

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 10

Resolution No. 105 -2020

Introduced by the Chairperson at the request of the County Executive

A RESOLUTION amending the minimum square footage for Conservation Landscaping Reimbursement; and generally relating to schedules of rates adopted as part of the Watershed Protection and Restoration Fee.

Introduced and read first time July 6, 2020.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on July 20, 2020.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments___, Failed___, Withdrawn___, by the County Council on July 29, 2020.

Certified By Diane Schwartz Jones
Diane Schwartz Jones, Administrator

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 20.1103 of the Howard County Code provides that the County shall
2 charge and a property owner shall pay an annual Watershed Protection and Restoration Fee; and

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4 **WHEREAS**, Section 20.1104(a) of the County Code provides that the County Council
5 shall adopt by resolution a schedule of rates that shall include (1) the impervious unit rate that
6 may be based on certain variables relative to a property's characteristics; (2) rates for residential
7 properties; (3) rates for credits awarded under section 20.1105 of the Code; (4) rates for
8 reimbursements awarded under section 20.1106 of the Code; and (5) rates for reimbursements
9 awarded under the Watershed Protection and Restoration Fee Assistance Program; and

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11 **WHEREAS**, on June 1, 2020, the County Council passed Council Resolution No. 35-
12 2020 that amended one-time reimbursements for an investment in an on-site stormwater best
13 management practice that reduces the impact on the public stormwater management system
14 pursuant to Section 20.1104(a)(4) ; and

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16 **WHEREAS**, after passage of Council Resolution No. 35-2020, it was determined that
17 there was an error in the Conservation Landscaping practice and the minimum size should be
18 150 square feet, not 1,250 square feet; and

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20 **WHEREAS**, rates required by Section 20.1104(a)(1), (2), (3) and (5) were last adopted
21 by passage of Council Resolution No. 73-2020.

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23 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
24 Maryland this 29th day of July, 2020 that for the reimbursement rates
25 required by Section 20.1104(a)(4), the minimum square footage for Conservation Landscaping is
26 150 square feet and all other Reimbursement provisions adopted by Council Resolution No. 35-
27 2020 shall remain in full force and effect until changed or repealed by subsequent Resolution of
28 the County Council.

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30 **AND BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be placed in
31 the legislative file of Council Resolution No. 35-2020.

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AND BE IT FURTHER RESOLVED, that there are no changes to the following rates adopted by Council Resolution No. 73-2020 and the rates shall remain in effect until changed or repealed by subsequent Resolution of the County Council:

1. Impervious Unit Rate for Non-Residential Properties;
2. Rates for Residential Properties;
3. Credits; and
4. The Watershed Protection and Restoration Fee Assistance Program.

**Office of the County Auditor
Auditor's Analysis**

Council Resolution No. 105-2020

Introduced: July 6, 2020
Auditor: Michael A. Martin

Fiscal Impact:

There will be no fiscal impact as a result of this legislation.

The proposed legislation is a technical correction and does not impact revenue or expense for the County.

Purpose:

The purpose of this legislation is to correct the existing language for the minimum size requirement needed to qualify for the Conservation Landscaping reimbursement.

There was an oversight in the latest resolution passed in which an extra digit was not removed when it was updated. The minimum size was changed from 250 square feet to 150 square feet. However, the "2" was never removed and the legislation incorrectly read as 1,250 square feet.

Other Comments:

The Office of Community Sustainability (OCS) confirmed no applications were affected as a result of this error. The mistake was identified by OCS staff when reviewing the reimbursement and program changes with a contractor interested in installing best management practices.