

HOUSE BILL 335

L5

7lr0808

By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: January 25, 2017
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – System Development Charge –**
3 **Exemptions**

4 **MC/PG 104–17**

5 FOR the purpose of authorizing the Montgomery County Council and the Prince George's
6 County Council to grant an exemption from a system development charge imposed
7 by the Washington Suburban Sanitary Commission under certain circumstances for
8 certain properties that are exempt from federal taxation and the primary mission
9 and purpose of which are to provide programs and services to youth, for properties
10 that are primarily used for child care or after-school care, or for distilleries,
11 breweries, and wineries; and generally relating to the Washington Suburban
12 Sanitary District and the system development charge.

13 BY repealing and reenacting, with amendments,
14 Article – Public Utilities
15 Section 25–403
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2016 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Public Utilities**

21 25–403.

22 (a) (1) Each year the Montgomery County Council and the Prince George's
23 County Council shall meet to determine the amount of the system development charge.

24 (2) The amount of the system development charge for a particular property:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) shall be based on the number of plumbing fixtures and the
2 assigned values for those fixtures as set forth in the Commission's plumbing and gas fitting
3 regulations;

4 (ii) except as provided in item (iii) of this paragraph and subsection
5 (c) of this section, may not exceed \$200 per fixture unit; and

6 (iii) for residential properties with five or fewer toilets, shall be based
7 on the number of toilets per dwelling unit and:

8 1. for each apartment unit, may not exceed \$2,000;

9 2. for dwellings with one or two toilets, may not exceed
10 \$3,000;

11 3. for dwellings with three or four toilets, may not exceed
12 \$5,000;

13 4. for dwellings with five toilets, may not exceed \$7,000; and

14 5. for dwellings with more than five toilets, shall be
15 calculated on a fixture unit basis.

16 (3) When determining the system development charge, the county councils
17 shall consider the actual cost of construction of Commission facilities.

18 (b) When determining the system development charge, under criteria established
19 jointly and agreed on by the county councils, the county councils:

20 (1) shall grant a full or partial exemption from the charge for public
21 sponsored or affordable housing as jointly defined and agreed on by the county councils;

22 (2) may grant a full or partial exemption from the charge for:

23 (I) revitalization projects;

24 (II) **PROPERTY OWNED BY A COMMUNITY-BASED**
25 **ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE**
26 **INTERNAL REVENUE CODE AND HAS THE PRIMARY MISSION AND PURPOSE OF**
27 **PROVIDING RECREATIONAL AND EDUCATIONAL PROGRAMS AND SERVICES TO**
28 **YOUTH, IF:**

29 **1. THE PROPERTY IS USED PRIMARILY FOR**
30 **RECREATIONAL AND EDUCATIONAL PROGRAMS AND SERVICES TO YOUTH; AND**

