

County Council Of Howard County, Maryland

2015 Legislative Session

Legislative Day No. 5

Resolution No. 80-2015

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 4, 2015.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Read for a second time at a public hearing on May 18, 2015.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted ☒, Adopted with amendments ☒, Failed ☐, Withdrawn ☐, by the County Council on May 22, 2015.

Certified By

Jessica Feldmark
Jessica Feldmark, Administrator

Approved by the County Executive June 1st, 2015

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

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

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

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

17 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
18 Maryland this 22nd day of May, 2015 that it adopts the attached schedules of fees;
19 and
20

21 **BE IT FURTHER RESOLVED** that the fee schedules adopted in this Resolution shall
22 be effective July 1, 2015 and shall continue in effect until changed or repealed by subsequent
23 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

Annual fee for each card	\$100
--------------------------	-------

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
---	------

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

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

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.

Charge per day

\$15.00

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

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. 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.	
Vehicle weighing 8000 lbs or less	\$125
Vehicle weighing over 8000 lbs	\$390
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.	\$15
2. 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.	\$0 per mile
3. 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.	
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, [[except as follows]] ~~WHETHER PAPER OR ELECTRONIC~~ 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 [[Beta Cam]] [[format tape to VHS]] [[\$10 for 30 minutes or fraction thereof and \$10 per tape for additional copies]]

~~DIGITAL MATERIAL TO AUDIO CD OR VIDEO DVD~~

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 [[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.

Amendment 1 to Council Resolution No. 80 - 2015

BY: Jennifer Terrasa

Legislative Day No. 6

Date: May 22, 2015

Amendment No. 1

(This amendment clarifies the fee for certain kinds of copying.)

- 1 In the fee schedules attached to the Resolution, on the page entitled "REPRODUCTION
2 OF PUBLIC RECORDS":
- 3 1. strike the phrase "WHETHER PAPER OR ELECTRONIC" and substitute "FOR
4 PAPER COPIES"; and
- 5 2. In paragraph 3., after "Administration" insert "or County Council".
- 6 3. Also in paragraph 3, strike "AUDIO CD OR VIDEO DVD" and substitute "CD, DVD, OR
7 FLASH DRIVE"; and
- 8 4. Also in paragraph 3, below "\$10/DISK", insert "\$20/FLASH DRIVE"; and
- 9 5. Below paragraph 5, insert:
- 10 "ELECTRONIC COPIES
11 UNLESS OTHERWISE PROVIDED BY THE MARYLAND PUBLIC INFORMATION ACT:
- 12 1. ELECTRONIC COPIES SHALL BE PROVIDED WHEN THE RECORD IS
13 ROUTINELY KEPT BY THE AGENCY IN AN ELECTRONIC FORMAT UNLESS THE
14 REQUESTOR SPECIFIES PAPER COPIES;
- 15 2. THE PUBLIC INFORMATION OFFICE MAY BUT NEED NOT CONVERT PAPER
16 RECORDS TO ELECTRONIC RECORDS; AND
- 17 3. WHERE AN ELECTRONIC RESPONSE, OR PORTION THEREOF, IS TOO LARGE
18 TO SEND ELECTRONICALLY, THE PUBLIC INFORMATION OFFICE SHALL
19 CONVERT THE RESPONSE, OR PORTION THEREOF, TO PAPER, CD, DVD, OR
20 FLASH DRIVE, AS THE REQUESTOR SPECIFIES."

ADOPTED as amended 5/22/15
FAILED
SIGNATURE Jessica Terrasa

Amendment 1 to Amendment 1 to Council Resolution No. 80 - 2015

BY: Jennifer Terrasa

Legislative Day No. 6
Date: May 22, 2015

Amendment No. 1 to Amendment 1

(This amendment alters the way certain records may be provided.)

1 In line 4, strike "and".

2

3 At the end of line 4, strike the period and substitute a semi-colon.

4

5 After line 5 insert:

6

7 "3. Also in paragraph 3, insert below "DIGITAL MATERIAL TO AUDIO CD OR VIDEO DVD
8 \$10/DISK":

9 "PAPER DOCUMENTS CONVERTED TO ELECTRONIC RECORDS: "CD OR DVD \$10
10 FLASH DRIVE \$20"

11 ; and

12 4. Insert at the bottom of the page:

13 "ELECTRONIC COPIES

14 UNLESS OTHERWISE PROVIDED BY THE MARYLAND PUBLIC INFORMATION ACT:

15 1. ELECTRONIC COPIES SHALL BE PROVIDED WHEN THE RECORD IS
16 ROUTINELY KEPT BY THE AGENCY IN AN ELECTRONIC FORMAT UNLESS THE
17 REQUESTOR SPECIFIES PAPER COPIES;

18 2. THE PUBLIC INFORMATION OFFICE MAY, BUT NEED NOT, CONVERT
19 PAPER RECORDS TO ELECTRONIC RECORDS; AND

20 3. WHERE AN ELECTRONIC RESPONSE, OR PORTION THEREOF, IS TOO LARGE
21 TO SEND ELECTRONICALLY, THE PUBLIC INFORMATION OFFICE SHALL
22 CONVERT THE RESPONSE, OR PORTION THEREOF, TO PAPER, CD, DVD, OR
23 FLASH DRIVE, AS THE REQUESTOR SPECIFIES."

RECEIVED 5/22/15
FILED Jessica F. Adams
SIGNATURE

Amendment 1 to Council Resolution No. 80 - 2015

BY: Jennifer Terrasa

Legislative Day No. 6

Date: _____

Amendment No. 1

(This amendment clarifies the fee for certain kinds of copying.)

- 1 In the fee schedules attached to the Resolution, on the page entitled "REPRODUCTION
- 2 OF PUBLIC RECORDS":
- 3 1. strike the phrase "WHETHER PAPER OR ELECTRONIC" and substitute "FOR
- 4 PAPER COPIES"; and
- 5 2. In paragraph 3., after "Administration" insert "or County Council".



BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on June 1, 2015.

Jessica Feldmark
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2015.

Jessica Feldmark, Administrator to the County Council