

**COUNCIL OF THE TOWN OF LA PLATA**  
**Ordinance No. 05-8**

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|                                     |                            |
|-------------------------------------|----------------------------|
| <b>Introduced By:</b>               | <b>Mayor Gene Ambrogio</b> |
| <b>Date Introduced:</b>             | <b>May 10, 2005</b>        |
| <b>Town Council Public Hearing:</b> | <b>May 10, 2005</b>        |
| <b>Amendments Adopted:</b>          | <b>(none)</b>              |
| <b>Date Adopted:</b>                | <b>May 24, 2005</b>        |
| <b>Date Effective:</b>              | <b>July 1, 2005</b>        |

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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14 that Chapter 101 of the Code of the Town of La Plata (1998) be and it is hereby repealed and  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 dollars (\$210.) per plat plus five dollars  
25 and twenty-five cents (\$5.25) per lot.

26 (2) Final plats: two hundred and ten dollars (\$210.) per plat plus five dollars and  
27 twenty-five cents (\$5.25) per lot, plus five dollars and fifty cents (\$5.50) recordation fee, plus six  
28 dollars and thirty cents (\$6.30) per lot Official Zoning Map update fee.

29 (3) Revised plats and minor subdivision plats: same as final plats.

30 (4) Plan review: The fee for all proposed improvement plans, including water, sewer,  
31 stormwater management and streets, will be one percent (1%) of the construction costs, limited to a  
32 maximum fee of five thousand two hundred and fifty dollars (\$5,250.). These fees will be collectible  
33 prior to recordation of final plat.

34 (5) When the Town has to obtain outside review of stormwater management, there  
35 will be a fee of twenty-seven dollars and fifty cents (\$27.50), plus related costs as provided by the  
36 Chief Executive Officer.

37 (6) Development plan review fee for the review of development plans for Mixed Use  
38 Developments (MUD) and Traditional Neighborhood Developments (TND): five hundred dollars  
39 (\$500.).

40

41 **B. Building permit application fees:**

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

44

| 45 | <b>Use Group</b> | <b>Construction and</b>  | <b>Minimum Fee</b>     |
|----|------------------|--------------------------|------------------------|
| 46 | <b>Class</b>     | <b>Addition Fee</b>      | <b>and Interior</b>    |
| 47 |                  | <b>(per square foot)</b> | <b>Alteration Fee*</b> |
| 48 | Use Group A      | \$0.42                   | \$68.00                |
| 49 | Use Group B      | 0.42                     | 68.00                  |
| 50 | (business)       |                          |                        |
| 51 | Use Group F      | 0.42                     | 68.00                  |
| 52 | (factory and     |                          |                        |
| 53 | industrial)      |                          |                        |
| 54 | Use Group H      | 0.42                     | 68.00                  |
| 55 | (high hazard)    |                          |                        |
| 56 | Use Group I      | 0.42                     | 68.00                  |
| 57 | (institutional)  |                          |                        |
| 58 | Use Group M      | 0.42                     | 68.00                  |
| 59 | (mercantile)     |                          |                        |
| 60 | Use Group R      | 0.37                     | 30.00                  |
| 61 | (residential)    |                          |                        |
| 62 | Use Group S      | 0.32                     | 23.00                  |
| 63 | (storage)        |                          |                        |
| 64 | Use Group T      | 0.27                     | 23.00                  |
| 65 | (temporary and   |                          |                        |
| 66 | miscellaneous)   |                          |                        |
| 67 | Moving of        | 0.27                     | 23.00                  |
| 68 | buildings        |                          |                        |
| 69 | Demolition of    | 0.21                     | 23.00                  |
| 70 | buildings        |                          |                        |

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

71 discretion, apply Use Group T.

72  
73 (2) A reinspection fee of one hundred (\$100.) will be applied if reinspection is  
74 required due to failure to comply with the Code or failure to be at a stage of building completion  
75 suitable for inspection. Cancellations for inspections must be made one (1) hour in advance of the  
76 scheduled inspection. The reinspection fee must be paid prior to the rescheduling of the inspection.

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

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

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

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

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

96 (1) The fee for the issuance of an operating license is ~~((sixty-five))~~ NINETY dollars  
97 ~~(((\$65)))~~ (\$90) for each dwelling, dwelling unit or rooming unit.

98 (2) The fee for the issuance of an operating license for multiple dwellings containing  
99 four or more dwelling units and rooming houses containing four or more rooming units is ~~((forty-  
100 three))~~ SIXTY dollars ~~(((\$43)))~~ (\$60) per dwelling unit or rooming unit.

101 (3) The fee for the issuance of an operating license for motels and hotels is as follows:  
102 0-50 rooms: one hundred ~~((fifty))~~ SEVENTY-FIVE dollars ~~(((\$150)))~~ (\$175)  
103 50-100 rooms: two hundred FIFTY dollars ~~(((\$200)))~~ (\$250)  
104 over 100 rooms: ~~((two))~~ THREE hundred ~~((fifty))~~ dollars ~~(((\$250)))~~ (\$300)

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

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

| <u>Size of Sign</u><br>(square feet) | <u>Fee</u> |
|--------------------------------------|------------|
| 109 0 to 24                          | \$17.35    |
| 110 25 to 49                         | 34.65      |

|     |                  |       |
|-----|------------------|-------|
| 113 | 50 to 100        | 46.20 |
| 114 | Over 100         | 57.75 |
| 115 | MASTER SIGN PLAN | 25.00 |

116

**F. Plumbing permit application fees:**

117  
118 (1) Thirty- ((one)) FIVE dollars ((and fifty cents (\$31.50))) (\$35) for the first five (5)  
119 fixtures and three dollars and ((fifteen)) FIFTY cents ((((\$3.15))) (\$3.50) for each fixture thereafter.

120 (2) Thirty-one dollars and fifty cents (\$31.50) for alterations.

121

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

| 124 | <u>Grading and Control Costs</u> | <u>Fee</u>   |
|-----|----------------------------------|--|
| 125 | \$0 to \$1,000.00                | \$30.00  |
| 126 | Over \$1,000.00                  | \$30.00, plus 1% of grade and control costs,<br>127 limited to a maximum fee of \$5,000. |

128

129 **H. Sediment Control Plan and Forest Harvest Operation Plan review fees:** Fee  
130 schedule developed by the Charles Soil Conservation District (SCS) and endorsed by the Mayor and  
131 Council; all fees collected by SCS.

132 (1) Plan review for Residential Building Permits: New Single Family Detached  
133 Residential Construction (except for SFD situated on a lot larger than 2 acres with less than ½ acre of  
134 disturbed area and except for SFD situated on a lot smaller than 2 acres and less than 5,000 sq. ft. of  
135 disturbed area):

136 Per permit \$25.00

137 (2) Plan Review for Grading Permits:

138 Application fee \$25.00

139 Plus fee per acre or fraction  
140 of an acre of disturbed area  
141 calculated to the nearest tenth  
142 of an acre \$65.00

143 (3) Re-review for Revision and/or Extension:

144 Per revision or extension \$65.00

145 (4) Forest Harvest Operation:

146 Per plan \$25.00

147 (5) Re-review for Revision and/or Extension of Approval for Forest Harvest  
148 Operation:

149 Per revision or extension \$25.00

150

151 **I. Fee in lieu of parkland dedication or reservation:**

152 (1) As per the requirements of Chapter 173, § 173-11, of the Town Code of  
153 Ordinances, the fee per dwelling unit is six hundred and seventy-five dollars (\$675.)

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

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**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 dollars (\$500.), 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 dollars (\$500.).

**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 dollars (\$75.), and the daily permit is eight dollars (\$8.) for Saturdays and five dollars (\$5.) for Wednesdays.

**L. Burning permit fees:**

(1) Fees shall be as follows:

- (a) Developed single lot/permit issued to homeowner: five dollars (\$5.).
- (b) Single lot or up to five (5) acres cleared, permit issued to developer or builder: twenty-five dollars (\$25.).
- (c) Over five (5) acres cleared, permit issued to developer or builder: fifty dollars (\$50.).

(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:

- (a) Wills Park building:
  - [1] County parks and recreation programs: two dollars and seventy-five cents (\$2.75) per hour.
  - [2] Private nonprofit organization/Town resident permit holder: seven dollars and fifty cents (\$7.50) per hour for the first four (4) hours and five dollars (\$5.) each additional hour, excluding La Plata-based youth and senior citizen organizations, La Plata-based Homeowners' Associations, the La Plata Volunteer Fire Department and the Charles County Rescue Squad.
  - [3] Town Resident (nonprofit, personal use): ten dollars (\$10.) per hour.
  - [4] Private for profit: twenty dollars (\$20.) per hour for the first four (4) hours and ten dollars (\$10.) for each additional hour.
- (2) All fees for park use are payable upon issuance of the permit.

197 **N. Noise permits:** As per the requirement of Chapter 137, Noise, § 137-3C, the fee shall  
198 be ten dollars (\$10.).

199  
200 **O. Private wastewater disposal:** As per the requirement of Chapter 186, Water and  
201 Sewers, § 186-5C, the permit and inspection fee shall be fifty dollars (\$50.).

202  
203 **§ 101-2. Miscellaneous utility improvement fees.**

204  
205 **A.** The developer of any subdivision, lot or new construction requiring water, sanitary  
206 sewer, streets or storm sewer will pay one hundred percent (100%) of the cost of these extensions or  
207 improvements, to a point(s) approved by the Town.

208  
209 **B.** The developer may construct such improvements as specified in Subsection A. of this  
210 section, according to applicable Town specifications, upon application and approval of the Chief  
211 Executive Officer.

212  
213 **C.** Any developer or owner desiring the Town to extend water, sewer and storm sewers  
214 to the developer's or owner's property line, or requesting partial assistance in an extension, shall pay  
215 the following fees for such service:

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

| <u>Meter size</u><br>(inches)                                  | <u>Fee</u>   |
|--|--|
| 5/8  | \$(((\$225.00)) 275.00                             |
| 3/4  | \$(((\$275.00)) 325.00                             |
| 1  | \$(((\$450.00)) 525.00                             |
| 1½   | \$(((\$670.00)) 700.00                             |
| 2  | \$(((\$825.00)) 900.00                             |
| Other sizes and types<br>(i.e., compounds, 3+<br>inches, etc.) | To be determined<br>by Chief Executive<br>Officer. |

222 (2) Water line construction charge:

229 (a) The charge shall be computed by the Chief Executive Officer upon  
230 application.

231 (b) The minimum fee shall be four thousand one hundred twenty-five dollars  
232 (\$4,125.).

233 (3) Water line boring charge:

234 (((a) The fee shall be one hundred ten dollars (\$110.) per linear foot up to a  
235 two inch (2") bore.))

236 (((b))) (A) The charge shall be computed by the Chief Executive Officer  
237 upon application.

238 (((c))) (B) The minimum fee shall be four thousand nine hundred fifty

239 dollars (\$4,950.).

240 (4) Water line fire hydrant charge: ((As required by the Town specifications, the fee  
241 shall be two thousand five hundred dollars (\$2,500.) per hydrant.))

242 (A) THE CHARGE SHALL BE COMPUTED BY THE CHIEF  
243 EXECUTIVE OFFICER UPON APPLICATION.

244 (B) THE MINIMUM FEE SHALL BE TWO THOUSAND FIVE  
245 HUNDRED DOLLARS (\$2,500.).

246 (5) Sewer line construction charge:

247 (a) The charge shall be computed by the Chief Executive Officer upon  
248 application.

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

250 (6) Sewer line boring charge:

251 (a) The charge shall be computed by the Chief Executive Officer upon  
252 application.

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

254 (7) Manhole charge for sewer lines: ((As required by Town specifications, the fee  
255 shall be))

256 (a) ((For each manhole: two hundred seventy-five dollars (\$275.) per foot of  
257 depth.)) THE CHARGE SHALL BE COMPUTED BY THE CHIEF EXECUTIVE OFFICER  
258 UPON APPLICATION.

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

260

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

262

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

264

265 **§ 101-3. Television and sewer cleaning equipment charges.**

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

267

268 **A.** Equipment used in Town will be at seventy-five dollars (\$75.) per hour, plus the cost  
269 of the chemicals.

270

271 **B.** Equipment used out of Town will be at two hundred dollars (\$200.) per hour, plus the  
272 cost of the chemicals.

273

274 **C.** Calculating time will start when the crew begins traveling to the job site.

275

276 **§ 101-4. Major facilities fees.**

277 **A.** Major facilities fees are levied to partially finance capital improvements to the water  
278 and sanitary sewer systems due to increased demands upon the system as a result of new  
279 development. Revenues collected from the major facilities fee may be used for the acquisition,  
280 construction, improvement and enlargement of all or parts of the Town's water and sanitary sewer

281 systems. Such revenues may not be used for the purpose of operation, maintenance or non-capital  
282 repair of the water or sanitary sewer systems, except that revenues collected from the major facilities  
283 fee on and after October 1, 2003 shall not be used for any project located in or intended to exclusively  
284 serve properties located in the Old Town Utility District. The major facilities fee shall be levied and  
285 paid as specified in the following subsections of this section.

286  
287 **B. Determination of fee.**

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

292 (a) Residential units:

293 [1] Multiple-family dwelling units:

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

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

299 [2] Single family attached dwellings, single family detached dwellings,  
300 two-family dwellings and mobile home dwellings: six thousand eight hundred and twenty-five dollars  
301 (\$6,825.) per dwelling unit.

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

305  
306 **C.** The major facilities fee shall be paid before a building permit is issued, except that the  
307 payment of a major facilities fee shall not be required for the issuance of a building permit for a  
308 property or structure located in the Old Town Utility District. In the case of a revocation,  
309 discontinuance or abandonment of a building permit, as provided in the Town Building Code, before  
310 water, sewer or other public improvements are extended to the building project, this fee shall be  
311 refunded. If a major facilities fee is imposed with respect to a use of property for which no building  
312 permit is required, the major facilities fee shall be paid before an occupancy permit is issued.

313  
314 **D.** Permits for water and/or sewer connection(s) shall be issued at the same time the  
315 building permit is issued and shall be valid as long as the building permit is valid, except existing  
316 residential buildings may connect to water and sewer mains as provided in § 101-2C of this chapter.  
317 If a permit for a water and/or sewer connection is to be issued for a use of property where no building  
318 permit is required, the permit for the connection must be issued before the issuance of an occupancy  
319 permit.

320  
321 **E.** A "residential unit" is hereby defined as one (1) dwelling unit, as further defined in §  
322 191-3 of the Town's Zoning Ordinance. The various types of dwelling units, such as multiple-family,

323 single-family attached, single-family detached, two-family and mobile home, will have the same  
324 meaning as defined in § 191-3 of the Town's Zoning Ordinance. A "multiple-family dwelling unit" is  
325 more narrowly defined to be only those groups of three (3) or more dwelling units served by a  
326 common water service and requiring only one (1) water meter.

327  
328 **F.** The major facilities fee for commercial, industrial, quasi-public or public facilities shall  
329 be determined by the Chief Executive Officer using units or fractions of units of estimated water  
330 consumption as the basis for that determination. Each unit is the equivalent of twenty thousand  
331 (20,000) gallons of estimated water consumption per quarter. The major facilities fee shall be  
332 imposed at the rate of six thousand eight hundred and twenty-five dollars (\$6,825.) per unit. The  
333 amount of major facilities fee for fractional units shall be based upon a pro-rated amount of six  
334 thousand eight hundred and twenty-five dollars (\$6,825.). The standards used for establishing  
335 estimated water consumption shall be established and approved by the Mayor and Council.

336  
337 **G.** The major facilities fee for uses requiring a new or larger connection to either the  
338 water or sanitary sewer systems, but not both, shall, for sewer, be at a rate of seventy-five percent  
339 (75%) of the fee provided for in Sections 101-4.B. and 101-4.F., and, for water, be at the rate of  
340 thirty-five percent (35%) of the fee provided for in Sections 101-4.B. and 101-4.F.

341  
342 **H.** Except in the Old Town Utility District, no change in the use of a building shall be  
343 allowed that would require additional increments of water and/or sewer units without payment of the  
344 major facilities fee for the increase in sewer and/or water units. To ensure compliance, the Building  
345 Inspector shall not allow such building requiring payment of additional major facilities fees to be  
346 occupied until the requisite fees are paid and occupancy is approved by the Chief Executive Officer.

347  
348 **I.** As used in Sections 101-4 and 101-4.1, the Old Town Utility District consists of all  
349 properties that abut or have access from the following streets, except that as of April 13, 2005 the Old  
350 Town Utility District does not include those properties or portions of those properties that are located in  
351 the Town's CBT Central Business Transition zoning district on that date:

- 352 (1) West Hawthorne Drive to the Town limits as of January 9, 1990.  
353 (2) Pine Street.  
354 (3) East Hawthorne Drive.  
355 (4) US Route 301 from Maryland Route 225 to Glen Albin (formerly Patuxent) Drive.  
356 (5) Maryland Route 6 west of US Route 301, to and including the Archbishop Neale  
357 property on the north side and to and including the United Methodist Church property on the south side.  
358 (6) Maryland Route 6 east of US Route 301 to Willow Lane.  
359 (7) Washington Avenue to the Town limits as they existed as of January 9, 1990.  
360 (8) Harford Street.  
361 (9) Cecil Street.  
362 (10) Kent Avenue.  
363 (11) Spruce Street.  
364 (12) Prospect Street.

- 365 (13) Caroline Drive from Washington Avenue to the railroad tracks.  
 366 (14) Centennial Street.  
 367 (15) Baltimore Street.  
 368 (16) North Maple Avenue.  
 369 (17) South Maple Avenue from Charles Street to Carroll Street.  
 370 (18) North Oak Avenue.  
 371 (19) Anne Arundel Avenue.  
 372 (20) Severn Drive.  
 373 (21) Calvert Street.  
 374 (22) Howard Street.  
 375 (23) St. Mary's Avenue to Glen Albin (formerly Patuxent) Drive.  
 376 (24) Wills Street.  
 377 (25) La Grange Avenue.  
 378 (26) Queen Anne's Street.  
 379 (27) Carroll Street.  
 380 (28) Graves Avenue.  
 381 (29) Oak Avenue.  
 382 (30) Del Ray Circle.  
 383 (31) Concord Circle.  
 384 (32) Arlington Drive.  
 385 (33) Worcester Street.  
 386 (34) Wicomico Street.  
 387 (35) Garrett Avenue.  
 388 (36) Somerset Street.  
 389 (37) Willow Lane South.  
 390 (38) Prince George's Street.  
 391 (39) Forest Lane.  
 392 (40) Patuxent Court.  
 393 (41) Glen Albin (formerly Patuxent) Drive from US Route 301 to Willow Lane South.  
 394

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

398 (2) All monies generated from major facilities fees paid to the Town between October 1, 2003 and  
 399 April 12, 2005 may not be expended for any improvements to the Town's water and sanitary sewer  
 400 systems that are located in or intended primarily to serve properties located in the Old Town Utility District  
 401 as that district existed on April 12, 2005.

402 (3) All monies generated from major facilities fees paid to the Town from and after April 13, 2005  
 403 may not be expended for any improvements to the Town's water and sanitary sewer systems that are  
 404 located in or intended primarily to serve properties located in the Old Town Utility District as that district  
 405 existed on April 13, 2005.  
 406

407 **101-4.1. Major facilities fee for commercial and industrial properties.**

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

410  
411 **B.** (1) For each commercial and industrial facility there is a base major facilities fee. For  
412 purposes of this section, the base major facilities fee is:

413 (a) The amount of major facilities fee assessed and paid pursuant to §101-  
414 4B(1)(b) based upon estimated water consumption of the facility; except that

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

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

423  
424 **C.** (1) If a base major facilities fee is calculated pursuant to subsection B(2) of this  
425 section, an additional major facilities fee shall be charged when the actual user of the facility becomes  
426 known if the estimated water consumption for such user will be greater than the estimated water  
427 consumption upon which the base major facilities fee was calculated. This additional major facilities  
428 fee shall be known as an incremental major facilities fee. The amount of the incremental major  
429 facilities fee shall be calculated based upon the formula set forth in §101-4F.

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

435  
436 **D.** An incremental major facilities fee credit may be assigned, sold, otherwise lawfully  
437 conveyed, or transferred, as provided in this subsection D. An incremental major facilities fee credit  
438 issued to a property located in the Old Town Utility District prior to October 1, 2003 also may be  
439 assigned, sold, otherwise lawfully conveyed, or transferred as provided in this Subsection D.

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

443 (a) Assign, sell or otherwise lawfully convey all, or any portion, of the credit to  
444 another person, for the purpose of applying such credit against the payment of another base major  
445 facilities fee or incremental major facilities fee, as applicable:

446 [1] At the same location; or

447 [2] At a different location in the town;

448 (b) Transfer all or any portion of the credit to be applied by that person against the

449 payment of another base major facilities fee or incremental major facilities fee, as applicable, at a  
450 different location in the town; or

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

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

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

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

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

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

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

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

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

478 [1] As to the amount of incremental major facilities fee credit available for  
479 transfer, sale, assignment or conveyance; and

480 [2] That such fee was paid to the Town by the person applying for the  
481 transfer, sale, assignment or transfer.

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

485 (b) If the Town approves an application to transfer, sell, assign or convey all or a  
486 part of an incremental major facilities fee credit, the Town shall deliver to the applicant, to the  
487 property owner if different from the applicant, and to the person to whom the credit will be  
488 transferred, sold, assigned or conveyed, a certificate of approval which contains at least the following  
489 information:

490 [1] Names of the parties;

491 [2] The address for which the incremental major facilities fee had been paid;  
 492 [3] The address to which the incremental major facilities fee credit is being  
 493 transferred;  
 494 [4] The amount of such transferred, sold, assigned or conveyed incremental  
 495 major facilities fee credit which will be available for future transfer, sale, assignment or conveyance in  
 496 accordance with §101-4.1D(2); and  
 497 [5] The name of the person who will be entitled to apply for such future  
 498 transfer, sale, assignment or conveyance in accordance with §101-4.1D(2).  
 499 The Town’s approval of the application is not effective until a certificate of  
 500 approval is issued.

501  
 502  
 503 **§101-4.2. Major facilities fee loan program.**

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

506  
 507 **B.** The purpose of the major facilities fee loan program is to provide an economic  
 508 development incentive for the Town to recruit and attract desirable businesses to locate within the  
 509 Town and to encourage existing businesses to expand in the Town.

510  
 511 **C.** The Mayor and Council may appropriate in the Town’s annual budget ordinance such  
 512 amounts from the Town’s General Fund as the Mayor and Council deem necessary and appropriate to  
 513 fund the major facilities fee loan program. Amounts to fund the major facilities fee loan program shall  
 514 be appropriated as a designated line item in the budget ordinance.

515  
 516 **D.** The Mayor and Council may grant a loan to an eligible business under the major  
 517 facilities fee loan program if sufficient funds have been appropriated in the annual budget ordinance.  
 518 The amount of the loan to an eligible business may not exceed seventy-five percent (75%) of the  
 519 major facilities fee to be assessed for the business, plus the amount of any costs and expenses to be  
 520 included in the loan amount pursuant to subsection L. of this section.

521  
 522 **E.** Each major facilities fee loan granted by the Mayor and Council:

523  
 524 (1) Shall bear interest at a rate or rates to be established by the Mayor and Council,  
 525 such rate or rates to be not less than the prime rate established by the Bank of Southern Maryland  
 526 from time to time plus one percent (1%);

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

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

531 (4) Shall bear a method of repayment as shall be determined by the Mayor and  
 532 Council, but such method of repayment shall provide for not less than annual payments of accrued

533 interest plus a pro-rata portion of the outstanding principal balance of the loan; and  
534 (5) Shall be a lien upon any real property in the town owned by the business owner  
535 and guarantor of the loan, and may be collected and enforced in the same manner as Town real  
536 property taxes.

537  
538 **F.** Each major facilities fee loan, and any guarantees and security interests for the  
539 repayment of the loan, shall be evidenced by such agreements and other documents as may be deemed  
540 appropriate by the Chief Executive Officer and the Mayor and Council, and approved by the Town  
541 Attorney.

542  
543 **G.** A request for a major facilities fee loan shall be filed with the Chief Executive Officer  
544 upon such forms, and accompanied by such information, as may be required by the Chief Executive  
545 Officer. The request shall demonstrate how the business is an eligible business under the criteria  
546 provided in subsection J. of this section. The request shall be accompanied by a nonrefundable  
547 application fee in the amount of two percent (2%) of the requested loan amount or three hundred  
548 dollars (\$300.), whichever is more. The applicant also shall be responsible for providing such credit  
549 reports, business marketing studies, business plans, real estate appraisals, or other documentation and  
550 reports as may be required by the Chief Executive Officer or the Mayor and Council.

551  
552 **H.** Upon receipt of all information and fees as required by subsection G., the Chief  
553 Executive Officer shall review the loan request and all supporting documentation and shall submit a  
554 written analysis and recommendation to the Mayor and Council as to whether the loan should be  
555 granted. The analysis and recommendation shall evaluate the loan request based upon the criteria set  
556 forth in subsection J. of this section.

557  
558 **I.** Upon receipt of the written analysis and recommendation from the Chief Executive  
559 Officer, the Mayor and Council shall conduct a public hearing on the loan request. Notice of the  
560 public hearing shall be published at the expense of the applicant at least once in a newspaper of  
561 general circulation in the Town. Upon completion of the public hearing, the Mayor and Council may  
562 act upon the loan request. Any act approving the loan request shall be taken in the form of a  
563 Resolution, which shall set forth at least the following:

- 564  
565 (1) Name of the loan grantee;  
566 (2) Principal amount of the loan;  
567 (3) Term of the loan;  
568 (4) Interest rate or rates to be paid upon the unpaid principal balance;  
569 (5) The method of repayment of the loan; and  
570 (6) All personal guarantees and security interests associated with the loan.

571  
572 **J.** A business shall be eligible for a major facilities fee loan if it satisfies all of the  
573 following criteria:

- 574 (1) (a) The business will create substantial additional employment opportunities

575 for professional, technical and skilled labor in the Town, or

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

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

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

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

584 Even if a business is eligible for a major facilities fee loan, the Mayor and Council are not  
585 required to grant a loan request.

586

587 **K.** In addition to the mandatory criteria specified in subsection J., the Mayor and Council  
588 also may consider the following factors in determining whether to grant a request for a major facilities  
589 fee loan:

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

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

593

594 **L.** Upon approval of the loan by the Mayor and Council, the loan shall be accepted by the  
595 execution of such loan documents as may be required by the Mayor and Council and Chief Executive  
596 Officer and approved by the Town Attorney. The loan obligation shall be accepted, and all required  
597 security provided to the Town, prior to the issuance of a building permit for the project on account of  
598 which the loan is granted, and the loan obligation shall commence upon issuance of the building  
599 permit. The applicant shall be responsible for the payment of all costs and expenses incurred by the  
600 Town in connection with the documentation of the loan and perfection of any security interests,  
601 including, but not limited to, all costs of document preparation, title and lien searches, recording fees,  
602 and attorney fees. With the approval of the Town, these costs and expenses may be included within  
603 the amount of the loan.

604

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

608

609 **§ 101-5. Water rates, charges and fees.**

610 **A.** The water service rate for water use for all property having location within the  
611 corporate limits of the Town of La Plata shall be one dollar and eighty-FIVE cents ((((\$1.80))) (\$1.85)  
612 for each one thousand (1,000) gallons used.

613

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

616

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

618  
619 D. The account maintenance fee for each utility account shall be ten dollars (\$10) per  
620 quarter.

621  
622 E. A water connection charge shall be levied per dwelling unit as follows:

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

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

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

|     |                 |          |
|-----|-----------------|----------|
| 629 | 0 - 20,000      | \$ 82.00 |
| 630 | 20,001 - 40,000 | 190.00   |
| 631 | 40,001 - 60,000 | 285.00   |

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

635  
636 **§ 101-6. Sanitary sewer rates and charges.**

637 A. The sanitary sewer rate shall be computed based on the water consumption at five  
638 dollars and ((five)) TWENTY cents ((((\$5.05))) (\$5.20) for each one thousand (1,000) gallons used.  
639 However, the rate for Town residents who are connected to the Town sewer system only will be  
640 computed based on the Equivalency Dwelling Unit (EDU) method that is used to calculate Major  
641 Facility Fees. One EDU is estimated to use 20,000 gallons of water per quarter.

642  
643 B. It is the declared policy of the Town that no sewer service shall be extended outside  
644 the corporate limits of the Town.

645  
646 C. A sewer connection charge shall be levied per dwelling unit as follows:

647  
648 (1) Dwelling units having not more than seven hundred (700) square feet of total area:  
649 two hundred twenty-five dollars (\$225.).

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

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

|     |                 |          |
|-----|-----------------|----------|
| 654 | 0 - 20,000      | \$247.00 |
| 655 | 20,001 - 40,000 | 632.00   |
| 656 | 40,001 - 60,000 | 865.00   |

657  
658

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

663 **§ 101-7. Refuse collection fees.**

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

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

668 (1) Curbside: Fifty-((one)) THREE dollars and ((fifty)) FIVE cents ((((\$51.50)))  
669 (\$53.05) per unit (once a week collection).

670 (2) House side: Seventy- ((two)) FOUR dollars and ((seventy)) NINETY cents  
671 ((((\$72.70))) (\$74.90) per unit (once a week collection).

672 (3) Individuals over age sixty-four (64) or physically impaired may receive house side  
673 collection at fifty-((one)) THREE dollars and ((fifty)) FIVE cents ((((\$51.50))) (\$53.05) upon request  
674 to and approval of the Town Council.

675 (4) A surcharge of eight dollars and ((twenty-five)) FIFTY cents ((((\$8.25))) (\$8.50)  
676 will be collected from each utility account to pay for the recycling project.  
677

678 **B.** Commercial:

679 (1) Base rates (quarterly basis):

| 680 <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> |
|--------------------|----------------|----------------|----------------|----------------|----------------|
| 681 <b>I-A</b>     | \$ 51.50       |                |                |                |                |
| 682 <b>I-B</b>     | 84.90          |                |                |                |                |
| 683 <b>II</b>      | 47.75          | \$106.10       | \$163.25       | \$217.35       | \$265.25       |
| 684 <b>III-A</b>   | 68.00          | 97.60          |                |                |                |
| 685 <b>III-B</b>   | 83.85          | 132.60))       |                |                |                |

| 687 <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> |
|------------------|----------------|----------------|----------------|----------------|----------------|
| 688 <b>I-A</b>   | \$ 53.05       |                |                |                |                |
| 689 <b>I-B</b>   | 87.45          |                |                |                |                |
| 690 <b>II</b>    | 49.20          | \$109.30       | \$168.15       | \$223.85       | \$273.20       |
| 691 <b>III-A</b> | 70.05          | 100.55         |                |                |                |
| 692 <b>III-B</b> | 86.35          | 136.60         |                |                |                |

693  
694 (2) Group definitions:

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

697 [1] Group I-A: curbside pickup.

698 [2] Group I-B: house side pickup.

699 (b) Group II: all container (dumpster) pickups.

700 (c) Group III: businesses that generate not more than six (6) thirty (30) gallon

701 containers per week or nine (9) twenty (20) gallon containers per week and require no more than  
702 twice a week pickup.

703 [1] Group III-A: curbside pickup.

704 [2] Group III-B: other than curbside pickup (i.e., rear of building).

705 (3) The yardage charge shall be a charge of one dollar and ((forty-seven)) FIFTY-  
706 ONE cents ((((\$1.47))) (\$1.51) per yard per quarter based on container size and frequency of pickup.

707 (4) Commercial container rental (quarterly):

708 (a) Two (2) cubic yards: Twenty- ((five)) SIX dollars and ((seventy-five))  
709 FIFTY cents ((((\$25.75))) (\$26.50).

710 (b) Four (4) cubic yards: Thirty- ((three)) FOUR dollars and twenty cents  
711 ((((\$33.20))) (\$34.20).

712 ((5) At the request of the account holder, the Town will install a padlock on the  
713 dumpster and provide two keys for the use of the account holder. The one-time fee for this service is  
714 forty-five dollars (\$45.). Lost keys may be replaced and additional keys obtained for a fee of five  
715 dollars (\$5.) per key.))

716  
717 **C.** The landfill disposal surcharge for Groups II and III shall be 0.5 times the base rates,  
718 plus the yardage charge, and added separately to all refuse collection accounts.

719  
720 **D.** Special pickups for bulk items shall be charged as follows: A minimum of ten dollars  
721 (\$10.) for the first five (5) minutes and one dollar (\$1.) for each additional minute. Bulk items should  
722 weigh no more than fifty (50) pounds. Large amounts of loose material (such as brush) should be  
723 bundled or bagged in such a manner that the weight is less than fifty (50) pounds. The Town reserves  
724 the right to not pick up items too heavy to safely handle. General construction clean-up and  
725 hazardous materials are not eligible. A fee of five dollars (\$5.), or the current landfill disposal fee,  
726 shall be charged for each tire collected.

727  
728 Commercial accounts requesting an additional pickup of a dumpster shall pay one hundred  
729 dollars (\$100.) per dumpster emptied. This service is only for extraordinary circumstances and not  
730 meant to occur regularly. A commercial account needing frequent special pickups shall be reviewed  
731 to determine if a higher level of collection service is required.

732  
733 **E.** Outside corporate limits:

734 (1) Residential curbside: ((Sixty-nine)) SEVENTY-ONE dollars and ((fifty)) SIXTY  
735 cents ((((\$69.50))) (\$71.60) per quarter. This service is subject to Mayor and Council approval.

736 (2) A surcharge of eight dollars and ((twenty-five)) FIFTY cents ((((\$8.25))) (\$8.50)  
737 will be collected from each utility account to pay for the recycling project.

738  
739 **F.** Utility bills become past due thirty-one (31) days from the billing date stated on the  
740 bill. A late payment penalty shall be levied at the rate of ten percent (10%) per month or fraction of a  
741 month that the payment is past due.

742

743 **§ 101-8. Zoning fees.**

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

753  
754 The applicant for a Home Office permit shall pay to the Town a nonrefundable application fee  
755 of twenty-seven dollars (\$27.).

756  
757 Petitions for zoning amendments shall be three hundred and twenty-five dollars (\$325.). If an  
758 additional public hearing is necessary, the petitioner will pay any related costs as determined by the  
759 Chief Executive Officer.

760  
761 **§ 101-9. Updating Official Zoning Map.**

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

765  
766 **§ 101-10. Reduction of certain fees.**

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

769  
770 **§ 101-11. Water extraction permits.**

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

775  
776 **§ 101-12. Fee for returned checks.**

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

779  
780 **§ 101-13. Fees for miscellaneous items/services sold by the Town.**

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

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

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

785 Accident report: five dollars (\$5.).  
786 Xerographic copies: fifteen cents (\$0.15) per page.  
787 Miscellaneous promotional items: based on suppliers' cost to town.

788

789 **§ 101-14. Payment of fees and charges.**

790 All moneys due and payable to the Town of La Plata shall be collected solely by the Town  
791 Treasurer through the Finance Department of the Town of La Plata or through such county or state  
792 agency as deemed appropriate by the Town.

793

794 **§ 101-15. Penalty on overdue taxes.**

795 When taxes are overdue, the Town will impose a penalty of one third of one percent (1/3 of  
796 1%) for each month or fraction of a month until paid. This is in addition to the interest imposed in §  
797 C8-15 of the Town Charter.

798

