

# County Council Of Howard County, Maryland

2009 Legislative Session

Legislative Day No. 11

## Resolution No. 77 -2009

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

A RESOLUTION adopting a fee-in-lieu for a waiver of the Howard County Green Buildings Law.

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Introduced and read first time \_\_\_\_\_, 2009.

By order \_\_\_\_\_  
Stephen LeGendre , Administrator

Read for a second time at a public hearing on \_\_\_\_\_, 2009.

By order \_\_\_\_\_  
Stephen LeGendre , Administrator

This Resolution was read the third time and was Adopted\_\_\_\_, Adopted with amendments\_\_\_\_, Failed\_\_\_\_, Withdrawn\_\_\_\_, by the County Council  
on \_\_\_\_\_, 2009.

Certified By \_\_\_\_\_  
Stephen LeGendre , Administrator

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

**WHEREAS**, Section 3.1007 of the Howard County Code authorizes the Director of the Department of Inspections, Licenses and Permits to grant a waiver of the requirements of Howard County's Green Buildings Law where, by reason of unique physical characteristics of the property including exceptional topographic conditions or the size or shape of the property, strict compliance with the requirements of the Green Buildings Law would result in an unwarranted hardship to an applicant for a building permit; and

**WHEREAS**, Section 3.1007 also provides that an unwarranted hardship does not include financial hardship; and

**WHEREAS**, Section 3.1007(c) provides that an applicant who is granted a waiver shall pay a fee-in-lieu into the Green Building Fund that is calculated on a square-foot basis at a rate established in a fee schedule adopted by Resolution of the County Council; and

**WHEREAS**, the Green Building Fund will be used to find ways to reduce energy consumption; to provide technical assistance to certain building owners seeking to achieve certification from the Green Building Council; and to provide education, training, and outreach in green building practices; and

**WHEREAS**, the County Executive, upon the recommendation of the Director of Inspections, Licenses and Permits and the Administrator of the Office of Environmental Sustainability, has proposed a fee-in-lieu for a waiver of the Howard County Green Buildings Law.

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County, Maryland this \_\_\_\_ day of \_\_\_\_\_, 2009 that it adopts the following fee-in-lieu for a waiver of Howard County's Green Buildings Law:

\$4 per gross square foot

**AND BE IT FURTHER RESOLVED** that this fee-in-lieu shall be effective October 15, 2009 and shall continue in effect until changed or repealed by subsequent resolution of the County Council.