

Introduced 3/7/16
Public Hearing 3/21/16
Council Action 4/4/16
Executive Action 4/14/16
Effective Date 6/14/16

County Council of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 3

Bill No. 20 -2016

Introduced by: Jon Weinstein

AN ACT authorizing additional credits against Watershed Protection and Restoration Fees under specified circumstances; requiring additional information in the annual report; and generally relating to the Watershed Protection and Restoration Fee.

Introduced and read first time March 7, 2016. Ordered posted and hearing scheduled.

By order Jessica Feldmark
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 March 21, 2016.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on April 4, 2016 and Passed , Passed with amendments ✓, Failed .

By order Jessica Feldmark
Jessica Feldmark, Administrator

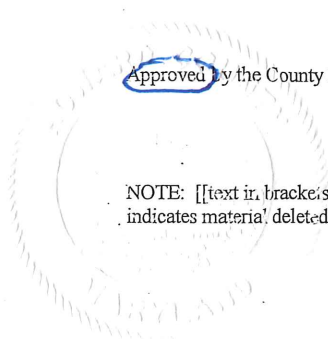
Sealed with the County Seal and presented to the County Executive for approval this 7th day of April, 2016 at 11 a.m./p.m.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Approved by the County Executive April 14, 2016.

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

3
4 **By amending**

5 **1. Title 20. Taxes, Charges, and Fees.**

6 **Subtitle 11. - Watershed protection and restoration.**

7 **Sec. 20.1105(e). - Credits.**

8 **Sec. 20.1111. - Report.**

9 **2. Title 20. Taxes, Charges and Fees.**

10 **Subsection (a) of Section 20.1107. Billing; method of collection; interest**
11 **and penalties.**

12
13 **Title 20. Taxes, Charges, and Fees.**

14 **Subtitle 11. - Watershed protection and restoration.**

15
16 **Sec. 20.1105. - Credits.**

17 **(e) Amount of Credit.**

18 **(1) Upon a determination of eligibility, the County shall provide a credit**
19 **as set forth in a rate schedule adopted by Resolution of the County Council and the**
20 **application fee shall either be applied towards the Applicant's tax account or**
21 **refunded.**

22 **(2) IF THE COUNTY EXECUTIVE DETERMINES THAT THE BALANCE IN THE**
23 **COUNTY'S WATERSHED PROTECTION AND RESTORATION FUND IS SUFFICIENT TO**
24 **COVER THE COSTS THAT ARE REASONABLY EXPECTED DURING THE CURRENT AND**
25 **FOLLOWING FISCAL YEAR, THE COUNTY COUNCIL MAY AUTHORIZE, AT THE**
26 **REQUEST OF THE COUNTY EXECUTIVE, AN ADDITIONAL CREDIT OF UP TO 100% OF**
27 **THE WATERSHED PROTECTION AND RESTORATION FEE FOR EACH PROPERTY THAT**
28 **IS SUBJECT TO THE FEE.**

29 **Section 20.1107. Billing; method of collection; interest and penalties.**

30 **(a) Billing Procedure. The Department of Finance may include the**

31 **Watershed Protection and Restoration Fee as a separate item on the real property**

1 tax bill for each property subject to the fee. [[The real property tax bill shall include
2 a footnote on each bill that indicates that the imposition of a stormwater
3 remediation fee is mandated by state law.]] Contact information for questions and
4 appeals shall be included with the bill's mailing.

5 **Sec. 20.1111. - Report.**

6 (a) With the cooperation of the Director of the Department of Public Works and the
7 Director of the Department of Finance, the Administrator of the Office shall submit a
8 report to the County Council that includes:

9 (1) Any information required by subsection 4-202.1(i) of the Environment
10 Article of the Maryland Code;

11 (2) Financial data regarding:

12 (i) The imposition, collection, and disposition of the watershed
13 protection and restoration fee;

14 (ii) The watershed protection and restoration fund, including balances,
15 deposits, and disbursements;

16 (iii) Program costs;

17 (3) Information about reimbursements and grants;

18 (4) The number of appeals and whether the kinds of appeals suggests that
19 changes to law or procedures are indicated;

20 (5) Information about applications for credits and credit awards;

21 (6) Year over year tax delinquency data as well as the number of properties, if
22 any, in tax delinquency where the amount delinquent may be related to the stormwater
23 fee;

24 (7) Information about applications for the fee assistance program and
25 recommendations for program improvements, with a focus in the first year on the
26 feasibility of establishing a fee assistance program for non-residential property owners;
27 [[and]]

28 (8) PROJECTIONS FOR THE NEXT TWO YEARS TO SHOW EXPENSES, PROJECTED
29 FEE REVENUE, OTHER ANTICIPATED SOURCES OF REVENUE, AND ANY ADJUSTMENTS TO THE
30 FEE; AND

31 (9) Any program recommendations.

1 (b) The Administrator shall submit the report annually on or before March 1 for the
2 preceding calendar year.

3

4

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

Amendment 1 to Council Bill No. 20-2016

BY: The Chairperson
at the request of the County Executive

Legislative Day No. 4
Date: April 4, 2016

Amendment No. 1

(This amendment removes certain information required on the property tax bill because a similar requirement is now contained in State Law.)

1 On page 1, in line 5, before "Title" insert "1."

2

3 On page 1, in line 9, insert:

4 "2. By amending:

5 Title 20. Taxes, Charges and Fees.

6 Subsection (a) of Section 20.1107. Billing; method of collection; interest and penalties."

7

8 On page 1, in line 26, insert:

9 "**Section 20.1107. Billing; method of collection; interest and penalties.**

10 (a) Billing Procedure. The Department of Finance may include the Watershed Protection and

11 Restoration Fee as a separate item on the real property tax bill for each property subject to the

12 fee. [[The real property tax bill shall include a footnote on each bill that indicates that the

13 imposition of a stormwater remediation fee is mandated by state law.]] Contact information for

14 questions and appeals shall be included with the bill's mailing."

ADOPTED 4/4/16
FAILED
SIGNATURE Jessica Feldman

Introduced _____
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By order _____
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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 by the County Executive _____, 2016.

Allan H. Kittleman, County Executive

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8 *Sec. 20.1111. - Report.*

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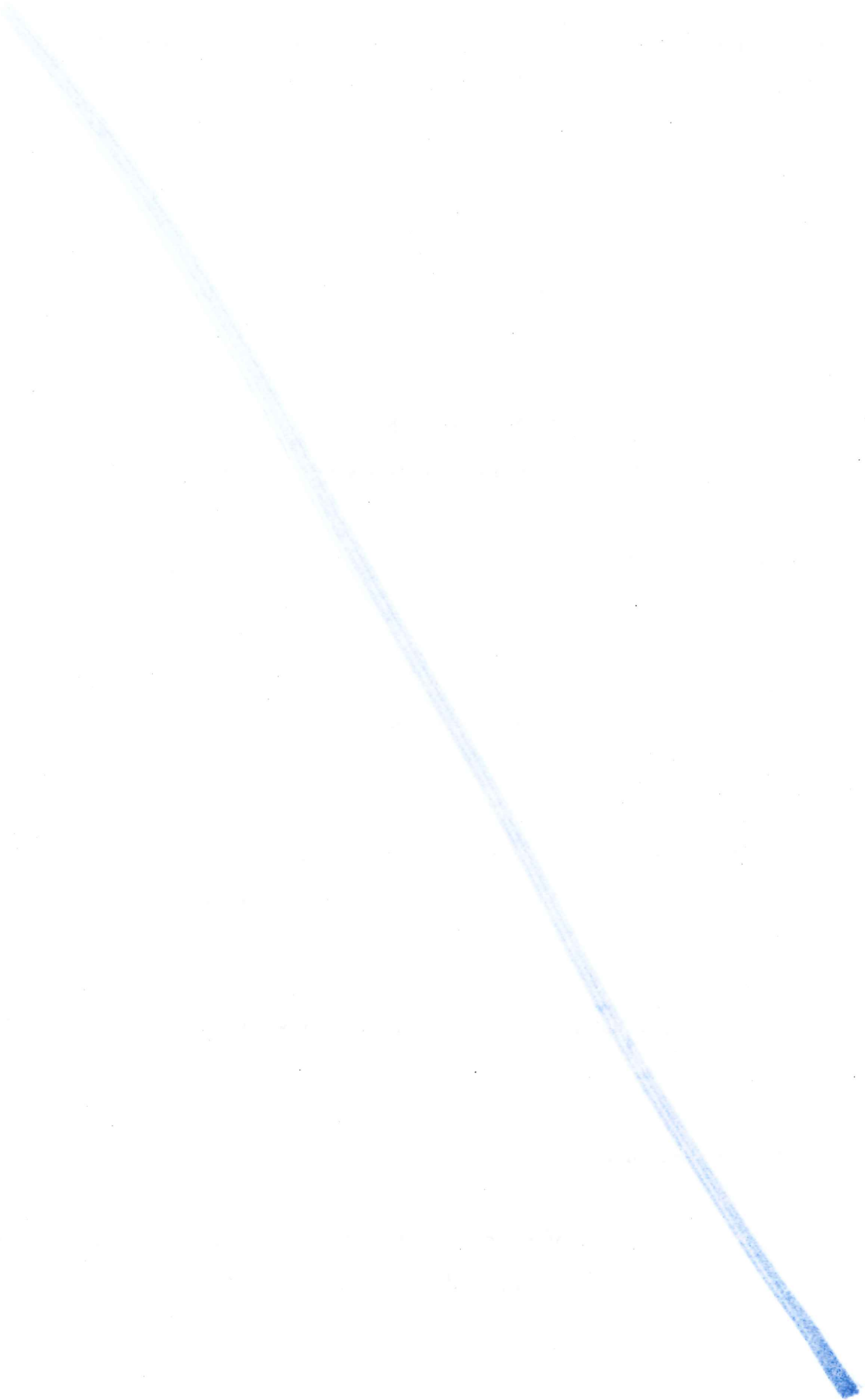
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BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on April 14, 2016.



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 _____, 2016.

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 _____, 2016.

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 _____, 2016.

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 _____, 2016.

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 _____, 2016.

Jessica Feldmark, Administrator to the County Council