

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 6

Resolution No. 71-2020

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION approving fee and rate schedules for:

- (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
- (2) Solicitor and Peddler Identification Card;
- (3) Weekend Prisoners - Room and board;
- (4) Prisoner - Health care provider fee;
- (5) Participation in work release program;
- (6) Participation in home detention program;
- (7) Marriage license fee charge for funding of domestic violence programs;
- (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;
- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records.

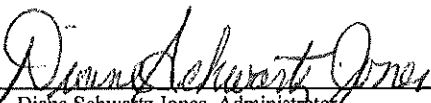
Introduced and read first time May 4th, 2020.

By order


Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on May 18, 2020.

By order



Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on May 27, 2020.

Certified By


Diane Schwartz Jones, Administrator

Approved by the County Executive on June 3, 2020


Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, Section 22.600 of the Howard County Code provides for a fee, set by
2 resolution of the County Council, to be charged for each new or refunded industrial development
3 revenue bond or each new MIDFA loan or bond; and
4

5 **WHEREAS**, Section 14.702 of the Howard County Code requires the County Council to
6 annually adopt by Resolution an annual fee for the issuance of an identification card for a
7 solicitor or peddler; and
8

9 **WHEREAS**, Section 11-801 of the Correctional Services Article of the Annotated Code
10 of Maryland authorizes the County to charge a fee to “weekend inmates” in the Howard County
11 Detention Center to cover the costs of the inmates’ food, clothing and lodging while confined;
12 and
13

14 **WHEREAS**, Section 11-203 of the Correctional Services Article of the Annotated Code
15 of Maryland requires the local governing body to set a reasonable fee, not to exceed \$4, for each
16 visit by an inmate of the County Detention Center to an institutional medical unit or non-
17 institutional physician, dentist or optometrist; and
18

19 **WHEREAS**, Section 11-715 of the Correctional Services Article of the Annotated Code
20 of Maryland authorizes Howard County to establish a work release program and to require the
21 inmate to reimburse the County for the County’s costs of providing food and lodging to the
22 inmate and for the inmate’s participation in the work release program; and
23

24 **WHEREAS**, Section 6-108 of the Correctional Services Article of the Annotated Code
25 of Maryland which authorizes the County to establish a home detention program and to require
26 the inmate to reimburse the County for the County’s costs of electronic monitoring; and
27

28 **WHEREAS**, Section 2-404 of the Family Law Article of the Annotated Code of
29 Maryland authorizes the County Council to direct the Clerk of the Court to charge an additional
30 fee for a marriage license to partially fund battered spouse shelters and domestic violence
31 programs; and

1
2 **WHEREAS**, Section 17.602 of the Howard County Code requires trespass towing
3 companies to register with the Office of Consumer Affairs and to pay annually in January a
4 registration fee which is set annually by resolution of the County Council; and
5

6 **WHEREAS**, Section 17.601 of the Howard County Code requires the County Council to
7 annually adopt, by Resolution, a schedule of maximum rates to be charged by a tow operator for
8 towing a vehicle from private property without the consent of the vehicle owner, and
9

10 **WHEREAS**, Section 2.121 of the Howard County Code requires the County Council to
11 establish, in connection with administrative proceedings, specifications for transcript preparation
12 and a reasonable fee to be charged for the costs of transcription and certification; and
13

14 **WHEREAS**, pursuant to Section 4-206 of the General Provisions Article of the
15 Annotated Code of Maryland, the official custodian may charge a reasonable fee for the search,
16 preparation and reproduction of public records; and
17

18 **WHEREAS**, for Fiscal Year 2021, there are no changes proposed to these rates.
19

20 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
21 Maryland this 27th day of May, 2020 that it adopts the attached schedules of fees;
22 and
23

24 **BE IT FURTHER RESOLVED** that the fee schedules adopted in this Resolution shall
25 be effective July 1, 2020 and shall continue in effect until changed or repealed by subsequent
26 resolution of the County Council.

SCHEDULE OF FEES FOR APPLYING FOR INDUSTRIAL DEVELOPMENT REVENUE BONDS, MIDFA BONDS OR LOANS

These fees are set pursuant to Section 22.600 of the Howard County Code that provides for a fee, set by resolution of the County Council, to be charged for each new or refunded industrial development revenue bond or each new or refunded MIDFA loan or bond.

Industrial development revenue bond or MIDFA bond or loan applications

Bond or loan up to \$500,000	\$500
Bond or loan \$500,000 or higher	\$1,000

SOLICITOR AND PEDDLER FEES

These fees are set pursuant to Section 14.702 of the Howard County Code that requires the County Council to annually adopt, by Resolution, an annual fee for issuance of an identification card for a solicitor or peddler.

Peddler's Identification Card

Fee for an identification card requested on or after July 1	\$100
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Fee for an identification card requested on or after January 1	\$50
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Cards expire on June 30

Annual fee for each card issued to a person, company, firm or partnership that has adopted a code of ethics pursuant to Section 14.706(8) of the Howard County Code	\$50
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WEEKEND PRISONER FEE

This fee is set pursuant to Section 11-801 of the Correctional Services Article of the Annotated Code of Maryland that authorizes the County to charge a fee, set by resolution of the County Council, to "weekend inmates" in the Howard County Detention Center to cover the costs of the inmates' food, clothing and lodging while confined

Charge per day	\$25.00
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HEALTH CARE PROVIDER FEE

This fee is set pursuant to Section 11-203 of the Correctional Services Article of the Annotated Code of Maryland that requires the local governing body to set a reasonable fee, not to exceed \$4, for each visit by an inmate of the County Detention Center to an institutional medical unit or noninstitutional physician, dentist, or optometrist.

Charge per visit	\$4.00
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WORK RELEASE FEE

This fee is set pursuant to Section 11-715 of the Correctional Services Article of the Annotated Code of Maryland that authorizes Howard County to establish a work release program and to require the inmate to reimburse the County for the County's costs of providing food and lodging to the inmate and for the inmate's participation in the work release program.

Weekly Earnings	Room and Board Payment Rate
1. \$200.00 or less per week	\$5.00 per day
2. \$201.00 - \$400.00 per week	\$9.00 per day
3. \$401.00 - \$600.00 per week	\$11.00 per day
4. \$601.00 - \$800.00 per week	\$13.00 per day
5. \$801.00 - \$1,000.00 per week	\$17.00 per day
6. \$1,001.00 or more per week	\$20.00 per day

HOME DETENTION PROGRAM

This fee is set pursuant to Section 6-108 of the Correctional Services Article of the Annotated Code of Maryland that authorizes Howard County to establish a home detention program and to require the inmate to reimburse the County for the County's costs of electronic monitoring.

Charge per day	\$12.00
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MARRIAGE LICENSE FEE

This fee is set pursuant to Section 2-404 of the Family Law Article of the Annotated Code of Maryland that authorizes the County Council to direct the Clerk of the Court to charge an additional fee for a marriage license to partially fund battered spouse shelters and domestic violence programs.

Marriage license fee \$50

Distributed as follows:

\$5	to the Clerk of the Court (set by State)
\$5	to Howard County General Fund (set by State)
\$40	to Howard County to fund battered spouse shelters and domestic violence programs.

FEE FOR ANNUAL REGISTRATION OF TOWING COMPANIES

This fee is set pursuant to Section 17.602 of the Howard County Code that requires trespass towing companies to register with the Office of Consumer Affairs and to pay an annual registration fee each January which is set by resolution of the County Council.

Annual registration fee per trespass towing company \$150

TRESPASS TOWING SERVICES MAXIMUM RATE SCHEDULE

These rates are set pursuant to Section 17.601 of the Howard County Code that requires the County Council to set the maximum rates that a tow operator may charge when towing a vehicle from private property without the consent of the vehicle owner

	<u>Service Performed</u>	<u>Maximum Fee</u>
1.	<p>Attaching the vehicle to the tow truck This includes any other service needed to safely remove the vehicle such as unlocking, disconnecting and reconnecting the driveshaft, or securing the steering wheel. This does not include dollying and flatbedding.</p>	
	Vehicle weighing 8000 lbs or less	\$125
	Vehicle weighing over 8000 lbs	\$390
	<p>Other services to safely remove vehicle Dollying or flatbedding when necessary in order to tow the vehicle in accordance with the recommendations of the American Automobile Association Towing Manual.</p>	\$15
2.	<p>Towing the vehicle The charge is for the distance from the place where the vehicle was attached to the tow truck to the nearest storage site.</p>	\$0 per mile
3.	<p>Storing the vehicle** Storage time begins when the vehicle arrives at the storage site or when the towing service notifies the Howard County Police Department that the vehicle has been towed, whichever is sooner.</p>	
	Vehicle weighing 8000 lbs or less	
	First 12 hours	\$12.50
	Second 12 hours	\$12.50
	Each additional 12 hours	\$12.50

Vehicle weighing over 8000 lbs	
First 12 hours	\$37.50
Second 12 hours	\$37.50
Each additional 12 hours	\$37.50

** Per 17,601(b)(3) of the Howard County Code, no charge shall accrue for a time period until at least 6 hours of the time period has elapsed.

4. Releasing a vehicle after it has been attached but before it has been towed.

Vehicle weighing 8000 lbs or less	\$62.50
Vehicle weighing over 8000 lbs	\$195

Any other service is free unless specifically requested by vehicle owner

SPECIFICATIONS AND FEE FOR TRANSCRIPTION AND CERTIFICATION OF ADMINISTRATIVE PROCEEDINGS

This fee is set pursuant to Section 2.121 of the Howard County Code that, requires the County Council to prescribe, by resolution, a specification for transcript preparation and a fee to be charged for the costs of transcription and certification.

Specifications:

Paper size 8½" x 11
25 lines per page
12 point type, Courier font
lines numbered, line numbering placed 1" from left edge of page
text placed 1.3" from left edge of page
right margin 0.8"

Fee

\$4.00 per page, which includes:

- (a) one certified original transcript to be filed by the agency with the record for court review; and
- (b) one copy of the certified original

REPRODUCTION OF PUBLIC RECORDS

This fee is set pursuant to Section 4-206 of the General Provisions Article of the Annotated Code of Maryland, which provides that the official custodian may charge an applicant a reasonable fee for the search, preparation, and reproduction of a public record.

Price per page, for paper copies,

except as provided otherwise below:

\$.25 for black and white
\$.50 for color

1. The Department of Fire and Rescue Services may charge for the reproduction of:
 - a. Fire/ambulance reports \$2.50 per report
 - b. Fire/ambulance digital reports \$12 per cd
2. The Police Department may charge fees approved in a separate resolution for the search, preparation, and reproduction of public records.
3. The Department of County Administration or County Council may charge for the transfer of digital material to CD, DVD, or flash drive
\$10/disk
\$20/flash drive
4. The Department of Planning and Zoning may charge fees for the reproduction of public records in accordance with the Fee Schedule, attached as Exhibit A.

Notwithstanding the fees listed in Exhibit A, if the actual cost of a service or product the Department provides is different from the fee listed in Exhibit A, the Department may charge a different fee for the product or service, provided that the fee charged may not exceed the Department's actual cost to provide the product or service.

5. A Department may charge a fee approved in a separate Resolution for the reproduction of public records or policy for the reproduction of public records.

Electronic Copies

Unless otherwise provided by the Maryland Public Information Act:

1. Electronic copies shall be provided when the record is routinely kept by the agency in an electronic format unless the requestor specifies paper copies;
2. The Public Information Office may, but need not, convert paper records to electronic records; and
3. Where an electronic response, or portion thereof, is too large to send electronically, the Public Information Office shall convert the response, or portion thereof, to paper, cd, DVD, or flash drive, as the requestor specifies.

Search and Preparation of Public Records

In addition to any reproduction fees, a County department may charge fees for the search and preparation of public records, provided that no fee may be charged for the first two hours of search and preparation, and provided that the fee charged may not exceed the department's actual cost of search and preparation.

**LARGE FORMAT PRINTING, ELECTRONIC DOCUMENT PROCESSING, RECORDS
HANDLING AND COPYING/PRINTING FEE SCHEDULE**
Effective July 1, 2020

These fees are authorized under Maryland State Law and the Howard County Charter which allows the County to charge a "reasonable fee" for the reproduction of records. (Annotated Code of Maryland State Government Article Section 10-621; Howard County Charter, Section 906.)

LARGE FORMAT DOCUMENTS		
Print Material/Size	Price Per Sheet	
	Black/White	Color
PLOT PAPER		
18 x 24	\$1.00	\$3.00
24 x 36	\$1.50	\$4.50
36 x 42	\$2.00	\$6.00
36 x 60	\$2.50	\$7.50
PLOT MYLAR		
18 x 24	\$4.00	\$12.00
24 x 36	\$5.00	\$15.00
36 x 60	\$9.00	\$27.00
PLOT WHITE FILM		
18 x 24	\$5.00	\$15.00
24 x 36	\$7.50	22.50
CD OF PLOT (TIFF image)		\$5.00
FULL COLOR TOPOGRAPHIC MAPS		\$32.00
COLOR GIS MAPS		
24 x 36		\$16.00
36 x 42		\$32.00
ELECTRONIC DOCUMENT PROCESSING		
Submission Fee		Price
ELECTRONIC SUBMISSION FEE FOR PLANS (per sheet) – ONE-TIME FEE		\$10.00
PAPER SUBMISSION FEE FOR PLANS (per sheet) – PER SUBMISSION		\$10.00
ARCHIVED RECORDS RETRIEVAL		
Retrieval Fees		Price per Record
Retrieval of file/file box – Bi-weekly delivery		\$5.00
Retrieval of file/file box – Half day delivery		\$35.00
Retrieval of file/file box – Rush delivery (2-3 hours)		\$59.00
PUBLICATIONS AND DOCUMENTS		
Regulations, Studies, Manuals and other publications		Price
Electronic format of all Department of Planning and Zoning publications, including, but not limited to: Development Monitoring System Report Forest Conservation Manual PlanHoward 2030 General Plan Map General Plan Monitoring Report Landscape Manual Route 1 Design Manual Subdivision Regulations (includes Adequate Public Facilities, Forest Conservation, Scenic Roads and Cemetery Regulations) Zoning Regulations		\$5.00 each
Mailing of CD, copies or large format printing		Calculated based on current postal rates
COPYING/PRINTING OF DOCUMENTS (8 ½ x 11, 8 ½ x 14, or 11 x 14)		
Black and White		\$0.25 per page
Color		\$0.50 per page

CR 71-2020

Sayers, Margery

From: Leif Powers <lep@leifpowers.com>
Sent: Monday, May 11, 2020 9:45 PM
To: CouncilMail
Subject: Testimony/comments relating to Legislative Public Hearing 18 May 2020, agenda item CR71-2020

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hi County Council Staff,

Please find below my comments on referenced agenda item, fee and rate schedules, for line item (7) Marriage license fee charge for funding of domestic violence programs;

I advise against increasing the marriage license fee in this way; instead I advise to fund the spouse shelters and domestic violence programs through general taxation (as is my reading of the family law section 2-404, this is optional for the county to raise this fee). This advice is based on three major points:

- Raising revenue through miscellaneous fees complicates government for officials and citizens alike, making it unmanageable. (the most important)
- Marriage probably is associated with a decrease in domestic violence vs. alternative relationship arrangements. The point of technique is that sometimes you might wish to tax something (e.g. cigarettes, mining, road tolls) as a means to discourage or de-incentivize certain behaviors. However, because marriage (you know any type of claim like this is fraught with confounders) appears, by a quick web search of various small or regional studies, to be associated with improved outcomes/reduced frequency related to domestic violence, taxing it is the reverse of what you would want, assuming the fee were of a sufficient size even to discourage this behavior, which it is not except for the dirt poorest, who, statistically, aren't getting married, anyway.
- If the intention is to redistribute income, the effect is slight, and not clear to my casual observation that it even has an effect, or the desired effect. Although local allocation of income tax is flat (suggesting progressivity, if you consider that poor people aren't as likely to civilly marry), we still have ~44% of the budget funded out of property tax, so it is not clear that if you merely increased income and/or property taxation in equal proportion according to spending, you would get a materially different income distribution result. In other words, because the general taxation is wealth-progressive and hence proxy for income-progressive (either one could apply here), there is no point to making a special fee to redistribute income when keeping the same structure and proportions of general taxation (but ever so slightly increasing the rates) would achieve the similar distribution.

(District 4 Deb Jung)

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