

**COUNCIL OF THE TOWN OF LA PLATA**  
**Ordinance No. 06-9**

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**Introduced By:** Mayor Gene Ambrogio

**Date Introduced:** May 9, 2006

**Town Council Public Hearing:** May 9, 2006

**Amendments Adopted:**

**Date Adopted:** May 23, 2006

**Date Effective:** July 1, 2006

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1 **An Ordinance** concerning

2 **Fee Schedule**

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4 **FOR** the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and  
5 all matters generally relating thereto.

6  
7 **BY** repealing and reenacting with amendments  
8 Chapter 101 - Fees  
9 Sections 101-1 through 101-15  
10 Code of the Town of La Plata  
11 (1998 Edition and Supplements)

12  
13 **SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA**  
14 that Chapter 101 of the Code of the Town of La Plata (1998) be and it is hereby repealed and  
15 reenacted with amendments to read as follows:

16  
17 **Chapter 101**  
18 **FEES**

19  
20 **§ 101-1. Plat, permit and inspection fees.**

21 The schedule of fees for issuance of the specified permits, as listed in this section, shall be as  
22 follows:

23 **A. Subdivision plat fees:**

24 (1) Preliminary plats: two hundred and ((ten)) EIGHTEEN dollars ((((\$210.)))  
25 (\$218.) per plat plus five dollars and ((twenty)) FORTY-five cents ((((\$5.25))) (\$5.45) per lot.

26 (2) Final plats: two hundred and ((ten)) EIGHTEEN dollars ((((\$210.))) (\$218.) per  
27 plat plus five dollars and ((twenty)) FORTY-five cents ((((\$5.25))) (\$5.45) per lot, plus five dollars and  
28 ((fifty)) SEVENTY cents ((((\$5.50))) (\$5.70) recordation fee, plus six dollars and ((thirty)) FIFTY-

29 FIVE cents ((((\$6.30))) (\$6.55) per lot Official Zoning Map update fee.  
30

- 31 (3) Revised plats and minor subdivision plats: same as final plats.
- 32 (4) Plan review: The fee for all proposed improvement plans, including water, sewer,
- 33 stormwater management and streets, will be one percent (1%) of the construction costs, limited to a
- 34 maximum fee of five thousand ((two)) FOUR hundred and ((fifty)) SIXTY dollars ((((\$5,250.)))
- 35 (\$5,460.). These fees will be collectible prior to recordation of final plat.
- 36 (5) When the Town has to obtain outside review of stormwater management, there
- 37 will be a fee of twenty-((seven))EIGHT dollars and ((fifty)) SIXTY cents ((((\$27.50))) (\$28.60), plus
- 38 related costs as provided by the Chief Executive Officer.
- 39 (6) Development plan review fee for the review of development plans for Mixed Use
- 40 Developments (MUD) and Traditional Neighborhood Developments (TND): five hundred AND
- 41 TWENTY dollars ((((\$500.))) (\$520.).

42  
43 **B. Building permit application fees:**

44 (1) Building permit application fees for construction, additions, alterations, moving  
45 and demolition:

46	47 Use Group	48 Construction and	49 Minimum Fee
50	51 Class	52 Addition Fee	53 and Interior
54	55	56 (per square foot)	57 Alteration Fee*
58	59 Use Group A	60 \$0.42	61 \$68.00
62	63 Use Group B	64 0.42	65 68.00
66	67 (business)		
68	69 Use Group F	70 0.42	71 68.00
72	73 (factory and		
	74 industrial)		
	75 Use Group H	76 0.42	77 68.00
	78 (high hazard)		
	79 Use Group I	80 0.42	81 68.00
	82 (institutional)		
	83 Use Group M	84 0.42	85 68.00
	86 (mercantile)		
	87 Use Group R	88 0.37	89 30.00
	90 (residential)		
	91 Use Group S	92 0.32	93 23.00
	94 (storage)		
	95 Use Group T	96 0.27	97 23.00
	98 (temporary and		
	99 miscellaneous)		
	100 Moving of	101 0.27	102 23.00
	103 buildings		
	104 Demolition of	105 0.21	106 23.00
	107 buildings		

108 **\*NOTE:** If the building is completely renovated, the Building Inspector may, at his

73 discretion, apply Use Group T.  
74

75 (2) A reinspection fee of one hundred (\$100.) will be applied if reinspection is  
 76 required due to failure to comply with the Code or failure to be at a stage of building completion  
 77 suitable for inspection. Cancellations for inspections must be made one (1) hour in advance of the  
 78 scheduled inspection. The reinspection fee must be paid prior to the rescheduling of the inspection.

79 (3) Plan review fee for all proposed building plans, except single-family detached  
 80 dwellings: six dollars and fifty cents (\$6.50) per sheet or page. If outside review is required by the  
 81 Town, all fees shall be paid by the owner or his agent.

82

83 **C. Use and occupancy permit fees:**

84 (1) Where a building permit is not required by the Town, such as for a change in  
 85 occupancy in commercial structures, offices, retail spaces or the like, a fee of fifty-five dollars (\$55.)  
 86 shall be collected prior to the inspection and issuance of the occupancy permit. This fee will also be  
 87 collected when an occupant or potential occupant requests an occupancy permit/inspection where the  
 88 Town does not require the same, such as for licensing or insurance purposes.

89 (2) In the case of a structure constructed to allow for future interior finishing to suit  
 90 future potential occupants, where the original building permit was completed by final inspection and  
 91 issuance of an occupancy permit, each tenant layout interior finishing shall require an occupancy  
 92 inspection and permit and payment of fifty-five dollar (\$55.) fee, whether or not such tenant layout  
 93 requires a building permit.

94

95 **D. Rental operating license and inspection fees:** As per the requirements of Town  
 96 Code Chapter 155, Rentals for Human Habitation, the biannual fees for the issuance of operating  
 97 licenses and for reinspections are as follows:

98 (1) The fee for the issuance of an operating license is ninety dollars (\$90) for each  
 99 dwelling, dwelling unit or rooming unit.

100 (2) The fee for the issuance of an operating license for multiple dwellings containing  
 101 four or more dwelling units and rooming houses containing four or more rooming units is sixty dollars  
 102 (\$60) per dwelling unit or rooming unit.

103 (3) The fee for the issuance of an operating license for motels and hotels is as follows:

104 0-50 rooms: one hundred seventy-five dollars (\$175)

105 50-100 rooms: two hundred fifty dollars (\$250)

106 over 100 rooms: three hundred dollars (\$300)

107 (4) The fee for reinspection of each dwelling, dwelling unit or rooming unit is fifty  
 108 dollars (\$50).

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110 **E. Sign permit application fees:**

<u>Size of Sign</u> (square feet)	<u>Fee</u>
113 0 to 24	\$((17.35)) 18.00
114 25 to 49	((34.65)) 36.00
115 50 to 100	((46.20)) 48.00
116 Over 100	((57.75)) 60.00

117	Master Sign Plan	((25.00)) 26.00
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**F. Plumbing permit application fees:**

(1) Thirty-((five))SIX dollars AND FORTY CENTS ((((\$35))) (\$36.40) for the first five (5) fixtures and three dollars and ((fifty)) SIXTY-FIVE cents ((((\$3.50))) (\$3.65) for each fixture thereafter.

(2) Thirty-((one))TWO dollars and ((fifty)) SEVENTY-FIVE cents ((((\$31.50))) (\$32.75) for alterations.

**G. Grading permit application fees:** As per specifications of the Grading and Sediment Control Ordinance of the Town of La Plata, the following fee shall apply:

<u>Grading and Control Costs</u>	<u>Fee</u>
\$0 to \$1,000.00	\$((30.00)) 31.20
Over \$1,000.00	\$((30.00)) 31.20, plus 1% of grade and control costs, limited to a maximum fee of \$((5,000.)) 5,200.

**H. Erosion and Sediment Control Plan and Forest Harvest Operation Plan review fees:** Fee schedule developed by the Charles Soil Conservation District (SCD) and endorsed by the Council of the Town of La Plata; all fees collected by SCD.

	<b>Application Fee</b>	<b>Review Fee</b>
Review of Erosion and Sediment Control Plans for individual residential building permits	N/A	\$26.00
Review of grading permits or combined grading and building permits	\$25.00	\$74.00 per acre or fraction of an acre of disturbed area calculated to the nearest tenth of an acre.
Re-review for revision and/or extension of grading permits or combined grading and building permits	N/A	\$74.00
<i>Revisions which add disturbed area to a previously approved erosion and Sediment Control Plan or which change the grading and/or erosion and sediment control concept will be subject to fees as if a new plan submittal.</i>		
Forest Harvest Operation	N/A	\$25.00

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163	Re-review for revision and/or	N/A	\$25.00
164	extension of approval for Forest		
165	Harvest Operation		
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**I. Fee in lieu of parkland dedication or reservation:**

(1) As per the requirements of Chapter 173, § 173-11, of the Town Code of Ordinances, the fee per dwelling unit is ((six hundred and seventy-five)) SEVEN THOUSAND AND FIVE HUNDRED dollars ((((\$675.)))\$7,500.

(2) This fee shall be collected upon application for a building permit.

**J. Annexation petition fee:** The petitioner for an annexation shall deposit with the

Town an amount as determined by the Town Treasurer and/or Chief Executive Officer. The amount deposited shall include a nonrefundable fee of five hundred AND TWENTY dollars ((((\$500.))) (\$520.), plus the reasonable estimate of Town expenses to process the annexation, including legal fees, engineering studies and real estate appraisals. The petitioner shall be liable for any expenses above that deposited and shall be entitled to any refund of monies not used, with the exception of the nonrefundable fee of five hundred AND TWENTY dollars ((((\$500.))) (\$520.).

**K. Farmers Market permit fees:** As per the requirements of Chapter 98, § 98-3 of the

Town Code of Ordinances, the season permit is ((seventy-five) ONE HUNDRED AND TWELVE dollars AND FIFTY CENTS ((((\$75.))) (\$112.50), and the daily permit is ((eight)) TWELVE dollars ((((\$8.))) (\$12.) for Saturdays and ((five)) SEVEN dollars AND FIFTY CENTS ((((\$5.))) (\$7.50) for Wednesdays.

**L. Burning permit fees:**

(1) Fees shall be as follows:

(a) Developed single lot/permit issued to homeowner: five dollars AND TWENTY CENTS ((((\$5.))) (\$5.20).

(b) Single lot or up to five (5) acres cleared, permit issued to developer or builder: twenty-((five))SIX dollars ((((\$25.))) (\$26.).

(c) Over five (5) acres cleared, permit issued to developer or builder: fifty-TWO dollars ((((\$50.))) (\$52.).

(2) Terms shall be as follows:

(a) Applicant must present approved permit from Environmental Health Department.

(b) Permits shall be valid for the same term as provided on the permit from the Environmental Health Department.

**M. Wills Park fees:**

(1) Except for County parks and recreation program uses, permits to use Wills Park shall be issued only to Town residents. Proof of residency may be required. User fees for Wills Park are:

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(a) Wills Park building:

207 [1] County parks and recreation programs: two dollars and  
208 ((seventy))EIGHTY-five cents ((((\$2.75))) (\$2.85) per hour.

209 [2] Private nonprofit organization/Town resident permit holder: seven  
210 dollars and ((fifty)) EIGHTY cents ((((\$7.50))) (\$7.80) per hour for the first four (4) hours and five  
211 dollars AND TWENTY CENTS ((((\$5.)) (\$5.20) each additional hour, excluding La Plata-based  
212 youth and senior citizen organizations, La Plata-based Homeowners' Associations, the La Plata  
213 Volunteer Fire Department and the Charles County Rescue Squad.

214 [3] Town Resident (nonprofit, personal use): ten dollars AND FORTY  
215 CENTS ((((\$10.)) (\$10.40) per hour.

216 [4] Private for profit: twenty-ONE dollars ((((\$20.)) (\$21.) per hour  
217 for the first four (4) hours and ten dollars AND FIFTY CENTS ((((\$10.)) (\$10.50) for each  
218 additional hour.

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220 (2) All fees for park use are payable upon issuance of the permit.

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222 **N. Noise permits:** As per the requirement of Chapter 137, Noise, § 137-3C, the fee shall  
223 be ten dollars AND FORTY CENTS ((((\$10.)) (\$10.40).

224  
225 **O. Private wastewater disposal:** As per the requirement of Chapter 186, Water and  
226 Sewers, § 186-5C, the permit and inspection fee shall be fifty-TWO dollars ((((\$50.)) (\$52.).

227  
228 **§ 101-2. Miscellaneous utility improvement fees.**

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230 **A.** The developer of any subdivision, lot or new construction requiring water, sanitary  
231 sewer, streets or storm sewer will pay one hundred percent (100%) of the cost of these extensions or  
232 improvements, to a point(s) approved by the Town.

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234 **B.** The developer may construct such improvements as specified in Subsection A. of this  
235 section, according to applicable Town specifications, upon application and approval of the Chief  
236 Executive Officer.

237  
238 **C.** Any developer or owner desiring the Town to extend water, sewer and storm sewers  
239 to the developer's or owner's property line, or requesting partial assistance in an extension, shall pay  
240 the following fees for such service:

241 (1) Water meter charges for meters, including fitting appurtenances:

<u>Meter size</u> (inches)	<u>Fee</u>
5/8	\$((275.00)) 285.00
3/4	\$((325.00)) 340.00
1	\$((525.00)) 545.00
1½	\$((700.00)) 730.00

Ordinance 06-9

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\$((900.00)) 935.00

251		Other sizes and types	To be determined
252		(i.e., compounds, 3+	by Chief Executive
253		inches, etc.)	Officer.

254 (2) Water line construction charge:

255 (a) The charge shall be computed by the Chief Executive Officer upon

256 application.

257 (b) The minimum fee shall be four thousand one hundred twenty-five dollars

258 (\$4,125.).

259 (3) Water line boring charge:

260 (a) The charge shall be computed by the Chief Executive Officer upon

261 application.

262 (b) The minimum fee shall be four thousand nine hundred fifty dollars (\$4,950.).

263 (4) Water line fire hydrant charge:

264 (a) The charge shall be computed by the Chief Executive Officer upon

265 application.

266 (b) The minimum fee shall be two thousand five hundred dollars (\$2,500.).

267 (5) Sewer line construction charge:

268 (a) The charge shall be computed by the Chief Executive Officer upon

269 application.

270 (b) The minimum fee shall be four thousand four hundred dollars (\$4,400.).

271 (6) Sewer line boring charge:

272 (a) The charge shall be computed by the Chief Executive Officer upon

273 application.

274 (b) The minimum fee shall be six thousand five hundred dollars (\$6,500.).

275 (7) Manhole charge for sewer lines:

276 (a) The charge shall be computed by the Chief Executive Officer upon

277 application.

278 (b) The minimum charge shall be one thousand one hundred dollars (\$1,100.).

279

280 **D.** Street lights: As determined by the Town.

281

282 **E.** Street name and regulatory signs: As determined by the Town.

283

284 **§ 101-3. Television and sewer cleaning equipment charges.**

285 Charges for the use of television and sewer cleaning equipment shall be as follows:

286

287 **A.** Equipment used in Town will be at seventy-~~((five))~~ EIGHT dollars ~~(((75.)))~~ (\$78.)

288 per hour, plus the cost of the chemicals.

289

290 **B.** Equipment used out of Town will be at two hundred AND EIGHT dollars ~~(((200.)))~~

291 (\$208.) per hour, plus the cost of the chemicals.

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293

294 C. Calculating time will start when the crew begins traveling to the job site.  
295

296 **§ 101-4. Major facilities fees.**

297 A. Major facilities fees are levied to partially finance capital improvements to the water  
298 and sanitary sewer systems due to increased demands upon the system as a result of new  
299 development. Revenues collected from the major facilities fee may be used for the acquisition,  
300 construction, improvement and enlargement of all or parts of the Town's water and sanitary sewer  
301 systems. Such revenues may not be used for the purpose of operation, maintenance or non-capital  
302 repair of the water or sanitary sewer systems, except that revenues collected from the major facilities  
303 fee on and after October 1, 2003 shall not be used for any project located in or intended to exclusively  
304 serve properties located in the Old Town Utility District. The major facilities fee shall be levied and  
305 paid as specified in the following subsections of this section.  
306

307 B. Determination of fee.

308 (1) The charge per unit levied and to be paid with the issuance of all building or  
309 occupancy permits requiring larger or new connections to the Town of La Plata water and sanitary  
310 sewer systems, except for connections to the town water or sanitary sewer system in the Old Town  
311 Utility District, shall be:

312 (a) Residential units:

313 [1] Multiple-family dwelling units:

314 [a] Dwelling units having not more than seven hundred square  
315 feet of total area: four thousand eight hundred and thirty dollars (\$4,830.) per dwelling unit.

316 [b] Dwelling units having more than seven hundred (700)  
317 square feet of total area: five thousand eight hundred and twenty-five dollars (\$5,825.) per dwelling  
318 unit.

319 [2] Single family attached dwellings, single family detached dwellings,  
320 two-family dwellings and mobile home dwellings: six thousand eight hundred and twenty-five dollars  
321 (\$6,825.) per dwelling unit.

322 (2) Commercial, industrial, and public or quasi-public facility units: an amount per  
323 unit based upon the estimated water consumption of such facility as set forth in Section 101-4.F. of  
324 this chapter.  
325

326 C. The major facilities fee shall be paid before a building permit is issued, except that the  
327 payment of a major facilities fee shall not be required for the issuance of a building permit for a  
328 property or structure located in the Old Town Utility District. In the case of a revocation,  
329 discontinuance or abandonment of a building permit, as provided in the Town Building Code, before  
330 water, sewer or other public improvements are extended to the building project, this fee shall be  
331 refunded. If a major facilities fee is imposed with respect to a use of property for which no building  
332 permit is required, the major facilities fee shall be paid before an occupancy permit is issued.  
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334 D. Permits for water and/or sewer connection(s) shall be issued at the same time the  
335 building permit is issued and shall be valid as long as the building permit is valid, except existing

336 residential buildings may connect to water and sewer mains as provided in § 101-2C of this chapter.  
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338 If a permit for a water and/or sewer connection is to be issued for a use of property where no building  
339 permit is required, the permit for the connection must be issued before the issuance of an occupancy  
340 permit.

341  
342 **E.** A "residential unit" is hereby defined as one (1) dwelling unit, as further defined in §  
343 191-3 of the Town's Zoning Ordinance. The various types of dwelling units, such as multiple-family,  
344 single-family attached, single-family detached, two-family and mobile home, will have the same  
345 meaning as defined in § 191-3 of the Town's Zoning Ordinance. A "multiple-family dwelling unit" is  
346 more narrowly defined to be only those groups of three (3) or more dwelling units served by a  
347 common water service and requiring only one (1) water meter.

348  
349 **F.** The major facilities fee for commercial, industrial, quasi-public or public facilities shall  
350 be determined by the Chief Executive Officer using units or fractions of units of estimated water  
351 consumption as the basis for that determination. Each unit is the equivalent of twenty thousand  
352 (20,000) gallons of estimated water consumption per quarter. The major facilities fee shall be  
353 imposed at the rate of six thousand eight hundred and twenty-five dollars (\$6,825.) per unit. The  
354 amount of major facilities fee for fractional units shall be based upon a pro-rated amount of six  
355 thousand eight hundred and twenty-five dollars (\$6,825.). The standards used for establishing  
356 estimated water consumption shall be established and approved by the ((Mayor and)) TOWN  
357 Council.

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359 **G.** The major facilities fee for uses requiring a new or larger connection to either the  
360 water or sanitary sewer systems, but not both, shall, for sewer, be at a rate of seventy-five percent  
361 (75%) of the fee provided for in Sections 101-4.B. and 101-4.F., and, for water, be at the rate of  
362 thirty-five percent (35%) of the fee provided for in Sections 101-4.B. and 101-4.F.

363  
364 **H.** Except in the Old Town Utility District, no change in the use of a building shall be  
365 allowed that would require additional increments of water and/or sewer units without payment of the  
366 major facilities fee for the increase in sewer and/or water units. To ensure compliance, the Building  
367 Inspector shall not allow such building requiring payment of additional major facilities fees to be  
368 occupied until the requisite fees are paid and occupancy is approved by the Chief Executive Officer.

369  
370 **I.** As used in Sections 101-4 and 101-4.1, the Old Town Utility District consists of all  
371 properties that abut or have access from the following streets, except that as of April 13, 2005 the Old  
372 Town Utility District does not include those properties or portions of those properties that are located in  
373 the Town's CBT Central Business Transition zoning district on that date:

374 (1) West Hawthorne Drive to the Town limits as of January 9, 1990.

375 (2) Pine Street.

376 (3) East Hawthorne Drive.

377 (4) US Route 301 from Maryland Route 225 to Glen Albin (formerly Patuxent) Drive.

378 (5) Maryland Route 6 west of US Route 301, to and including the Archbishop Neale  
379 property on the north side and to and including the United Methodist Church property on the south side.

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(6) Maryland Route 6 east of US Route 301 to Willow Lane.

- 382 (7) Washington Avenue to the Town limits as they existed as of January 9, 1990.  
383 (8) Harford Street.  
384 (9) Cecil Street.  
385 (10) Kent Avenue.  
386 (11) Spruce Street.  
387 (12) Prospect Street.  
388 (13) Caroline Drive from Washington Avenue to the railroad tracks.  
389 (14) Centennial Street.  
390 (15) Baltimore Street.  
391 (16) North Maple Avenue.  
392 (17) South Maple Avenue from Charles Street to Carroll Street.  
393 (18) North Oak Avenue.  
394 (19) Anne Arundel Avenue.  
395 (20) Severn Drive.  
396 (21) Calvert Street.  
397 (22) Howard Street.  
398 (23) St. Mary's Avenue to Glen Albin (formerly Patuxent) Drive.  
399 (24) Wills Street.  
400 (25) La Grange Avenue.  
401 (26) Queen Anne's Street.  
402 (27) Carroll Street.  
403 (28) Graves Avenue.  
404 (29) Oak Avenue.  
405 (30) Del Ray Circle.  
406 (31) Concord Circle.  
407 (32) Arlington Drive.  
408 (33) Worcester Street.  
409 (34) Wicomico Street.  
410 (35) Garrett Avenue.  
411 (36) Somerset Street.  
412 (37) Willow Lane South.  
413 (38) Prince George's Street.  
414 (39) Forest Lane.  
415 (40) Patuxent Court.  
416 (41) Glen Albin (formerly Patuxent) Drive from US Route 301 to Willow Lane South.  
417

418 **J.** (1) All monies in the Town's major facilities fund as of October 1, 2003 may be expended  
419 for and on behalf of the financing of major improvements to the Town's water and sanitary sewer systems  
420 that are undertaken anywhere in the Town.

421 (2) All monies generated from major facilities fees paid to the Town between October 1,  
422 2003 and April 12, 2005 may not be expended for any improvements to the Town's water and sanitary  
423 sewer systems that are located in or intended primarily to serve properties located in the Old Town Utility

424 District as that district existed on April 12, 2005.  
425

426 (3) All monies generated from major facilities fees paid to the Town from and after April 13, 2005  
427 may not be expended for any improvements to the Town's water and sanitary sewer systems that are  
428 located in or intended primarily to serve properties located in the Old Town Utility District as that district  
429 existed on April 13, 2005.

430

431 **101-4.1. Major facilities fee for commercial and industrial properties.**

432 **A.** This section applies to the payment of major facilities fees for commercial and  
433 industrial facilities located outside the Old Town Utility District.

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435 **B.** (1) For each commercial and industrial facility there is a base major facilities fee. For  
436 purposes of this section, the base major facilities fee is:

437 (a) The amount of major facilities fee assessed and paid pursuant to §101-  
438 4B(1)(b) based upon estimated water consumption of the facility; except that

439 (b) In the case of a property for which water and sewer facilities were paid by  
440 a front foot benefit assessment, the amount of the major facilities fee which would be assessed in  
441 accordance with §101-4B(1)(b) if the property were initially developed on July 1, 1997, based upon  
442 the use of the property on that date.

443 (2) When the actual user of a facility is unknown when a building permit is issued, the  
444 base major facilities fee shall be calculated upon such potential use of the facility as reasonably would  
445 be expected to generate the smallest demand for water usage of all potential realistic uses of the  
446 facility as allowed in the zoning district.

447

448 **C.** (1) If a base major facilities fee is calculated pursuant to subsection B(2) of this  
449 section, an additional major facilities fee shall be charged when the actual user of the facility becomes  
450 known if the estimated water consumption for such user will be greater than the estimated water  
451 consumption upon which the base major facilities fee was calculated. This additional major facilities  
452 fee shall be known as an incremental major facilities fee. The amount of the incremental major  
453 facilities fee shall be calculated based upon the formula set forth in §101-4F.

454 (2) An incremental major facilities fee shall be paid prior to the issuance of a  
455 certificate of occupancy for the use of the facility pursuant to §191-48B of this Code. The Town  
456 shall maintain records of the name of the person who pays any incremental major facilities fee and the  
457 location for which such incremental major facilities fee is paid. The payer of an incremental major  
458 facilities fee shall receive a credit in the amount of the incremental major facilities fee paid.

459

460 **D.** An incremental major facilities fee credit may be assigned, sold, otherwise lawfully  
461 conveyed, or transferred, as provided in this subsection D. An incremental major facilities fee credit  
462 issued to a property located in the Old Town Utility District prior to October 1, 2003 also may be  
463 assigned, sold, otherwise lawfully conveyed, or transferred as provided in this Subsection D.

464 (1) When a business for which an incremental major facilities fee has been paid ceases  
465 operation at the location for which the fee has been paid, the holder of the incremental major facilities  
466 fee credit may:

467 (a) Assign, sell or otherwise lawfully convey all, or any portion, of the credit to

468 another person, for the purpose of applying such credit against the payment of another base major  
469

470 facilities fee or incremental major facilities fee, as applicable:

471 [1] At the same location; or

472 [2] At a different location in the town;

473 (b) Transfer all or any portion of the credit to be applied by that person against the  
474 payment of another base major facilities fee or incremental major facilities fee, as applicable, at a  
475 different location in the town; or

476 (c) Retain the rights to all or any portion of the credit for subsequent use by that  
477 person at the same location.

478 Under no circumstances may all, or any portion, of an incremental major facilities  
479 fee be refunded by the Town.

480 (2) All or any portion of an incremental major facilities fee credit which has been  
481 assigned, sold, conveyed or transferred may be:

482 (a) Applied against a base major facilities fee imposed for the same or another  
483 business; or

484 (b) Applied against an incremental major facilities fee imposed for the same or  
485 another business.

486 That portion of an incremental major facilities fee credit which is applied against a  
487 base major facilities fee may not be further transferred, assigned, sold, or conveyed. However, that  
488 portion of an incremental major facilities fee credit which is applied against a new incremental major  
489 facilities fee may be further transferred, sold, assigned, or conveyed as provided in this section.

490 (3) The amount of major facilities fee attributable to a property shall be reduced by  
491 the amount by which any portion of an incremental major facilities fee is transferred, sold, assigned or  
492 conveyed for use at a different location.

493 (4) A transfer, sale, assignment or conveyance of all or part of an incremental major  
494 facilities fee credit is not effective unless undertaken as hereafter provided:

495 (a) A person seeking to transfer, sell, assign or convey all or any part of an  
496 incremental major facilities fee credit shall file an application under oath on forms provided by the  
497 Town for this purpose. If the applicant is not the owner of the property on which the business is  
498 located, the application also shall be consented to, in writing, by the property owner. The application  
499 shall be accompanied by such application fee as may be prescribed by the ((Mayor and)) TOWN  
500 Council by Resolution. In addition to such other information and documentation as may be required  
501 by the Town's Chief Executive Officer, an application shall be accompanied by documentary proof  
502 acceptable to the Chief Executive Officer:

503 [1] As to the amount of incremental major facilities fee credit available for  
504 transfer, sale, assignment or conveyance; and

505 [2] That such fee was paid to the Town by the person applying for the  
506 transfer, sale, assignment or transfer.

507 The burden is on the applicant to prove the amount of incremental major  
508 facilities fee credit available for transfer, sale, assignment or conveyance, and that the applicant is the  
509 person who paid such fee to the Town.

510 (b) If the Town approves an application to transfer, sell, assign or convey all or a  
511 part of an incremental major facilities fee credit, the Town shall deliver to the applicant, to the

512 property owner if different from the applicant, and to the person to whom the credit will be  
513

514 transferred, sold, assigned or conveyed, a certificate of approval which contains at least the following  
515 information:

- 516 [1] Names of the parties;
- 517 [2] The address for which the incremental major facilities fee had been paid;
- 518 [3] The address to which the incremental major facilities fee credit is being  
519 transferred;
- 520 [4] The amount of such transferred, sold, assigned or conveyed incremental  
521 major facilities fee credit which will be available for future transfer, sale, assignment or conveyance in  
522 accordance with §101-4.1D(2); and
- 523 [5] The name of the person who will be entitled to apply for such future  
524 transfer, sale, assignment or conveyance in accordance with §101-4.1D(2).

525 The Town’s approval of the application is not effective until a certificate of  
526 approval is issued.

527  
528 **§101-4.2. Major facilities fee loan program.**

529 **A.** There is a major facilities fee loan program in the Town under the provisions of this  
530 section.

531  
532 **B.** The purpose of the major facilities fee loan program is to provide an economic  
533 development incentive for the Town to recruit and attract desirable businesses to locate within the  
534 Town and to encourage existing businesses to expand in the Town.

535  
536 **C.** The ((Mayor and)) TOWN Council may appropriate in the Town’s annual budget  
537 ordinance such amounts from the Town’s General Fund as the ((Mayor and)) TOWN Council deem  
538 necessary and appropriate to fund the major facilities fee loan program. Amounts to fund the major  
539 facilities fee loan program shall be appropriated as a designated line item in the budget ordinance.

540  
541 **D.** The ((Mayor and)) TOWN Council may grant a loan to an eligible business under the  
542 major facilities fee loan program if sufficient funds have been appropriated in the annual budget  
543 ordinance. The amount of the loan to an eligible business may not exceed seventy-five percent (75%)  
544 of the major facilities fee to be assessed for the business, plus the amount of any costs and expenses to  
545 be included in the loan amount pursuant to subsection L. of this section.

546  
547 **E.** Each major facilities fee loan granted by the ((Mayor and)) TOWN Council:

548  
549 (1) Shall bear interest at a rate or rates to be established by the ((Mayor and)) TOWN  
550 Council, such rate or rates to be not less than the prime rate established by the Bank of Southern  
551 Maryland from time to time plus one percent (1%);

552 (2) Shall be repaid over a period to be established by the ((Mayor and)) TOWN  
553 Council, but not to exceed forty-two (42) months;

554 (3) Shall be guaranteed and/or secured by such personal guarantees, deeds of trust,  
555 mortgages, or other security interests as the ((Mayor and)) TOWN Council deem appropriate;

556

557 (4) Shall bear a method of repayment as shall be determined by the ((Mayor and))  
558 TOWN Council, but such method of repayment shall provide for not less than annual payments of  
559 accrued interest plus a pro-rata portion of the outstanding principal balance of the loan; and

560 (5) Shall be a lien upon any real property in the town owned by the business owner  
561 and guarantor of the loan, and may be collected and enforced in the same manner as Town real  
562 property taxes.

563  
564 **F.** Each major facilities fee loan, and any guarantees and security interests for the  
565 repayment of the loan, shall be evidenced by such agreements and other documents as may be deemed  
566 appropriate by the Chief Executive Officer and the ((Mayor and)) TOWN Council, and approved by  
567 the Town Attorney.

568  
569 **G.** A request for a major facilities fee loan shall be filed with the Chief Executive Officer  
570 upon such forms, and accompanied by such information, as may be required by the Chief Executive  
571 Officer. The request shall demonstrate how the business is an eligible business under the criteria  
572 provided in subsection J. of this section. The request shall be accompanied by a nonrefundable  
573 application fee in the amount of two percent (2%) of the requested loan amount or three hundred  
574 dollars (\$300.), whichever is more. The applicant also shall be responsible for providing such credit  
575 reports, business marketing studies, business plans, real estate appraisals, or other documentation and  
576 reports as may be required by the Chief Executive Officer or the ((Mayor and)) TOWN Council.

577  
578 **H.** Upon receipt of all information and fees as required by subsection G., the Chief  
579 Executive Officer shall review the loan request and all supporting documentation and shall submit a  
580 written analysis and recommendation to the ((Mayor and)) TOWN Council as to whether the loan  
581 should be granted. The analysis and recommendation shall evaluate the loan request based upon the  
582 criteria set forth in subsection J. of this section.

583  
584 **I.** Upon receipt of the written analysis and recommendation from the Chief Executive  
585 Officer, the ((Mayor and)) TOWN Council shall conduct a public hearing on the loan request. Notice  
586 of the public hearing shall be published at the expense of the applicant at least once in a newspaper of  
587 general circulation in the Town. Upon completion of the public hearing, the ((Mayor and)) TOWN  
588 Council may act upon the loan request. Any act approving the loan request shall be taken in the form  
589 of a Resolution, which shall set forth at least the following:

- 590  
591 (1) Name of the loan grantee;  
592 (2) Principal amount of the loan;  
593 (3) Term of the loan;  
594 (4) Interest rate or rates to be paid upon the unpaid principal balance;  
595 (5) The method of repayment of the loan; and  
596 (6) All personal guarantees and security interests associated with the loan.

597  
598 **J.** A business shall be eligible for a major facilities fee loan if it satisfies all of the

599 following criteria:  
600

601 (1) (a) The business will create substantial additional employment opportunities  
602 for professional, technical and skilled labor in the Town, or

603 (b) The business has been identified by the Town's Comprehensive Plan or by  
604 other official Town policy as being needed or desirable in furtherance of the Town's economic  
605 development;

606 (2) The business shall provide a wage base which substantially exceeds minimum  
607 wage levels;

608 (3) The business shall add substantially to the property tax base of the Town; and

609 (4) Payment of the major facilities fee without the loan would make location of the  
610 business in the Town, or expansion of an existing business in the Town, economically infeasible.

611 Even if a business is eligible for a major facilities fee loan, the ((Mayor and)) TOWN Council  
612 ((are)) IS not required to grant a loan request.

613

614 **K.** In addition to the mandatory criteria specified in subsection J., the ((Mayor and))  
615 TOWN Council also may consider the following factors in determining whether to grant a request for  
616 a major facilities fee loan:

617 (1) Whether a predominant ownership interest in the business is held by one or more  
618 Town residents; and

619 (2) Whether the business location will enhance the aesthetic appearance of the Town.

620

621 **L.** Upon approval of the loan by the ((Mayor and)) TOWN Council, the loan shall be  
622 accepted by the execution of such loan documents as may be required by the ((Mayor and)) TOWN  
623 Council and Chief Executive Officer and approved by the Town Attorney. The loan obligation shall  
624 be accepted, and all required security provided to the Town, prior to the issuance of a building permit  
625 for the project on account of which the loan is granted, and the loan obligation shall commence upon  
626 issuance of the building permit. The applicant shall be responsible for the payment of all costs and  
627 expenses incurred by the Town in connection with the documentation of the loan and perfection of  
628 any security interests, including, but not limited to, all costs of document preparation, title and lien  
629 searches, recording fees, and attorney fees. With the approval of the Town, these costs and expenses  
630 may be included within the amount of the loan.

631

632 **M.** Upon issuance of the building permit, the Town Treasurer shall transfer the loan  
633 amount from the Town's General Fund to the Major Facilities Fees Fund. Repayment of the loan  
634 shall be deposited by the Town Treasurer into the General Fund.

635

636 **§ 101-5. Water rates, charges and fees.**

637 **A.** The water service rate for water use for all property having location within the  
638 corporate limits of the Town of La Plata shall be ((one dollar and eighty-five cents (\$1.85))) TWO  
639 DOLLARS (\$2.) for each one thousand (1,000) gallons used.

640

641 **B.** It is the declared policy of the Town that no water service shall be extended outside  
642 the corporate limits of the Town.

643

644

645 C. The water reconnect fee shall be twenty-five dollars (\$25.).

646

647 D. The account maintenance fee for each utility account shall be ten dollars AND FORTY  
648 CENTS ((((\$10))) (\$10.40) per quarter.

649

650 E. A water connection charge shall be levied per dwelling unit as follows:

651 (1) Dwelling units having not more than seven hundred (700) square feet of total area:  
652 seventy-five dollars (\$75.).

653 (2) Dwelling units having more than seven hundred (700) square feet of total area:  
654 eighty-seven dollars and fifty cents (\$87.50).

655 (3) With commercial, industrial, quasi-public or public facilities the fee shall be  
656 determined based on the estimated water consumption:

657	0 - 20,000	\$ 82.00
658	20,001 - 40,000	190.00
659	40,001 - 60,000	285.00

660 F. Utility bills become past due thirty-one (31) days from the billing date stated on the  
661 bill. A late payment penalty shall be levied at the rate of ten percent (10%) per month or fraction of a  
662 month that the payment is past due.

663

664 **§ 101-6. Sanitary sewer rates and charges.**

665 A. The sanitary sewer rate shall be computed based on the water consumption at five  
666 dollars and ((twenty)) SEVENTY-TWO cents ((((\$5.20))) (\$5.72) for each one thousand (1,000)  
667 gallons used. However, the rate for Town residents who are connected to the Town sewer system  
668 only will be computed based on the Equivalency Dwelling Unit (EDU) method that is used to  
669 calculate Major Facility Fees. One EDU is estimated to use 20,000 gallons of water per quarter.

670

671 B. It is the declared policy of the Town that no sewer service shall be extended outside  
672 the corporate limits of the Town.

673

674 C. A sewer connection charge shall be levied per dwelling unit as follows:

675

676 (1) Dwelling units having not more than seven hundred (700) square feet of total area:  
677 two hundred twenty-five dollars (\$225.).

678 (2) Dwelling units having more than seven hundred (700) square feet of total area:  
679 two hundred sixty-two dollars and fifty cents (\$262.50).

680 (3) With commercial, industrial, quasi-public or public facilities the fee shall be  
681 determined based on the estimated water consumption:

682

683	0 - 20,000	\$247.00
684	20,001 - 40,000	632.00
685	40,001 - 60,000	865.00

686

687  
 688 **D.** Utility bills become past due thirty-one (31) days from the billing date stated on the  
 689 bill. A late payment penalty shall be levied at the rate of ten percent (10%) per month or fraction of a  
 690 month that the payment is past due.  
 691

692 **§ 101-7. Refuse collection fees.**

693 All residential units within the Town of La Plata shall avail themselves of the Town municipal  
 694 refuse collection service. The quarterly refuse collection fee for all refuse collection within the  
 695 corporate limits of the Town of La Plata shall be as follows:

696 **A.** Residential: single-family, duplex, triplex and four-unit apartments:

697 (1) Curbside: Fifty-((three))SEVEN dollars and ((five)) THIRTY cents ((((\$53.05)))  
 698 (\$57.30) per unit (once a week collection).

699 (2) House side: ((Seventy-four)) EIGHTY dollars and ninety cents ((((\$74.90)))  
 700 (\$80.90) per unit (once a week collection).

701 (3) Individuals over age sixty-four (64) or physically impaired may receive house side  
 702 collection at fifty-((three))SEVEN dollars and ((five)) THIRTY cents ((((\$53.05))) (\$57.30) upon  
 703 request to and approval of the Town Council.

704 (4) A surcharge of eight dollars and fifty cents (\$8.50) will be collected from each  
 705 utility account to pay for the recycling project.  
 706

707 **B.** Commercial:

708 (1) Base rates (quarterly basis):

<u>((Group</u>	<u>1 X/wk.</u>	<u>2 X/wk.</u>	<u>3 X/wk.</u>	<u>4 X/wk.</u>	<u>5 X/wk.</u>
<b>I-A</b>	\$ 53.05				
<b>I-B</b>	87.45				
<b>II</b>	49.20	\$109.30	\$168.15	\$223.85	\$273.20
<b>III-A</b>	70.05	100.55			
<b>III-B</b>	86.35	136.60))			
<u>GROUP</u>	<u>1 X/WK.</u>	<u>2 X/WK.</u>	<u>3 X/WK.</u>	<u>4 X/WK.</u>	<u>5 X/WK.</u>
<b>I-A</b>	\$ 57.30				
<b>I-B</b>	94.45				
<b>II</b>	53.15	\$118.05	\$181.60	\$241.75	\$295.05
<b>III-A</b>	75.65	108.60			
<b>III-B</b>	93.25	147.55			

722  
 723 (2) Group definitions:

724 (a) Group I: multiple-family dwellings with less than five (5) dwelling units  
 725 and charged to a single owner.

726 [1] Group I-A: curbside pickup.

727 [2] Group I-B: house side pickup.

728 (b) Group II: all container (dumpster) pickups.  
 729

730 (c) Group III: businesses that generate not more than six (6) thirty (30) gallon  
731 containers per week or nine (9) twenty (20) gallon containers per week and require no more than  
732 twice a week pickup.

733 [1] Group III-A: curbside pickup.

734 [2] Group III-B: other than curbside pickup (i.e., rear of building).

735 (3) The yardage charge shall be a charge of one dollar and ((fifty-one)) SIXTY-  
736 THREE cents ((((\$1.51))) (\$1.63) per yard per quarter based on container size and frequency of  
737 pickup.

738 (4) Commercial container rental (quarterly):

739 (a) Two (2) cubic yards: Twenty-((six))EIGHT dollars and ((fifty)) SIXTY  
740 cents ((((\$26.50))) (\$28.60).

741 (b) Four (4) cubic yards: Thirty-((four))SIX dollars and ((twenty)) NINETY-  
742 FIVE cents ((((\$34.20))) (\$36.95).

743

744 **C.** The landfill disposal surcharge for Groups II and III shall be 0.5 times the base rates,  
745 plus the yardage charge, and added separately to all refuse collection accounts.

746

747 **D.** Special pickups for bulk items shall be charged as follows: A minimum of ((ten))  
748 ELEVEN dollars ((((\$10.))) (\$11.) for the first five (5) minutes and one dollar (\$1.) for each  
749 additional minute. Bulk items should weigh no more than fifty (50) pounds. Large amounts of loose  
750 material (such as brush) should be bundled or bagged in such a manner that the weight is less than  
751 fifty (50) pounds. The Town reserves the right to not pick up items too heavy to safely handle.  
752 General construction clean-up and hazardous materials are not eligible. A fee of ((five)) SIX dollars  
753 ((((\$5.))) (\$6.), or the current landfill disposal fee, shall be charged for each tire collected.

754

755 Commercial accounts requesting an additional pickup of a dumpster shall pay one hundred AND  
756 EIGHT dollars ((((\$100.))) (\$108.) per dumpster emptied. This service is only for extraordinary  
757 circumstances and not meant to occur regularly. A commercial account needing frequent special  
758 pickups shall be reviewed to determine if a higher level of collection service is required.

759

760 **E.** Outside corporate limits:

761 (1) Residential curbside: Seventy-((one))SEVEN dollars and ((sixty)) THIRTY-FIVE  
762 cents ((((\$71.60))) (\$77.35) per quarter. This service is subject to ((Mayor and)) TOWN Council  
763 approval.

764 (2) A surcharge of eight dollars and fifty cents (\$8.50) will be collected from each  
765 utility account to pay for the recycling project.

766

767 **F.** Utility bills become past due thirty-one (31) days from the billing date stated on the  
768 bill. A late payment penalty shall be levied at the rate of ten percent (10%) per month or fraction of a  
769 month that the payment is past due.

770

771

772 **§ 101-8. Zoning fees.**

773 The petitioner for variance, special exception and zoning appeals, or rehearings on variance,  
774 special exception and zoning appeals applications, shall pay to the Town a nonrefundable application  
775 fee of two hundred dollars (\$200.) for each application, and shall also deposit with the Town an  
776 amount to be determined by the Town Treasurer and/or Chief Executive Officer as a reasonable  
777 estimate of Town expenses to process the application, including legal fees, advertising fees, and any  
778 other related costs. The petitioner shall also be liable for any expenses above that estimate deposited,  
779 which amount must be paid prior to a final disposition of the application. The petitioner shall be  
780 entitled to a refund of deposit monies not used, with the exception of the nonrefundable ((one  
781 hundred and seventy-five dollars)) application fee.

782  
783 The applicant for a Home Office permit shall pay to the Town a nonrefundable application fee  
784 of twenty-((seven)) EIGHT dollars ((((\$27.))) (\$28.).

785  
786 Petitions for zoning amendments shall be three hundred and ((twenty))THIRTY-five dollars  
787 ((((\$325.))) (\$335.). If an additional public hearing is necessary, the petitioner will pay any related  
788 costs as determined by the Chief Executive Officer.

789  
790 **§ 101-9. Updating Official Zoning Map.**

791 Whenever a parcel of land is rezoned, resubdivided, or subdivided, a fee of six dollars and  
792 ((thirty)) FIFTY-FIVE cents ((((\$6.30))) (\$6.55) per lot will be paid to the Town to pay for the  
793 Town's cost of updating the Official Zoning Map.

794  
795 **§ 101-10. Reduction of certain fees.**

796 The Town Council shall have discretion, after a public hearing is held for that purpose, to  
797 abate or reduce any of the fees in §§ 101-1, 101-2 and 101-3, if good cause is shown.

798  
799 **§ 101-11. Water extraction permits.**

800 Water extraction permits may be issued for use of a specified fire hydrant(s). The  
801 nonrefundable application fee shall be two hundred dollars (\$200.) in cash. The fee for water  
802 extracted from the Town system shall be six dollars (\$6.) per one thousand (1,000) gallons of water  
803 extracted, to be paid on a monthly basis at the Finance Office in the Town Hall.

804  
805 **§ 101-12. Fee for returned checks.**

806 A returned check fee of twenty-five dollars (\$25.) shall be imposed in each instance of a check  
807 being returned to the Town for any reason.

808  
809 **§ 101-13. Fees for miscellaneous items/services sold by the Town.**

810 Zoning map: prices based on suppliers' cost to Town.

811 Comprehensive Plan: prices based on suppliers' cost to Town.

812 Standard Specifications: fifty dollars (\$50.) per copy in stock; restock items based on suppliers' cost  
813 to Town.

814 Accident report: five dollars (\$5.).

815

816

817 Xerographic copies: fifteen cents (\$0.15) per page.

818 Miscellaneous promotional items: based on suppliers' cost to town.

819

820 **§ 101-14. Payment of fees and charges.**

821 All moneys due and payable to the Town of La Plata shall be collected solely by the Town

822 Treasurer through the Finance Department of the Town of La Plata or through such county or state

823 agency as deemed appropriate by the Town.

824

825 **§ 101-15. Penalty on overdue taxes.**

826 When taxes are overdue, the Town will impose a penalty of one third of one percent (1/3 of

827 1%) for each month or fraction of a month until paid. This is in addition to the interest imposed in §

828 C8-15 of the Town Charter.

829

830 **SECTION 2: AND BE IT FURTHER ENACTED** that this Ordinance shall become

831 effective on 1 July 2006.

832

833 **SEAL:**

**COUNCIL OF THE TOWN OF LA PLATA**

834

835

\_\_\_\_\_  
**Gene Ambrogio, Mayor**

836

837

838

\_\_\_\_\_  
**R. Wayne Winkler, Councilman**

839

840

841

\_\_\_\_\_  
**C. Keith Back, Councilman**

842

843

844 **ATTEST:**

\_\_\_\_\_  
**Paretta D. Mudd, Councilwoman**

845

846

847

\_\_\_\_\_  
**Judith T. Frazier, Town Clerk**

\_\_\_\_\_  
**Vic E. Newman, Councilman**

848 **Date**\_\_\_\_\_

849

**EXPLANATION:**  
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
((Double Parenthesis)) indicate matter deleted from existing law.  
Underlining indicates amendments to bill.  
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.