

County Council of Howard County, Maryland

2022 Legislative Session

Legislative Day No. **1**

Resolution No. 15-2022

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

A RESOLUTION amending a schedule of fees for utility construction permits and generally relating to fees charged by the Department of Public Works.

Introduced and read first time _____, 2022.

By order _____
Michelle Harrod, Administrator

Read for a second time at a public hearing on _____, 2022.

By order _____
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2022.

Certified By _____
Michelle Harrod, 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**, on May 26, 2021, the County Council passed Council Resolution No. 71-
2 2021 that established fees for various functions of the Department of Public Works; and

3
4 **WHEREAS**, among those fees adopted by Council Resolution No. 71-2021 were fees for
5 Utility Construction Permits that are adopted pursuant to Section 18.206 of the Howard County
6 Code that requires utility contractors and other persons who excavate on public property to
7 obtain a permit for the work; and

8
9 **WHEREAS**, also among the fees adopted by Council Resolution No. 71-2021 was a
10 permit fee for street light attachments, adopted pursuant to Section 18.206A of the Howard
11 County Code; and

12
13 **WHEREAS**, the Department of Public Works has worked with the County’s vendors and
14 has considered the County’s costs and has proposed a revised fee schedule as shown in the
15 attached; and

16
17 **WHEREAS**, all other rate and schedules adopted by the passage of Council Resolution
18 No. 71-2021 shall remain in full force and effect.

19
20 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
21 Maryland this ___ day of _____, 2022 that it amends the fee schedule, as shown in the
22 attached Exhibit, for utility construction permits issued pursuant to Section 18.206 and for
23 permits for street light attachments issued pursuant to Section 18.206A of the County Code; and

24
25 **BE IT FURTHER RESOLVED** that the revised fee schedule attached titled Right-Of-
26 Way Utility Construction Permits shall continue in effect until changed or repealed by
27 subsequent resolution.

28
29 **BE IT FURTHER RESOLVED**, that all other fee and rate schedules adopted by
30 Council Resolution No. 71-2021 shall remain in full force and effect until changed or repealed
31 by subsequent resolution.

RIGHT-OF-WAY UTILITY CONSTRUCTION PERMITS

[[This fee is]] THESE FEES ARE adopted pursuant to Section 18.206 AND SECTION 18.206A of the Howard County Code, which requires utility contractors, WIRELESS PROVIDERS and other persons who excavate in the public roads and rights-of-way OR USE PUBLIC STREET LIGHTS to obtain a permit for the work, and further provides for County Council approval of a fee for such a permit.

[[This fee applies]] THESE FEES APPLY only to power and communication utility work in existing subdivisions and existing public rights-of-way and easements. The construction permit fees do not apply to utility construction in projects being constructed in accordance with the subdivision regulations.

Annual Fee for Use of Howard County Right-of-Way in accordance with Agreement for Use of Howard County Right-of-Way.

Gas or electric utility	\$36,000 per year, or \$10,000 per year for a gas or electric utility company serving up to and including 3,000 Howard County customers
Communication utility FACILITY WITH	\$25,000 per year OR \$1 PER YEAR FOR PERMITTED WIRELESS SOLELY ABOVE GROUND FACILITY AND UNDERGROUND CABLE PROVIDED BY A PERMITTED COMMUNICATION UTILITY THAT PAID THE \$25,000 PER YEAR FEE.

Permit Fee for Underground Utility Construction. *Repair, maintenance and/or new utility* construction permit review fee for the processing of the Permit in accordance with an Agreement for Use of Howard County Right-of-Way.

\$300 each permit REVIEW

Permit Fee for Underground Utility Construction. *New utility construction* permit review fee for the processing a single Permit for a utility that is not operating under an Agreement for Use of Howard County Right-of-Way.

\$600 each permit REVIEW

Permit Fee for Street Light Attachment. Review fee for the processing of a *wireless facility street light attachment* under an Agreement for Use of Howard County Street Lights.

[[\$1,800]] \$3000 each permit review

REINSPECTION SURCHARGE

A reinspection surcharge shall be imposed for utility installation sites which required more than one reinspection to verify or determine compliance with a notice of violation issued.

- 2nd reinspection (3rd visit to property) \$100
- 3rd reinspection (4th visit to property) \$150
- 4th reinspection (5th visit to property) \$200

INSTALLING UTILITIES WITHOUT A PERMIT

Charge for new utility construction in existing public rights-of-way without the required permit.

\$500 each occurrence