

Introduced \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

## County Council of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 3

### Bill No. 21 -2016

Introduced by: Greg Fox

AN ACT requiring that bills for the Watershed Protection and Restoration Fee include a statement explaining why the fee continues to be imposed rather than why the fee used to be imposed; requiring that the statement identify the County Council members that voted against repealing the fee or whose votes or actions prevented the repeal of the fee, under certain circumstances; requiring that the statement name the County Executive instead if the Executive vetoed a bill to repeal the fee, under certain circumstances; and generally relating to billing for the Watershed Protection and Restoration Fee.

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Introduced and read first time \_\_\_\_\_, 2016. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2016.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

This Bill was read the third time on \_\_\_\_\_, 2016 and Passed \_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2016

\_\_\_\_\_  
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**, in 2013 there was a requirement for a Watershed Protection and Restoration  
2 Fee mandated by State Law, and

3           **WHEREAS**, based on that mandate, the County Council believed that Howard County real  
4 property tax bill should specifically point out that imposition; and

5           **WHEREAS**, Council members Courtney Watson and Calvin Ball filed an amendment  
6 (Amendment 3 to CB 38-2013) to that effect to place a statement to that effect on the property tax  
7 bill as part of the passage of CB 38-2013 that established the Watershed Protection and Restoration  
8 Fee; and

9           **WHEREAS**, the Council vote was four (4) in favor (Ball, Fox, Sigaty and Watson) and one  
10 (1) opposed (Terrasa) to pass the amendment; and

11           **WHEREAS**, during the 2015 Maryland General Assembly the mandate for the Watershed  
12 Protection and Restoration Fee was removed; and

13           **WHEREAS**, the decision to not repeal the Watershed Protection and Restoration Fee was a  
14 result of the Howard County Council’s actions related to CB 52-2015; and

15           **WHEREAS**, those proudly deciding to maintain the Howard County Watershed Protection  
16 and Restoration Fee should have the honor of their names prominently listed as a footnote on the  
17 Howard County real property tax bill as the ones causing that imposition.

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19           **NOW, THEREFORE,**

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21 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the Howard*  
22 *County Code is amended as follows:*

23           *By renumbering:*

24                   *Title 20. Taxes, Charges and Fees*

25                   *Subtitle 11. Watershed Protection and Restoration*

26                   *Section 20.1107. Billing; Method of Collection; Interest and Penalties*

27                   *Subsections (b), (c), and (d) to be subsections (d), (e), and (f), respectively*

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*By amending:*

*Title 20. Taxes, Charges and Fees*  
*Subtitle 11. Watershed Protection and Restoration*  
*Section 20.1107. Billing; Method of Collection; Interest and Penalties*  
*Subsection (a)*

**Title 20. Taxes, Charges and Fees**  
**Subtitle 11. Watershed Protection and Restoration**

**Sec. 20.1107. - Billing; method of collection; interest and penalties.**

- (a) *Billing Procedure.* The Department of Finance may include the Watershed Protection and Restoration Fee as a separate item on the real property tax bill for each property subject to the fee.
- (b) The real property tax bill shall, IF APPLICABLE, include a footnote on each bill that indicates that the imposition of a stormwater remediation fee *[[is mandated by state law]]* CONTINUES DUE TO THE FAILURE OF THE COUNTY COUNCIL TO PASS A BILL FOR SIGNATURE BY THE COUNTY EXECUTIVE FOR APPROVAL THAT WOULD REPEAL THE FEE DESPITE THE STATE MANDATE FOR THE FEE HAVING BEEN REMOVED, AND LISTING THE NAMES OF THE COUNCIL MEMBERS THAT: 1) VOTED AGAINST REPEALING THE FEE, 2) VOTED FOR AMENDMENTS THAT IN EFFECT RESULT IN THE FEE INCREASING IN ANY WAY OR CONTINUING BEYOND JUNE 30, 2017; OR 3) WHOSE VOTES OR ACTIONS CAUSED A PROPOSED REPEAL TO FAIL DUE TO A LACK OF TIMELY ACTION, WITHDRAWAL OF THE BILL, OR ANY OTHER LEGISLATIVE PROCESS..
- (c) IF THE COUNTY EXECUTIVE VETOES A BILL PASSED BY THE COUNTY COUNCIL THAT WOULD REPEAL THE WATERSHED PROTECTION AND RESTORATION FEE PRIOR TO JULY 1, 2017, THE REAL PROPERTY TAX BILL SHALL LIST THE COUNTY EXECUTIVE’S NAME AS BEING RESPONSIBLE FOR THE CONTINUATION OF THE FEE, INSTEAD OF THE NAMES REQUIRED BY SUBSECTION (B) OF THIS SECTION. Contact information for questions and appeals shall be included with the bill's mailing.

1 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland, that  
2 *this Act shall become effective 61 days after its enactment.*