethrough Deleted by amendment

Bill No. 16-04 – As Amended 3-1-2016

(A) On or before January 15, 2017, and on or before January 15 of each year thereafter, the County Executive shall provide to the County Council a report which proposes an annual adjustment to the public school development impact fee, based on the most recent data from the State of Maryland School Construction Cost Index.

(B) The proposed annual adjustment [[shall automatically]] will not take effect [[on the following July 1]]unless the County Council enacts a bill adopting it. [[to change the public school development impact fee by the May 1 following receipt of the report.]]

(C) Unless the County Council bill to change the public school development impact fee takes effect before the following June 30, then the proposed annual adjustment shall automatically take effect on the July 1 following receipt of the report]].

ARTICLE III: LIBRARY DEVELOPMENT IMPACT FEE

§ 1-22-21. SERVICE AREA.

The applicable service area (the “service area”) for imposition of a library development impact fee is the entire county, including all municipalities.

§ 1-22-22. AMOUNT OF IMPACT FEE.

All new residential development in the service area shall be subject to the payment of a library development impact fee payable at the time of issuance of a building permit/zoning certificate by the county or a municipality, as applicable, pursuant to this Chapter 1-22, as follows:

<i>Residential Development</i>	<i>Per Dwelling Unit (As of 7/1/16)</i>
Single-Family Detached	\$[730.00]768.00
Townhouse/Duplex	\$[660.00]695.00
All Other Residential	\$[366.00]385.00

Boldface Heading or defined term.

Underlining Added to existing law by original bill.

[Single boldface brackets] Deleted from existing law by original bill.

Double underlining Added by amendment

[[Double boldface brackets]] and strikethrough Deleted by amendment

Bill No. 16-04 – As Amended 3-1-2016

§1-22-23. [Reserved] ANNUAL ADJUSTMENT

[[On July 1, 2017, and on July 1 of each year thereafter in which the library development impact fee is in effect, the amount of the library development impact fee, per dwelling unit, shall be adjusted as follows:]]

(A) On or before January 15, 2017, and on or before January 15 of each year thereafter, the County Executive shall provide to the County Council a report which proposes an annual adjustment to the library development impact fee, based on the most recent 20 City Annual National Average Data from the Engineering News Record Construction Cost Index.

(B) The proposed annual adjustment [[shall automatically]] will not take effect [[on the following July 1]]unless the County Council enacts a bill adopting it.[[to change the public school development impact fee by the May 1 following receipt of the report.]]

(C) Unless the County Council bill to change the library development impact fee takes effect before the following June 30, then the proposed annual adjustment shall automatically take effect on the July 1 following receipt of the report.]]

Boldface Heading or defined term.

Underlining Added to existing law by original bill.

[Single boldface brackets] Deleted from existing law by original bill.

Double underlining Added by amendment

[[Double boldface brackets]] and strikethrough Deleted by amendment

Bill No. 16-04 – As Amended 3-1-2016